It Is Not a Broken System, It Is a System That Needs To Be Broken:
The upEND Movement to Abolish the Child Welfare System

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Abstract: The child welfare system disproportionately harms Black children and families through systemic over-surveillance, over-involvement, and the resulting adverse outcomes associated with foster care. Ending this harm will only be achieved when the forcible surveillance and separation of children from their parents is no longer viewed as an acceptable form of intervention. This paper describes the upEND movement, a collaborative movement aimed at abolishing the child welfare system as we know it and reimagining how we as a society support child, family, and community safety and well-being.

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Black children are over-surveilled and over-policed by the child welfare system. As a field, we have known this for decades, yet we have been unable to effectively resolve this. Once involved in this system, child welfare intervention causes irreparable harm to Black children and families. An entire body of research has demonstrated the adverse outcomes associated with child welfare intervention. Although the risk of these adverse outcomes exists for all children who enter foster care, Black children are at greater risk of experiencing these outcomes due to the added impact of the ongoing legacy of structural and institutional racism in America. Thus, when Black children and families are systematically over-surveilled and subsequently forced to participate in an intervention known to cause harm, the child welfare system itself becomes a source of their ongoing and continued oppression. Ending these racial inequities, and the harm that results to Black children and families, will only be achieved when the forcible separation of children from their parents is no longer viewed as an acceptable form of intervention. The harm that results from this, and the families that are destroyed as a result, will only end through abolition of the child welfare system as we know it and a fundamental reimagining of the meaning of child welfare – a reimagining that is fundamentally anti-racist. This paper will discuss the history and consequences of racial disproportionality and disparities, why they exist, and why, after decades of attempts to reform the child welfare system, it is time to acknowledge that reforms cannot right a fundamental wrong. The harm perpetrated on Black children and families by the child welfare system will only end when we can envision a society where families are strengthened and supported, rather than surveilled and separated.

The History and Consequences of Racial Disproportionality and Disparities: How the Child Welfare System Disproportionately Harms Black Children and Families

The overrepresentation of Black children in the child welfare system, commonly referred to as racial disproportionality, was first brought to national attention by Billingsley and Giovannoni (1972) in their seminal publication, *Children of the Storm: Black Children and American Child Welfare*. Prior to the 1960s, Black children were largely excluded from child welfare systems, as the bulk of child welfare services were designed to serve poor White immigrants. Yet as changes in migration patterns occurred among Black Americans during the 1950s and 1960s, both from rural to urban areas and from the South to the North, along with major policy and legislative changes expanding the scope and reach of child protection agencies, the involvement of Black children in foster care began to grow rapidly (Billingsley & Giovannoni, 1972; Hogan & Siu, 1988). By the end of the 1970s, a number of studies documented that Black children had become the most overrepresented population in this system (e.g., Magura, 1979; Shyne & Schroeder, 1978). By 2000, Black children comprised 38% of children in foster care, although they

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1 Racial disproportionality has also been observed among Native American and Latinx children, although to a lesser degree and with variations by state. Native American children are overrepresented at the national level, representing approximately 2% of children in foster care although they represent only 1% of the general child population. Latinx children are underrepresented at the national level, although overrepresentation exists in certain states. The body of research on disproportionality, as well as debates concerning the appropriate response, has focused primarily on Black children. As a result, this article addresses racial disproportionality and disparities impacting Black children and families. However, efforts to abolish the child welfare system with Black children and families at the center of this work also involves ending the oppression that harms Native American and Latinx children & families.
represented only 16% of the general child population (National Council of Juvenile and Family Court Judges [NCJFCJ], 2017). Since that time, rates of disproportionality have decreased, with current data indicating Black children represent 23% of children in foster care, while they represent 14% of children in the general population (KIDS Count 2020; U.S. Department of Health and Human Services [USDHHS], 2019). However, these data show that despite decades of efforts to address this, Black children remain overrepresented in foster care at a rate more than 1.6 times their proportion of the general population, while in some states, Black children are represented in foster care at rates more than three times their proportion of the population (NCJFCJ, 2017).

Racial disproportionality exists because of racial disparities that occur along the child welfare service pathway that impact both entries into the system and exits from the system. As awareness of disproportionality has grown, a large body of research has documented the disparities that exist along this pathway that negatively impact Black children. Beginning with the point of initial referral, multiple studies have found that Black children are more likely to be reported for suspected maltreatment than White children (e.g., Miller, 2008; Putnam-Hornstein, Needell, King, & Johnson-Motoyama, 2013). These disparities often originate from professional reporters including educational (e.g., Krase, 2015) and medical personnel (e.g., Lane, Rubin, Monteith, & Christian, 2002; Hymel et al., 2018). Once a report is made, allegations involving Black children are more likely to proceed to investigation than those involving White children (e.g., e.g., Fluke, Yuan, Hederson, & Curtis, 2003; Harris & Hackett, 2008). Once accepted for investigation, allegations involving Black children are significantly more likely to be substantiated than those involving White children (e.g., Dettlaff et al., 2011; Font, Berger, & Slack, 2012;). This decision point has a significant impact on later decisions regarding removal, as more than 98% of children placed in out-of-home care are involved in substantiated investigations (USDHHS, 2020).

Much of the research on racial disparities has focused on entries into foster care, as well as exits from care, given the lifelong impacts these decisions have on children and families. Research on these decision points consistently shows that Black children are more likely to be removed from their homes and placed into foster care than White children (e.g., Maguire-Jack, Font, & Dillard, 2020; Putnam-Hornstein et al., 2013). Once in foster care, studies show that Black children are less likely to be reunified with their families, experience greater placement instability, and spend longer time in foster care before achieving some form of permanency than White children (e.g., Huggins-Hoyt, Briggs, Mowbray, & Allen, 2019; Miller, 2008).

It is important to note that racial disproportionality and disparities have not only been observed consistently over time, they exist both at the national level and across states and jurisdictions. Data from the National Council of Juvenile and Family Court Judges (2017) show that in 2015, Black children were overrepresented in foster care both at the national level and in 46 of 50 states. Racial disparities have been documented at multiple decision-making points across the child welfare service continuum using both national data and data from state and county-level jurisdictions. Thus, the existence of racial disproportionality and disparities in child welfare is indisputable.

The pervasive and persistent nature of these disparities, and the child welfare systems inability to address them, represents a significant problem because of the pervasive and persistent harm these
disparities cause Black children and families. Research consistently shows that the act of forcible separation of children from their parents is a source of significant and lifelong trauma. The trauma associated with separation has been shown to result in cognitive delays, depression, increased aggression, behavioral problems, poor educational achievement, and other harmful outcomes (e.g., Adam & Chase-Lansdale, 2002; Howard, Martin, Berlin, Brooks-Gunn, 2011). This has been demonstrated in cases of parental incarceration, divorce or separation of parents, and when children are involuntarily removed from their parents by immigration officials (e.g., Amato & Cheadle, 2005; Dreby, 2012; Graham & Jordan, 2011; Johnson & Easterling, 2012). The same trauma that results from these circumstances also occurs when children are forcibly and involuntarily separated from their parents by child protection authorities, regardless of how long the separation lasts (e.g., Mitchell and Kuczynski 2009; Sankaran, Church, and Mitchell 2019).

But even beyond the trauma of separation, the harm associated with placement in foster care continues as children are sent to strangers’ homes with little explanation, and often continue to be moved multiple times, with little to no information on when or if they will be returned home. Research has consistently shown that children who spend time in foster care are at risk for a host of adverse outcomes including low educational attainment, homelessness, unemployment, economic hardship, teen births, developmental delays, mental health disorders, substance use disorders, and juvenile and criminal legal system involvement (Bauer & Thomas, 2019; Courtney et al. 2011; Doyle, 2007, 2008; Lowenstein, 2018; Pecora et al. 2005; Ryan & Testa, 2005). While these risks exist for all children who enter foster care, the risk of experiencing these outcomes is exacerbated for Black children. As a result of the anti-Black racism and entrenched inequality that pervade our society, Black children in America are already at risk of poor outcomes over the course of their lives including economic hardship, poor health, low educational attainment, teen births, criminal legal involvement, emotional distress, and suicidal ideation (e.g., Hanks, Solomon, & Weller, 2018; Hope, Hoggard, & Thomas, 2015). For Black children who experience the added trauma of forced separation from their parents and placement in foster care, the result is a condition of compound disadvantage that makes it all the more likely these outcomes will be realized. Even in cases where some form of intervention is necessary, the negative outcomes associated with child welfare intervention only serve to further disadvantage Black children. In this way, foster care as an intervention is fundamentally different than other forms of intervention intended to provide support to families (e.g., Head Start, Children’s Health Insurance Programs), as the outcome of this intervention is the further oppression and marginalization of an already vulnerable population.

In addition to the consequences to Black children who experience foster care, the consequences of pervasive surveillance and separation on Black families and communities has been well-documented by the work of Dorothy Roberts. In her groundbreaking work, Shattered Bonds (2002), Roberts argued that the disproportionate removal of Black children by child welfare agencies, coupled with the over-surveillance of Black families in Black communities, has a harmful effect on the personal and community identity shared among Black people. When Black families and communities are disproportionately torn apart by this system, the resulting harm and disintegration weakens their collective ability to overcome the structural disadvantages they already face. This disproportionate interference also reinforces negative stereotypes that Black families are incapable of caring for themselves without government assistance and supervision.
These ideas were expanded upon in Roberts’ subsequent study of Black women in Chicago (2008), which documented the harmful consequences of child welfare intervention on family and community networks. The women included in this study described the vast reach of this system which had permeated their community to the point where every resident was either personally connected to child welfare or knew someone who was connected. This intense level of supervision and intervention resulted in an overwhelming feeling of oppression that impacted all aspects of personal and community involvement, including a significant impact on parental authority, as widespread fear of child welfare involvement impacted their ability to parent effectively. Participants also described harm to their social relationships due to fears that personal disputes would lead to calls to child welfare agencies, resulting in a lack of trust among neighbors, as well as harm to children’s social relationships due to the constant movement of children within the community and the inability to form long-lasting attachments.

It should be noted here that child welfare intervention can be helpful for some children and for some families. In fact, a small number of studies have shown a potential mitigating effect of foster care on certain negative outcomes (e.g., Font et al., 2018; Font, Cancian, and Berger 2019). However, what is often not discussed, is that any perceived or actual benefit of foster care comes at a tremendous cost. Success stories, when they occur, are often used to justify the current model and to ignore the systems’ many failures. Yet, the pain and trauma associated with child welfare intervention can never be separated from any subsequent positive outcome.


While racial disproportionality and disparities have been studied and documented for decades, dialogue about the causes of disproportionality and the extent to which it is a problem has been unproductive and harmful, creating confusion in the field, and stalling reform efforts. At issue in this dialogue has been whether disproportionality and disparities result from differential treatment by the child welfare system as a result of racial biases, or from differential need among Black families due to their greater likelihood of experiencing poverty and related risks for maltreatment. These often conflicting views have stirred a debate in the child welfare field that has elicited strong feelings from many involved, while those in child welfare agencies have been left questioning how to proceed with efforts to address this problem. The result has been that many efforts to address disproportionality have been discontinued, and what has been known as a problem for decades remains unresolved.

Early efforts to understand and address disproportionality relied largely on findings from the National Incidence Studies (NIS) of Child Abuse and Neglect to point to racial bias as the cause of this problem. Prior to 2010, the NIS had been conducted on three occasions, and had consistently found no significant differences in rates of maltreatment between Black children and children of other races (e.g., Sedlak & Broadhurst, 1996). These findings were viewed by many as evidence of racial bias given the discrepancy between the NIS findings and Black children’s overrepresentation in the system (e.g., Morton, 1999). The NIS-3 report, published in 1996, specifically drew attention to this, stating, “the differential representation of minorities in the child welfare population does not derive from inherent differences in the rates at which they are
abused or neglected (p. 8-7),” and rather suggested that “differential attention” received by children of different races along the child welfare service pathway was the source of this problem (Sedlak & Broadhurst, 1996).

The understanding of disproportionality, and particularly the understanding of racial bias as the primary cause, shifted somewhat following a publication by Harvard Law Professor Elizabeth Bartholet in 2009 entitled, *The Racial Disproportionality Movement in Child Welfare: False Facts and Dangerous Directions*. In this essay, Bartholet contended that despite the NIS findings, the overrepresentation of Black children in the child welfare system occurs because Black children are in fact maltreated at higher rates than children of other races, and thus should be placed in foster care at higher rates than other children. She argued that higher rates of maltreatment in Black families are to be expected because Black children are more likely to be exposed to many of the risk factors associated with maltreatment, including poverty, substance abuse, and single parenting. In addition, Bartholet directly criticized the efforts of child welfare systems to address racial bias and reduce the number of removals of Black children, stating this would ultimately harm Black children at risk of harm.

This was followed by the publication of the most recent National Incidence Study (NIS-4) in 2010, which found for the first time that rates of maltreatment for Black children were significantly higher than those for White or Hispanic children (Sedlak et al., 2010). In supplemental analyses, the authors concluded that these differences were the result of greater precision of the NIS-4 estimates, as well as an increased disparity in income between Black and White families since the NIS-3 (Sedlak, McPherson, & Das, 2010). This latter finding highlighted the role of poverty as an important contributing factor to maltreatment, as the NIS data found that the percent of Black children living in the lowest income homes had increased since the NIS-3, and children in the lowest income homes had experienced some form of maltreatment at a rate more than 5 times the rate of other children.

The combination of the Bartholet paper, along with data from the NIS-4, substantively changed the discourse concerning racial disproportionality and disparities, bringing renewed focus to the relationship between poverty and maltreatment, and the likelihood that greater exposure to poverty among Black families was a significant contributor to their overrepresentation in child welfare. Since that time, several additional studies have shown a relationship between poverty and maltreatment among Black families and have found that when controlling for the effects of poverty, race is not a significant factor contributing to the observed disparities (e.g., Font et al, 2012; Putnam-Hornstein et al., 2013). These studies have given rise to current arguments that have focused on “disproportionate need” rather than racial bias as the primary contributing factor to disproportionality, with many scholars calling for a shift in the ways in which child welfare systems respond to disproportionality, emphasizing the role of poverty and the need for prevention programs targeted to historically marginalized Black communities (e.g., Bartholet, 2011; Drake et al., 2011; Font et al., 2012).

However, while these studies have highlighted the role of poverty as a contributing factor to disproportionality and disparities, they do not completely explain their existence, nor do they explain away the role of racial bias as an additional contributing factor. In fact, a growing number of studies have found that even after controlling for poverty and other factors, race
remains a significant predictor of racial disparities (e.g., Dettlaff et al., 2011; Miller, 2008; Rivaux et al., 2008). For example, using statewide data from Texas, Rivaux et al. (2008) examined the decision to remove a child from home in lieu of receiving in-home services. After controlling for both income and risk as defined by CPS caseworkers, results showed that race remained a significant predictor of the removal decision, with Black children being 77% more likely than White children to be removed from their homes in lieu of receiving in-home services. The inclusion of risk in this study, in addition to income, allowed for an important interpretation to be made regarding the role of race, as decisions to place children in foster care are based largely on the assessment of risk for future maltreatment. When risk is too great to warrant the provision of services in the home, removal is deemed necessary. Thus, by holding both risk and income constant, the emergence of race as a significant predictor shows that the race of the child influenced the decisions made regarding that child, providing evidence that racial bias in decision-making remains an important factor in contributing to racial disparities.

In addition to studies such as this, an entire body of qualitative research has documented Black families experiences of racism in the child welfare system, including differential treatment, lack of cultural sensitivity, cultural misunderstandings, negative perceptions of differing parenting styles, lack of culturally appropriate services, and judgments against a White parenting standard (e.g., Harris & Hackett, 2008; Miller, Cahn, Anderson-Nathe, Cause, & Bender, 2013; Miller, Cahn, & Orellana, 2012). In studies that have included the voices of child welfare and legal professionals, these professionals have consistently affirmed the experiences of Black families, acknowledging the role of racial bias not only in their own decision making, but also in the assessment measures, licensing standards, and interventions used to assist families (e.g., Dettlaff & Rycraft, 2010; Miller et al., 2012).

These experiences of racism that are documented throughout qualitative studies are rarely cited as evidence of racial bias in publications about racial disproportionality, which speaks to a larger problem that devalues qualitative research findings as evidence. This is a form of oppression in itself as the omission of this line of research systematically suppresses and dismisses the voices of Black parents and Black children who have shared their experiences of racism in this system. Black parents and Black children have consistently shared their stories of the deep problem of racism in this system, yet many have chosen to dismiss this and instead try to disprove this problem exists.

Despite the body of evidence that exists, those who contend that “disproportionate need” is the primary contributing factor to disproportionality have largely discounted the role of racism or racial bias in child welfare systems and have emphasized the role of poverty and related risks in Black families and Black communities. These arguments that frame “disproportionate need” as the predominant contributing factor have led many in child welfare systems to believe that the causes of disproportionality occur largely outside their systems, and as a result, racial disproportionality is to be expected and no action is needed to address it. These arguments are often coupled with critiques of efforts to address disproportionality through anti-racism training or other efforts to address bias, which have led some in child welfare systems to no longer feel a responsibility to address issues of bias and in some cases, to deny it even exists.
The result has been that many efforts to address disproportionality have stalled, and what was once viewed as a prominent concern for child welfare systems is now viewed by many as an acceptable status quo. Further, not only has this debate hindered efforts to address disproportionality, it has distracted from the real problem of racism that creates disproportionality, both within child welfare systems and within broader society. Although research clearly documents the relationship between poverty and maltreatment, poverty and “disproportionate need” are the result of centuries of racism and structural disadvantage that have created the conditions of risk that contribute to maltreatment in Black families. These issues of disproportionate need are then compounded by the over-surveillance and over-reporting of Black families to child welfare systems, which begins their involvement in a system that exacerbates these inequities through racial biases in decision making that disproportionately impact Black children.

Thus, this debate only serves to perpetuate harm to the children and families who are impacted by this, as it allows for these inequities to continue. The harm to Black children and families by the child welfare system will continue to occur as long as racial disproportionality and disparities are allowed to exist. As stated previously, the harm that results from foster care fundamentally distinguishes the child welfare system from any other system or means of helping families. This harm will only be stopped through a fundamental reimagining of not only the child welfare system, but also the very meanings of child welfare and child well-being.

The upEND Movement to Abolish the Child Welfare System

As described in the preceding sections, decades of research have documented not only the existence of racial disproportionality and disparities in the child welfare system, but also the harmful effects of disproportionality and disparities on Black children and families. Over the last several decades a number of strategies have been employed in attempts to address these problems. These have included interventions both within child welfare systems and within communities most affected by disproportionality. Although some progress has been made, it is clear these strategies are not at all sufficient. Despite decades of reforms and attempts to address these problems, racial disproportionality and disparities persist, and the harm that results to Black children and families continues.

Given the persistent and pervasive nature of racial disproportionality and disparities, and the inability of the current system to adequately address them, it is time to consider a new framework that reimagines the meaning of child welfare and the ways in which we as a society support child and family safety and well-being – a framework that is fundamentally anti-racist. Anti-racism is a practice that rigorously questions the motives of institutions and opposes institutional and systemic policies that produce and maintain racial inequity. Dr. Ibram Kendi (2019) defines racist policies as those policies that produce and maintain racial inequity, while anti-racist policies are those that produce and maintain racial equity. In this definition, “policy” is used broadly to include all “written and unwritten laws, rules, procedures, processes, regulations, and guidelines that govern people” (pg. 18). All policies either produce racial inequity or they produce racial equity. An anti-racist framework involves identifying the ways in which current policies and practices within a system produce and maintain racial inequities, and
then recreating those policies and practices in a way that is designed to achieve equity and eliminate harm. Thus, an anti-racist framework isn’t one of reform, it is one of re-creation.

Applying an anti-racist framework to child welfare begins by acknowledging that racial disproportionality and disparities are produced and maintained through the policies and practices of the system in which they exist. Eliminating racial disproportionality and disparities requires that we shift our efforts from trying to reduce disproportionality and disparities once they exist, to examining and remediating the policies and practices that create them. Within the child welfare system, the policies and practices that produce and maintain racial inequity are the policies and practices that support the forced separation and involuntary removal of children from their homes. Eliminating racial disproportionality and disparities, and the harm they cause, will only be achieved when the forcible and involuntary separation of children from their parents is no longer viewed as an acceptable form of intervention. The harm that results from this, and the families that are destroyed as a result, will only end through abolition of the child welfare system as we know it and a fundamental reimagining of how we support child, family, and community safety and well-being – a reimagining that is intentionally and inherently anti-racist.

Building from this anti-racist framework, the upEND movement began with the acknowledgment that reforms are no longer sufficient. Through our collective experience of involvement in these reform efforts, as well as what we know the data show, we have learned that racism is so deeply rooted in child welfare systems’ history, policies, and practices that they cannot simply be modified or revised. Rather, they must be recreated with the specific goal of producing and maintaining justice and liberation. This shift envisions a redirection of resources that promotes communities themselves ensuring the safety and well-being of children and families. Thus, the upEND movement seeks to end the current child welfare system as we know it, and collectively reimagine new, anti-racist means of keeping children, families, and communities safe and thriving. We also recognize that abolition of the child welfare system is not a new idea. Many advocates, from parents who have lost their children to the system, to legal professionals, to grassroots organizers, have called for abolition of this system. Thus, upEND is a collaborative movement that seeks to partner with the many organizers and activists who have laid the groundwork to reimagine a future where families are strengthened and maintained rather than surveilled and separated.

While this may initially appear radical to some, these changes are needed to end racial inequities and to achieve a just and healthy society. This can begin by recognizing the misconception of child welfare intervention as a “helpful service” provided to vulnerable families. Now is the time to critically reevaluate the use of forced family separation as an intervention for families who must navigate a society inundated with racism, discrimination, and unequal access to resources and opportunities. For Black families in America, forced family separation has its roots in the dehumanizing system of slavery. Slavery institutionalized the forced separation of Black families and ensured that enslaved parents had no claim to their own children, who could be bought, sold, and traded away at their owner’s discretion. Given that the involuntary removal of children by the child welfare system is not the first form of family separation to disproportionately impact Black families, it should be understood that the trauma of involuntary removal can be heightened by the legacy of forced family separation that was integral to slavery. As a field, we need to consider the implications of the involuntary removal of Black children in a racist society, and to
recognize that forced family separation inflicts yet another egregious harm on Black families with detrimental impacts on their health and well-being.

Little will change if we continue to rely on involuntary surveillance and separation of families as the go-to intervention that often results from racist policies that have segregated them into communities characterized by inadequate access to housing, healthcare, employment, education, and economic opportunities. The safety and well-being of families will only be possible when foster care is no longer the gateway to needed services and supports. However, the development of alternative responses has been stifled by entrenchment in and justification of the current model. We can also benefit by revisiting what we view as the perceived benefits of child welfare intervention, as any perceived or actual benefit can be achieved through alternative means that do not inherently impart harm. We do not need to settle for the current system that works to ensure child safety by inflicting trauma upon trauma. Instead, applying a strengths-based perspective in place of the existing deficit lens can lead to efforts that harness the strengths of families and communities to identify proactive and restorative courses of action. The results of this can be used as the basis for redirecting funds that are currently used to maintain foster care to families and communities, thereby beginning the process of divesting from a harmful and oppressive system and investing in the safety and well-being of children, families, and communities.

The Road to Abolition

Decades of child welfare policy have created the child welfare system that exists today and ending the child welfare system as we know it is a process. Through strategic alliances with the many advocates and organizers that have long called for abolition, the upEND movement seeks to identify and describe the ways in which existing child welfare policies, practices, and research support and maintain racial inequities, and to replace those with new, anti-racist responses that keep children safe and protected in their homes. The upEND movement supports reform efforts on an interim basis that shrink the scope and size of the child welfare system, and move the child welfare system to limit the use of involuntary removal as new anti-racist responses are designed and implemented. However, the vision of upEND is not to tinker or modestly reform existing child welfare systems. Rather, upEND seeks to abolish the current child welfare system and replace this with community-based supports for the care and well-being of children that are designed by and for families and communities, thereby making the need for the current child welfare system obsolete. The upEND movement seeks to achieve safety, permanency, and well-being – goals that cannot be effectively achieved for all children within the current system. Ultimately, this is not the ending of care – this is the ending of the institutionalization that has posed as care for too long. In its place, families and communities become the first responders to crisis rather than state surveillance and intervention.

In this way, upEND is a movement that asks us to radically shift how we view the safety and protection of children by imagining a society in which forcible state surveillance and separation are no longer acceptable due to the harm and trauma they cause. Rather, we view the safety and protection of children as resting with families and communities first. Abolition as a goal requires that we actively dismantle racist policies and, in their place, create and implement anti-racist policies and practices that promote healing and reduce harm. At the same time, upEND works to
actively support communities in having the resources and supports necessary to ensure that all children can remain at home safely with their families. In moving toward abolition, the upEND movement actively works to:

**Create and expand critical safety net programs.** A large body of research has demonstrated clear connections between safety net programs and child maltreatment prevention. Restrictions on safety net programs can contribute to increased maltreatment risk and involvement with child welfare (Slack, Lee, & Berger, 2007), while policies that increase subsidies or continue eligibility can decrease this (Berger, Font, Slack, & Waldfogel, 2017; Cancian, Yang, & Slack, 2013). As such, the upEND movement seeks to support and expand these programs, as well as advocate for additional programs including paid medical and caregiving leave for all and a universal child allowance which can provide concrete supports to families to attend to the well-being of their children without facing economic hardship. We also support the elimination of rules and policies, rooted in racism, that make it harder for families to access concrete supports.

**Increase the availability of safe, affordable housing.** Families experiencing homelessness often come to the attention of child welfare agencies, which may lead to removal of children and placement in foster care. For other families a lack of stable housing can delay reunification, even when housing was not the reason for child welfare involvement. Developing housing policies that meet the needs of families and prevent children from entering foster care solely because of a lack of access to safe and affordable housing is critical to supporting children and families in their communities.

**Expand the use of informal kinship care and increase concrete supports needed to care for children without child welfare intervention.** Out of a recognition that Black communities have long engaged in community care to raise their children in safe, supportive environments, the upEND movement supports the expanded use of informal kinship care as an important family arrangement. Informal kinship care refers to situations in which parents voluntarily place their children with kin without formal involvement of the child welfare system. Although informal kinship arrangements are not required to be licensed, licensing standards are often used to eliminate potential kin providers, which disproportionately impacts Black families. To facilitate expansion, policies are needed that eliminate barriers that are not directly related to child safety (e.g., non-violent criminal histories, space requirements). While expanding informal kinship care lessens family regulation and oversight by child welfare systems, it also results in a loss of financial support that comes with formal kin relationships. As a result, policies are needed that provide material supports for informal kin arrangements, which also involves the expansion of existing safety net programs.

**End the use of congregate care placements for children and youth.** While congregate care is supposed to be used only in isolated and extreme circumstances, in actual practice that is not the case. The use of these institutionalized settings such as group homes, detention centers, and residential treatment centers does not support the well-being of children and youth and must be discontinued. Instead, we support the development and use of alternate solutions and community supports that allow children the opportunity to live in settings where they can be loved and nurtured by their families and communities, thereby rendering congregate care obsolete.
**Strengthen and extend the application of active efforts standards to all cases.** Although involuntary removal is supposed to occur only in cases where there is an imminent danger of serious harm, children are often removed in cases that do not meet this standard. Studies have documented that removals are often based on fear of liability rather than the best interests of children, with caseworkers describing removals as the “safe decision” over family preservation (e.g., Dettlaff & Rycraft, 2008). Removal decision-making is also known to be subjective and reactionary, as can be seen in evidence that documents increased rates of removals following high-profile child deaths (e.g., Kramer 2018). Although state statutes require that child welfare agencies engage in “reasonable efforts” to prevent placement of children in foster care, this is only vaguely defined and minimally enforced. “Active efforts,” which are required under the Indian Child Welfare Act (ICWA), require proactive, comprehensive, and enforceable standards due to unique issues involving tribal sovereignty and the painful history of forced removal of Native children from their tribes. Yet active efforts standards should be meaningfully and fully applied to all children in foster care and policies should be put in place to ensure their enforcement.

**Eliminate policies that use arbitrary timelines to terminate parental rights.** The upEND movement recognizes the significant trauma and harm termination of parental rights causes children and their families and supports robust efforts to reunify all families in the current child welfare system until the use of foster care is obsolete. We also reject the concept of “termination of parental rights” and support the end of this practice, leaving decisions regarding the care and support of children to the families and communities in which they reside. Communities throughout history have demonstrated ways to ensure children are safe without harmful and destructive legal structures imposed on them and we collectively can support communities in reimagining other means of caring for children.

**Conclusion**

The child welfare system disproportionately harms Black children and families through systemic over-surveillance, over-involvement, and the resulting adverse outcomes associated with foster care. Ending this harm will only occur through the elimination of the current system of child welfare intervention and a fundamental reimagining of how we as a society support child, family, and community safety and well-being. We recognize that there are extreme cases of abuse and neglect that occur in society. We also recognize that child welfare agencies have often been unable to prevent harm to children, even with their authority to remove children from their homes and communities. In this recognition, we seek to understand why we live in a society where such harm occurs and how we can support the creation of a society where such harm does not occur – this is the work of abolition. We do not seek to end child welfare immediately. Rather, the upEND movement works to dismantle and end harmful policies and practices, remedy family and community poverty, conduct anti-racist research that fully explores families’ experiences of the services and supports that provide value, and implement anti-racist policies and practices that safely maintain children in their homes and communities. Thus, the work of upEND is to render the use of state surveillance and separation obsolete because in its place we have collectively created the conditions in communities where all children, youth, and families can truly thrive.
References


KIDS Count. (2020). *Black children continue to be disproportionately represented in foster care*. Available from [https://datacenter.kidscount.org/](https://datacenter.kidscount.org/)


