

To: The House Judiciary Committee
From: Rachel White, Child Welfare Policy Director
Re: HB 1342- Family Law-Removal of Child-Meetings
Date: February 27, 2020
Position: Support with Amendments

A significant amount of research has documented the overrepresentation of African-American families in the child welfare system when compared with their representation in the general population (e.g., Summers, 2015; Wells, 2011; Derezotes, Poertner, & Testa, 2004). Additionally, numerous studies have shown that racial disparities occur at various, decision points in the child welfare continuum. In fact in Maryland, Black children represent 33% of the population but close to 70% of children in out of home placements,

There are a variety of possible causes of racial disproportionality and disparity. It is often difficult, however, to determine what particular factors at either the systems or individual case levels had an effect and to what degree. Researchers who reviewed 10 years of findings on this topic posited four possible explanations- Disproportionate and disparate needs of children and families of color, particularly due to higher rates of poverty, Racial bias and discrimination exhibited by individuals (e.g., caseworkers, mandated and other reporters), Child welfare system factors (e.g., lack of resources for families of color, caseworker characteristics)

The strong relationship between poverty and maltreatment, however, does not fully explain racial disproportionality and disparity. It is also possible that child welfare professionals or others involved with the case or family may knowingly or unknowingly let personal biases affect their decision-making. For example, two studies in Texas found that race, risk, and income all influence case decision, but even though African-American families tended to be assessed with lower risk scores than White families, they were more likely than White families to have substantiated cases, have their children removed, or be provided family-based safety service

Strategies to address disproportionality and disparities are often the same strategies used to improve child welfare for all children and families. The particular strategies employed by agencies should be specific to the disproportionality and disparities present in their jurisdictions, both in terms of the racial and ethnic populations affected and the points within the child welfare process at which those differences are apparent. **HB 1342 to be amended to require the Department to assess the current disparities within the child welfare system at all decision points.**

Due to their greater exposure to certain risk factors for maltreatment, such as poverty and parental incarceration, programs designed to reduce poverty and crime rates and to increase concrete services, such as housing and employment, may have preventive effects on the incidence of child abuse or neglect. Targeted prevention efforts that include a strong cultural competence component reflected in staffing

1 North Charles Street Suite 2400 | Baltimore, MD 21201 | www.acy.org | 410-547-9200

and training may be especially useful.

Family practices that might be seen as abusive or neglectful by mainstream standards may have a cultural component that would define them differently by a worker of a different background. **HB 1342 should require training for child welfare staff could include information about disproportionality and disparity, institutional racism, culturally competent practice with specific cultural groups, and identifying personal biases and their impact.** While training is a key first step to enhanced practice by agency staff, it is also important to support transfer of learning to ensure staff apply the concepts from the training to their jobs.

Maryland Department of Human Services, should assess the existence of disproportionality and disparities within their systems, including at which decision points they occur and which racial and ethnic populations are affected, and seek strategies specific to the issues present in their jurisdiction.

For the reasons stated above, we ask that this committee issue a favorable report.