

Racial Disproportionality in Wisconsin's Child Welfare System

Prepared for the
Wisconsin Department of Children and Families

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TABLE OF CONTENTS

List Of Figures And Tables.....	v
Foreword.....	vii
Acknowledgments.....	ix
Definitions.....	x
Executive Summary	xi
Introduction.....	1
Literature Review.....	4
Disproportionate Risk Factors Among Children Of Color.....	4
Child Welfare Services Decision-Making Model.....	5
Difficulties In Recruiting Adoptive And Foster Care Families For Children Of Color	5
Wisconsin’s Child Welfare System	7
Data Overview	10
How This Analysis Builds Upon Previous DCF Analyses.....	10
Understanding The Terminology: Overrepresentation, Disproportionality and Relative Rate Index	11
Decision Point Analysis.....	13
African American Children.....	14
American Indian Children.....	16
County-Level Analysis	18
African American Children.....	18
American Indian Children.....	20
Data Limitations	21
Selected Initiatives Around The Country	23
Ramsey County, Minnesota.....	23
Michigan	25
Sioux City, Iowa	26
Recommendations & Conclusion	28
Step One: Identify The Degree to Which Racial Disproportionality Is A Serious Problem And Resolve To Address It	29
Step Two: Analyze Child Welfare Data By Race And Ethnicity	29
Capture Race And Ethnicity	29
Individual-Level Data Analysis	30
Step Three: Establish A Visible And Authoritative Entity.....	30
Members Of The Committee	30
Step Four: Develop An Action Plan	31
Combine Multiple Strategies That Range Widely In Scope And Require Changes In Practice And Policy.....	31

Improve the Child Welfare System For All Families	33
Increase And Improve Preventive And Reunification Services	34
Form Closer Ties With Local Communities	34
References.....	36
References.....	36
Appendix A: State Disproportionality	40
Appendix B: Indian Child Welfare Act Of 1978.....	41
Appendix C: Description Of Wisconsin Child Welfare System Decision Points	42
1. Referral	42
2. Screening	42
3. Investigation.....	42
4. Removal	43
5. Permanency.....	43
Appendix D: Relative Rate Indices and Disproportionality Indices Tables	44
Appendix E: Data Limitations And Potential Biases.....	49
Race And Ethnicity	49
Race And Ethnicity Analyzed Separately.....	49
Missing Data In Ethnicity And Race Fields	50
Recommendation For Future Data Analysis.....	51
Missing Race Data	51
Appendix F: Strategies To Address Racial Disproportionality	53

LIST OF FIGURES AND TABLES

Figure 1: Child Welfare System Decision Tree	8
Figure 2: Disproportionality	12
Table 1: Calculating The Disproportionality And Relative Rate Indices	13
Table 2: Statewide RRIs And DIs For African American Children, 2005-2007	14
Table 3: Bureau Of Milwaukee Child Welfare And The Balance Of State RRIs And DIs For African American Children, 2007	16
Table 4: RRIs And DIs For American Indian Children, 2005-2007.....	17
Table 5: Predictors Of African American RRI At Investigation: 26 Wisconsin Counties, 2007	19
Table 6: Predictors Of American Indian RRI At Investigation: 21 Wisconsin Counties, 2007	21
Table 7: Top 5 States With African American Disproportionality	40
Table 8: Top 15 States With American Indian Disproportionality	40
Table 9: Statewide RRIs For African American Children	44
Table 10: Bureau Of Milwaukee Child Welfare RRIs For African American Children	45
Table 11: Balance Of State RRI For African American Children	45
Table 12: RRIs And DIs For African American Children In Wisconsin's 10 Largest Counties, 2007	46
Table 13: RRIs And DIs For American Indian Children In Counties With Large American Indian Populations, 2007.....	47
Table 14: Bureau of Milwaukee Child Welfare RRIs And DIs For African American Children.....	48
Table 15: Balance Of State RRIs And DIs For African American Children	48
Table 16: Breakdown Of Ethnicity Variable, 2007	50
Table 17: Proposed Distribution Of Race/Ethnicity Variable, 2007.....	51
Table 18: Missing Data from Race Variable.....	52
Table 19: Strategies To Address Racial Disproportionality	53

FOREWORD

This report is the product of a semester-long collaboration between the Robert M. La Follette School of Public Affairs at the University of Wisconsin–Madison and the Wisconsin Department of Children and Families.

The far higher proportion of African American and American Indian in the child welfare population than in the overall child population is a puzzle that we are not yet close to solving, despite ongoing research and recommendations. This report reviews the theories about why these two racial groups are so overrepresented in the child welfare system and presents measures of disproportionate representation at several decision points in Wisconsin’s child welfare system. The analysis focuses on three points: investigation and out-of-home placement, which contribute to overrepresentation, and substantiation, which does not.

This report improves in several ways upon analyses that had been available to the Department of Children and Families. The authors identify variation in indices of disparity and disproportionality across decision points and across counties, with Milwaukee County showing less disparity than the others. The county-level data allow the authors to speculate on reasons why representation of these two racial groups varies across the several decision points. The authors’ analysis focuses on the relative rate of African American and American Indian children’s involvement in the child welfare system relative to their white counterparts.

However, limitations of the data available to the authors meant they could not sort out whether limited community services force families to seek state assistance or if biased reporting or higher rates of maltreatment of children leads to overrepresentation of African American and American Indian children in the child welfare population. Data limitations likewise reduce the ability to draw conclusions about the reasons why overrepresentation is diminished at the substantiation decision point and higher in foster care. The Department of Children and Families needs to collect and analyze additional data, preferably at the individual level, before it can understand the causes of overrepresentation and its variation across counties and decision points.

The authors’ training is part of the La Follette School of Public Affairs’ two-year graduate program that leads to a master’s degree in public affairs. Students study policy analysis and public management, and they pursue a concentration in a public policy area of their choice. They spend the first year and a half taking courses that provide them with the tools they need to analyze public policies. Although acquiring a set of policy analysis skills is important, there is no substitute for doing policy analysis for a public agency. Graduate students have this opportunity when they take the course Public Affairs 869, Workshop in Public Affairs, in the program’s final semester. The students collaborate to improve their

policy analysis skills while contributing to the capacity of public agencies to analyze and develop policies on issues of concern to Wisconsin residents.

The students in this workshop were assigned to one of three teams. One group worked on this report, while the others collaborated with the Wisconsin Department of Health Services and the U.S. Government Accountability Office, Chicago office.

This report owes its origin to Henry Wilde, Deputy Secretary of DCF, and Nikki Hatch, Director of the Office of Performance and Quality Assurance for DCF, who enthusiastically proposed several policy issues. We chose this one as the most feasible to complete in one semester and as a high departmental priority. Denise Revels Robinson, Executive Policy Advisor of DCF's Division of Prevention and Service Integration, developed the project description. She and Kenneth Taylor, Child Welfare Policy Advisor, met with the students throughout the semester. This report would not have been possible without their assistance. I also want to thank Jennie Mauer who, when at DCF, did preliminary work on disproportionality in the Wisconsin child welfare system. Jennie, a 2008 graduate from the La Follette School who took the workshop in spring 2008, had told Deputy Secretary Wilde about this opportunity to work with strong student policy analysts at La Follette. Having a former student in the Workshop recommend this connection to state agencies is affirmation of the continuing value of this experience to students and the public. The acknowledgments section thanks other individuals who supported the students as they pursued data and policy insights. I add my gratitude to the appreciation expressed there.

The conclusions herein are those of the authors alone. The topic they address is large and complex, and this report can only add insight from an analysis that is necessarily constrained by the semester time frame. Nevertheless, much has been accomplished, and I trust that the Department of Children and Families will gain from this report as it continues to address racial disparities in Wisconsin.

The report also benefited greatly from the support of faculty and the staff of the La Follette School of Public Affairs, especially that of Publications Director Karen FASTER, who edited and managed production of the report. A DoIT Engage grant supported travel and other costs of this collaborative work.

Through this involvement in the tough issues state government faces, our students have learned a great deal about doing policy analysis and have gained an appreciation of the complexities and challenges confronting state and local governments in Wisconsin. I hope that this report will contribute to the work of the Department of Children and Families and to the ongoing public discussions about child welfare policy in Wisconsin and elsewhere.

Karen Holden
May 2009

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The authors also thank the following employees of the Ramsey County Community Human Services Department for their input on initiatives in Ramsey County, Minnesota: Cameron Counters, Manager, Office of Performance Measurement and Evaluation; Richard Coleman, Manager, Child Protection Program; Becky Montgomery, Child Protective Services Planner; and Clyde Turner, Manager, Family Support.

Finally, the authors wish to thank Karen Holden and Karen Faster at the La Follette School of Public Affairs for their ongoing support and guidance in the writing and editing of this policy report. Karen Holden, Professor of Public Affairs, was generous with her time and expertise. She challenged our thinking about disproportionality and shared her expertise in data analysis and aptitude for thinking clearly about complex issues. Karen Faster, Publications Director, was dedicated, responsive, and precise in her editing of this policy report, as she is in all of her work at La Follette.

DEFINITIONS

The following are definitions of terms as used in this report.

Cultural Competence: a set of congruent behaviors, attitudes, and policies that come together in a system or agency, or among professionals and enable the system, agency, or professionals to work effectively in cross-cultural situations.

Decision point: stage in the child welfare system where a caseworker makes a decision related to contact a child has with the system. These include substantiation, removal, etc.

Disparity: difference in the rates of contact with the child welfare system across racial groups.

Disproportionality: a difference between the percentage of children of a certain race in the child welfare system and their percentage in the overall population.

Disproportionality Index: a measure that compares the proportion of children of a certain racial group at various decision points in the child welfare system to their presence in the general population.

eWiSACWIS: an acronym for the web-based Wisconsin State Automated Child Welfare Information System used by child protective agencies in Wisconsin to manage child welfare cases and information.

Institutional Racism: long-standing institutional inequities in the social agency and the legal system that are based on race.

Maltreatment: an act or failure to act by a parent, caregiver, or other person that results in abuse or neglect or presents an imminent risk of serious harm to a child.

Overrepresentation: when a higher percentage of children of one race are involved in the child welfare than their representation in the general population.

Relative Rate Index: a measure calculated at each decision point in the child welfare system that compares the number of children of each race at each decision point with the number that continues onto the next decision point.

EXECUTIVE SUMMARY

In the United States, children of certain racial and ethnic groups are involved in the child welfare system at a rate greater than their representation in the overall population. Studies show that African American and American Indian children are most overrepresented and more likely to be reported, investigated, and removed from their homes than white children. This racial disproportionality is even greater in Wisconsin, compared to most other states. In 2008, African American children represented 8% of children in Wisconsin, but 54% of children in foster care (Wisconsin Department of Children and Families, 2009c). Although American Indians make up 1.2% of the state's child population, 2.8% of children that child protective services investigated were identified as American Indian in 2007, as this report shows.

Scholars have proposed three main theories to explain the causes of racial disproportionality in the child welfare system. These include disproportionate risk factors among families of color that lead to greater incidents of maltreatment; the child welfare services decision-making model that suggests racially biased decision-making contributes to the overrepresentation of children of color; and difficulties in recruiting adoptive families for children of color, so they cannot exit the system as readily as white children.

Our study assesses disproportionality of African American and American Indian children in Wisconsin's child welfare system. In line with past research, we find that investigation (entry into the system) and removal (out-of-home placement) are the decision points at which the overrepresentation of African American children is most severe and therefore most in need of further attention from the Wisconsin Department of Children and Families. We find that a high degree of overrepresentation exists at investigation for American Indian children. Due to data limitations, we cannot draw conclusions about the experience of American Indian children at later stages. American Indian children are overrepresented in foster care, but we do not have sound data about their treatment in child welfare beyond investigation.

We highlight three jurisdictions working to resolve racial and ethnic disproportionality. Ramsey County, Minnesota focuses on cultural competency staff training and the use of cultural consultants. The state of Michigan is increasing family participation in the system to reduce the number of children of color placed in out-of-home care. Sioux City, Iowa is addressing the needs of American Indians.

We recommend the Wisconsin Department of Children and Families follow the trajectory of other jurisdictions by exploring what we present as promising practices. These steps include further analysis of child welfare data, the creation of an action committee, and development of an action plan. We offer policy and practice recommendations that coincide with the promising practice steps. We hope this report serves as an impetus for the Department to continue to address racial disproportionality in Wisconsin's child welfare system.

INTRODUCTION

Racial disproportionality in the U.S. child welfare system is a national concern and a focus of research, educational, and philanthropic organizations. According to Casey Family Programs, “disproportionality is the over- or under-representation of children [of color] under age 18 in the child welfare system compared to their representation in the general population” (2009).¹ In Wisconsin in 2008, African American children represented 8% of the population and 54% of the children in foster care. In contrast, white children represented 80% of the child population and 37% of the state’s foster care system (Wisconsin Department of Children and Families, 2009c). Nationwide, African American and American Indian children are overrepresented in foster care, while white, Hispanic, and Asian American children are underrepresented. According to the U.S. Government Accountability Office, the overrepresentation² of African American and American Indian children is relatively higher in Wisconsin compared to other states: Wisconsin’s foster care system had the second highest overrepresentation of African American children and 12th highest overrepresentation of American Indian children among the 50 states and the District of Columbia. African American children were overrepresented in foster care by 4.69 times and American Indian children by 2.48 times their share of Wisconsin’s child population (Government Accountability Office, 2007). See Tables 7 and 8 in Appendix A for more information.

Prior to placement in foster care or other out-of-home arrangements, children and families are subject to decisions at a number of other decision points in the child welfare system. Research shows that disproportionality also exists in these earlier decision points. Disproportionality may accumulate throughout the system to lead to higher removal rates for children of color than for white children. For example, national studies show that, relative to their share in the total population, African American children are more likely than white children to be reported, investigated, and placed in out-of-home care. When placed in out-of-home care, African American children stay longer and are less likely

¹ The term disproportionality refers to cases where the percentage of children of a particular racial group in the general population is higher or lower than the percentage of children of the same group in the child welfare system. Since our report focuses on racial groups that have been historically represented at a rate higher than their representation in the general population, our use of the term disproportionality is in the sense of higher representation compared to their representation in the general population.

² The term overrepresentation has multiple meanings with regard to race and the child welfare system. For some, overrepresentation implies that children of color are overrepresented in the system relative to their need for services. From this perspective, overrepresentation means that some children are in the child welfare system unnecessarily. The degree to which children are in the system unnecessarily is an important empirical question. Throughout this report we use a simpler conception of overrepresentation that means the proportion of children of a particular racial group is greater in the child welfare system than the proportion in the general population. Our definition makes no assumptions about the causes or validity of overrepresentation.

to be reunited with their families than white children (Hill, 2006). American Indian children are also more highly represented than are white children at every decision point in the child welfare system when comparing their share in the child welfare system to their respective share of the total population (Harris & Hackett, 2008).

Attention to the problem of racial disproportionality grew in the late 1990s in response to data suggesting there was no difference among races in rates of child maltreatment,³ despite the fact that families of color were more often reported for abuse or neglect (Derezotes et al., 2005).⁴ These results spurred the formation of study groups that would examine why, if these findings were correct and underlying rates of maltreatment were not different, children of color were more often reported to the welfare system for maltreatment. The Center for Juvenile Justice Reform at the Georgetown Public Policy Institute and the Chapin Hall Center for Children at the University of Chicago identify the entry and exit phases of the child welfare system as the most “changeable components” that affect racial disproportionality (Chapin Hall Center for Children, 2008, p. 21).

The term “children of color” can be used to refer to many racial and ethnic groups. Our report and analysis focus on the African American and American Indian child populations because they account for the vast majority of children of color who enter the Wisconsin child welfare system (Wisconsin Department of Children and Families, 2009b). The overrepresentation of these two groups in the child welfare system across the country is well documented and persistent (Chapin Hall Center for Children, 2008). In addition, the child welfare data we were provided distinguishes racial groups, but not ethnicity. Hispanic children appear to be most often classified as white (or their race is not indicated) with a separate variable indicating their Hispanic ethnicity. As we lacked data on the ethnicity of children, we were not able to separately examine the experience of Hispanic children.

The Wisconsin Department of Children and Families (DCF) requested an analysis of racial disproportionality in Wisconsin to augment work the Department began in 2008. We review the literature on the measurement and causes of disproportionality among children of color. An important component of our research was to examine promising practices and policies that states and counties across the country have adopted. We use Wisconsin data to analyze African American and American Indian disproportionality rates in Wisconsin’s child welfare system from 2005-2007. Though discussions of disproportionality most often focus on children in foster care, we were interested in the magnitude

³ Evidence had been accumulating for several decades earlier. For example, a 1972 study by Billingsley and Giovannoni attributed overrepresentation of African American youth in the nation’s child welfare system to institutional racism.

⁴ These were the findings of three National Incidence Studies of Child Abuse and Neglect in 1980, 1986, and 1993.

of disproportionality at each decision point leading up to foster care. Our study covers the child welfare system from entry into the system to placement in out-of-home care.

This report details our research and analysis, concluding with our recommendations for addressing the underlying causes of disproportionality as we came to understand them. We hope this report will serve as the basis for continued study and corresponding action by DCF to address racial disproportionality in Wisconsin's child welfare system.

LITERATURE REVIEW

Three main theoretical frameworks explain the causes of disproportionality in the child welfare system. These three frameworks are not mutually exclusive, as each provides insight into how racial disproportionality arises.

Disproportionate Risk Factors Among Children Of Color

Some scholars attribute disproportionality to parent and family risk factors that make children of color more susceptible to maltreatment (Barth, 2005). According to these scholars, children of color are more likely to enter the child welfare system because they have disproportionate needs and their families are more likely to have risk factors associated with greater child abuse and neglect (Hill, 2006). Children of color are more likely than white children to live in families that are confronting unemployment, teen parenthood, poverty, substance abuse, incarceration, domestic violence, and mental illness (Brown et al., 1998; Hines et al., 2004). A 1993 national survey indicated that children in families with annual incomes less than \$15,000 were 22 times more likely to be neglected than children in families with incomes above \$30,000. Further, children in single-mother families were nearly two times more likely to be maltreated than children in two-parent families (Sedlak & Broadhurst, 1996). Thus, the source of disproportionality in the child welfare system is the disproportionate need for services among children of color. Greater representation in the child welfare system in this case reflects an appropriate child welfare system response to the greater need for services among children of color.

We emphasize that this theory does not contend that race per se causes families of color to maltreat their children at a higher rate than white families. Rather, risk factors that are more likely among families of color are the sources of disproportionality. Once parent and family risk factors are taken into account, racial disproportionality in the child welfare system are expected to diminish. This model contends that children of color are more likely to be maltreated and experience more severe maltreatment than white children, and that their overrepresentation in the child welfare system is proportionate to their need for services. This model does not accord with research that indicates children of color are no more likely to be maltreated than white children. However, proponents of this model contend that research is weak and unconvincing and that children of color are in fact more likely to be maltreated (Barth, 2005).

A related theory examines the impact of community risk factors. In the community risk factors model, community-level rather than family-level risk factors cause racial disproportionality. The community risk factors model asserts that children of color are overrepresented in the child welfare system because they are more likely than white children to reside in neighborhoods with fewer services.

Families that live in disadvantaged communities may turn to the child welfare system for services. Roberts (2007) concludes that African American children in Chicago are more likely to be placed in foster care than white children because they tend to live in poor and disadvantaged neighborhoods, where their families have access to fewer social programs and supportive resources. Therefore, families in crisis are more likely to turn to the formal child welfare system for help. Additionally, lack of access to community services may make residents more susceptible to surveillance by public authorities and thus make children of color more likely to enter the child welfare system (Coulton & Pandey, 1992).

Child Welfare Services Decision-Making Model

The child welfare services decision-making model focuses on how child protective services agencies and staff may allow race to affect their decisions about the cases of children of different races. Barth (2005) identifies institutional racism, culturally incompetent staff, staffing patterns, and inadequate duration or configuration of services to explain why race could factor, implicitly or explicitly, into child protective services decision-making. Institutional racism, in particular, has garnered significant attention recently. To determine how race per se affects disproportionality, research into this model must isolate the impact of risk factors from race. Racial bias is consistent with a finding that children of different races who have the same risk factors are treated differently in the child welfare system. Studies using national data show that once poverty and income are controlled, racial disproportionality in the child welfare system remains (McCabe et al., 1999; Sedlak & Schulz, 2005). These studies offer the best evidence that child welfare decision-making may have a racial bias. Nonetheless, fully controlling for risk factors correlated with race is difficult, so one must be careful when attributing disproportionality to decisions made within child protective services (Barth, 2005).

Difficulties In Recruiting Adoptive And Foster Care Families For Children Of Color

Some scholars who examine racial disproportionality at later decision points in the child welfare system attribute overrepresentation to factors that are specific to outcomes for children reaching those decision points. African American children are more likely to be removed from their homes and placed in foster care than white children, even when type and degree of maltreatment, parental substance abuse, prior history of maltreatment, Medicaid benefits, child age, and child disability were controlled (for example, Wulczyn et al., 2005; Barth, 2005; Stoltzfus, 2005; Lu et al., 2004). Further, American Indian children are more likely than whites to be placed in foster care when removal from the home is necessary (Stoltzfus, 2005). Among the children who are removed from their homes, African American children have longer stays in care than do white

children (Wulczyn, 2004; George et al., 1994). African American children's longer stays in out-of-home care reflect the fact that they are reunified with their families less often and are less likely to be adopted than white children (Barth, 2005). Little empirical evidence about reunification and adoption dynamics exists for American Indian children.

African Americans' longer stays in out-of-home care may in fact reflect child welfare systems' efforts to become more culturally competent, emphasizing the quality of out-of-home care even if it leads to longer time in care and racial disproportionality (Barth, 2005). For example, some child protective services agencies have worked to become more culturally competent by emphasizing kinship care for African American children who must be removed from their homes. Since the length of stay in kinship care tends to be longer than in other placements, this effort to increase cultural competence may actually increase racial disproportionality in the child welfare system. Additionally, child protective services agencies may attempt to place an African American child in a same-race adoptive home, even if that is not the first available home, which also lengthens time in care (Barth, 2005). These observations highlight a potential trade-off at the placement decision point between shortening the time a child spends in a placement and the appropriateness of that placement. Therefore, policymakers trying to reduce disproportionality should be cognizant of the impact of their efforts on the quality of services provided to children and families.

WISCONSIN'S CHILD WELFARE SYSTEM

Child welfare services in Wisconsin operate under the supervision of the Wisconsin Department of Children and Families. The department was established in 2007 and began full operation on July 1, 2008 as a distinct agency to streamline child welfare, child support, child-care services and the state's Wisconsin Works welfare program. The agency's functions were previously within the Wisconsin Department of Health and Family Services and the Wisconsin Department of Workforce Development. The Wisconsin Department of Children and Families' mission is to promote the economic and social well being of Wisconsin's children and families (Wisconsin Department of Children and Families, 2009a).

Wisconsin's child welfare system is state-supervised but county- or tribal-administered. The Wisconsin Department of Children and Families (DCF) manages and provides technical assistance to 71 of the 72 Wisconsin counties that provide direct child welfare services. DCF also operates the statewide Special Needs Adoption Program.⁵ The county exception is Milwaukee, for which DCF administers child-welfare services through the Bureau of Milwaukee Child Welfare.⁶ All other 71 counties provide direct services to children through a shared relationship between the county or tribal department of human/social services and the juvenile court system. After the county investigates a case involving an American Indian child, the case may be transferred to the tribal child welfare agency (Wisconsin Legislative Fiscal Bureau, 2009, p. 1, 23).

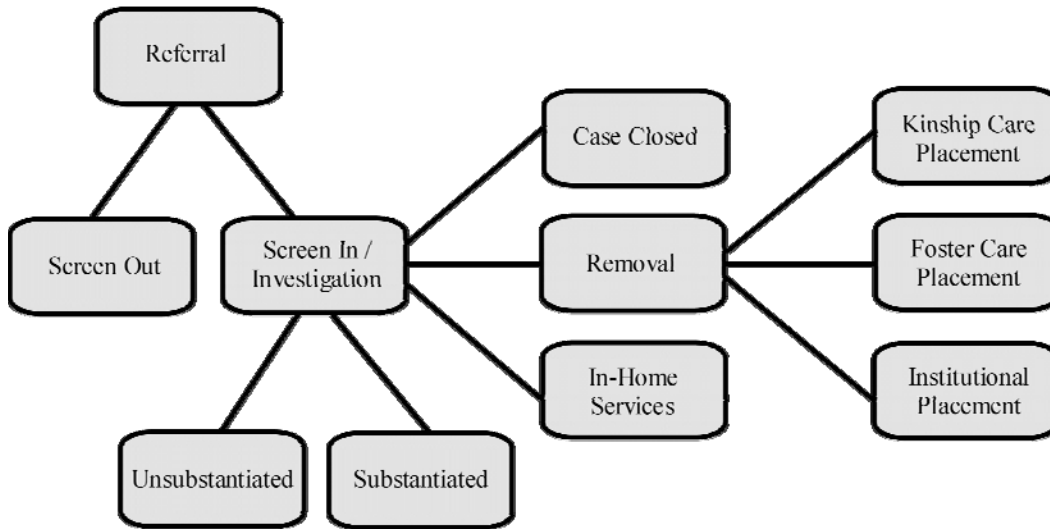
The 1978 passage of the federal *Indian Child Welfare Act (IWCA)* established detailed procedural requirements to which state courts must adhere regarding child welfare cases involving American Indian children. Most notably, it mandates that state courts give preference to placing American Indian children within their extended families and tribal communities. Further, it granted jurisdiction to tribal courts for proceedings regarding tribal children who reside on their reservations or who are otherwise wards of a tribal court. It also created a level of mandated cooperation between tribes and state courts for American Indian children who do not reside in or near reservation boundaries (Goldsmith, 2002). For more information on the *Indian Child Welfare Act*, see Appendix B.

The child welfare system processes cases of alleged child abuse and neglect through a series of decision points. Figure 1 depicts the points of decision-making in Wisconsin's child welfare system.

⁵ Chapter 48 of the Wisconsin statutes includes state laws governing child welfare practices.

⁶ The Milwaukee exception arose from a 1993 lawsuit by the American Civil Liberties Union and Children's Rights Project (now Children's Rights, Inc.) against the state and Milwaukee County pertaining to children's safety and federal law violations. State laws passed in 1995 and 1997 required the state to assume control of Milwaukee County's child welfare system. This arrangement took effect on January 1, 1998.

Figure 1: Child Welfare System Decision Tree



Source: Wisconsin Legislative Fiscal Bureau, 2009

The initial point of contact with the system occurs when a report of child abuse or neglect is made to a child protective services intake worker. At this stage the report is called a “referral.” One referral in the Wisconsin Statewide Automated Child Welfare Information System can contain information about more than one child, more than one maltreater, or one or more allegations for each child or maltreater. Based upon the information available at the time of the referral, the intake worker screens the referral and decides whether to recommend the case for further investigation. A child protective services report is created for each child who is identified in a screened-in referral as an alleged victim of child maltreatment or threatened maltreatment. Thus, each child in a referral is counted as a unique child protective services report. When a referral is screened in and a report is filed, the child welfare system investigation determines whether abuse and/or neglect was likely to have occurred. When an investigated case of abuse or neglect is substantiated, the child protective services agency determines which steps are needed to keep the child or children safe. The list of responses to substantiated cases includes, but is not limited to, placing the child in foster or kinship care, providing in-home services, or closing the case.⁷ Children who are removed from their homes can remain in out-of-home placements until they age out of the system, are reunified with their families, or are adopted (Wisconsin Department of Health and Family Services, 2007).

⁷ Although there is a general path that allegations and children take through the child welfare system, some circumstances can lead to unusual paths for reports or children. For example, at the removal decision point, a substantiated allegation of maltreatment may involve removing a child and siblings from the home, even if the siblings were not a part of the original referral and investigation. Similarly, a case of alleged maltreatment may be closed even if it has been substantiated. For example, a child neglected at her daycare center would not be removed from her home.

At any decision point, a case may be closed because the available information does not suggest that the child was abused or neglected or is likely to be abused or neglected. Decisions at each stage may contribute to racial disproportionality in the child welfare system. In our study, we calculate the disproportionality rates at each step in the system, but we examine the investigation and removal decision points most closely. It is at these stages where we find the largest degree of disproportionality. See Appendix C for a more detailed description of how alleged cases of child abuse and neglect progress through the child welfare system.

DATA OVERVIEW

We use data from the electronic Wisconsin Statewide Automated Child Welfare Information System (eWiSACWIS) for the years 2005, 2006, and 2007. All counties and the Bureau of Milwaukee Child Welfare use this database to maintain and standardize child welfare records. For each county, the information we use includes data for each decision point depicted in Figure 1, that is, the total number of referrals, screened-out cases, screened-in cases, investigations, substantiated cases, unsubstantiated cases, closed cases, removals, in-home services, kinship care placements, foster care placements, and institutional placements. The data we have do not follow individual children, families, or cases through the system. The data only provide the number of children during that year who entered at each decision point, broken down by race and county. We were unable to obtain eWiSACWIS data for ethnicity. Therefore, we cannot make claims about the experience of Hispanics in the child welfare system, since Hispanics are classified solely by race in our data.

How This Analysis Builds Upon Previous DCF Analyses

The work in this paper builds and expands on work that DCF completed with assistance from Portland State University professor William Feyerherm. He developed and maintained a statistical tool for the U.S. Department of Justice. In Wisconsin, the Office of Justice Assistance has used the tool to analyze the state's juvenile justice data. Feyerherm helped DCF staff adapt the statistical tool to child welfare in Wisconsin.

This study refines and expands upon DCF's data analysis in the following ways. First, the original analysis used U.S. Census data classified by race and ethnicity, including the separate identification of the Hispanic population. Using as a comparison a population base that distinguishes race from ethnicity was inappropriate because the data we were provided does not identify ethnicity. Therefore, our analysis used the population race-only breakdown in examining rates for children, identified only by race, entering the welfare system.

Second, our analysis treats the investigation decision point as the entry point into the child welfare system, whereas the 2008 analysis considered the referral decision point as the entry point. We believe that investigation is a more appropriate entry point to analyze for several reasons. A referral may contain information about multiple children, multiple maltreaters, and one or more allegations for each child or maltreater. Multiple individuals can call child protective services about the same child and maltreatment, in which case several referrals can cover the same instance of alleged maltreatment (Wisconsin Department of Health and Family Services, 2007). Overall, the number of referrals provides no information about the total number of children included in those referrals. This makes it

problematic to compare the number of referrals in a given area to the overall child population. In contrast, at the investigation decision point, a report for each child has been filed, so the number of investigations accurately reflects the number of children whose cases are investigated. Another advantage of considering the investigation decision point as the entry point is that there are fewer missing race data at this stage compared to that of referral. For example, 23.7% of referrals did not include race data in 2007, while 20.5% of investigations did not include race data. The fact that referrals can include information about multiple children or lack complete information raises additional concerns about the accuracy of race data at the referral point. Since the investigation data are child specific and child protective services has likely contacted the family at the investigation decision point, we believe the number of investigations is the most accurate first unit of analysis given our data.

Third, we conduct a preliminary county-level analysis that measures the extent to which county-level factors are associated with the overrepresentation of African Americans and American Indians. DCF's analysis in 2008 did not include a county-level analysis, so this is a new component of the data analysis. Finally, throughout this analysis we interpret the data in light of the proposed explanations for racial overrepresentation.

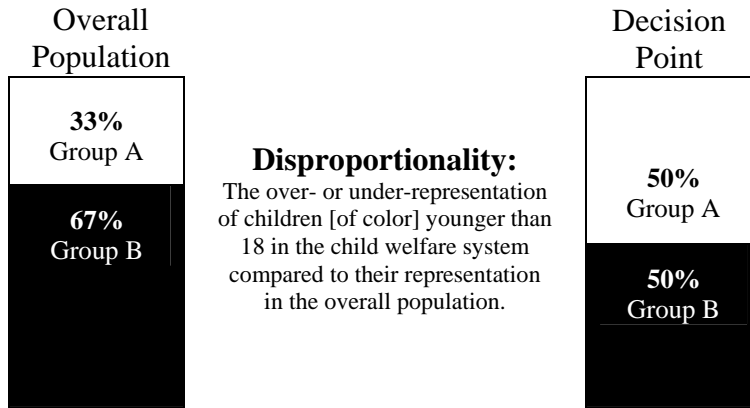
Understanding The Terminology: Overrepresentation, Disproportionality And Relative Rate Index

Our discussion has focused on the overrepresentation of children of color in the child welfare system, which is the motivating phenomenon for this report. Our analysis requires more formal measures of racial composition. To measure racial composition, we use two indices: the disproportionality index (DI), and the relative rate index (RRI), which is a measure disparity between groups of color and whites.

Disproportionality provides a snapshot of the degree to which the child welfare system's racial composition reflects the child population's racial composition. Disproportionality exists when the percentage of children of a particular racial or ethnic group in the overall population differs from the percentage of children of the same group in the child welfare system (Hill, 2006). African Americans are disproportionately represented, or overrepresented, in Wisconsin's foster care system. Of Wisconsin's children, 8.4% were African American in 2007, but 24.0% of the children investigated by child protective services and 36.1% of the children removed from their homes were African American. Both over- and underrepresentation of racial groups in the child welfare system are forms of disproportionality. The underrepresentation of at least one racial group exists whenever another group is overrepresented (Center for Juvenile Justice Reform, 2009). For instance, the overrepresentation of African Americans

in the foster care system corresponds with the underrepresentation of whites. Figure 2 displays the concept of disproportionality.

Figure 2: Disproportionality



Source: Center for Juvenile Justice Reform, 2009

The disproportionality index compares the percentage of an individual racial group at a particular decision point to that racial group's composition in the state population. For example, African American children comprise 8.4% of the state's population but 36.1% of the children who were removed from their home in 2007. These percentages translate into a DI of 4.3, since 36.1% is 4.3 times greater than 8.4%. A DI of 4.3 at the removal stage means the percentage of African American children at removal is 4.3 times greater than their percentage in the statewide population. Figure 2 illustrates a DI of 1.5.

The shortcoming of the DI is that the comparison statistic does not change as children move through the system, so the DI itself does not provide insight into how each decision point affects disproportionality. Column 2 in Table 1 indicates how the DI for African American children is calculated at the investigation, substantiation, and removal stages.

To better understand how each decision point contributes to racial disproportionality, we use a second index, which measures the racial composition consequences of decisions at each point in the child welfare system compared to the children subject to that decision. The relative rate index is a stage-by-stage calculation that compares the number children of each race who enter a stage (the denominator) to the number who continue onto the next stage (the numerator) in the child welfare system. The relative rate index describes the decisions about children at risk of a decision being made at that particular stage. The index is a measure of disparity and creates a ratio of the decision for one group versus another group. Our data analysis compares African Americans to whites and American Indians to whites. Column 3 in Table 1 indicates how the RRI is

calculated for African Americans at the three stages we analyze: investigation, substantiation, and removal.

Table 1: Calculating The Disproportionality And Relative Rate Indices

Decision Point	Disproportionality Index	Relative Rate Index
Investigation	$\frac{\% \text{ of investigations that involve A-A}}{\% \text{ of A-A in the general population}}$	$\frac{(\# \text{ of investigations that involve A-A children} \div \# \text{ of A-A children in population})}{9\# \text{ of investigations that involve white children} \div \# \text{ of white children in population}}$
Substantiation	$\frac{\% \text{ of A-A with substantiated cases}}{\% \text{ of A-A in the general population}}$	$\frac{(\# \text{ of A-A cases substantiated} \div \# \text{ of A-A cases investigated})}{(\# \text{ of white cases substantiated} \div \# \text{ of white cases investigated})}$
Removal	$\frac{\% \text{ of A-A who are removed from home}}{\% \text{ of A-A in the general population}}$	$\frac{(\# \text{ of A-A children removed} \div \# \text{ of A-A cases investigated})}{(\# \text{ of white children removed} \div \# \text{ of white cases investigated})}^8$

Source: Office of Juvenile Justice and Delinquency Prevention, 2005

Again, these examples are for African American children statewide. Calculating the disproportionality indices and RRIs for American Indian children requires substituting the respective data for American Indians. Similarly, calculating the disproportionality indices and RRIs for other geographic areas requires substituting the appropriate data.

Decision Point Analysis

In this section we analyze the investigation, substantiation, and removal decision points. This analysis sheds light on the degree to which African American and American Indian children are represented at each decision point relative to white children.

⁸ Due to the inconsistent system path mentioned in footnote 7, the prior conditional for removal is investigation, not substantiation. This step is reflected in Figure 1.

African American Children

We examine the relative rate indices (RRI) and disproportionality indices (DI) for African American children at three decision points: investigation, substantiation, and removal. Table 2 provides the statewide RRIs and DIs for these three decision points in 2005, 2006, and 2007. RRIs that are statistically significantly different from 1.00 are in bold.⁹ Appendix D contains RRIs and DIs for additional decision points.

Table 2: Statewide RRIs And DIs For African American Children, 2005-2007

Year	Decision Point	RRI	% In Child Population (A)	% Of Children At Decision Point (B)	DI (B / A)
2005	Investigation	4.14	8.4%	23.7%	2.81
	Substantiation	0.90	8.4%	22.7%	2.69
	Removal	1.45	8.4%	34.0%	4.04
2006	Investigation	4.21	8.4%	22.8%	2.70
	Substantiation	0.82	8.4%	20.9%	2.48
	Removal	1.39	8.4%	33.8%	4.01
2007	Investigation	4.60	8.4%	24.0%	2.85
	Substantiation	0.78	8.4%	21.9%	2.60
	Removal	1.41	8.4%	36.1%	4.28

Source: Authors' calculations based on 2000 Census¹⁰ and eWiSACWIS data

The RRIs are greatest and a substantial degree of disproportionality exists at the investigation decision point. In 2007, the statewide RRI at investigation was 4.60. Thus, in that year, child protective services investigated cases involving African American children a rate 4.6 times the rate at which cases involving white children were investigated. Although African Americans make up 8.4% of the state's child population, 24% of the allegations that child protective services investigated in 2007 pertained to African American children. These percentages translate into a DI of 2.85. The RRIs and DIs in 2005 and 2006 are similar to the 2007 figures. Together, these figures indicate that the overrepresentation of African American children begins early in the child welfare system. Though the RRIs and DIs at investigation do not explain why African American children are overrepresented, the data we have are consistent with several explanations. Overrepresentation at the investigation decision point may reflect higher risk factors among African American families and communities, racially biased decision-

⁹ If an RRI is statistically significantly different than 1, the difference in rates between the two races at the decision point is unlikely to be due to a difference in the measures that arose by chance.

¹⁰ Throughout this analysis we use 2000 Census race data to estimate each county's population. County-level race data for 2005, 2006, and 2007 were unavailable.

making by intake workers, overreporting of African American children by community members, or a combination of these explanations.

At the substantiation decision point, the RRIs in the statewide data for 2005-07 are less than 1.00 for African American children. Among children whose reports child protective services investigated, the agencies substantiated slightly fewer cases concerning African American children than those concerning white children. Therefore, the substantiation stage did not contribute to the overrepresentation of African American children in any year, and this decision point is even associated with a decrease in overrepresentation. Whereas the DI was 2.85 at investigation in 2007, this index decreased to 2.69 at substantiation. These findings are consistent with analyses from other states that conclude the substantiation process does not contribute to the overrepresentation of African American children (Ards et al., 2003).

The removal decision point contributed to overrepresentation from 2005-2007. In 2007, the statewide RRI at removal was 1.41. Thus, of the children whom child protective services investigated, the rate at which African American children were removed from their homes was 1.41 times the removal rate for white children. In 2007, children identified as African American made up 36.1% of the children removed from their homes, which translates into a DI of 4.28. Therefore, the overrepresentation of African American children increases at the removal decision point. This is consistent with research from other states that concludes the removal stage is a source of overrepresentation (Barth, 2005). Overrepresentation at the removal decision point deserves particular attention because removal is linked to a variety of negative outcomes for children (Pilowsky & Wu, 2006; Doyle, 2007). Removing a child from home and placing the child in foster care has serious implications for the child, her or his family, and for the child protective services agency. Again, the Wisconsin Statewide Automated Child Welfare Information System data provide no insight into why removal is a source of disproportionality.

Table 3 provides the RRIs and DIs in 2007 for the Bureau of Milwaukee Child Welfare and the balance of the state, which includes the remaining 71 counties. RRIs in bold are statistically significantly different from 1.00. The same figures from 2005 and 2006 are available in Appendix D.

Table 3: Bureau Of Milwaukee Child Welfare And The Balance Of State RRIs And DIs For African American Children, 2007

Geographic Breakdown	Decision Point	RRI	% In Child Population (A)	% Of Children At Decision	DI (B / A)
Bureau of Milwaukee Child Welfare	Investigation	2.79	36.4%	49.5%	1.36
	Substantiation	1.09	36.4%	56.7%	1.56
	Removal	1.17	36.4%	64.9%	1.78
Balance of State	Investigation	6.60	2.2%	10.7%	4.78
	Substantiation	1.05	2.2%	12.0%	5.34
	Removal	1.71	2.2%	19.7%	8.79

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

The investigation and removal stages are sources of overrepresentation in Bureau of Milwaukee Child Welfare and the balance of the state. Neither the RRI in the bureau (1.09) nor in the balance of the state (1.05) is statistically different from 1.00, indicating that substantiation is not a source of overrepresentation in these locations.

The RRIs and DIs indicate that the degree of overrepresentation is higher in the balance of the state than in the Bureau of Milwaukee Child Welfare. Because the balance of the state aggregates 71 counties, it is difficult to speculate what county-specific factors led to this difference. Appendix D includes the 2007 RRIs and DIs for the 10 counties that have the largest African American child populations and account for 97.3% of African American children in Wisconsin.

Overall, our calculations show that African American children are significantly overrepresented at the investigation stage in the Wisconsin child welfare system. Discrepant decisions at substantiation do not appear to contribute to disproportionality; indeed statewide data indicate that the overrepresentation of African American children slightly decreases at substantiation. African American children are represented at a higher rate at removal, a stage that is another source of the overrepresentation of African American children in the child welfare system.

American Indian Children

Given data constraints of the eWiSACWIS, we analyze the overrepresentation of American Indian children solely at the investigation stage. All American Indian children appear in eWiSACWIS through the investigation stage, since county agencies and the Bureau of Milwaukee Child Welfare are responsible for American Indian children through investigation. Following investigation, tribes may retain authority for providing services to American Indian children. American Indian children who remain in county agencies after investigation are included

in eWiSACWIS, but children whose tribes retain authority for providing services do not appear in eWiSACWIS. We lack information about how this administrative arrangement affects the probability that an American Indian child remains in the eWiSACWIS data beyond investigation. Thus, our analysis for American Indian children involves the investigation stage alone. Table 4 contains the RRI and disproportionality indices at investigation for the state, the Bureau of Milwaukee Child Welfare, and the balance of state for 2005, 2006, and 2007. RRI in bold are statistically significantly different from 1.00.

Table 4: RRI And DI For American Indian Children, 2005-2007

Geographic Breakdown	Year	RRI	% In Child Population (A)	% Of Children At Decision Point (B)	DI (B / A)
Statewide	2005	3.35	1.2%	2.7%	2.27
	2006	3.37	1.2%	2.6%	2.16
	2007	3.70	1.2%	2.8%	2.29
Bureau of Milwaukee Child Welfare	2005	2.80	0.9%	1.4%	1.50
	2006	2.62	0.9%	1.2%	1.32
	2007	2.74	0.9%	1.2%	1.34
Balance of State	2005	3.42	1.3%	3.4%	2.68
	2006	3.49	1.3%	3.3%	2.59
	2007	3.87	1.3%	3.6%	2.80

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

American Indian children were overrepresented at the investigation stage in each of the three geographic units. All of the RRI in Table 4 are significantly greater than 1.00. The statewide RRI in 2007 was 3.70, indicating that among all of the children in Wisconsin, child protective services investigated American Indian children at a rate 3.7 times the rate for white children. American Indian children comprise 1.2% of Wisconsin's child population, and child protective services agencies identified 2.8% of the children at the investigation in 2007 as American Indian. These percentages translate into a DI of 2.3. The overrepresentation of American Indian children was greater in the balance of the state compared to the Bureau of Milwaukee Child Welfare. The balance of the state had an investigation RRI of 3.87 in 2007, and the Bureau of Milwaukee Child Welfare's RRI was 2.74. Together, the RRI and DI for American Indian children indicate a significant degree of overrepresentation at the investigation stage. Appendix D (Table 12) shows RRI and DI for the 10 Wisconsin counties that have the largest American Indian populations. Although these data are limited due to the relatively small size of the American Indian population, data from these 10 counties also indicate a significant degree of overrepresentation at investigation.

Like the data for African Americans, overrepresentation at the investigation stage may reflect higher risk factors among American Indian families and communities, racially biased decision-making by intake workers, overreporting of American Indian children by community members, or a combination of these explanations.

County-Level Analysis

Although the relative rate indices (RRIs) and disproportionality indices (DIs) leave no doubt that African American and American Indian children are overrepresented in the child welfare system, they do not indicate why overrepresentation exists. To understand why African American and American Indian children are overrepresented, we investigated the statistical relationship between county-level factors that might reflect causal explanations and the RRIs at investigation. We limit this analysis to the investigation stage for two reasons. First, at the substantiation and removal stages too few counties have sufficient numbers of African American and American Indian children for a county-level analysis. We include those counties that had more than 10 African American or American Indian children at investigation. Twenty-six counties met this threshold for African Americans, while 21 did so for American Indian children.¹¹ Second, a high degree of overrepresentation already exists at investigation, so this analysis can potentially shed light on a decision point that is inextricably linked to overrepresentation. We describe limitations of this analysis below, but present its results and some preliminary conclusions in hopes that it will help point toward the value of additional data analyses at DCF.

African American Children

We use a standard multivariate regression to measure the association between county-level factors and the relative rate index (RRI) at investigation for African American children in 2007. The dependent variable is the county-specific RRI at investigation for African American children. The county-level explanatory variables were chosen to reflect the county-level factors that the literature associates with the higher risk of maltreatment. These are:

1. Ratio of the percentage of African Americans living in poverty to the percentage of white families living in poverty (relative poverty)
2. Percentage of children ages 0-5 (young children)
3. Percentage of children living with single parents (single parent)

¹¹ The 26 counties with least 10 investigations of African American children in 2007 were Brown, Calumet, Dane, Dodge, Douglas, Eau Claire, Fond du Lac, Jefferson, Kenosha, La Crosse, Manitowoc, Marathon, Milwaukee, Outagamie, Ozaukee, Pierce, Racine, Rock, Sheboygan, St. Croix, Vernon, Walworth, Washington, Waukesha, Winnebago, and Wood. The 21 counties with at least 10 investigations of American Indian children in 2007 were Ashland, Barron, Bayfield, Brown, Burnett, Douglas, Fond du Lac, Forest, Jackson, La Crosse, Langlade, Manitowoc, Marathon, Milwaukee, Outagamie, Polk, Sawyer, Shawano, Vilas, Winnebago, and Wood.

4. Percentage of children in families in which no parent is employed (unemployment)
5. Percentage of children who live in neighborhoods in which 20% or more of families live in poverty (neighborhood poverty)

Data for these variables come from the KIDS COUNT Census Data Online (Annie E. Casey Foundation, 2006) that are derived from the 2000 census. The first four variables correspond with family risk factors, and the fifth variable corresponds with a community risk factor. We do not have county-level data for child protective services agencies and therefore cannot construct a variable that captures agency decision-making.

The regression output for African American children at investigation is available in Table 5, with variables that are statistically significant in bold. Two county-level variables are associated with the RRI at investigation: neighborhood poverty and single parent. The neighborhood poverty variable indicates that counties where higher proportions of children live in impoverished neighborhoods have higher RRIs at investigation. This finding is consistent with the community risk factors model, which claims that children in communities with high poverty and other risk factors are more likely to enter the child welfare system. The positive association between neighborhood poverty and the RRI at investigation may indicate that African American families are turning to the child welfare system for social services, or that African American children in impoverished neighborhoods are more susceptible to surveillance by public authorities. Nevertheless, we did not have access to a neighborhood poverty measure that compared white and African American children, so these interpretations are merely suggestive. Future research must further explore the link between community risk factors in Wisconsin and the RRI.

Table 5: Predictors Of African American RRI At Investigation: 26 Wisconsin Counties, 2007

County-level Variable	Coefficient	Standard Error	P> t
Relative Poverty	-0.34	0.65	0.62
Young Children	1.62	2.18	0.46
Single Parent	-2.10	0.73	0.01
Unemployment	-0.61	2.21	0.79
Neighborhood Poverty	1.00	0.51	0.06

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

Note: RRI is relative to the risk at investigation for white children

The single parent variable indicates that counties with higher percentages of single parents have lower RRIs than counties with higher proportions of single parents. This contradicts other research that reports higher rates of maltreatment of children in single-mother families (Sedlak & Broadhurst, 1996). That single parenthood is associated with a lower RRI may suggest that factors associated with single-parenthood (e.g., poverty), but not single-parenthood itself, raises the risk that single-parenthood is a more diverse status than in previous decades, or that county-level analysis cannot capture the true effect of individual-level risks.

The other three explanatory variables are not statistically related to the RRI at investigation. The only variable that compares African American and white children, the relative poverty variable, is not statistically significant—i.e., it is not different from having a zero effect. Therefore, we have no evidence that higher poverty among African American children compared to white children, given the level of overall poverty in the county, contributes, to the overrepresentation of African American children at investigation. Neither the unemployment nor young children variables is significantly associated with the RRI.

Overall, this analysis provides only very limited insight into why African American children are overrepresented at investigation. While the findings do suggest that economic or community factors may matter, it also shows the limited potential for discovering causal relationships with county-level data. Such data must necessarily be limited to the minority of counties with sufficient cases and explanatory variables at the county level. We present this analysis to encourage DCF to further explore the link between risk factors and overrepresentation. Because county-level analysis is inherently limited, pursuing an individual-level analysis would be necessary to understand the individual and community risk factors that lead to overrepresentation.

American Indian Children

We use a similar multivariate regression for American Indian children. This analysis includes counties with more than 10 American Indian children at investigation, and 21 counties met this threshold in 2007. The dependent variable is the relative rate index (RRI) at investigation for American Indian children in 2007. The explanatory variables include:

1. Ratio of percentage of Americans Indians living in poverty to percentage of white families living in poverty (relative poverty)
2. Percentage of children ages 0-5 (young children)
3. Percentage of children living with single parents (single parent)
4. Percentage of children in families in which no parent is employed (unemployment)
5. Percentage of children who live in neighborhoods in which 20% or more of families live in poverty (neighborhood poverty)

The sole explanatory variable that is statistically significant is relative poverty. This indicates that higher poverty rates among American Indians compared to whites may partially explain why American Indians are overrepresented at investigation. This result is consistent with the family risk factors model, which contends that American Indian children are overrepresented because their families tend to have more risk factors than white families. Given the limitations of this county-level analysis, which we discuss in detail below, this result is only suggestive. It appears that higher risk factors among American Indian children may partially explain the RRI at investigation, but this finding is far from conclusive. The four other explanatory variables are not statistically significant, which is not surprising since these variables refer to county-level factors in counties that mostly have a small minority of American Indians. Overall, this analysis offers little insight into the overrepresentation of American Indian children at investigation. Nonetheless, this suggests that further analysis of the degree to which poverty rates affect overrepresentation may be useful. The regression output for American Indian children at investigation is available in Table 6 below, with variables that are statistically significant in bold.

Table 6: Predictors Of American Indian RRI At Investigation: 21 Wisconsin Counties, 2007

County-Level Variable	Coefficient	Standard Error	P> t
Relative Poverty	1.61	0.68	0.03
Young Children	-0.10	0.67	0.88
Single Parent	0.03	0.41	0.94
Unemployment	-0.06	0.59	0.92
Neighborhood Poverty	-0.09	0.16	0.57

Source: Authors' calculations based on 2000 Census and eWiSACWIS data
 Note: RRI is relative to the risk at investigation for white children

Data Limitations

Our data analysis is subject to several limitations, each of which represents a potential source of statistical bias in our findings. Appendix E provides a more detailed discussion of these data limitations. Our analysis focuses solely on race and excludes ethnicity. Our Wisconsin State Automated Child Welfare Information System (eWiSACWIS) data did not include ethnicity data, so Hispanics are included in the race by which they identify. We have statewide ethnicity data from the referral stage that indicate Hispanics are likely classified as white or of unknown race. While national data show that Hispanics are underrepresented in the child welfare system (Hill, 2006), we had no data to examine whether this is the case in Wisconsin as well. Our analysis can say nothing about the experience of Hispanic children in the child welfare system. Further, classifying Hispanic children only by race may statistically bias our

results. If Hispanics children's experience in the child welfare system is different than the experience of white children, then the classification of Hispanics as white in our data biases the RRIs and DIs for African American and American Indian children.

More serious, perhaps, is that race identification is missing for a high percentage of children. The proportion of missing race data declines as children move through the system. In 2007, race data were missing for 23.7% of children at referral and 3.9% of children at removal. In the absence of individual-level data, we cannot speculate how missing race data affect our analysis. Nevertheless, this data gap is another potential source of statistical bias. Additionally, we use 2000 U.S. Census data to determine base population numbers in our analysis. Our analysis assumes that the demographic distributions in each county remained the same from 2000 to 2005, 2006, and 2007. If there were any shifts in these distributions between the time of the Census and the collection of the eWiSACWIS data, our analysis could be biased.

Most importantly, the eWiSACWIS data tell us what racial disproportionality looks like in Wisconsin, but the data's usefulness in determining the causes of disproportionality is severely limited. Even our preliminary county-level analysis offers little insight into the causes of disproportionality. At most, this analysis suggests that community risk factors may be associated with the overrepresentation of African American children, and that poverty may partially explain the overrepresentation of American Indian children. These links require more research before any definitive conclusions can be made. The eWiSACWIS data we have contains the number of children at each stage in the child welfare system, broken down by county and race. These data are inherently limited, and we mined them as extensively as possible. The eWiSACWIS database contains information about individual children. An individual-level data analysis is necessary to better understand the causes of overrepresentation. Depending on the data available in eWiSACWIS, such an analysis would measure how the characteristics of children, caretakers, maltreatment, caseworkers, reporters, and counties interact to cause racial disproportionality.

SELECTED INITIATIVES AROUND THE COUNTRY

Overrepresentation of African Americans is present at the investigation and out-of-home placement stages. Though our data cannot provide conclusive evidence beyond investigation for American Indian children, they experience disproportionate levels at this stage. Our analysis suggests community factors may play a role, but we cannot rule out other causes of overrepresentation.

In designing a Wisconsin-specific response to address disproportionality, the Department of Children and Families could be informed by the experience of other states and counties. In recent years, states and counties have begun investigating and taking action to address their unique disproportionality problems. In January 2009, Oregon Governor Kulongoski created a statewide task force mandating the state child welfare agency and advocacy groups design a strategy for addressing racial disproportionality (Oregon.gov, 2009). Thirteen states (California, Colorado, Florida, Illinois, Iowa, Maine, Michigan, Minnesota, Montana, New Mexico, South Dakota, Texas, and Washington) passed legislation between 2002 and 2007 to address racial equity in child welfare. Legislative action included mandated studies of child welfare outcomes, setting up advisory committees to study disproportionality, and strengthening state compliance with the *Indian Child Welfare Act* (National Conference of State Legislatures, 2007). In addition to passing legislation, a number of state and county child welfare agencies are taking advantage of grants and technical assistance from organizations such as the Casey-CSSP Alliance for Racial Equity in Child Welfare (Center for Community Partnerships in Child Welfare, 2006).

To provide insight into addressing Wisconsin's unique challenges, we identified three jurisdictions chosen from "Places to Watch: Promising Practices to Address Racial Disproportionality in Child Welfare Services," a report developed for the Casey-CSSP Alliance for Racial Equity in Child Welfare (Center for Community Partnerships in Child Welfare, 2006). These jurisdictions are addressing problems of disproportionality similar to those Wisconsin faces. Ramsey County, Minnesota addresses prevention and racial bias in decision-making. The state of Michigan focuses on out-of-home placements that occur because of underlying family issues. Sioux City, Iowa attends to the overrepresentation of American Indians.

Ramsey County, Minnesota

We highlight Ramsey County, which includes the city of St. Paul, Minnesota because it addresses prevention and racial bias in decision-making. The geographic proximity of this jurisdiction allowed us to interview staff involved in the disproportionality work. Much of Ramsey County's work is to strengthen its process at the front end of the child welfare system to provide appropriate treatment and services in response to the incidents and needs of families. This includes

improving efforts to prevent abuse and neglect and to prevent children and families with other social service needs from unnecessarily interacting with the child welfare system.

Minnesota, like Wisconsin, has a state-supervised, county-administered child welfare system. Ramsey County and its Community Human Services Department began addressing racial disproportionality in 2001 when the legislature mandated a statewide task force to look at the issue. African Americans represented 35% of Ramsey County's population in 2003 but 55% of child welfare investigations and substantiated cases (Center for Community Partnerships in Child Welfare, 2006, p. 32-40).

The Ramsey County Community Human Services Department undertook two initiatives specific to addressing racial disproportionality. First, the department is addressing institutional racism. As part of this effort, the department created the Anti-Racism Leadership Team to implement departmental trainings and hold discussions about race with staff and managers. The team seeks to bring about awareness of cultural biases of the individual and the institution with the goal of converting the department into an "anti-racist institution." Second, the Ending Racial Disparities initiative extends beyond the human services department to incorporate the full county in reducing racial disparities in the child welfare system. Cultural consultants are a unique component of this effort. They are liaisons between the human services department and the county's various racial and ethnic communities. They facilitate discussions about changes in child welfare practices and policy through focus groups and large group discussions that inform whether Ramsey County adopts or maintains particular practices and policies (Montgomery et al., 2009).

Prevention efforts in Ramsey County involve placing child welfare workers in some high-risk schools to serve as a first point of contact for school-based mandatory reporters. This relationship emphasizes taking preventive measures to keep children from unnecessarily entering the child welfare system and, specifically, from entering child protective services. School-based child welfare staff work with teachers and school staff to identify children in need of social services and those at-risk of abuse and neglect. They can then contact families to discuss their needs and the array of services available to address these needs. These staff members are also responsible for responding to reports of abuse and neglect (Montgomery et al., 2009).

Ramsey County seeks to fine-tune its response to children and families by accurately evaluating individual needs. At the intake and assessment (part of the investigation) stages, the human services agency has implemented two family-centered initiatives: the strengths-based framework and the family assessment (formerly the alternative response program). Using the strengths-based framework, caseworkers work directly with families to identify their strengths. To ensure that this philosophy is incorporated into practice, it is included in the

Family-Centered Assessment Guidebook for supervisors (Center for Community Partnerships in Child Welfare, 2006, p. 32-40). Though this framework is used with families from all racial and ethnic backgrounds, it has a particular application to reducing racial disproportionality. Families of color often have strong extended family structures that may be overlooked in traditional assessment frameworks (Derezotes et al., 2005). Identifying these strengths may assist in keeping children with the parental family, if possible, or securing temporary placements with kin. The family assessment modifies traditional child welfare practice to acknowledge different levels of severity of abuse and neglect. It allows low- and moderate-risk families who were the subjects of a minor child maltreatment report to participate in an assessment process rather than the traditional child protection investigative response. This alternative response takes a holistic approach to the family and allows the parent to choose the agency from which the family receives services (Montgomery et al., 2009).

Michigan

We selected Michigan as a case study because of its efforts to target overrepresentation at the removal stage, a stage that our analysis indicates is problematic in Wisconsin. Michigan's efforts may be instructive to DCF because these are state-level efforts to address removal, as opposed to county-level initiatives.

In Michigan, African Americans comprise 17% of the child population but 52% of the foster care population. The state of Michigan's Department of Human Services is responsible for administering the state's child welfare system. The department provides services through 82 county offices (Center for Community Partnerships in Child Welfare, 2006). The department became aware of the overrepresentation of African Americans in the early 1970s and has engaged in several initiatives across the state to address racial disproportionality. In 2004, the department established the Michigan Advisory Committee on the Overrepresentation of Children of Color in Child Welfare (Center for the Study of Social Policy, 2009). The committee gathered information and in 2006 presented 11 recommendations to the state legislature. These recommendations included ensuring culturally competent practices; contracting for an external review of the policies, practices, and programs that contribute to racial disproportionality; building community support for reducing racial disproportionality; monitoring progress in reducing disproportionality; and ensuring local accountability (Michigan Advisory Committee, 2006).

In response to its renewed commitment to reducing disproportionality, the Michigan Department of Human Services committed to several practices to reduce the overrepresentation of children at the removal stage. The centerpiece of the department's efforts is expanding its Family to Family program. The Family to Family program strives to strengthen families to prevent removal from the home, or, when removal is necessary, to place children in homes in their communities.

The department also intends to establish youth boards in all counties, ensuring effective use of a federal waiver to strengthen families and expedite reunification. The department is developing a long-term strategic plan that focuses on reforming programs and systems that are identified through research and internal review.

The department promotes specific programs that preserve families, including family group decision-making in which family and community members develop a plan to keep children out of foster care when removal from the home is necessary (Center for the Study of Social Policy, 2009). This approach facilitates decision-making where there are conflicting opinions or interests among family members, between a family and social service agency, or between an individual and members of the community familiar with the family. A family conference coordinator from a social service agency implements a structured process to facilitate a meeting of interested parties (family members and social agency representatives) to resolve disputes regarding a plan of care in the interest of the child. The meetings typically involve the child's family, including any and all kin, close and extended, as well as a social services agent who is responsible for assuring child welfare and providing information about available services. Following the meeting, the family develops a plan of action that incorporates the stated objectives that were discussed and agreed upon during the meeting (Libesman, 2004).

Sioux City, Iowa

Addressing disproportionality among American Indian children is a unique undertaking due to the specifications of the *Indian Child Welfare Act*. We describe the efforts of Sioux City, Iowa to reduce disproportionality specifically for American Indian children, who are 0.5% of the city's population but account for 2.2% of the child welfare population.

To address this disproportionality, Iowa enacted legislation in 2003 to address overrepresentation of American Indian children in foster care and to improve compliance by the courts and the Iowa Department of Human Services with the federal *Indian Child Welfare Act*. This legislation, the *Iowa Indian Child Welfare Act*, seeks to ensure that when removal from the home is necessary, the child's placement reflects "the unique values of the child's tribal culture and assist[s] the child in establishing, developing, and maintaining a political, cultural, and social relationship with the child's tribe and tribal community" (Center for Community Partnerships in Child Welfare, 2006). Additionally, the legislation aims to prevent unwarranted removal of American Indian children from their homes due to cultural bias and to maximize tribal court decision-making in the process (Center for Community Partnerships in Child Welfare, 2006).

In addition to the 2003 state legislation to improve disparate outcomes for American Indian children in the child welfare system, Sioux City and the state of Iowa

have developed a number of initiatives. The first was the creation of a community-based coalition to ensure that American Indian service providers and public and private agencies work together. This coalition, called the Community Initiative for Native Children and Families, includes tribal council leaders, judges, and community representatives; state and county child welfare agencies; American Indian service providers; representatives from the Iowa Legislature; university specialists; and representatives from the Sioux City Police Department. The coalition members meet regularly to discuss American Indian issues and concerns and to develop strategies to address these issues in collaboration with the Iowa Department of Human Services (Center for Community Partnerships in Child Welfare, 2006).

Sioux City initiatives also include a minority youth and family demonstration project specific to American Indians to help the city meet the state and federal mandates under the respective Indian child welfare acts. These include the creation of a process that identifies and approves suitable relatives for kinship care at earlier stages, a review of the federal interstate child placement compact to increase placements in tribes that cross state lines, recruitment of suitable American Indian foster homes, and promotion of the family group decision-making model as the primary service delivery process (Center for Community Partnerships in Child Welfare, 2006). Sioux City also developed an American Indian Family resource center to provide assistance in all areas of American Indian life and developed a specialized American Indian unit within Iowa's Department of Human Services with staff who are sensitive to issues affecting American Indian child welfare. In the city's final initiative, the University of Iowa's School of Social Work modified its curriculum to incorporate the American Indian cultural framework into the context of its classes (Center for Community Partnerships in Child Welfare, 2006).

For information on these and other initiatives around the country, see Appendix F.

RECOMMENDATIONS & CONCLUSION

Having described what selected jurisdictions are doing to address racial disproportionality in the child welfare system, we turn now to our recommendations for DCF. We base them on existing research, our data analysis, and the ongoing work of community-based and state and local agencies. Although we are unable to validate a single cause, our data analysis does verify the existence of significant racial disproportionality and disparities in the Wisconsin child welfare system. The results of our analysis are consistent with the disproportionate risk theory that children with greater risk of abuse and neglect are more likely to interact with DCF. Results are also consistent with the biased decision-making model at the investigation and out-of-home placement stages but not at the substantiation stage. Therefore, our recommendations include components to strengthen coordination with other social services and to align child welfare policy and practice with goals to reduce racial disparities.

We recommend the Wisconsin Department of Children and Families use the promising practices framework developed for the Casey-CSSP Alliance for Racial Equity in Child Welfare to formulate a strategy to address racial disproportionality (See Appendix F). The 2006 report highlights 10 jurisdictions from around the country that are working to reduce racial disproportionality in their child welfare systems. The report presents a common trajectory these locations follow in their efforts to create racial equity (Center for Community Partnerships in Child Welfare, 2006). We list four steps within this framework that are most appropriate for DCF to consider at this time:

1. Identify the degree to which racial disproportionality is a serious problem and resolve to address it.
2. Analyze child welfare data by race and ethnicity.
 - a. Capture race and ethnicity
 - b. Analyze individual-level data
3. Establish a visible and authoritative entity to examine data and policy options.
4. Develop an action plan that will:
 - a. Combine multiple strategies that range widely in scope and require changes in practice and policy.
 - b. Improve child welfare services for all children and families.
 - c. Increase and improve preventive and reunification services, including preventive services, substance abuse interventions, kinship care services, reunification, and other permanency strategies.
 - d. Form closer ties with local communities and improve communication and relationships between child welfare agency staff and community leaders, especially leadership from communities of color.

The report stresses that the problem of disproportionality reaches beyond the purview of child welfare agencies alone, since it involves such factors as chronic poverty and structural racism (Center for Community Partnerships in Child Welfare, 2006).

Given DCF's interest in reducing the overrepresentation of children of color in the child welfare system, we recommend it follow the steps highlighted in the promising practices framework. This approach is intended to assist DCF in moving forward in developing its strategy to address racial disproportionality.

Step One: Identify The Degree to Which Racial Disproportionality Is A Serious Problem And Resolve To Address It

Wisconsin and DCF have already taken the first step in reducing racial disproportionality by conducting an initial literature review and data analysis and requesting this report. We hope our literature review, data analysis, and recommendations can facilitate the Department moving to the next step in the process.

Step Two: Analyze Child Welfare Data By Race And Ethnicity

With the combination of previous work and the addition of our data analysis, DCF has a strong foundation for furthering its data analysis of disproportionality in Wisconsin. We recommend that DCF take several steps to improve upon our data analysis. These recommendations are based on the data limitations we encountered in analyzing the data we were provided.

Capture Race And Ethnicity

The eWiSACWIS data include race and ethnicity data for each child, but child protective services workers gather race and ethnicity in two separate questions. We recommend that DCF strengthen data entry practices to ensure that both race and ethnicity questions are answered, and answered accurately. We also recommend that, to better understand the picture of racial disproportionality in Wisconsin, DCF use the existing eWiSACWIS race and ethnicity data to define a race-ethnicity variable that separately identifies white non-Hispanics, black non-Hispanics, Asians, American Indians, and Hispanics. Children of any race that are Hispanic should be classified as Hispanic, and non-Hispanic children would be classified according to their race. Though this approach carries its own limitations, it is the best option to reduce the number of missing cases as a result of having indicated ethnicity and not race. Once the eWiSACWIS data are separated in this way, the duplication of our analysis is straightforward. The DCF data files would need to be updated so that the child population figures for each county reflect the new race/ethnicity breakdown.

The updated race/ethnicity data and population figures could then be entered into an existing Microsoft Excel spreadsheet to calculate the updated RRI's.

Analyze Individual-Level Data

We recommend that DCF and the action committee review the data in eWiSACWIS to determine whether an individual-level data analysis is possible. Data that could be used for such an analysis includes the characteristics of children, families, communities, maltreaters, maltreatment, child protective services intake workers, and reporters. An individual-level analysis is necessary to better understand the causes of disproportionality. The analysis in this report used county-level data. With these data it is not feasible to assess how family and individual-level risk factors enter into the decisions made at each stage. While our analysis confirms that racial disproportionality exists in Wisconsin's child welfare system, it can say little about why or how disproportionality arises. We cannot determine whether disproportionality arises because children of color are more likely than white children to have more risk factors and be more often maltreated, are treated differently by child protective services practitioners, or experience a combination of these factors.

Step Three: Establish A Visible And Authoritative Entity

DCF should create a statewide action committee to play an advisory role in the state's response to racial disproportionality. A commission or advisory committee is a component of a number of jurisdictions studying disproportionality, including Minnesota, Oregon, Washington, Iowa, and Illinois. Such a committee would address the potential internal racial bias that our data analysis cannot rule out and facilitate collaboration among social service agencies and community organizations to resolve disproportionality. An additional area of focus could be to study what other jurisdictions are doing to address the needs of American Indian children and families, as well as their efforts to comply with the federal *Indian Child Welfare Act*.

Members Of The Committee

DCF should place a premium on recruiting a diverse membership. Members could include representatives from various professions, geographic locations, and racial and ethnic backgrounds. Some potential participants might include data analysts familiar with the eWiSACWIS database and able to identify ways to study and collect data on racial disproportionality; child welfare representatives from jurisdictions who are aware of and interested in acting on this issue; representatives of multiple state agencies to stimulate the discussion on coordinating services and to share experiences and promising practices; representatives from Wisconsin's communities of color, such as tribal elders and leaders from across the state,

African American cultural leaders, and leaders of other ethnic and racial groups; leaders of the advocacy community; parents and foster parents experienced with the child welfare system; and members of the research community. This variety of community members and agencies can bring in diverse perspectives and insights into the issues related to disproportionality and its solutions. The work of action committee members should be complementary to DCF's internal efforts to reduce racial disproportionality. Engaging staff is an important tool for gaining input and support from state and county agencies.

Step Four: Develop An Action Plan

The fourth step is for the action committee to develop an action plan. Though Wisconsin does not have a formal initiative within the child welfare system to address disproportionality, similar efforts exist within the justice system. The Racial Disparities Oversight Commission oversees efforts to address the justice system at large. In the juvenile justice system, the disproportionate minority contact pilot program is addressing racial disproportionality in six counties (Wisconsin Office of Justice Assistance, 2009). DCF could learn from these existing efforts as it designs its action plan. We also offer several specific suggestions regarding the formation of an action plan using the promising practices framework and the results of our data analysis.

Combine Multiple Strategies That Range Widely In Scope And Require Changes In Practice And Policy.

We have identified several potential policy and practice strategies targeted at the decision points that our data suggest are the most problematic in Wisconsin and combat overall disproportionality.

Coordinate Services

Our findings that children of color in Wisconsin are referred to the child welfare system at disparate rates compared to white children are consistent with theories of community and family risk factors that suggest that children and families may be referred to child protective services because they need social services. Delivering social services as a result of a report of child maltreatment is not a desirable practice due to the stigma and negative experience often associated with interacting with a child welfare agency. Further, families incorrectly referred may then have a record of contact the child welfare system (Draper & Revels Robinson, 2009). It is more desirable for these families to work directly with the agency that can best address their needs.

DCF should work with state, county, and tribal social service agencies to improve care coordination and prevent unnecessary entry into the child welfare system. In an ideal world, families would be identified as needing social services *before* running the risk of being reported to the child welfare system. DCF could encourage the placement of child welfare workers in schools to help children and families access needed social services. This approach would allow the triage of reports before they reach the child welfare system to determine the appropriate response or treatment for the particular child or family. If the child or family needs other services, the child welfare worker can refer them to another agency (Montgomery et al., 2009).

Addressing Systemic Racial Bias

Though our data do not show that systemic racism is a persistent problem across decision points, there is qualitative support for attending to it. Studies referred to earlier in our report explore institutional racism as a root cause of disproportionality in the child welfare system (Barth, 2005; Roberts, 2007). Attention to this issue has also occurred in practice. Many jurisdictions believe that addressing institutional racism is essential to building a foundation of support to reduce disproportionality through awareness-raising conversations with managers and front-line staff (Montgomery et al., 2009; Draper & Revels Robinson, 2009). A qualitative study of the child welfare system in Michigan found that disparate treatment of minorities became embedded in child welfare practice over time and may be partially to blame for widespread disparities within systems nationwide. Addressing institutional racism was one of the recommendations listed the Michigan report (Center for the Study of Social Policy, 2009). The Michigan's race equity review would be an excellent resource for Wisconsin to use in addressing institutional racism. Though Wisconsin's system is county-administered, the statewide training infrastructure could assist in the design, coordination, and dissemination of relevant trainings statewide.

We encourage DCF and the action committee to assure that caseworkers are trained in cultural competency training and supported in gaining experience to develop sound judgment when dealing with families of diverse cultural backgrounds. Though training is essential, measures must be taken to incorporate training into day-to-day practice. Potential solutions to lack of cultural competency are 1) increased training on cultural competency and institutional racism, 2) long-term experience within the system, 3) mentorship programs between new and experienced staff, 4) periodic cultural self-assessments, 5) encouragement of an ongoing learning environment for supervisors and staff, and 6) utilization of a supervisor and caseworker-specific practice handbook for guidance on using a culturally competent approach in decision-making (Draper & Revels Robinson, 2009). In Minnesota, Ramsey County has invited mandatory reporters to some of its child welfare staff trainings to strengthen the cultural competency of reporters and prevent unnecessary referrals (Montgomery et al., 2009).

Improve the Child Welfare System For All Families

Strategies to improve the experience of children of color are often interrelated with the changes required to improve child welfare services for all children and families. We identify several strategies that the action committee and DCF could consider implementing, expanding, or standardizing to strengthen services for all families involved in the child welfare system. Wisconsin counties are already implementing some of these strategies. DCF could identify and share information about counties and tribes with promising practices and outcomes.

Strengths-Based Practice Framework

The strengths-based framework can help caseworkers think about the various support systems a child might have around her or him that would keep the child in the family. This approach is often used in screen-in or assessment phases in child welfare practice, wherein intake staff work with families to identify their strengths. It can complement expansion of the kinship care program for children of color. For example, within the strengths-based model, families may suggest a relative who can serve in a kinship care program, thereby eliminating a potential need for a child to be placed outside the family. Ramsey County implemented the strength-based practice framework, and Michigan adopted a similar approach based in part on the results of a qualitative review (Center for the Study of Social Policy, 2009).

Family Group Decision-Making

The family group decision-making model is one promising alternative for addressing racial disproportionality once cases of abuse and neglect are substantiated and a child needs to be removed from the home. Family group decision-making can facilitate kinship care and help child protective services decision makers find alternatives to formal foster care for children of color (Crampton & Jackson, 2007). This model has not been rigorously evaluated for its success in achieving better outcomes for children, but preliminary evidence suggests it could help reduce disproportionality in child protective services. In Kent County, Michigan use of the family group decision-making model was associated with diverting a significant number of cases involving children of color from the foster care system. Comparisons between family group decision-making and foster care placements suggested that Kent County's program had positive impacts. For example, children placed through the family group decision-making program were less likely to have further contact with child protective services, and they moved less often between temporary homes. Furthermore, two-thirds of children in Kent County's program remained with their extended family members in a legal guardianship. Due to the evaluation's limitations however, these results are only suggestive (Crampton & Jackson, 2007).

Increase And Improve Preventive And Reunification Services

The results of our data analysis show that children of color are disproportionately represented at the investigation and out-of-home placement stages in Wisconsin's child welfare system. We have two recommendations related to how DCF and the action committee can improve and increase preventive and reunification services. We refer to preventive services in the context of reducing risk factors for abuse and neglect before a child comes into contact with the child welfare system and reducing disproportionality by improving permanency services.

Increased and Continued Investment In Prevention

One way to prevent disproportionality in the child welfare system is to prevent families from becoming involved with the system altogether. Prevention programs strive to build on the strengths of families, reduce their risk factors, and keep them from being referred. While DCF already invests in prevention, an increased investment in this programming would decrease the number of children and families coming into contact with the system.

Foster & Adoptive Family Recruitment

The action committee could address the stages of the child welfare system that our report was not able to address. These include decisions regarding placement and permanency. Permanency involves recruitment of foster and adoptive families that are willing and able to take children of color. Recruiting foster and adoptive families is important because children of color are more likely to be removed from the home and have longer stays in the foster care system.

Form Closer Ties With Local Communities

Our final recommendation addresses the different needs of each Wisconsin county. DCF should improve communication and relationships among child welfare agency staff members and community leaders, especially leadership from communities of color. A component of a statewide plan to reduce disproportionality could include DCF working with individual counties, tribes, and community-based cultural groups to identify their particular challenges and strengths in the context of reducing racial disproportionality. Within this framework, state, county officials, and tribal groups can work together to identify cultural leaders who could participate as advisers in discussion circles or forums. These cultural leaders could work in tandem with county or tribal child welfare agencies and the cultural groups they represent. This way, they act as liaisons between each entity and can provide insight into and advice related to modifying child welfare practices and policies (Montgomery et al., 2009).

We recommend that DCF follow the trajectory of other jurisdictions by exploring what we present as promising practices. These steps include further analysis of child welfare data, the creation of an action committee, and development of an action plan. We offer policy and practice recommendations that coincide with the promising practices steps. We hope this report serves as an impetus for DCF to continue to make the child welfare system stronger and more responsive to the needs of children of color and all of Wisconsin's children.

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APPENDIX A: STATE DISPROPORTIONALITY

Tables 7 and 8 illustrate how Wisconsin compares to other states regarding its disproportionality index for children younger than 18 in foster care in 2004 by state. The U.S. Government Accountability Office calculated this index as the share of an ethnic or racial group among all children in foster care divided by the share of that ethnic or racial group in the total population. Children who were identified by the child welfare system with two or more racial categories or whose ethnicity or race are unknown are not presented in this table.

Table 7: Top 5 States With African American Disproportionality

No.	State	Af. Am.	White	Hispanic	Asian	Am. Ind.
1	Utah	6.06	0.82	1.63	0.91	3.97
2	Wisconsin	4.69	0.54	1.26	0.34	2.48
3	Iowa	4.45	0.86	0.91	0.79	5.41
4	New Hampshire	4.37	0.91	1.79	0.15	0.90
5	Wyoming	4.28	0.96	1.06	0.17	0.24
---	United States	2.26	0.68	0.87	0.22	2.25

Source: Government Accountability Office, 2007

Table 8: Top 15 States With American Indian Disproportionality

No.	State	Af. Am.	White	Hispanic	Asian	Am. Ind.
1	Oregon	3.27	0.75	0.70	0.24	8.68
2	Minnesota	3.63	0.63	1.39	0.37	7.31
3	Nebraska	2.76	0.80	0.98	0.27	6.54
4	Idaho	3.37	0.89	1.12	0.24	5.86
5	Iowa	4.45	0.86	0.91	0.79	5.41
6	Washington	3.07	0.80	1.03	0.19	4.99
7	Utah	6.06	0.82	1.63	0.91	3.97
8	South Dakota	1.67	0.41	2.33	0.28	3.71
9	Montana	2.68	0.63	1.62	0.56	3.44
10	North Dakota	3.26	0.69	1.90	2.98	3.09
11	Alaska	2.23	0.48	0.25	0.04	3.07
12	Wisconsin	4.69	0.54	1.26	0.34	2.48
13	Rhode Island	2.68	0.76	1.14	0.47	2.11
14	Colorado	2.78	0.78	1.27	0.28	1.94
15	Michigan	2.90	0.56	0.78	0.13	1.83
---	United States	2.26	0.68	0.87	0.22	2.25

Source: Government Accountability Office, 2007

APPENDIX B: INDIAN CHILD WELFARE ACT OF 1978

An early publication by the American Association on American Indian Affairs showed that approximately 25% to 35% of all American Indian children were placed in foster homes, adoptive homes, or institutions (U.S. House of Representatives, 1978). The U.S. Congress was alarmed at the large number of American Indian children being removed from their homes and at the fact that 85-90% of them were placed with non-Indians (Jones, 1995). In 1978 Congress passed the *Indian Child Welfare Act* to address American Indian children's well-being.

The *Indian Child Welfare Act* seeks to protect the rights of American Indian communities in retaining their children and to ensure the primacy of tribal decision-making regarding the welfare of Indian children (Matheson, 1996). The legislation granted exclusive legal jurisdiction to tribal authorities and courts. (*Indian Child Welfare Act of 1978*, 1978). By enacting procedures for the removal and foster placement of Indian children and defining the roles and responsibilities of authority, Congress hoped that the law would protect Indian families, communities, and tribes against further disintegration of their traditional systems (Matheson, 1996).

The *Indian Child Welfare Act* defines an American Indian child as any unmarried child younger than 18 who is a member of or who is eligible to be a member of a federally recognized tribe, and/or who is also the biological child of a member of a tribe. The legislation recognizes that determinations relating to membership in an American Indian tribe are at the discretion of the tribe so proof of enrollment is not necessary under *ICWA* (*Indian Child Welfare Act of 1978*, 1978).

Upon referral of a child to protective services, a caseworker's first obligation is to verify the family's ethnic and tribal identity. The second is to allow the tribe the opportunity to take jurisdiction over the case. If the tribe rejects jurisdiction, the caseworker must first attempt to place the child with a suitable family member. If none can be located who will accept the responsibility, the caseworker must seek placement with another family from the same tribe. If none is willing to take the child, the worker seeks placement with any American Indian family that qualifies as foster parents. As a last resort, the worker may place the child in a non-Indian home (Matheson, 1996). Such selection in placement is referred to as the aboriginal child placement principle.

The *Indian Child Welfare Act* is the only legislation governing American Indian child welfare in the United States. It replaced federal, state, and regional legislation. The act coordinates and standardizes the efforts of tribal, state, federal, and non-government agencies and affects American Indian children in more than 550 federally recognized tribes (Libesman, 2004).

APPENDIX C: DESCRIPTION OF WISCONSIN CHILD WELFARE SYSTEM DECISION POINTS

Wisconsin's child welfare system features five basic decision points in the progression of alleged cases of child abuse and neglect progress. The five are referral, screening, investigation, removal, and permanency.

1. Referral

Referring a child to protective services is the first decision point in the child welfare system. Anyone in the community can report suspected child abuse and neglect, typically to the local protective services unit. Certain professionals are mandatory reporters and are legally obligated to report suspected child abuse and neglect. Examples of mandatory reporters include teachers, physicians, public assistance workers, and child care workers. In 2007, child protective services agencies in Wisconsin received referrals of 55,895 suspected cases of child abuse and neglect. A single referral may include information about multiple children, multiple maltreaters, and more than one maltreatment allegation for each child/maltreater. The 55,895 suspected cases of child abuse and neglect do not reflect the number of children referred to child protective services agencies. (Wisconsin Department of Health and Family Services, 2007).

2. Screening

Once a referral is made, an intake social worker collects information relating to the referral, screens the referral, and decides whether there is sufficient information to proceed with the case. When the intake worker screens in a referral, the child protective services agency investigates the alleged abuse or neglect. If an allegation is unfounded or adequate information is unavailable, the social worker may screen out and effectively close the case. Social workers may also screen out allegations if there is no contact information for the family and child. Of the 55,895 referrals in 2007 in Wisconsin, 27,233 were screened in for further investigation (Wisconsin Department of Health and Family Services, 2007).

3. Investigation

When a referral is screened in and the referral becomes a report or reports that are specific to individual children, the child protective services agency conducts an initial face-to-face contact with the child and family and must complete the investigation process within 60 days after the case is screened in. During the investigation, the agency determines whether the child is safe, which risk factors are present, whether maltreatment occurred or is likely to occur, who the maltreater(s) was/were, and whether the family needs services to keep the child safe.

Allegations of maltreatment are “substantiated” or “unsubstantiated.” Child protective services does not have to identify the person who has maltreated or is likely to maltreat the child in order to intervene. In all cases, even unsubstantiated ones, an agency may offer services to the family. If through the investigation the agency determines that a child is unsafe, the agency creates a plan to control threats to the child’s safety. Sixteen percent of cases reported in 2007 in Wisconsin were substantiated; abuse or neglect was found likely to occur in 3% of cases. The remaining cases were unsubstantiated (Wisconsin Legislative Fiscal Bureau, 2009).

4. Removal

When a case is substantiated or when it is determined that a child is unsafe, child protective services decides whether to provide in-home services or to place the child in foster care. Children in foster care can be placed in kinship care or with non-related caregivers. When removal is necessary, the court is responsible for placing children in custody in out-of-home care. In general, caseworkers must show that reasonable efforts to retain the child in his or her home have been made and that continued placement in the home is not in the child’s best interests. The court order that results from the hearing specifies a placement location and parental visitation rules. Placement locations may include the home of a parent or relative; the home of an unlicensed person if placement is less than 30 days; a foster home, treatment foster home, a licensed group home, or placement with a guardian; or a residential treatment center operated by a licensed agency (Wis. stat. 48.345). Permanent placements include reunification with the family, placement with a relative, adoption, guardianship, or another alternate placement, such as an independent living arrangement or long-term foster care. A placement order terminates after one year, at which time a hearing takes place to evaluate the child’s placement.

5. Permanency

After a child is placed in out-of-home care, the agency develops a plan with a number of permanence goals. These goals typically fall into five categories: (1) reunification with the family; (2) termination of parental rights leading to adoption; (3) transfer of legal guardianship to a relative; (4) long-term foster care where adoption is not feasible; or (5) independent living. According to state law, a child may remain in out-of-home placement until he or she is 18 years of age, or, if the child will graduate from high school, 19 years of age. In 2007, the state of Wisconsin had 7,419 children in out-of-home care. Forty-seven percent of these children were in foster homes, 22% were in court-ordered kinship care, 14% were in treatment foster homes, 6% were in group homes, and 6% were in residential care centers. The remaining children in out-of-home care were in other types of placements (Wisconsin Legislative Fiscal Bureau, 2009).

APPENDIX D: RELATIVE RATE INDICES AND DISPROPORTIONALITY INDICES TABLES

The following tables (9-15) show the relative rate indices (RRIs) and disproportionality indices (DIs) for African American and American Indian children at a variety of decision points and geographic locations in Wisconsin using 2005-2007 Wisconsin State Automated Child Welfare Information System data.

Table 9: Statewide RRIs For African American Children

Decision Point	2005	2006	2007
1. Investigation / Initial	4.14	4.21	4.60
2. Unsubstantiated	1.03	1.06	1.06
3. Substantiated	0.90	0.82	0.78
4. Closed	0.86	0.87	0.85
5. In-Home Services	0.82	0.82	0.91
6. Removal	1.45	1.39	1.41
7. Kinship Care Placement	0.57	0.58	0.65
8. Foster Care Placement	1.12	1.07	0.93
9. Institutional Placement	1.30	1.60	1.53

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

Key

Statistically Significant Results
Statistically Insignificant Results

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**Table 10: Bureau Of Milwaukee Child Welfare
RRIs For African American Children**

Decision Point	2005	2006	2007
1. Investigation / Initial	2.71	2.75	2.79
2. Unsubstantiated	0.98	1.00	0.99
3. Substantiated	1.08	1.02	1.09
4. Closed	0.93	0.92	0.99
5. In-Home Services	0.81	0.61	1.18
6. Removal	1.19	1.18	1.17
7. Kinship Care Placement	0.68	0.51	**
8. Foster Care Placement	0.97	1.11	0.93
9. Institutional Placement	1.48	1.41	1.15

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

Key

Statistically Significant Results

Statistically Insignificant Results

Insufficient Number of Cases for Analysis

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Table 11: Balance Of State RRI For African American Children

Decision Point	2005	2006	2007
1. Investigation / Initial	5.49	5.56	6.60
2. Unsubstantiated	0.97	0.98	0.99
3. Substantiated	1.08	1.06	**
4. Closed	0.94	0.94	0.93
5. In-Home Services	1.19	1.46	**
6. Removal	1.58	1.61	1.71
7. Kinship Care Placement	0.75	0.90	0.62
8. Foster Care Placement	1.14	0.95	1.07
9. Institutional Placement	**	1.43	1.53

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

Key

Statistically Significant Results

Statistically Insignificant Results

Insufficient Number Of Cases For Analysis

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Table 12: RRI's And DI's For African American Children In Wisconsin's 10 Largest Counties, 2007

County	Decision Point	RRI	% In Child Population (A)	% Of Children At Decision Point (B)	DI (B / A)
Milwaukee	Investigation	2.79	36.4%	49.5%	1.36
	Substantiation	1.09	36.4%	56.7%	1.56
	Removal	1.17	36.4%	64.9%	1.78
Racine	Investigation	4.09	13.9%	35.5%	2.56
	Substantiation	0.79	13.9%	34.2%	2.47
	Removal	1.16	13.9%	45.9%	3.31
Dane	Investigation	9.25	6.4%	37.2%	5.77
	Substantiation	1.19	6.4%	42.1%	6.52
	Removal	1.86	6.4%	53.7%	8.32
Kenosha	Investigation	4.33	7.4%	26.4%	3.55
	Substantiation	1.24	7.4%	30.2%	4.05
	Removal	1.61	7.4%	38.0%	5.11
Rock	Investigation	3.18	6.5%	18.6%	2.85
	Substantiation	1.35	6.5%	23.7%	3.63
	Removal	2.28	6.5%	35.1%	5.37
Waukesha	Investigation	6.99	1.2%	7.8%	6.45
	Substantiation	0.71	1.2%	5.6%	4.68
	Removal	**	1.2%	9.9%	8.21
Brown	Investigation	17.93	1.4%	13.1%	9.19
	Substantiation	**	1.4%	14.6%	10.27
	Removal	1.86	1.4%	21.1%	14.79
La Crosse	Investigation	12.62	1.6%	14.0%	8.96
	Substantiation	**	1.6%	12.9%	8.24
	Removal	2.48	1.6%	33.3%	21.32
Winnebago	Investigation	*	0.9%	9.4%	10.13
	Substantiation	*	0.9%	9.6%	10.34
	Removal	1.83	0.9%	18.2%	19.58
Outagamie	Investigation	*	0.6%	7.2%	11.39
	Substantiation	*	0.6%	6.8%	10.69
	Removal	**	0.6%	12.3%	19.43

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

Key

Statistically Significant Results	Bold font
Statistically Insignificant Results	Regular font
Group is <1% Of Youth Population	*
Insufficient Number Of Cases For Analysis	**

**Table 13: RRI And DI For American Indian Children
In Counties With Large American Indian Populations, 2007**

County	RRI	% In Child Population (A)	% Of Children At Decision Point (B)	DI (B / A)
Milwaukee	2.74	0.9%	1.2%	1.34
Brown	7.96	3.1%	12.8%	4.08
Menominee	~	96.7%	90.1%	0.93
Sawyer	*	26.3%	45.5%	1.73
Shawano	*	8.8%	20.6%	2.35
Outagamie	*	2.0%	4.3%	2.23
Vilas	*	18.2%	46.8%	2.58
Ashland	*	15.3%	35.9%	2.34
Bayfield	*	15.5%	26.1%	1.68
Forest	5.91	19.8%	51.3%	2.59

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

Key

Statistically Significant Results

Statistically Insignificant Results

Group is <1% Of Youth Population

Too few investigations of white children occurred for analysis

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**Table 14: Bureau of Milwaukee Child Welfare
RRIs And DIs For African American Children**

Year	Decision Point	RRI	% In Child Population (A)	% Of Children At Decision Point (B)	DI (B / A)
2005	Investigation	2.71	36.4%	52.8%	1.45
	Substantiation	1.08	36.4%	57.2%	1.57
	Removal	1.19	36.4%	65.9%	1.81
2006	Investigation	2.75	36.4%	50.5%	1.39
	Substantiation	1.02	36.4%	54.7%	1.50
	Removal	1.18	36.4%	67.5%	1.85
2007	Investigation	2.79	36.4%	49.5%	1.36
	Substantiation	1.09	36.4%	56.7%	1.56
	Removal	1.17	36.4%	64.9%	1.78

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

Key

Statistically Significant Results

Statistically Insignificant Results

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Table 15: Balance Of State RRIs And DIs For African American Children

Year	Decision Point	RRI	% In Child Population (A)	% Of Children At Decision Point (B)	DI (B / A)
2005	Investigation	5.49	2.2%	9.6%	4.30
	Substantiation	1.08	2.2%	10.5%	4.68
	Removal	1.58	2.2%	15.6%	6.96
2006	Investigation	5.56	2.2%	9.3%	4.13
	Substantiation	1.06	2.2%	10.2%	4.57
	Removal	1.61	2.2%	16.0%	7.13
2007	Investigation	6.60	2.2%	10.7%	4.78
	Substantiation	**	2.2%	12.0%	5.34
	Removal	1.71	2.2%	19.7%	8.79

Source: Authors' calculations based on 2000 Census and eWiSACWIS data

Key

Statistically Significant Results

Statistically Insignificant Results

Insufficient Number Of Cases For Analysis

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APPENDIX E: DATA LIMITATIONS AND POTENTIAL BIASES

In the data we use in our analysis, we have identified two limitations related to race and ethnicity, and how race ethnicity are analyzed. Each limitation represents a possible source of bias in our results.

Race And Ethnicity

We have identified two major limitations of doing separate analyses of race and ethnicity, using the Wisconsin State Automated Child Welfare Information System (eWiSACWIS) database:

- Considering race and ethnicity in distinct tables—rather than being able to distinguish ethnicity and race in the same analysis—would not give a clear representation of the outcomes for different populations. It would obscure potentially large race/ethnic distinctions that are important in understanding disproportionate treatment and outcomes. The issues arise because many Hispanics identify as white.
- The large percentage of missing and indeterminate data on ethnicity and race makes it difficult to draw conclusions about the distinct effects of ethnicity and race.

Race And Ethnicity Analyzed Separately

When race alone is analyzed, the race variable, and therefore differences among race groups, is affected by ethnic composition, which is unmeasured. When we consider race alone, the white group includes Hispanic and non-Hispanic whites. Seventy-eight percent of Hispanics identified as white in the 2007 data, representing 7.9% of all those identified as whites. This leads to a bias in the results in levels of disproportionality because whatever different treatment or outcomes Hispanic whites experience in the system are included in the overall white race category. This bias is problematic when interpreting the RRI, which is assumed to compare minority groups to a base “majority” group, white. We believe it would be more helpful to compare proportionality of groups of color in the system to a more accurate measurement for the white race by separating Hispanics into a distinct category.

Similarly, if DCF were to analyze ethnicity alone, the analysis would compare those identified as Hispanic against everyone else, a group that would include non-Hispanic African Americans and other minority groups. This would mean the results would not compare Hispanics against a majority group but against a group

that includes non-Hispanic individuals who are also disproportionately treated because of race. This would under- or overestimate the measure of Hispanic proportionality depending on how race versus ethnicity influences treatment in the child welfare system. This bias would also be problematic when using the RRI for analysis. Being able to compare those identified as Hispanic against other groups who may be treated disproportionately and all against “whites” would allow DCF to more effectively address the disproportionality issue.

Some people use the terms “race” and “ethnicity” interchangeably and some find it problematic to classify their identities into the two distinct categories. Many Hispanics do not self-identify as a specific race. The 2000 U.S. Census asked separate questions about race and ethnicity (Hispanic v. non-Hispanic). Of those who identified as Hispanic on the ethnicity questions, 47% also identified as white in the race question, 3.6 % identified as another non-white race (African American, American Indian, Asian, Native Hawaiian) but 42% identified as “some other race.” Of all the respondents who reported being “some other race,” 97% also identified as Hispanic.¹²

Missing Data In Ethnicity And Race Fields

When using the eWiSACWIS data on ethnicity and race, we had to, and DCF will have to, address the number of cases that are not identified by race and ethnicity. Using the 2007 data, 49.7 percent of the cases identified as Hispanic or non-Hispanic. Half (50.3%) are labeled as “blank” or “unable to determine.” See Table 16 below for more details. With half the cases missing this information, the analysis of disproportionality would be biased if missing cases are not identically distributed between the two ethnic groups as are the known cases.

Table 16: Breakdown Of Ethnicity Variable, 2007

Ethnicity	No. Of Cases	% Of Cases
Hispanic (Yes)	4,152	5.5%
Non-Hispanic (N)	33,582	44.3%
Blank	27,802	36.6%
Unable To Determine	10,349	13.6%
Blank OR Unable To Determine	38,151	50.3%

Source: Authors’ calculations based on eWiSACWIS data

¹² Grieco & Cassidy (2001).

We recognize that there is a concern about losing Hispanics of non-white race, which represents 7% of those identified as Hispanic, and 0.37% of the overall sample. However, 15.2% of those identified as Hispanic are blank or unable to determine in the race variable. By combining all Hispanics into one category independent of race, DCF would be able to capture that group, which would be otherwise lost in the race analysis. Therefore, combining the race and ethnicity variable would actually increase the number of Hispanic cases in the analysis.

Recommendation For Future Data Analysis

After considering the limitations of analyzing the race and ethnicity variables separately, we recommend combining the two into one new Race/Ethnicity variable. We believe that this is the most accurate and statistically relevant way to comprehensively analyze the race and ethnicity data. Table 17 summarizes our recommendation for the breakdown based on racial-ethnic categories for future data analysis.

Table 17: Proposed Distribution Of Race/Ethnicity Variable, 2007

Race / Ethnicity	No. Of Cases	% Of Cases
White (Non-Hispanic)	37,521	49.4%
African American (Non-Hispanic)	14,088	18.6%
Hispanic Ethnicity (All Races)	4,152	5.5%
American Indian (Non-Hispanic)	2116	2.8%
Asian (Non-Hispanic)*	946	1.2%

Source: Authors’ calculations based on eWiSACWIS data

Missing Race Data

Another limitation of our data is the amount of data that is missing in the race variable. In the eWiSACWIS database, there are two categories that represent missing data: missing and unknown. Table 18 demonstrates the extent that data are missing race identification at the decision points we analyze.

As Table 18 shows, missing data are a more significant problem at the referral stage, with 23.7% of referrals with either blank or unknown race information. Since we do not have further information, we assume that all the races have an equal chance of being labeled as unknown or missing. If that is not the case, and children of some races are more likely to have missing demographic data, then there is a potential for bias in the results of the data analysis. This bias could be significant considering our data show that the largest RRI exists at the referral decision point.

Table 18: Missing Data From Race Variable

Race	Stage	Number	Percentage
Unknown	Referrals	3,777	4.8%
	Investigation	1,152	4.5%
	Substantiation	181	3.4%
	Removal	70	2.6%
Blank	Referrals	14,829	18.9%
	Investigation	3,534	13.9%
	Substantiation	482	9.2%
	Removal	49	1.6%
Combined	Referrals	18,606	23.7%
	Investigation	4,686	18.4%
	Substantiation	663	12.72
	Removal	119	3.9%

Source: Authors' calculations based on eWiSACWIS data

APPENDIX F: STRATEGIES TO ADDRESS RACIAL DISPROPORTIONALITY

Table 19: Strategies To Address Racial Disproportionality

Strategies	Sites								
	San Fran, CA	CT	IL	Sioux City, IA	MI	Ramsey Co., MN	Guilford Co., NC	Wake Co., NC	King Co., WA
Established task force	✓	✗	✓	✓		✓	✓	✓	✓
Developed action plan	✓	✓	✓	✓		✓	✓	✓	✓
Training for participants	✗	✗	✗	✗	✗	✓	✓	✓	✓
Targeted specific CW decision points	✓	✓	✓	✓		✓	✓	✓	✓
Public declaration of need to do work	✓	✓	✓	✓		✓	✓	✓	✓
Conducted research	✗	✓	✓	✓	✓	✓	✓	✓	
Developed written report	✓	✓	✓	✓	✓	✓	✓	✓	
Engaged community	✓	✓	✓	✓	✓	✓	✓	✓	
Focused on specific target area	✓	✓	✗	✓		✓	✓	✓	
Focused on policies and procedures	✓	✓	✓	✓	✗	✓	✓	✓	✓
Legislation enacted	✓	✓	✓	✓		✓	✗	✗	
Developed evaluation process	✓	✓	✗	✗	✗	✓	✗	✗	✓
External funding received	✓	✓	✓	✓	✓	✓	✓	✓	

Source: Center for Community Partnerships in Child Welfare, 2006

✓ Activity did occur ✗ Activity did not occur