MARCH 22, 2023

Update on Analysis and Key Questions: Racial and Ethnic Disproportionalities and Disparities in California's Child Welfare System

PRESENTED TO:

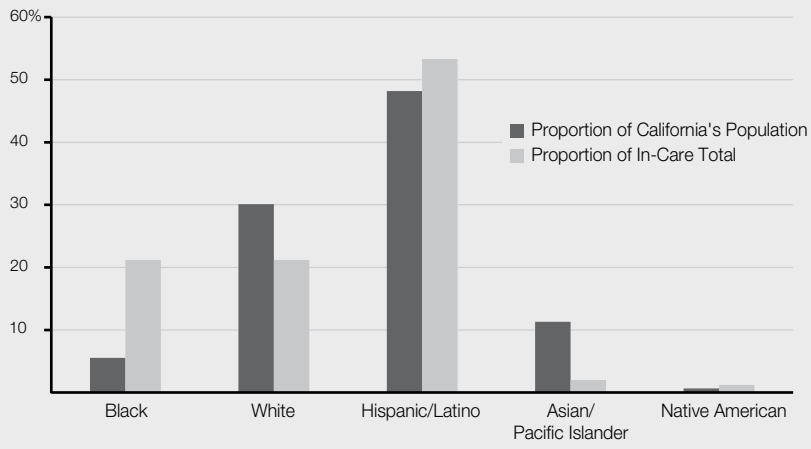
Assembly Budget Subcommittee No. 1 on
Health and Human Services
Hon. Joaquin Arambula, Chair

LEGISLATIVE ANALYST'S OFFICE

Foster Youth Are Disproportionately Low Income, Black, and Native American

Racial/Ethnic Disproportionalities in Foster Care

Proportion of Youth in Population Compared to in Foster Care



Notes: Child welfare in-care count from University of California, Berkeley California Child Welfare Indicators Project reports. As of July 1, 2022. Child Welfare Services/Case Management System 2022 Quarter 3 Extract. Retrieved January 23, 2023. URL: https://ccwip.berkeley.edu

Population data source: California Department of Finance, 2010-2060 Population Projections by Race/Ethnicity, Detailed Age, & Sex at Birth.

LAO

- The proportions of Black and Native American youth in foster care are around four times larger than the proportions of Black and Native American youth in California overall. The above figure displays aggregated state-level data; disproportionalities differ across counties.
- In addition, recent research[1] on cumulative child welfare involvement of California's 1999 birth cohort found nearly one in two Black and Native American children experienced some level of child welfare involvement by the time they turned 18 (compared to around 29 percent of Hispanic/Latino children, 22 percent of white children, and 13 percent of Asian/Pacific Islander children).

1 Putnam-Hornstein, Emily et al. "Cumulative Rates of Child Protection Involvement and Terminations of Parental Rights in a California Birth Cohort, 1999–2017." *American Journal of Public Health*, vol. 111, no. 6, June 2021, pp. 1157-1163. https://doi.org/10.2105/AJPH.2021.306214.

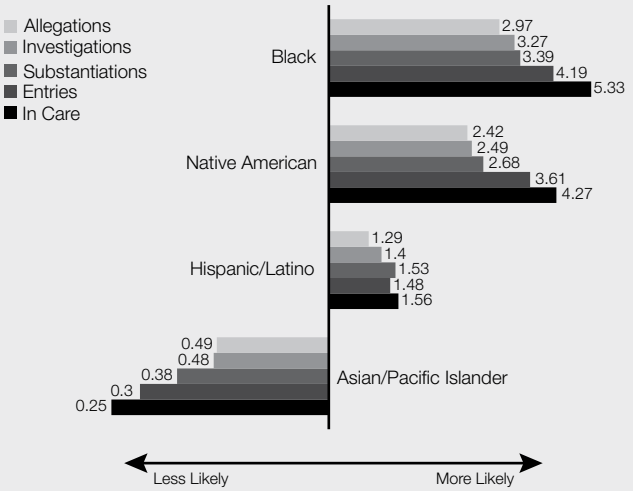
Foster Youth Are Disproportionately Low Income, Black, and Native American

(Continued)

- This same research also found that California children with public insurance (Medi-Cal) experienced child welfare involvement at more than twice the rate of those with private insurance.
- The majority of California families involved with the child welfare system are experiencing poverty.
  - More than half (54 percent, estimate for 2022-23) of child welfare-involved families in California meet 1996 Aid to Families with Dependent Children eligibility requirements. This roughly equates to earnings of under $1,000 per month.
  - Nationally, researchers estimate around 85 percent of families involved with the child welfare system have incomes below 200 percent of the federal poverty level, which is around $46,000 for a family of three in 2022.

Disproportionalities Persist Throughout System

Child Welfare Racial/Ethnic Disparities Indices
Group Comparisons to White



Notes: Disparity indices by ethnicity data from from University of California, Berkeley California Child Welfare Indicators Project. Data for January-December 2021. Child Welfare Services/Case Management System 2022 Quarter 3 Extract. Retrieved March 2, 2023. URL: https://ccwip.berkeley.edu

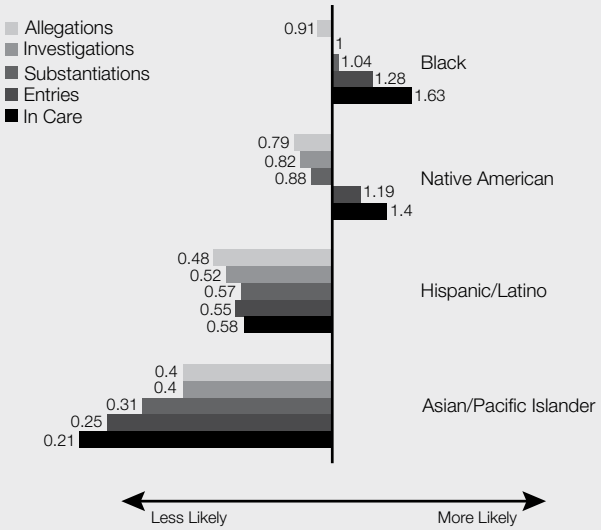
LAO

- Racial and ethnic disproportionalities and disparities are present within initial allegations and persist at all levels of the system—becoming the most pronounced for youth in care.

Disproportionalities Persist Throughout System

(Continued)

Poverty Child Welfare Racial/Ethnic Disparities Indices
Group Comparisons to White, In-Poverty Population



Notes: Poverty disparity indices by ethnicity data from University of California, Berkeley California Child Welfare Indicators Project. Data for January-December 2021. Child Welfare Services/Case Management System Quarter 3 Extract. Retrieved March 3, 2023. URL: https://ccwip.berkeley.edu

Population data source: California Department of Finance, 2010-2060 Population Projections by Race/Ethnicity, Detailed Age, & Sex at Birth with American Community Survey poverty multipliers applied. 2016-2020 poverty estimates used to calculate 2021 poverty population.

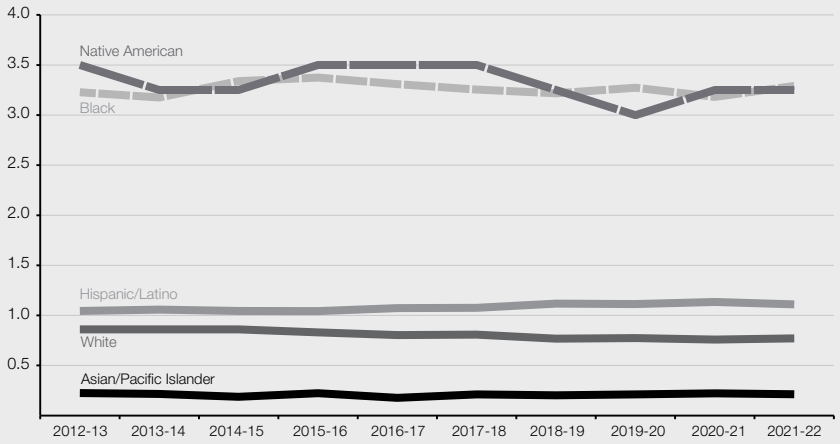
LAO

- Controlling for poverty, disparities are diminished, although Black and Native American youth are still more likely than all other racial/ethnic groups to enter into and be in care. In addition, when controlling for poverty, Hispanic/Latino children are less likely, relative to white children, to become involved with the child welfare system.

Disproportionalities Have Persisted Over Time

Racial/Ethnic Disproportionalities of Entries Into Foster Care Over Time

Proportion of Foster Care Entries Divided by Proportion of Child Population



Data from University of California, Berkeley California Child Welfare Indicators Project reports.
For July 1-June 30 of each year. Child Welfare Services/Case Management System 2022 Quarter 3 Extract.
Retrieved March 3, 2023. URL: https://ccwip.berkeley.edu

Population data source: California Department of Finance, 2010-2060 Population Projections by Race/Ethnicity, Detailed Age, & Sex at Birth.

- Racial/ethnic disproportionalities and disparities have not changed significantly over the past decade.

Policy Areas and Key Questions for Consideration

Below, we provide some questions to consider for the three main policy areas we plan to explore further through our continued research and analysis in this area. These three areas are (1) mandated reporting, (2) neglect data and definition, and (3) prevention. Ultimately, we will need to weigh the trade-offs and the potential budgetary costs and savings of any policy options.

Mandated Reporting

- The vast majority of maltreatment allegations come from mandated reporters, who are individuals working in certain professions who have regular contact with children and families. Mandated reporters are specified in statute, including teachers, medical professionals, law enforcement, child care workers, therapists and counselors, social workers, and more.
- Most types of mandated reporters are not required by law to complete any sort of training related to their reporting responsibilities. For those reporters who are required to complete training (most notably, teachers) there is not a specific required training curriculum.
- Recent legislation amended sections of the Penal Code related to mandated reporting. Specifically, Chapter 770 of 2022 (AB 2085, Holden) clarified that mandated reporters should not make a referral based solely on a parent's economic disadvantage.

Policy Areas and Key Questions for Consideration

(Continued)

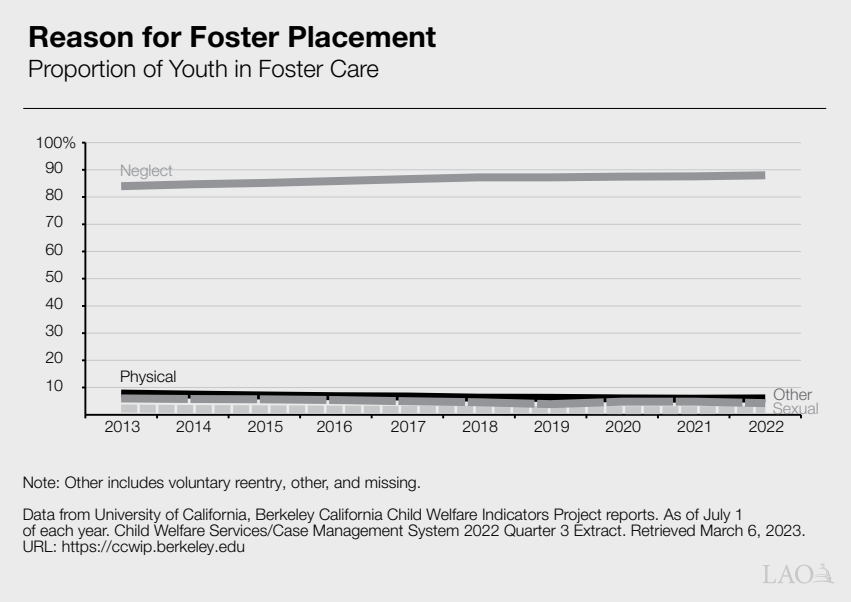
- ***Key Questions:***
  - Are current mandated reporting practices effective? In other words, do current law and practices result in identifying cases that require child welfare services, while simultaneously *not* referring families that do not require system-level intervention?
  - Do mandated reporters receive sufficient training to help them understand when reporting is necessary? Given recent updates to mandated reporting statute, what additional guidance or training may be needed? In particular, should mandated reporters receive implicit bias training?
  - Should all mandated reports go directly to the child welfare agency? Could some reports instead be referred to services or some other type of intervention—based on a mandated reporter's professional judgment, experience, and specific state guidance and training?
  - How can the state ensure child safety is prioritized while reforming mandated reporting?

Policy Areas and Key Questions for Consideration

(Continued)

Neglect: Definition and Data

- The reason cited for most child welfare system involvement, at all levels, is neglect, rather than physical or sexual abuse. As shown in the figure, over the past decade, more than 80 percent of youth in foster care at any point in time were placed due to neglect.



- However, data about the harm or risk to the child that underlies neglect allegations, investigations, and removals is not easily quantifiable.
- Understanding what underlies neglect currently requires reviewing narrative reports for individual cases. One recent study[2] examined these narrative reports, and other case file information, for a sample of 295 neglect investigations in California in 2017. The study identified common types of neglect and common parental risk factors described in these investigations.

2 Palmer, Lindsey et al. "What Does Child Protective Services Investigate as Neglect? A Population-Based Study," *Child Maltreatment*, vol. 0(0), July 2022. https://doi.org/10.1177/10775595221114144.

Policy Areas and Key Questions for Consideration

(Continued)

- ***Key Questions:***
  - What data should the state collect to better understand the underlying risks of neglect? What child welfare reporting system changes would be needed to facilitate this data collection? How could this data inform future policy changes?
  - Are there additional statutory changes or clarifications that should be made to the definition of neglect (specific to mandated reporting, as well as in other areas of California law)?

Policy Areas and Key Questions for Consideration

Prevention

- Currently, most state and federal funding sources for programs and supports for parents/caregivers to help strengthen the family and remedy the underlying causes of maltreatment generally are linked to the child welfare system. (While recent federal legislation provides some expanded opportunities for states to claim federal dollars for prevention activities, funding is still somewhat constrained and California is in the very early stages of implementation.)
- Research has found that poverty and economic stressors create conditions in which child maltreatment is more likely to occur. The Legislature recently has shown some interest in providing income supports for child welfare system-involved families to help alleviate these economic stressors.
- Research also has found a relationship between increased state spending on public benefit programs and decreased child maltreatment. As such, considering overall spending on poverty alleviation and prevention could be a component of reducing child maltreatment.
- Research additionally has found substance use and mental health are some commonly investigated risk factors underlying allegations of neglect in California. The Legislature has shown interest in increasing behavioral health services and access, and recent budgets have included significant augmentations for various behavioral health initiatives.
- ***Key Questions:***
  - What supports could the Legislature consider to target disproportionately impacted communities *prior* to child welfare system involvement?
  - How can the Legislature help ensure poverty alleviation programs and child welfare supports are complementary? Which specific programs are most likely to contribute to a reduction in child maltreatment and what are the budgetary implications?
  - How can the Legislature help ensure behavioral health augmentations and child welfare supports are complementary?