



Measuring racial disparities in foster care placement: A case study of Texas[☆]



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ABSTRACT

This paper uses administrative data from fiscal years 2002–2013 from the state of Texas to estimate racial disparities in foster care placement. The mean predicted probability of foster care placement is 2.5 percentage points higher for Black children relative to White children, and there is not a statistically significant difference in the predicted probability of foster care placement between Hispanic children and White children. Results from non-linear Oaxaca-Blinder decompositions show racial disparities in risk factors for child maltreatment do not explain the disparity in foster care placement; rather it is racial disparities in the effects of risk factors that are the main contributors. Discerning the respective roles of racial disparities in maltreatment risk factors as compared to racially biased decision-making can help to inform solutions to racial disparities in foster care entry. This research can provide guidance as to what extent resources should be focused on alleviating poverty versus training child welfare workers to recognize and eliminate decision-making bias; of course these ought to be complementary undertakings.

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1. Introduction

In 2014, Black children represented 14% of the U.S. child population, but 22% of children entering foster care (US DHHS, 2015, ChildStats, 2015).² Numerous studies show negative effects associated with time spent in foster care, such as poverty, substance abuse, and low educational attainment (e.g. Jonson-Reid & Barth, 2000; Paxson & Waldfogel, 2002; Jee, Barth, & Szilagy, 2006; Pecora et al., 2006; Grogan-Kaylor, Ruffolo, Ortega, & Clarke, 2008; Doyle, 2007a, 2007b, 2013). If Black children enter foster care at a higher rate than White children, they will experience these negative effects disproportionately. Researchers have offered two primary explanations for racial disparities in foster care placement: either the cause is racial disparities in risk factors for maltreatment – most notably poverty – lead to disparities in actual

maltreatment (Bartholet, 2009; Drake et al., 2011), or the disparities stem from biased decision-making (Ards, Myers, Malkis, & Zhou, 2003; Ards et al., 2012; Berger, McDaniel, & Paxson, 2006; Rivaux et al., 2008). These theories are not mutually exclusive and should be viewed not as competing, but rather as complementary. Understanding the contributions of these factors can guide policy makers in developing the most effective methods to eliminate this disparity.

This paper estimates the correlates of foster care placement by race. Of particular focus are the effects of poverty and any racial differences in these effects. Although poverty receives considerable attention in empirical studies on child maltreatment and foster care placements, most research still fails to account for possible racial differences in the effects of poverty (Wulczyn & Hall, 2011). The empirical analysis here defines racial disparities as a difference in the probability that a report of maltreatment results in foster care placement between children of different race.

The data analysis here is limited to the state of Texas and to the period 2002–2013; therefore, results cannot necessarily be exported to other locations or periods of time. In the context of child welfare policy and practice, however, this apparent weakness is an actual strength: "... one of the enduring features of the child welfare system in the United States is its local character. Running counter to that is the strong tendency to paint the entire field with a single, broad brush despite ample evidence to suggest that this is unwise" (Wulczyn & Hall, 2011, p.13). Furthermore, Texas implemented a policy in 2005 that requires all Department of Family and Protective Services (DFPS) social workers to

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receive cultural competence training. This offers an opportunity to examine empirically whether cultural competence training is correlated with a reduction of racial disparities in foster care placements.

Discerning the respective roles of racial disparities in maltreatment risk factors as compared to racially biased decision-making should inform solutions to racial disparities in foster care entry. This research can provide guidance as to what extent resources should be focused on alleviating poverty versus training child welfare workers to recognize and eliminate decision-making bias; of course these ought to be complementary undertakings.

2. Background

2.1. Negative effects of foster care

Every year, the foster care system provides a temporary home for hundreds of thousands of children experiencing abuse and neglect who cannot return to their family safely.³ Unfortunately, many children suffer from additional maltreatment during their time spent in foster care and even best case scenarios have considerable “uncertainty, instability, and impermanence” (Bass, Shields, & Behrman, 2004, p. 6). It is very difficult to determine what would have happened if a child was not removed from their homes; however, many studies have shown negative effects associated with time spent in foster care.

Jonson-Reid and Barth (2000) and Grogan-Kaylor et al. (2008) find that children involved in the child welfare system are more likely to become juvenile offenders. Jee et al. (2006) find increased prevalence of chronic health problems among children who are in foster care for at least one year. Paxson and Waldfogel (2002) and Pilowsky and Wu (2006) show youth who spend time in the child welfare system are more likely to suffer from substance abuse than those who do not spend time in the system. Cheng and Lo (2010) find child alcohol use is positively associated with experiencing neglect but not with foster care placement. Regarding the nonmedical use of prescription medication, however, Cheng and Lo (2012) find a statistically significant relationship with both neglect and time spent in the child welfare system. Pecora et al. (2006) find foster care alumni suffer from low rates of post-secondary educational attainment, low rates of health insurance coverage, and high rates of poverty. Using an instrumental variables estimator to measure the effect of foster care placement, Doyle (2007a, 2007b, 2013) finds that children on the margin of placement are less likely to experience delinquency, teen motherhood, use less emergency health care, have better employment outcomes, and are less likely to be charged with a crime as an adult when they remain at home, as compared to those placed in foster care.

2.2. Sources of racial disparities in foster care placement

It is important to recognize there are many stages in the process of a foster care placement where racial disparities can be introduced, exacerbated, or diminished (Berger et al., 2006). Researchers have examined disparities in maltreatment rates (Sedlak et al., 2010; Freisthler & Maguire-Jack, 2015), reporting (Krase, 2013; Drake, Lee, & Jonson-Reid, 2009; Ards et al., 2003), substantiation of reports (Ards et al., 2003; Dettlaff et al., 2011; Font, Berger, & Slack, 2012; Cheng & Lo, 2013), and out of home placements (Lu et al., 2004; Knott & Donovan, 2010; Bhatti-Sinclair & Sutcliffe, 2012).

There are two predominant theories for the sources of the well-documented racial disproportionality in the child welfare system. The first theory posits that the system's disproportionality results from racial differences in risk factors associated with child maltreatment leading to racial differences in actual maltreatment. The second theory asserts that

racially biased decision-making is at the core of the problem. Drake et al. (2011) label these theories the “risk model” and the “bias model”.

Under the risk model, Black children are overrepresented in the child welfare system because they suffer from a higher rate of maltreatment than do White children (Drake et al., 2011). Higher rates of maltreatment among Black children stem from a disproportionate exposure to the risk factors of abuse and neglect, most notably poverty (Bartholet, 2009; Pelton, 2015). Cheng and Lo (2015) find low family income increases the probability of substantiation of a re-report of child maltreatment, but find no relationship between substantiation and living in a poor county. Lery (2009), however, does find a statistically significant relationship between poverty and foster care placement in California within Census blocks, Census tracts, and zip codes. The importance of poverty has gained increased attention recently, but the possible racial differences in the effects of poverty have been largely unexamined (Wulczyn & Hall, 2011; Pelton, 2015).

The bias model posits racially biased decision-making, not racial differences in actual maltreatment rates, as what drives driving the system's disproportionality (Drake et al., 2011). As with the risk model, the bias model claims there are racial disparities in the exposure to risk factors for *contact with* the child welfare system. The main difference between the two theories arises after contact with the system. The bias model claims the *actual occurrence* of maltreatment is equal for Black and White families, but racial biases in the decisions to report and substantiate abuse or neglect and to place a child in foster care are the main causes of the system's disproportionality.

2.3. Racially biased decision-making

Common in social work literature is the claim that racially biased decision-making is likely to take place during child welfare investigations and at other stages in the child welfare system because the class and race of the social worker may differ from the class and race of the client. The core idea is that people find it difficult to accurately interpret information regarding persons from another culture. As a result, social workers may practice “stereotype application”: they unconsciously and automatically mentally assign what they assume to be the characteristics of a group or class of an individual to the individual himself (van Ryn & Fu, 2003). In the child welfare context, this leads to child welfare investigations in which the social worker might not understand which services are best for a family because of cultural differences. Differences in education, socioeconomic status, gender, age, or other life experiences can also create substantial communication and interpretation problems (Korbin, 2002). Frequently this research asserts that racial bias can be reduced by training social workers to be aware of and sensitive to cultural differences; such awareness and sensitivity is called “cultural competence.”⁴ The main objective of becoming culturally competent is to provide child welfare workers with appropriate information regarding other races, ethnicities, and cultures so the stereotype application does not overwhelm their decision-making process. Recently it has been recognized that the model of “stereotype application” from social work is similar to the model of “statistical discrimination” from economics (Berger et al., 2006; Ards et al., 2012). Both models share a common structure: a decision-maker possesses prior information, observes additional information, and finally must decide how to allocate a scarce resource. The decision-maker is not assumed to be discriminatory; however, noisy information can lead to persistent, unequal treatment of individuals from different demographic groups.

There is a great need for culturally competency given the history of institutional racism in the child welfare system (Church, Gross, & Baldwin, 2005). It is an oversimplification to assert that disproportionality in the child welfare system arises from culturally incompetent caseworkers when the problem likely permeates throughout entire agencies and the system as a whole (Church, 2006). All child welfare system employees,

³ On September 30th of fiscal year 2014 there were an estimated 415,129 children living in foster care (US DHHS, 2015).

⁴ Cultural competence training is not exclusive to social workers; educators, health care providers, and law enforcement often undergo cultural competence training.

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