

Rise magazine is written by and for parents involved in the child welfare system. Its mission is to help parents advocate for themselves and their children. www.risemagazine.org

Rise

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BY AND FOR
PARENTS IN THE
CHILD WELFARE SYSTEM

Facing Race in Child Welfare

Children of color—especially Black and Native American children—enter foster care at higher rates than White children and stay in care longer. Research in some places has found that, even when cases are similar, families of color are treated differently than White families.

Change is possible when child welfare systems, parents and communities confront race in child welfare and take action. This issue explores parents' perspectives and roles in reform.



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Race can affect whether parents get the support to overcome.

BY SHROUNDA SELIVANOFF AND ALISE HEGLE

My child welfare story (Shrounda) began when I moved into a neighborhood high in drug use and poverty. I was an African-American woman in my mid-30s, married with two children. I was arrogant—I thought I could control my drug use and that my surroundings wouldn't affect me. Instead I found myself in the depth of an ever-evolving addiction. I went from using alcohol and cocaine to using crack daily. I desired so much out of life but my drug use eroded my motivation and my commitment to succeed.

My addiction lasted for 8 years. During that time, my husband and I divorced; my younger son went to live with his father while my older son moved in with a friend's family. Then, in 2007, when I gave birth to my third child, child protective services were immediately called in and they took my daughter from me.

At first I did not feel the despair. Drugs and alcohol numbed me to the life-changing event. My addiction also led me to cut myself off from whatever services the system offered. For a year, I missed appointments and had only sporadic interactions with the department, the foster family and my daughter:

Undeserving in Their Eyes

But I also believe the system was not sincere in wanting to help me. In a meeting I attended to decide my daughter's future, her foster mother asked: "How could you return the child to someone like her?" I found out later that the social worker told the foster family that I had little hope of reunification with my daughter:

I felt those judgments, and they incubated into self-doubt and self-loathing. I felt like a statistic moving through the system rather than a person making human connections. The report on

paper outlined a deplorable woman. In truth, neither the system nor I knew who I really was or who I might turn out to be.

Luckily, I did have the support of my family and lawyer. Eventually, I also found support from remarkable counselors, employers and friends. Each one, in my darkest hour, held the candle, allowing me to see a different picture of me and a different possibility for my life.

After a year of non-compliance, it took me another year and four months to reunify with my daughter. But even after I'd made so many changes, my daughter's foster family was still appalled. While I truly believe they loved my daughter, I think the stereotype they saw in me made it hard for them to see me as anything other than undeserving.

'Unlikely to Ever Change'

I (Alise) first became involved with the child welfare system as a 25-year-old White woman. I spent most of my life in darkness and utter chaos; an existence comprised of poor choices, low self-worth and inadequate coping mechanisms, including drug use. When I gave birth to my daughter, she was immediately placed in foster care, partly due to the 7-year prison sentence I was facing for committing property crimes to fuel my addiction.

I was blessed with the opportunity to go to treatment instead of prison through Drug Offenders Sentencing Alternatives, a statewide program for people charged with drug crimes. It is an opportunity many judges might not have offered me, given the multiple property-related felonies I'd been convicted of. But my judge decided I would never have committed those crimes if it weren't for my addiction.

Still, during the first 11 months, I received no visits with my daughter. My caseworker said in court that it was unlikely I was ever going to change and the best outcome would be to allow my daughter to be adopted. When I heard that, I was terrified—and my belief that I was worthless penetrated to the core of my being.

Fortunately, I, too, had support—from my mother, my attorney and the social worker in my attorney's office. It was their uplifting messages that allowed me to believe I could be the parent and advocate I've become. Once I began having visits with my daughter, I was able to reunify with her in just four months.

The Color of Hope

For both of us, Shrounda and Alise, Black and White, it was the power of people inside and outside the system who truly believed in us that allowed us to see ourselves as more than drug-addicted bad mothers and overcome. We are now both employed as parent advocates in Washington State, at the advocacy organization Catalyst for Kids (Alise) and

Evergreen Manor Inpatient Treatment (Shrounda). We also volunteer on many committees aimed at making the child welfare system a more supportive place for families. What the



Shrounda and Alise with their daughters.

research suggests, however, and what we've seen, is that race plays a role in whether parents and children find the support that allows them to succeed.

The differences start before parents come to the attention of the child welfare system. In poor neighborhoods of color, most parents see child protective services as the people who come to take your kids and nothing else. Many parents are too afraid of losing their kids to ask for help.

Once parents are in the system, their lives are in the hands of caseworkers who are over-burdened and under-supported. Research has found that parents of color receive fewer contacts by their caseworkers, and fewer and lower quality mental health and drug treatment services as well.

The Color of Trust

Race can also make it harder for parents of color to trust the system.

When I (Shrounda) would visit my daughter in my agency's visiting room, seeing so many Black families like mine added to the shame I already felt. Visits are supposed to be an opportunity to bond with your child. But visiting rooms are often such depressing places they almost seem designed to add to parents' self-loathing. When I visited my daughter, I felt segregated, discriminated against, and inadequate.

Recently, I (Alise) was mentoring an African-American parent who said,

"My social worker can't stand me because I'm Black." The parent had witnessed the social worker being nice to a White family, but consistently dismissive to her. Neither the parent nor I knew whether the difference in attitude was because of race. But the parent's perception of racism added to the tension that existed between them.

All these differences add up to grave consequences, according to statistics compiled by Casey Family Programs. In 2012, a Black child was nearly twice as likely to enter foster care as a White child, while a Native American child was almost two and half times more likely to enter care. Once Black and Native American children are in care, they stay there longer and experience more placements. They also go home or get adopted less often.

In 2012, Black children made up 22% of children entering foster care but 35% of children who aged out of the system. While 8% of White children who entered foster care before the age of 3 aged out without ever finding a permanent home, 14% of Native American children and 17%

of Black children did. That means that one in every six Black babies that enters foster care spends almost their entire childhood there.

When I (Alise) was navigating the system, I never thought that my skin color might contribute to the success I eventually had. I still believe that a higher power moved mountains to allow me to reunify with my daughter. But today I also know that, statistically speaking, the fact that I'm White made it more likely that I would get the breaks I needed.

Documenting Disproportionality

In the last 10 years, some systems have started tracking the numbers of children of color in foster care and making changes.

In 2002, in our home state of Washington, Black social workers in King County (which includes Seattle) worked on their own time to gather data to demonstrate that children of color went into care in higher numbers and stayed in care longer as well.

In 2004, the King County Coalition on Racial Disproportionality published the first data showing that a Black child in King County was three times more likely to be in foster care

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than a White child, while a Native-American child was approximately eight times more likely to be in care.

Then, in 2007, the Washington State Legislature established the Washington State Racial Disproportionality Advisory Committee. I (Shrounda) am a member of this committee.

Working for Change

One of the first steps the committee took was to develop a tool that asks agencies to consider the impact its policies might have on people of color and includes such questions as: "Were there representatives of different racial groups at the table in development of this policy?" Washington State's Children's Administration has recently begun to use this tool to analyze its policies.

One change it has made as a result is in the criminal background check relatives have to pass in order to care for their kin. The Administration realized these background checks prevented many children of color from being raised by family, even though past convictions were sometimes decades old. Ultimately, our state legislature significantly reduced the list of crimes that barred people from ever having a child placed in their care.

We hope this essential work continues—here in Washington State and across the country. When I (Shrounda) look at our policymakers, I often feel that the problems of my community are an eyesore they'd rather not see. But I also know that with effort, it is possible to decrease the number of children of color in foster care.

As a parent advocate, I (Alise) know how powerless and hopeless many families feel because their children are placed with strangers. When you add to this the pain of discrimination, both real and perceived, those feelings can become almost unbearable. The child welfare system should empower people who are already disempowered, not disempower them further. My daughter is at home with her mommy. It pains me to think that might have been less likely to happen if I weren't White.

Race to the Top

Paying attention to race in child welfare is a first step to system change.

BY PIAZADORA FOOTMAN

This issue of Rise is dedicated to looking at why families of color have higher rates of investigations, higher rates of foster care placement, and longer stays in care than White families, even when White parents and parents of color are facing similar allegations.

Inequality isn't just in child welfare. It's in the rundown playgrounds in our neighborhoods, the supermarkets without fresh food, the liquor stores on every corner, and the schools and hospitals that are quick to call in cases. All this takes a toll on parents, but rarely do we see a billboard or even a flyer in our neighborhoods telling us where we can get help. When child protective workers walk into our homes, it feels like they see stereotypes, not human beings.

Whole communities shouldn't live in fear, even if some children do need to be removed from their families. Facing disproportionality is about building a system that spends less time catching parents at their lowest, and more time listening to what we know we need and partnering with us to strengthen our lives and families.

Here, Kristen Weber, senior associate at the Center for the Study of Social Policy (CSSP), explains efforts to reduce the number of kids of color in foster care.

Q: Why do more children of color—especially African-American and Native American children—enter foster care and stay in care longer?

Weber: About 10 years ago, the Alliance for Racial Equity in Child Welfare, which CSSP leads, started looking at this issue. We saw how layer upon layer of social inequities had an impact on whether children of color entered foster care and how long they stayed there. We found that in one city, lawyers had caseloads of up to 250 cases,

and often it was African-American families that were most affected. In another city, visitation centers

least well for; it's often families of color:

Q: What steps have child welfare systems taken to address race?

Weber: The most important change child welfare systems have made is to partner with parents and communities. Some have brought in community members to advise them on their policies, and some use "family team conferencing," where a family's fate is determined by a team that includes the family.

Some systems also have stopped asking who can provide the most services for the least amount of money

and started making sure that parents are able to see professionals who can best work with them and are knowledgeable and experienced. Systems also do better when they track data by race and pay attention to it.

Systems do better when they track data by race and pay attention to it.

were extremely hard for African-American families to get to, and they were open during work and school hours when parents and children couldn't make it. We also saw that communities of color didn't have access to decent mental health or substance abuse services, while public hospitals, where women of color most often give

birth, were more likely to drug test and report to child protective services than private hospitals. Not everyone agrees that race is the primary issue. Some say, "This isn't about race, it's about poverty." Certainly, poverty plays a big role in who comes into foster care, and African-American and Native-American families are more likely to be poor. But the reality is that when we look at who the system works

Still, there are no silver bullets. The number of children in foster care has come down. But in many places, disproportionality and disparity haven't changed.

Going forward, parents and systems need to come together to "safely narrow child welfare's front door"—to make sure families get support before a crisis, and only the children who really need foster care are removed from their homes.



ILLUSTRATION BY PATRICIA BATTLE

Like The Sky Being Blue

When I started working in child welfare, I was shocked by the institutional racism.

BY ALLISON BROWN

Before I began an internship as a social work student at the Child Welfare Organizing Project in East Harlem, I had no idea what the words “child welfare system” even meant. I grew up in Westchester County, New York. The families I knew had the means to deal with issues like substance abuse and domestic violence behind closed doors.

Listening to families in CWOP’s support group quickly opened my eyes to the reality that for families of color in poor communities, CPS is not a vague idea but a constant threat. I also learned that, in NYC, nearly every child in foster care is Black or Latino, even though nearly one-third of the city’s children are White.

Lack of Humanity

My next job was working with lawyers representing parents with child welfare cases in family court. Too often, I saw family court and child welfare professionals show a shocking lack of compassion to families in crisis.

Usually I met parents in a loud, crowded waiting room at the courthouse just as their children were about to be removed. Often we had only 15 minutes to interview them and scramble to get any documentation that might convince the judge that the children should go home. (Of course in some states, poor parents don’t have a right to a lawyer at all.)

One mother with six children, ages 1-13, was brought to court on “medical neglect” charges. She had missed a follow-up appointment for her 6-year-old daughter, who had a bad ear infection, and she did not have the proper asthma medication for her son. When CPS investigated, they found her entire family was sharing a

single bed in a one-room apartment.

Cold to the Struggle

Our attorney struck a deal that if the client went to a shelter that

night to take a bus to New York City after she found out that her boyfriend, who had been abusive to her for years, had sexually abused her oldest daughter. As with most of my cases, no one had bothered to learn the story behind the story.

Judged but Not Heard

I also witnessed professionals simply assume that parents must be negligent or abusive.

A case that stands out involved a Black father whose former partner (my client) was charged with neglect. He was very involved with his daughter, and he was not charged with anything. Out of courtesy, the father was appointed a free attorney. This was nice—until the father’s lawyer informed the judge that his client was ready to admit to neglect and give up his right to a trial. He hadn’t even been accused of neglect! Luckily the child’s attorney pointed this out, and the lawyer withdrew his statement.

Punished for Self-Advocacy

Many times I saw parents charged with neglect when they were really struggling with poverty. I worked with a grandmother, her daughter and

of his backpack. The school called in a report, saying the child also wore dirty clothes and had an odor.

When the CPS worker knocked on the door, it was 10 o’clock at night and the children were asleep. The grandmother refused to let the worker in, which is her right unless the worker has an emergency removal order.

Instead of coming back the next day to investigate, CPS brought the family to court in the morning and removed all the grandchildren on the spot. They argued that the grandmother must have been hiding something. I will never forget the children crouching underneath the court bench, kicking and screaming in terror.

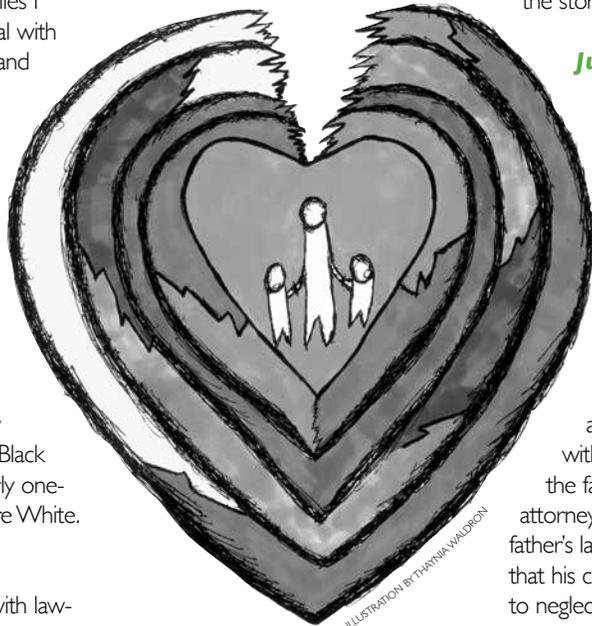
After two days of fierce advocacy by our attorney, the judge reunified the family, saying they just needed better housing and preventive services. But I learned the penalties parents can pay for exercising their rights.

Systems in Crisis

There are people organizing to address system inequalities. The percentage of African-American children in foster care nationwide has gone down to 26% in 2012 from 35% in 2003.

But we need to do more. Every day I was in family court, I felt like I was a part of a deep crisis that wasn’t being acknowledged. Often it felt like the injustices were so ingrained it was almost too obvious to even point out, like the sky being blue.

You can blame it on limited funds, overwhelming caseloads, or the difficulty of dealing with complex family dynamics in a courtroom. Still, I can’t believe this level of dehumanization would continue if there were more White middle class families in family court.



afternoon, the children wouldn’t be placed in foster care. The mother was ordered to gather their belongings from their room 45 minutes away and head to a shelter that was nearly two hours away. All on a cold winter day when two of her kids were recovering from bad colds. When I asked the CPS worker if she could

assist the mother with the move, she responded, “We do have a van, but I only use it for removals.”

Later, I learned that this mother and her children had left their home in North Carolina in the middle of the

four grandchildren who had been living in a one-bedroom apartment in Far Rockaway affected by Hurricane Sandy. She kept trying to transfer to better housing to no avail. Then one day the 5-year-old showed up to school and four roaches crawled out

Too often, I saw family court and child welfare professionals show a shocking lack of compassion to families in crisis.

First You Have to Gain Our Trust

Parents' prescriptions for keeping kids of color out of foster care.

The Birth Parent National Network, coordinated by the Children's Trust and Prevention Funds, connects parent leaders nationwide. Here, BPNN members Jeffrey Mays, parent partner at the Public Children Services Association of Ohio in Cleveland; Shrounda Selivanoff, parent advocate at Evergreen Manor Inpatient Treatment and volunteer at Catalyst for Kids in Washington State; and Piazadora Footman, editorial assistant at Rise in New York, share parents' perspectives on how to bring fewer children of color into the system.

1. Make It Safe to Ask for Help

Piazadora: I've seen so many people in my community lose their children, including my own mother; that when I get that knock on the door, I already feel like I've lost.

It's hard to be a parent when you're feeling scared. When I got my son back from foster care, I was so afraid that if I gave him a timeout, he'd start screaming, someone would call child protective services, and I'd lose all my children. I couldn't even discipline him. If he felt like he needed cookies at midnight, I'd give them to him. If he didn't do his homework, I'd say, "Fine, don't do it."

If child welfare systems want fewer kids of color in foster care, they have to let parents know about services before something goes wrong. There have to be good services in our neighborhoods. And parents need to know they're not going to get a case because they asked for help!

2. Partner with Communities of Color

Jeffrey: Before my kids went into foster care, I never would have gone to the child welfare system for anything, not even food. When they sent their trucks with their logo on the side into our neighborhood, the first thing I'd think is: "Someone is getting

ready to get their kids removed." I really hated the system and all I wanted was to get them out of my hair.

That was my attitude until the day they came and asked me to help them change the system by becoming a parent partner. I truly believe

inform their clients that there are housing resources available to them. But when Black families stay in neighborhoods that are high risk for drugs, and parents aren't empowered to find ways out of poverty, that contributes to children going back into the system.

ated. That's a good beginning. Systems should also track the number of families of color entering and leaving the system so they can hold themselves accountable.

6. Provide Supports That Matter to Parents

Piazadora: When my daughter was 4, the system sent me to a parenting class where I was taught to burp and swaddle a baby. That was not helpful. In anger management class, I was taught to count to 10 when I really needed meds for my mood swings. I was finally sent to the psych ward, where instead of shoving me into services, people asked me what I needed. My therapist both felt my pain and was tough with me. If parents are going to succeed, they need to feel like someone really knows them—not just as cookie cutouts but as real people.

7. Ensure Parents Have Strong Lawyers

Shrounda: Many parents meet their lawyers for the first time in the courthouse, with no time for the lawyer to learn about them or truly represent them. But good parent representation is critical to protecting families of color, and all families deserve it. My lawyer played a healing role in my successful outcome. He invested in my family, and my family and community benefited.

8. Parents: Organize

Piazadora: A lot has already changed in child welfare because parents are getting together to become knowledgeable about the system and to demand change. As parents of color, we need to keep pushing policymakers across the country to pay attention to disproportionality in child welfare and to make the changes we believe will help our families.



ILLUSTRATION BY KAITIE MARTIN AND FRANK MALKUM

that attitudes in our communities can change—if child welfare systems change, and partner with us to create supports that make sense to our communities.

3. Help Families Address Poverty

Shrounda: Child protective investigators don't always seem to understand the pressures that poverty can put on a family.

Piazadora: When my son was in foster care, I couldn't work because I was in programs five days a week, but I still had to pay a portion of my rent. I was always running to appointments, and a lot of times I didn't have carfare, but no one seemed to care. That stressed me out.

Shrounda: Here in Washington State, social workers seem not to

4. Understand How Racial Disproportionality Feels

Jeffrey: When I went on visits and I saw more Black families than Whites or Hispanics, I would feel very paranoid. I would look at all the Black kids and wonder if the system got more money for Black kids. I would want my kids to be quiet and for nothing to go wrong. It seemed like the system was expecting me to fail. Just seeing racial disproportionality makes it harder for parents of color to succeed.

5. Address Racial Disproportionality Directly

Shrounda: In Washington State we created a tool for agencies to ask themselves how every new policy might affect different racial groups, and whether those groups were at the table when the policy was cre-

Brokering Change

Parents and community leaders are key in reducing Black children in foster care.

INTERVIEWS BY ANTOINETTE ROBINSON AND PIAZADORA FOOTMAN

In Fresno, Calif., “parent partners” and “cultural brokers” specially trained to build connections between the child welfare system and the Black community have helped bring down the number of Black children in foster care. Here, Deputy Director for Child Welfare Wendy Osikafo, Fresno County Parent Partners Ritchie Barker and Tina Jaso, and Cultural Broker LaTrina Bowen explain the reforms that have made a difference.

Q: What motivated change in Fresno?

Wendy Osikafo: Before 2003, Fresno’s child welfare system almost didn’t communicate with the community at all. Then we began looking at data and saw that an African-American child was about four times more likely to be in foster care than a White or Hispanic child. In 2002, 38% of White children who entered foster care went home to family within a year, while only 12% of Black children did.

When we started to reach out, we heard from the African-American community: “We feel like you come into our neighborhoods with your white cars, you pick up our kids, and we don’t see them again. Why would we want to partner with you?”

We made a commitment to addressing these issues and we asked the community for their help. Together, we formed work groups, trained staff and developed supports for families.

Then, in 2009-2010 the Center for the Study of Social Policy did an “institutional analysis”—their researchers helped us look at our entire system to better understand how the system itself contributed to African-American children entering care and why they stayed so long.

The report was painful to read. It said

that the department offered families one-size-fits-all services; that the services were not located in places where African-American families lived; and that the department did not support families to achieve economic



Tina Jaso and Ritchie Barker, parent partners, and LaTrina Bowen, cultural broker.

stability. It said the workers did not look for African-American families’ strengths and did not act with a sense of urgency to get African-American children home.

One reason for these problems, the report showed, was that families were moving through the system like an assembly line. They had a lot of different workers—the hotline worker, the investigator, the reunification

progress to unsupervised visits, but if she hadn’t, we’d delay. We had to start looking at how parents behave with their children and whether they are able to take steps to keep their children safe.

The report gave us a roadmap of what we needed to address. We made practical changes, such as reducing the number of workers that each family interacted with so that workers could invest in long-term relationships. We also changed the services available. But the biggest change has been how we train and supervise workers and partner with the community.

We say, ‘You have a lot of passion in your voice because you care about your children, but to the department it may sound hostile. When you’re upset, call us first.’

worker, the adoption specialist, and more. The way our system was set up didn’t allow workers to really get to know families.

Another problem was that our court and staff were really only looking at service compliance, not whether children would be safe with their parents. For instance, if a mother had completed her services, she could

think these programs are two of the best things the department has done.

Even when the social worker comes in trying to be helpful, sometimes parents feel like the social worker is jerking them around and setting them up for failure just because of the position that social worker has. With us they are willing to be more open and more vulnerable.

Ritchie Barker: When my children went into care, I was not afforded a voice. The system took my kids. I showed up in court. They said whatever they said and we were done. I had no idea what they were talking about.

Now, as a parent partner, I go to Team Decision-Making Meetings (TDMs), which take place after a child is removed. I tell the parents, “I was in your shoes and I got my baby back. I’ll walk with you as you go through this particular hard time.” At the TDMs, the parents have an opportunity to say, “I’m doing this, that and the other to improve my situation.” Different information comes out that helps the system make better decisions.

Last week we were able to send children home with a young dad who, a few years ago, I believe the system would never have considered safe. Dad was the non-offending parent, but he was young and upset and he didn’t look like a non-offending parent. He had all these bulldog tattoos all over him and he was saying, “This is so f-cked up” and using a lot of profanity. The social worker was saying, “You cannot be using that kind of language in here. I am going to cut this meeting.”

Big dudes with tattoos scare me. But I was able to say to the social worker, “This is just a young man fighting for his kids. He’s not trying to curse

anybody. He's just using the tools he knows. Right now this is how he communicates."

I said to him, "What exactly are you saying is f-cked up?" He told us that his wife had been pregnant with twins and had had a miscarriage three weeks before. His wife was depressed, he said. It gave us an opportunity to see what had happened in this family. No, the house was not clean. The children might have been a little motley. But Mom was suffering. She needed help, and only Dad could tell us. As professionals, we needed to be able to hear that that's what he was saying when he said, "It's f-cked up."

LaTrina Bowen: As a cultural broker, one of the things I'm able to do is spend more time with parents. Social workers are required to meet with parents at least once a month, but we see parents once a week, at a minimum. That goes a long way in helping to build trust.

We spend time in their homes, help them with appointments. We also absorb some of their anger. We say, "You have a lot of passion in your voice because you care about your children, but to the department it may sound hostile. When you're upset, call us first."

One of the most important things we do is help parents show in court that they're real people by assisting them in writing a story of their life. We ask them how they grew up and any hurts they experienced and what they're proud of. Sometimes parents sit down and write out 25 pages. Then it's our job to edit it down to a short letter they can present in court, so that people begin to see them as more than just

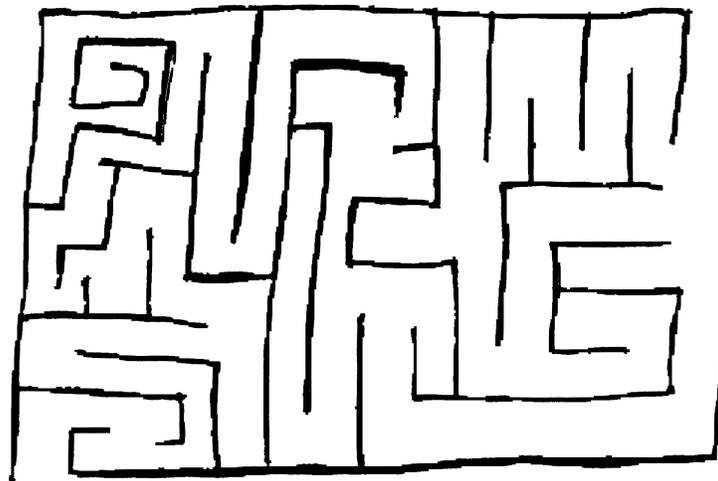


a case number.

We also try to make sure children can stay with family when they are removed from their homes. I had a case where the parents had a long history of severe domestic violence. A great aunt had agreed to take the children. But she wasn't getting along with the department.

The children had experienced a lot of hurt, and their behavior was overwhelming. The aunt felt that the department was scrutinizing and judging her. She wanted to give up. She was saying, "Come get these kids. The department's not giving me a chance."

I had helped the aunt arrange ser-



vices and talked to her about what the children had been through and how we could help them. I had even picked up the children from appointments sometimes. So she trusted me to go back to the department and do some mediation. We were able to sit down at a table together and press the reset button. We explained that yes, she was being scrutinized, but every home is scrutinized. We helped her to see that it wasn't personal.

Barker: I also see that when workers go out to investigate, they're not just deciding whether to remove a child. They also connect families to services that help. There was one situation where a little boy saw his dad killed. The little boy was suffering and needed some counseling, and Mom did too. She was trying to hang on. Instead of judging, the workers were able to provide support.

Osikafo: These programs have helped us prevent children from entering foster care.



Community members observe some of the meetings between workers and families and let us know whether workers are staying true to the model. That gives us valuable feedback on where they see our practice thriving and where we need to improve.

Q: What impact are you seeing?

Osikafo: Since 2003, we have seen the number of African-American children in care drop from close to 25% of children in the system to less than 15% in 2013.

Barker: But there are still barriers. Because a disproportionate number of young men go to jail in the Black community, it's more complicated for many Black families to get kids home or to relatives. In the past, the caseworker might have just said, "No, the children can't go to that home with Uncle Bobo there." Now Fresno County does work with the family. But it takes time to go through all the procedures, even when the criminal record doesn't suggest a clear and present danger. We had a grandma who had a 15-year-old record. She had to wait almost 3 months before she could get her grandbaby.

Osikafo: African-American children are still over-represented in our system. We also want to broaden our work to other communities, including Native Americans, who are the next most over-represented group here.

Jaso: When my children were placed in foster, it felt very unfair to me. I felt ridiculed. I felt stepped on. I felt like they judged me before they heard the full story. Now everything that was ripped from me—my dignity—has come right back. With my experiences, I really am in a condition to help another family that has gotten caught up in a situation like I did.

ILLUSTRATION BY ALEXANDER MARTINEZ AND ROLAND DRUMGO

Black, Male, Addicted—and Underestimated

The child welfare system assumed I didn't belong in my children's lives.

BY JEFFREY MAYS

Child welfare came into my life in 2000. At the time, I was married with three children, ages 14, 11 and a newborn. I was also an addict.

I used anything that got me high: glue, coke, heroin, valium. I started getting high to belong with the bad guys in the neighborhood and I continued for 35 years.

Because of my drug use, I could not hold a job for long and at times I was an embarrassment to my children. One day I had to go to the school and the principal said I smelled like wine. I made a scene and called her all kinds of "bitches" and "hoes."

I couldn't always provide for my children adequately, either. When my kids were taken into care, they were staying at my brother-in-law's because we had no gas or electricity.

An Addict and a Father

Despite my drug use, I took my role as a father seriously. So many Black men are in prison, or don't have a job and can't pay child support, or have baby mama drama. They may want to be in their kids' lives but because of all of the obstacles, they just move on. My own father never left us, though. He told me a real man takes care of his family.

I made sure I was an important part of my children's lives. When my kids needed someone to talk to, they would come to me and we would take a walk. They knew they could tell me anything.

The problem was the child welfare system didn't see me that way.

Ignored

Child protection took our children when our last baby was born positive tox. The night my kids were taken was the worst night of my life. My oldest child just started running. I told

her: "Be strong. I am going to get you back. I love you." I felt terrible that I had let her down.

After that, I entered rehab on my own. I knew I had to do this for my children. But when the social worker came to the house, the first thing out of her mouth was, "Who are you?"

I told her, "I am the children's father and this is my wife."

She asked, "What are you doing here?"

I said, "I live here."

After that, she ignored me and went on to talk to my wife. My wife was addicted, too, and the social worker said they would help her get into inpatient treatment. The case plan didn't involve any kind of services for me.

Maybe the social worker assumed I would never get sober because my wife told her that I had been in and out of treatment for 35 years. But in

When the social worker came to the house, the first thing out of her mouth was, 'Who are you? What are you doing here?'

my mind she saw me as just another deadbeat Black dad, rather than seeing me for who I was: an addict, yes, but also someone my wife and children looked to for love and support.

I Didn't Belong

After my wife went into treatment, the only way I found out about my children's case was from my wife's drug counselor. (I wasn't allowed to visit my wife while she focused on recovery.)



Jeffrey Mays with his family.

I would show up to appointments and the workers, lawyers and judges would ask me how I found out about them. They never told me that I couldn't participate, or that I couldn't see my kids. Still, the message seemed clear: I didn't belong.

I felt such mixed feelings during those months: mad, sad, wanting to die. A lot of times I wanted to give up. But I asked God to help me and I kept going to the rehab program I had found for myself.

Every time I showed up to visits or appointments, I'd bring a clean urine. At first that didn't seem to make any difference. But I kept coming. After eight months, they finally started including me in the case plan.

Over time, I saw the ways I hadn't provided my children with security. When we had meetings to attend, the kids would always take it on themselves to remind us. It seemed like they were the parents and we were the children.

My wife and I tried to make things better by buying our children's love or letting them do whatever they wanted. But over time we realized we needed to be stronger so they could be free to be kids. After 18 months, our children came home to both their parents.

Fathers' Love Is Important

Part of me can understand why some caseworkers overlook Black dads. For many reasons, a lot of Black men aren't there for their kids, and some fathers are a part of the problem.

Still, as a parent partner in the system today, I see that too often the first question caseworkers ask is: "Are you sure you're the father?" Or, "Are you late on child support?" The message they seem to be sending is: "Your love is not important to your children's well-being."

Today, my oldest child is 28 with two children, in school to earn her associates degree. My middle child is 25 and a manager at the fast food restaurant where she started working in high school. My son is 14 and a Boy Scout. And I am someone my family is proud of and other parents in the system turn to for support.

It would have been a terrible loss for me not to have been around to see my children grow up, telling them to never give up. It would have been a terrible loss for them, too.

Order of Protection

Free legal services before removal can keep poor children safe at home.

INTERVIEW BY JEANETTE VEGA

As a parent advocate working in the child welfare system, I have seen cases where a little assistance in fixing housing repairs or helping a mother take out an order of protection could've kept a child safe. The problem is that poor parents can't afford lawyers. That contributes to children of color coming into foster care, since they're more likely to be living in poverty. Now, programs in Vermont, Washington, D.C., and Michigan are providing "preventive legal advocacy"—legal services to prevent the need for removal, as documented in the Center for the Study of Social Policy report "Case Closed."

Here, Detroit Center for Family Advocacy Director Vivek Sankaran and Parent Advocate Nancy Colon explain the impact of preventive legal representation:

Vivek: Before children enter foster care, parents have no right to an attorney. But at times the help families need to improve child safety is legal representation. For instance, the condition of a parent's house may be unsafe for a child, but if you look at the circumstances, it's the landlord not meeting his responsibility to maintain the housing. A wealthier family might take the landlord to court, but poor families can't afford it, and what you find is that the landlords are perfectly content to take advantage. By taking the landlord to court, you can keep the child safe at home. We'll take on any legal issue that affects child safety if it will eliminate the need for a child to enter foster care.

Nancy: Recently we worked with an African-American single dad who was trying to get custody of his son. The mom was dealing with substances. We received a referral from the Department of Human Services (DHS) worker, who wanted us to help with the custody court process so the kid didn't go into foster care.

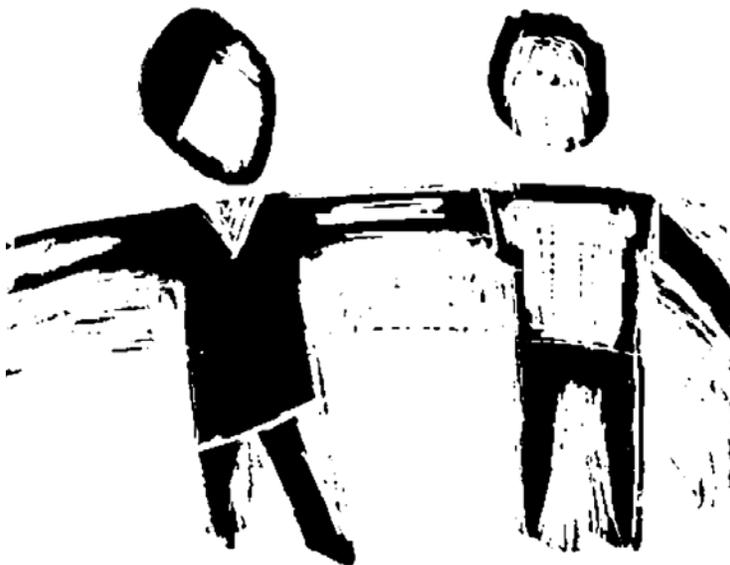


ILLUSTRATION BY RISE

The issue is that the court system is so difficult to navigate. This father could have attempted to file for custody on his own but he had a disability and his speech was hard to understand. You get to court and one person tells you this, and another person tells you that—it's a maze. On top of that, our families cannot afford the fees. This father was receiving food stamps and cash assistance, so we applied for a waiver; but that would've been difficult for him to do on his own.

Beyond filing for custody, we also helped him stabilize his housing,

We helped one father file for custody, stabilize his housing, set up child care and join a support group. Now he's been taking care of his 3-year-old for six months.

which was in jeopardy because of some paperwork. After a couple long weeks of advocacy, we prevented him from losing his home. We also helped him set up child care and found him a support group. Now he's been taking care of his 3-year-old

for six months.

Vivek: We also help relatives resolve legal issues to get children out of foster care. Relatives of children in foster care don't have a right to legal representation but may need it.

Nancy: We had a grandmother who had warrants for her arrest, all related to traffic violations. She knew she didn't have the money to pay the tickets, so she was ignoring the situation to make it go away. But then, all of a sudden, her son got in trouble and child protective services got involved. Grandma had to step in. She

needed to clear those warrants to adopt her grandchildren but paying the fines was a huge barrier.

One of our attorneys went from court to court to find out what she owed and helped her go before the

judge to say, "Your honor, I didn't have the money and I didn't know I could talk to you to try to make a payment plan." She was able to pay a low, low fee and do some community work to take care of those fines.

Little things can turn into nightmares and you have kids in the middle of it. These kids would've been removed from her home if not for legal advocacy.

Vivek: Now we have a very collaborative relationship with the child welfare agency, the Department of Human Services. We educate their staff about our model every four months.

We know that preventive legal advocacy makes a difference. We did a three-year evaluation and found that, in our prevention project, none of the kids entered the formal foster care system. We keep kids with their families and save the system thousands of dollars.

We also know that this model has an impact on African-American families. Detroit is predominantly African-American, and every disproportionality report I've seen is about the need to increase resources for African-American families, including legal resources. For roughly every 13,000 people in poverty, there's one legal aid lawyer. Legal aid programs reject close to 1 million cases each year.

The problem is that we rely a lot on private funding and that is not the easiest way of keeping things afloat. Now we're trying to persuade governments to provide this. We hope that, because legal representation reduces costs to the system, it could become integrated into how child welfare works. It's a preventive service, just like parenting classes and therapy, to prevent poor kids from coming into foster care.

'Let All That Is Indian Within You Die'

Recognizing America's brutal legacy with Native American families.

BY JUDGE WILLIAM THORNE AS TOLD TO ANTOINETTE ROBINSON

Shortly after I started working as a tribal judge, one of my cases involved whether to remove children from their family. I didn't know much about the child welfare system and I needed to do some research. But I also trusted that the child welfare system knew the answers. The more I researched, though, the more I learned that the system was broken.

Since the 1880s, the United States government has been removing Native American children at high rates. That's when the Bureau of Indian Affairs began gathering Native American children up and taking them to boarding schools where the goal was to strip away the children's Indian identity. Children could have their mouths washed out with soap for speaking their tribal language. Some of the welcoming speeches recorded from when students arrived at the schools include the words: "Let all that is Indian within you die."

Children as young as 4 years old were taken to these schools. These were incredibly harsh places for children to be. The children had almost no contact with their families. In the first 40 years of these schools, almost half of the children died, sometimes from disease, sometimes from broken hearts. They'd just stop eating. Often families were never informed that their children had died. They just never heard from them again. Some of these schools continued to exist right up to the 1980s.

A Wave of Removals

The worst part is that generation after generation of Native American children never had a parent pick them up and comfort them when they were sad, or cheer for them when they did well. They learned to be parents from matrons in the dormitories. Then those children became parents. But it's difficult to know how

to hold a child if you've never been held. It's difficult to know how to get down on the floor and play if it was never done with you.

Also, in the mid-1950s, the Child Welfare League of America and the Bureau of Indian Affairs started removing Indian children and placing them in non-Indian homes on charges of "neglect." In Indian communities, older children are often responsible for taking care of younger children—3- and 4-year-olds might be in the care of 8- or 9-year-olds,



but this became grounds for removal. By the early 1960s, 25-35% of all Native American children had been removed from their homes and put in foster or adoptive homes.

If the system had known what kind of home I grew up in, my brothers and sisters and I would have been removed. But if I'd been removed, I would have missed the opportunity to spend summers with my grandmother. My grandmother cooked on a wood stove. She had an outhouse, not a bathroom, and she didn't have spare bedrooms for us to sleep in. But my grandmother made me feel special. If I had been removed from my home, I might never have had that opportunity, and I wouldn't be who I am.

A Protective Law

In 1970, the United States Congress created the American Indian Policy Review Commission. It found that in some states Native American children were placed in foster care as much as 20 times more often than other children. That report was issued in 1977. In 1978, Congress passed the Indian Child Welfare Act (ICWA), which was an attempt to try to fix the problem.

ICWA requires child welfare systems to make "active efforts" to solve the

ever possible.

But we still see Native American children enter foster care in very high numbers. Nationally, a Native American child is 2½ times more likely to be in care than a non-Native child. In Minnesota, a Native American child is 14 times more likely to be in care.

In many places, the barriers to tribal court involvement are distance and inadequate funding—tribal courts are working with only about a quarter of the resources of state courts. And even though ICWA holds child welfare systems to a higher standard of "active efforts," many states have found ways around that, because the federal government doesn't regularly review whether states are in compliance with ICWA.

Too many people still believe they're saving children when they go into a home and take children out without spending time understanding the family or whether problems can be fixed. And there is still a lot of resentment in the Native American community—a feeling that a lot of people are trying to get Indian children away from Indian families.

'Is This Child Loved?'

As a judge, I've had to ask, "If these were my kids, would this plan be acceptable to me?" If each of us spent more time asking ourselves that question, I think we would do a much better job providing for other people's children.

I believe the federal government ought to be tracking and publishing how often children from different racial and ethnic groups go into care. If communities knew the numbers, they'd know how bad it is and demand change.

problem before a child is removed. (In non-ICWA cases, the legal standard is lower—"reasonable efforts.") ICWA also gave preference to placing children with kin and moved some child welfare decisions back to tribal courts.

Change, But Not Enough

Now, 35 years later, fewer Native American children enter foster care. Some states have formed partnerships with tribes. In California, for instance, there is a good state judge-tribal judge partnership that meets together regularly to educate each other. In Utah and Washington states, cases involving Native American children are staffed together with both a state judge and a tribal judge. Some states also make an aggressive effort to place children with family when-

The Courage to Tell Their Stories

In South Dakota, Native Americans organize for change.

INTERVIEW BY ANTOINETTE ROBINSON

I also think the federal government should penalize states for being out of compliance with ICWA. If states knew they could lose millions of dollars, they'd spend more time fixing the problems.

States should work with local tribes to provide training to help caseworkers understand tribal culture and history. I also believe there are too many formal licensing requirements when it comes to placing children with family. The questions we have to ask are: "Is this child loved and taken care of and safe?" Everything else—like how many rooms are in the house and whether the family members have met the official licensing standards—is a misdirection.

Fighting for Change

In the past two years, some tribes have been fighting for control over all child welfare decisions involving Native American children. In the past, federal foster care dollars (called Title IV-E funds) were not made available to tribes. Instead, it was up to individual states to decide how much to involve the tribes. Congress passed a correction to that two years ago, and there are now a couple of tribes that are receiving federal funds to run their own systems, with a handful of others being considered.

I believe the most important change the child welfare system has to make is to really understand that foster care is not neutral. Too often, the child welfare system acts like children are the equivalent of potted plants that you can move from a window sill in one house to another window sill in another house and they'll do just fine. But kids don't do that. What we know from brain science research is that the trauma of broken attachments can literally prevent children's brains from growing, and if you miss that growth opportunity you can never go back and make that up.

In 2005, Native Americans in South Dakota reached out to human rights lawyers because more than 700 Native American children in South Dakota were taken from their families every year. Here, Chase Iron Eyes, South Dakota counsel for the Lakota People's Law Project, and Sara Nelson, its executive director, describe how people came together to bring about change:

Q: What led the Native American community to organize to reform child welfare?

Iron Eyes: Life on the reservation is defined by extremes. On the one side, we have beautiful ceremonial aspects to our lives, including respect for the land and a relationship with sacred sites. On the other side, we're impacted by poverty and substance abuse and a lack of hope.

The destruction of our economic way of life and the boarding school era, when thousands of Native Americans were stolen from their families and sent to White-run boarding schools, had a deep impact on our community. My grandparents went to those boarding schools. My own mother went to one of those schools. Their intent was to break the family unit. I grew up with the effects of that. I never had a dad. My mother had a substance abuse problem until I was in 10th grade, when Lakota religious traditions helped her find stability and healing.

Q: How did the Lakota People's Law Project get started?

Iron Eyes: Hundreds of children were being taken without proper investigations. In 2005, some grandmothers got together to try to change the situation. They didn't



Chase Iron Eyes

have money and they didn't know how to fight the system. But they got public interest lawyer Danny Sheehan of the Romero Institute to meet with them.

Nelson: Danny is a lawyer with many years of interviewing witnesses and he found the stories of the parents and grandparents he inter-

'We have seen that pressure can change the system.'

viewed very credible. But when he talked to government officials, he found them unwilling to listen to the concerns of the community.

Iron Eyes: In fact, transcripts of the hearings that happen 48 hours after a child is taken into custody show that these hearings

lasted only 4 minutes, on average, and more than 90% ended with a decision for the children to remain in care. Sometimes parents weren't given a chance to speak or even told about the hearings. Then, more than 90% of Native American children were placed with non-Native families.

Nelson: In 2006, we opened a small office. There was a lot of fear—a lot. But plenty of parents and grandparents had the courage to come forward to tell their stories.

Q: What has changed?

Nelson: In 2011, two big things happened. First there was a lot of public attention to a case of a couple that had adopted Native American children out of foster care and abused them. When the children had asked the child welfare system for help, officials insisted they were lying. Then National Public Radio ran a series on the child welfare system's treatment of Native Americans in South Dakota. Members of the United States Congress began asking for a hearing to investigate what was going on.

Now, eight of the nine reservations in South Dakota applied to receive a grant from the federal government to plan and prepare to run their own child welfare systems. One tribe has already received it. If they are approved, the tribes can recruit foster parents, improve their court system, and build their capacity to strengthen parenting and heal trauma on the reservations rather than create new trauma.

ABOUT **Rise**

Rise trains parents to write about their experiences with the child welfare system in order to support parents and parent advocacy and to guide child welfare practitioners and policymakers in becoming more responsive to the families and communities they serve.

Our print and online magazine (www.risemagazine.org) helps parents advocate for themselves and their children. We work with family support and child welfare agencies to use Rise stories in parent groups and parenting education classes. We partner with parent advocacy organizations to use Rise stories in child welfare reform.

Rise developed this issue in partnership with the Birth Parent National Network, which connected Rise to parent leaders around the country; Catalyt for Kids

in Washington State; and Casey Family Programs, which compiled data for this issue.

Contact Rise Director Nora McCarthy at nora@risemagazine.org or (646) 543-7099 for information about reprinting Rise stories or using Rise in your work. For help with a child welfare case in NYC, please contact Children Welfare Organizing Project (CWOP), a parent advocacy and peer support organization: www.cwop.org or 212-348-3000. For youth perspectives on foster care, visit www.representmag.org,

Rise is a partner project of the Fund for the City of New York. Rise supporters include the Child Welfare Fund, Dammann Fund, Graham Windham, North Star Fund, NYC Children's Services, and the Viola W. Bernard Foundation.

At the Table

Involving parent advocates before removal can help prevent unnecessary placements.

BY BEVANJAE KELLEY AND JEANETTE VEGA

Around the country, a number of child welfare agencies are beginning to partner with communities to keep kids of color out of foster care. In 2007, NYC's Administration for Children Services partnered with the parent advocacy organization Child Welfare Organizing Project on a new approach—offering parents at risk of removal the support of another parent who has dealt with the child welfare system.

In NYC, the decision whether to place a child in foster care is made at an Initial Child Safety Conference. Parents can bring family and friends for support but many don't. They are shocked, ashamed, angry and afraid. As parents who faced the system ourselves, we know how parents feel. We also are familiar with resources in the community that can help families prevent removal or reunify more quickly.

Working Together

One parent that I (Jeanette) worked with was Melissa. When I arrived at her conference, she was sad and confused. The allegation was that she failed to protect her son. Melissa would put her son to bed and then go get high. Melissa was very honest. She said she was getting so high that she would wake up someplace and not remember how she got there.

The decision was made to temporarily place Melissa's son with her aunt while Melissa enrolled in a mother-child drug treatment program. Melissa felt like she needed my support so I contacted a drug treatment residence and escorted her there.

Later that day, she called and said, "I just cannot do it. I want to go home." I was shocked but reminded myself, "Her addiction is calling. She needs me to be strong for her and her son." I comforted her and reminded her

why she needed to stay—and she did.

Tough Calls

Many cases are not easy. At one conference that I (Bevanjae) attended, the allegation was sexual abuse of the children by the husband. The child accused her mother of knowing about the abuse for four years.

At the conference, the mother showed no emotion. She said, "I can't believe he did that." They ended up removing all of her children.

It was very hard for me to see that. My own daughter was a victim of sexual assault. I know how important it is to validate what your child says.

Still, I was able to support the mother. I connected her with a lawyer and encouraged her to come to CWOP's parent-led support group.

During that group, I told her, "Your children are the ones you have to protect. They're most vulnerable." Then, as she listened to other people telling their stories, she broke down crying and said, "He can burn in hell! I'm going to do everything I can to get my kids back!"

In the conference, this mother showed only denial. But in the group, she was able to connect.

The Right Support

This year, NYC expanded the model citywide. It is now led by two larger organizations and not every parent advocate has been personally affected by child welfare. We hope that will change.

Some parents get tangled up in the system for no reason; others have real problems. Either way, with the right support from day one, more parents can make it through.

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