

The OCFS Initiative to Address Racial Disproportionality in Child Welfare and Juvenile Justice

**Presentation for Court Appointed Special
Advocates**

January 19, 2011

New York, New York



NYS Office of Children & Family Services

Presenter

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Development**

NYS Office of Children & Family Services



Issues



Disparities

- **Although African Americans constituted 15% of the child population of the United States in 1999, they accounted for 45% of the children in substitute care. (Derezotes, Poertner & Testa, 2005)**
- **Caucasian children, who constituted 60% of the U.S. child population, accounted for only 36% of the children in out-of-home care (Derezotes, Poertner & Testa, 2005)**
- **Research Roundtable on Children of Color in Child Welfare System (2002)**
 - Greater Removal Rate even when levels of abuse are the same
 - More time in Foster Care
 - Parallel's and Interaction with disparities in other systems



Black, Latino, and First Nation Youth

are:

- **Less likely to receive appropriate health care**
- **More likely to encounter environmental toxins**
- **More likely to receive punitive and restrictive segregating interventions**
- **More likely to interact with underpaid, overworked, low-status, demoralized professionals/paraprofessionals**
- **More likely be suspended, expelled,, adjudicated, and sent to juvenile justice facilities**

Osher, 2002



Disparities

- **“Children of color receive fewer familial visits, fewer contacts with caseworkers, fewer written case plans, and fewer developmental or psychological assessments, and they tend to remain in foster care placement longer.” (Stukes Chipungu and Bent-Goodley, 2004)**
- **Families of children of color have access to fewer services.**
 - E.g., even though substance-abuse rates are high among African-American families involved in foster care, community-based substance-abuse treatment frequently is not available or accessible to these families. (Stukes Chipungu and Bent-Goodley, 2004)



Components of Disparities

- **Disproportionate Risk**
- **Disproportionate Access**
- **Disproportionate Treatment**
- **Disproportionate Outcomes**
- **Differential Evidence/Treatment Base**



Disparities not Unique to Child Welfare

- **Criminal justice**
- **Health care**
- **Mental health**
- **Homelessness**
- **Victims of violent crime**
- **Special education**



Health Care & African Americans

- Rate of diabetes is more than three times that of whites
- HIV/AIDS more than seven times that of whites
- Infant mortality twice that of whites
- Life span differential



Treatment Differentials

Institute of Medicine

- **Minorities are less likely than whites to get...**
 - proper heart medication, heart bypass surgery
 - kidney dialysis & transplants
- **Gap greatest between blacks & whites**
- **Blacks on Medicare more likely to have their lower limbs amputated**
 - diabetes



Mental Health

- **Surgeon General's report on inequities**
 - Disparities in availability, accessibility, & quality of mental health services for racial and ethnic minorities



Homelessness & African Americans

- **44% of homeless population**
- **3.5 times more AA than whites are homeless**
 - Overrepresentation includes many women, children & youth



Victims of Violent Crime

- **AA of all ages are more likely to be the victims of serious violent crime than are whites.**
- **At greater risk of knowing someone who had suffered violence**
 - Greater risk not associated with SES differences or differences in area of residence



Impacts Across Domains

- **Health > Mental Health, Education, Child Welfare, Juvenile Justice**
- **Mental Health > Health, Education, Juvenile Justice, Child Welfare**
- **Education > Mental Health, Juvenile Justice**



Why Does DMR Exist?

- **Disproportionate Need**
- **Disproportionate Attention**
- **Biased Decision-Making**
- **Fewer Community Resources**
- **Visibility Theory – Less & therefore more visible.**



Disproportionality

- **Disproportionality exists when a group makes up a proportion of those experiencing some event (SCR report or foster care placement) that is higher or lower than that group's proportion in the population**



Racial and Ethnic Disparities in the Child Welfare System: New York City Compared to Rest of State (Outside of NYC) and 2008 Compared to 2009

Bureau of Evaluation and Research



NYS Office of Children & Family Services

Measures

- **Disproportionality**
- **Rate per 1000 in population**
- **Disparity Rate**



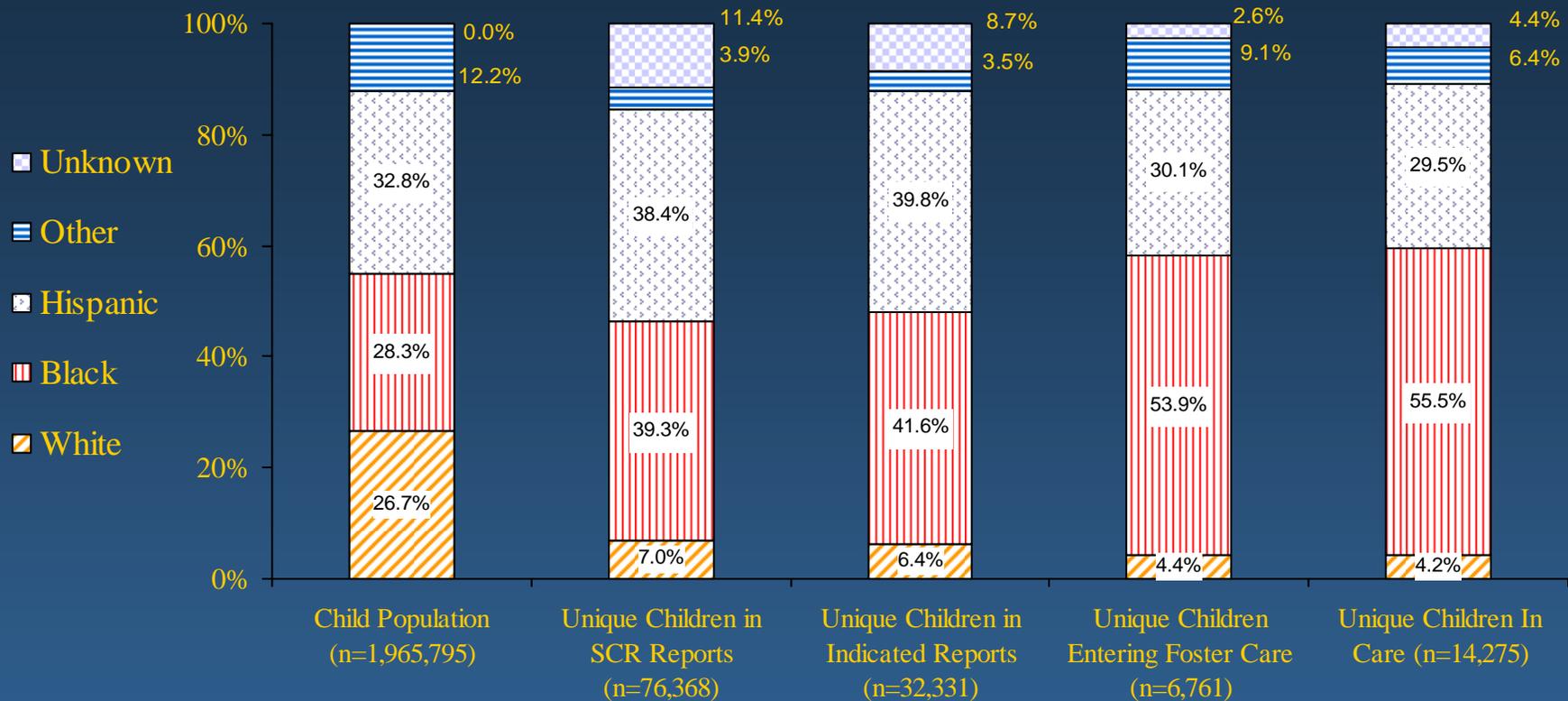
Disproportionality

- **Disproportionality exists when a group makes up a proportion of those experiencing some event (SCR report or foster care placement) that is higher or lower than that group's proportion in the population**
- **For example: Is the proportion of black children placed in foster care greater than expected given black children's presence in the overall population?**



New York City

Race/Ethnic Distribution of Children in Child Welfare System, 2008

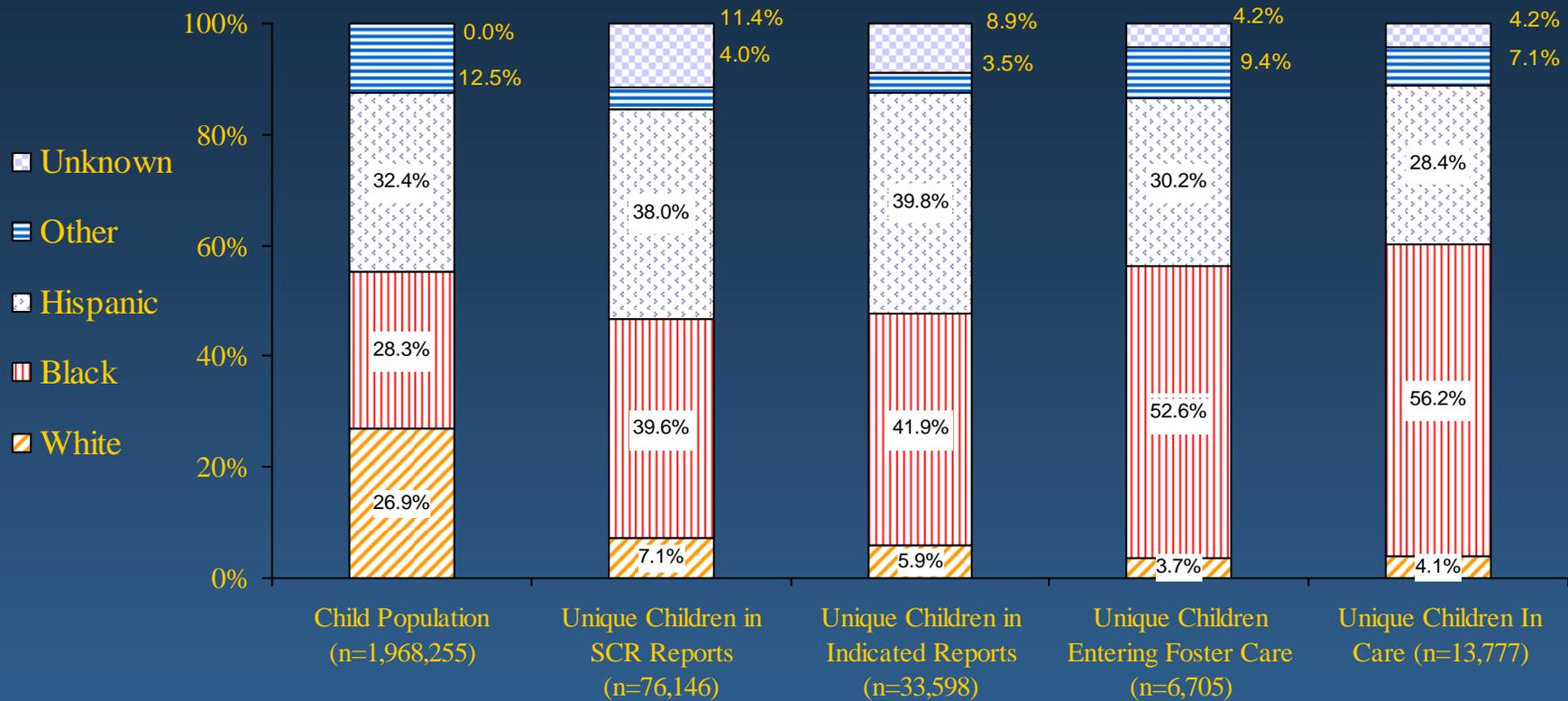


	Child Population (n=1,965,795)	Unique Children in SCR Reports (n=76,368)	Unique Children in Indicated Reports (n=32,331)	Unique Children Entering Foster Care (n=6,761)	Unique Children In Care (n=14,275)
Unknown	-	8,708	2,826	175	627
Other	239,089	2,983	1,136	612	910
Hispanic	643,847	29,335	12,853	2,036	4,211
Black	557,211	29,991	13,449	3,642	7,921
White	525,648	5,351	2,067	296	606



New York City

Race/Ethnic Distribution of Children in Child Welfare System, 2009

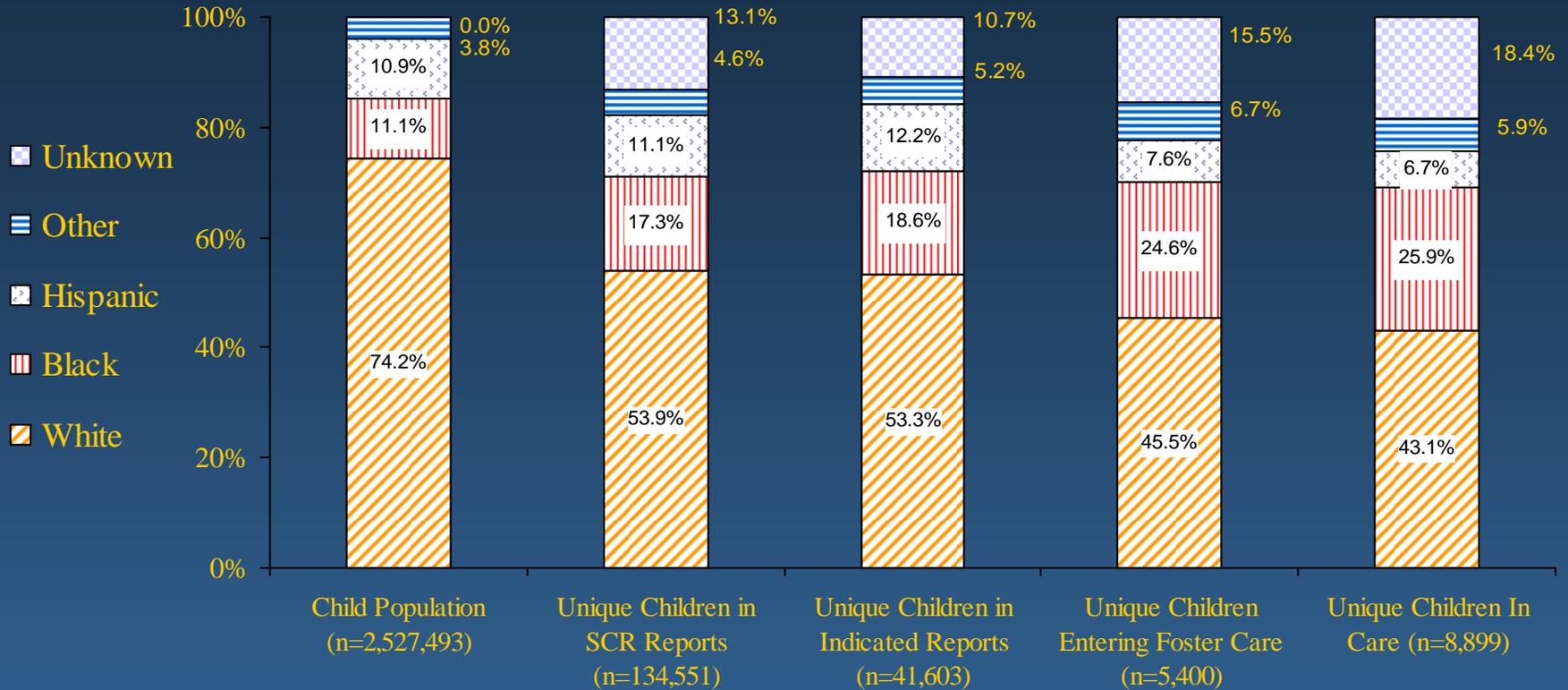


Unknown	-	8,666	2,995	280	583
Other	245,666	3,041	1,174	628	974
Hispanic	637,475	28,936	13,377	2,024	3,914
Black	556,548	30,124	14,081	3,526	7,745
White	528,566	5,379	1,971	247	561



Rest of State

Race/Ethnic Distribution of Children in Child Welfare System, 2008

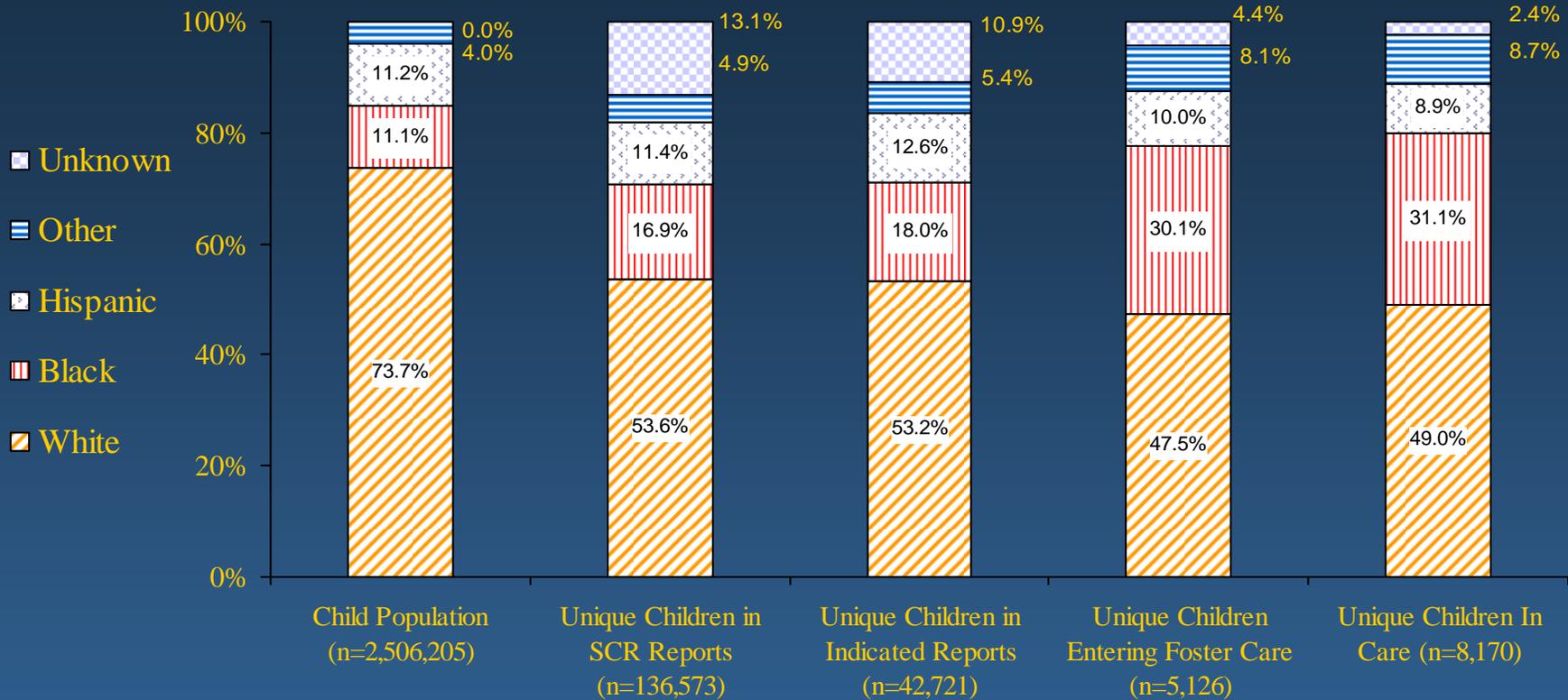


Unknown	-	17,627	4,464	837	1,635
Other	96,834	6,147	2,156	363	529
Hispanic	275,880	14,961	5,067	412	596
Black	279,663	23,277	7,732	1,331	2,305
White	1,875,116	72,539	22,184	2,457	3,834



Rest of State

Race/Ethnic Distribution of Children in Child Welfare System, 2009



Unknown	-	17,910	4,672	223	193
Other	99,696	6,709	2,286	413	712
Hispanic	280,597	15,596	5,383	513	726
Black	279,117	23,106	7,671	1,544	2,539
White	1,846,795	73,252	22,709	2,433	4,000



Black Children are Overrepresented at All Stages of the Child Welfare System

- In both NYC and rest of state, black children make up a substantially higher percentage of the child welfare population at each stage in the process than their share of the general population of children under 18.
- The overrepresentation of black children increases steadily with progression through the child welfare system, from SCR report to foster care placement.
- This has remained the same from 2008 to 2009.



Use of Percentage Distribution Only Can be Misleading

- **For example for the ROS 2009: The percent of black children increased from 11.1% in the child population to 31.1% for children in care. As a result, the share of the “pie” for those other than black is smaller at the in care stage.**
- **The proportion Hispanic children is an example of a category impact.**
- **Creates the need to use several different indicators as is in this presentation.**



“Unknown” Race/Ethnicity

- **For the Rest of State: Dramatic decrease in the proportion of children admitted to foster care and in care with “unknown” race/ethnicity from 2008 to 2009**
- **For New York City: The proportion of children with “unknown” race/ethnicity was low in 2008 and has remained low in 2009**
- **For both NYC and ROS proportion of SCR reports and indicated reports with “unknown” race/ethnicity remains high.**

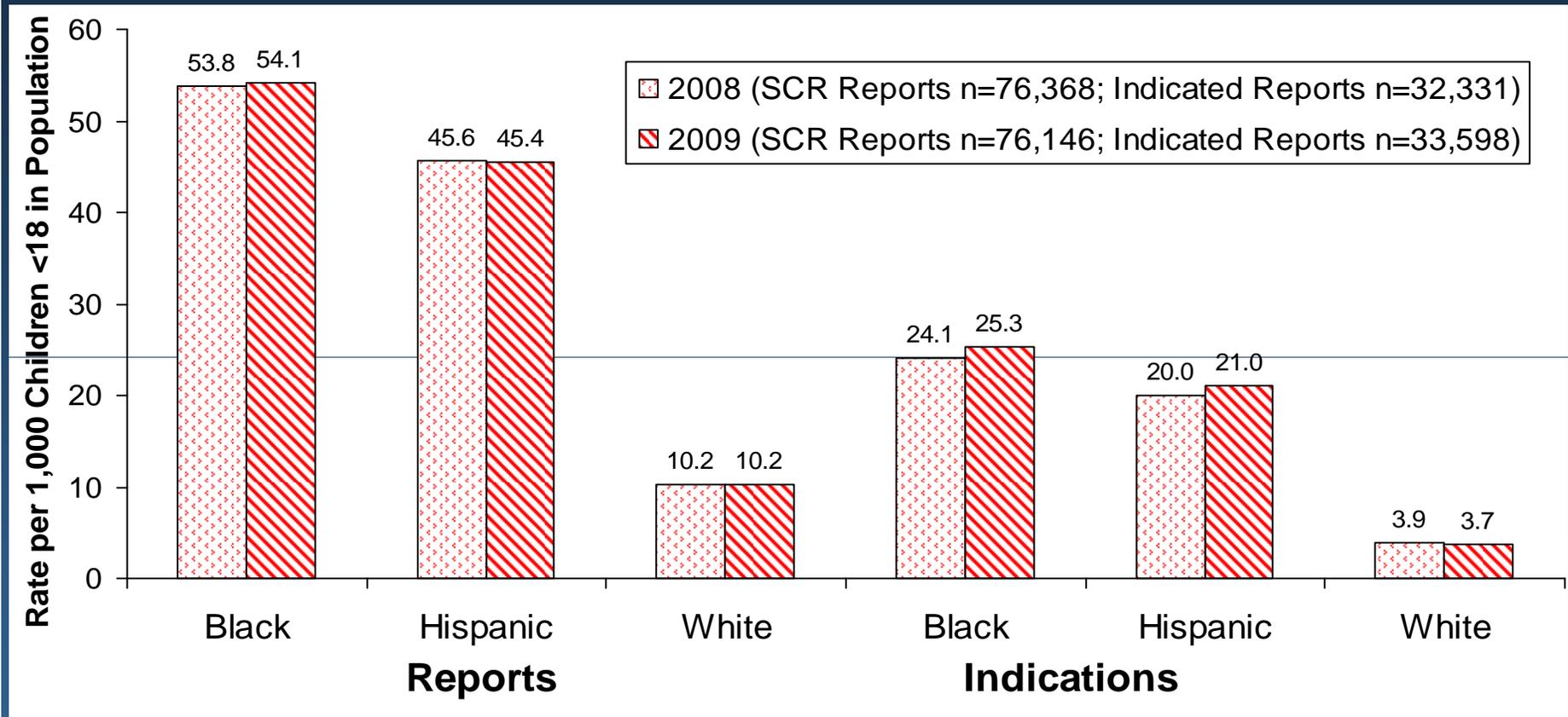


Rate per 1,000 in Population

- **The rate per 1,000 is an indicator of how many children from each specific racial/ethnic group have contact with the child welfare system (at various decision points) compared to their representation in the general population.**



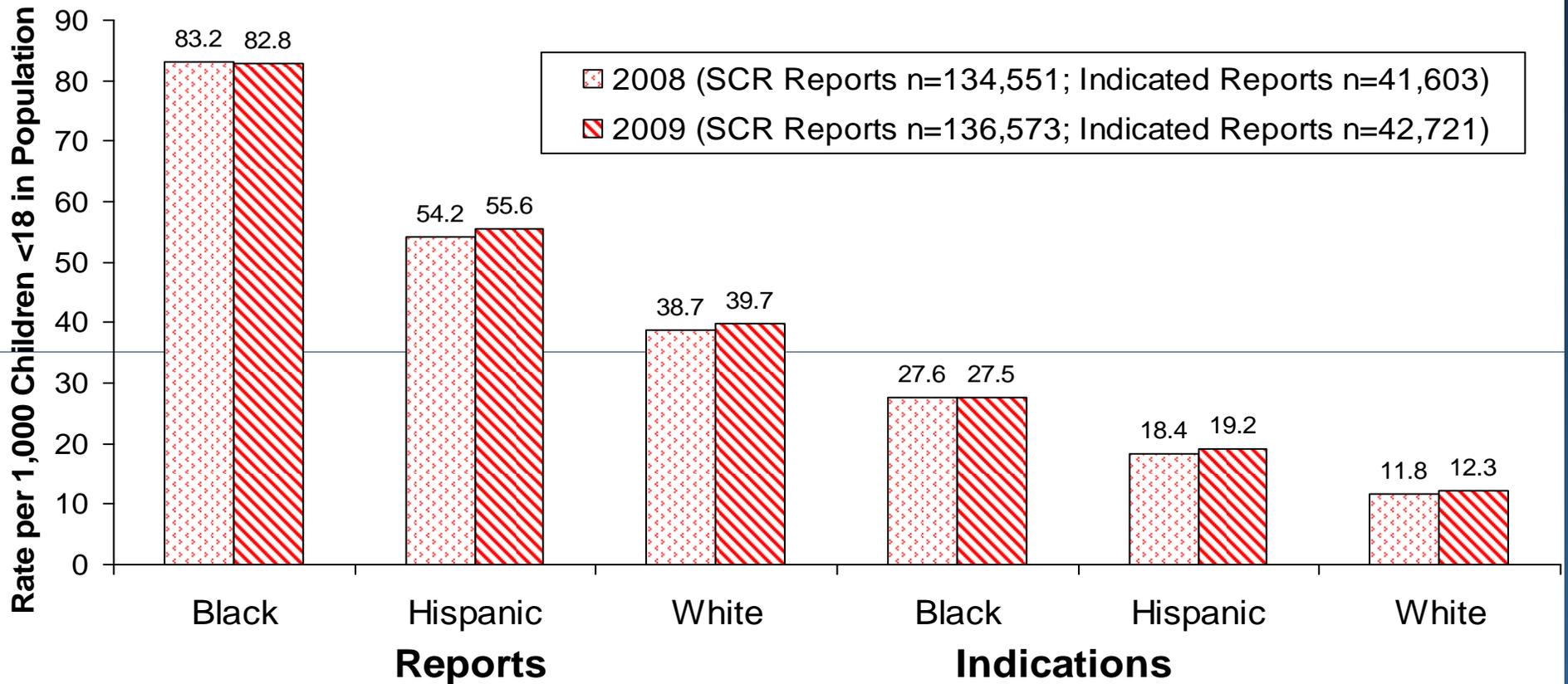
New York City: Changes from 2008 to 2009 in Rate of Children Reported to SCR, and Indicated for Abuse/Neglect Per 1,000 Children < 18 in Population



- Rate of children (per 1,000 children) reported has not changed from 2008 to 2009.
- In this period, there was a slight increase in rate per 1,000 black and Hispanic children indicated and a slight decrease in white children indicated.



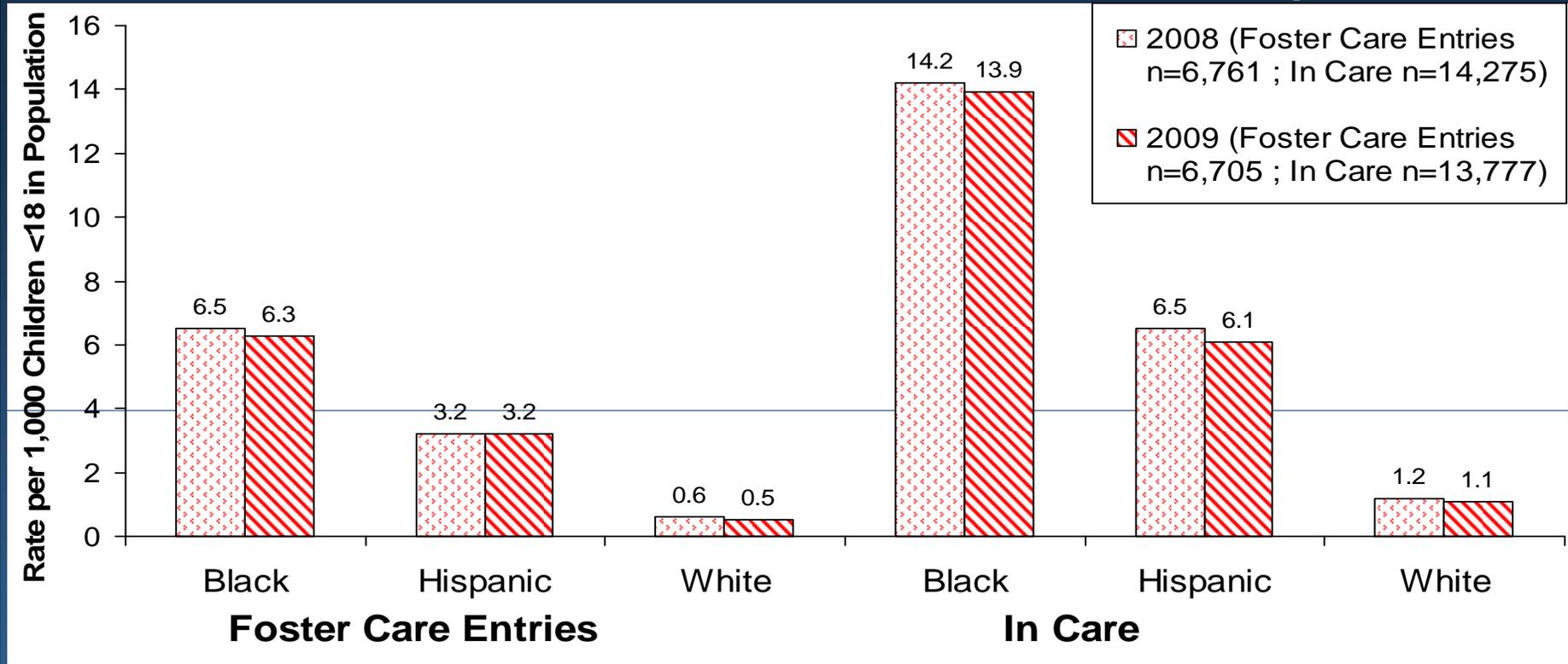
Rest of State: Changes from 2008 to 2009 in Rate of Children Reported to SCR, and Indicated for Abuse/Neglect Per 1,000 Children < 18 in Population



- In this period, rate of children (per 1,000 children) reported increased slightly for all three groups.
- There were no clear changes in rate of children (per 1,000) indicated during this period.



New York City: Changes from 2008 to 2009 in Rate of Children Entering Foster Care, and In Care Per 1,000 Children < 18 in Population

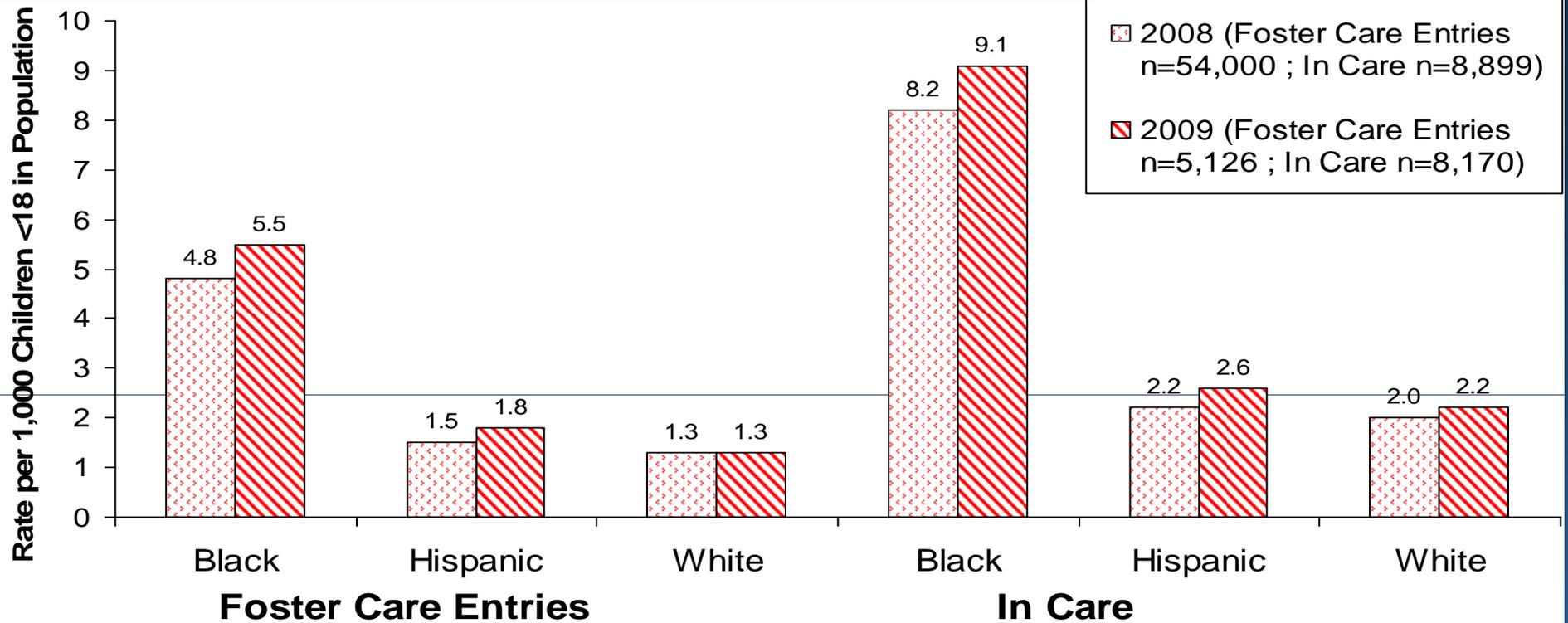


- In this period, rate of children (per 1,000 children) entering foster care decreased slightly for black children, remained the same for Hispanic children and decreased substantially (in % terms) for white children.

- Rate of children in care decreased for all three groups. However, the decrease was higher (in % terms) for white children.



Rest of State: Changes from 2008 to 2009 in Rate of Children Entering Foster Care, and In Care Per 1,000 Children < 18 in Population



- In this period, rate of children (per 1,000 children) entering foster care increased for black and Hispanic children, while it remained the same for white children.
- Rate of children in care increased for all three groups. However, the increase was lower (in % terms comparing 2008 to 2009) for white children.



Rate of Children Reported to SCR, Indicated for Abuse/Neglect, Entering Foster Care, and In Care Per 1,000 Children < 18 in Population

In both NYC and rest of state, as measured by rate per 1000 children in population, black children are more likely than Hispanic children, and Hispanic children are more likely than white children, to be reported to SCR, indicated for abuse/neglect, enter foster care, and in care.



Disparity Rate

- **Compares a minority group to the majority group**
- **For example: How much more likely are black children to enter to foster care relative to white children?**



Disparity Rate

Disparity rate is the ratio of rate per 1000, at each stage of the child welfare system, for black children (or Hispanic children) relative to the rate for white children.

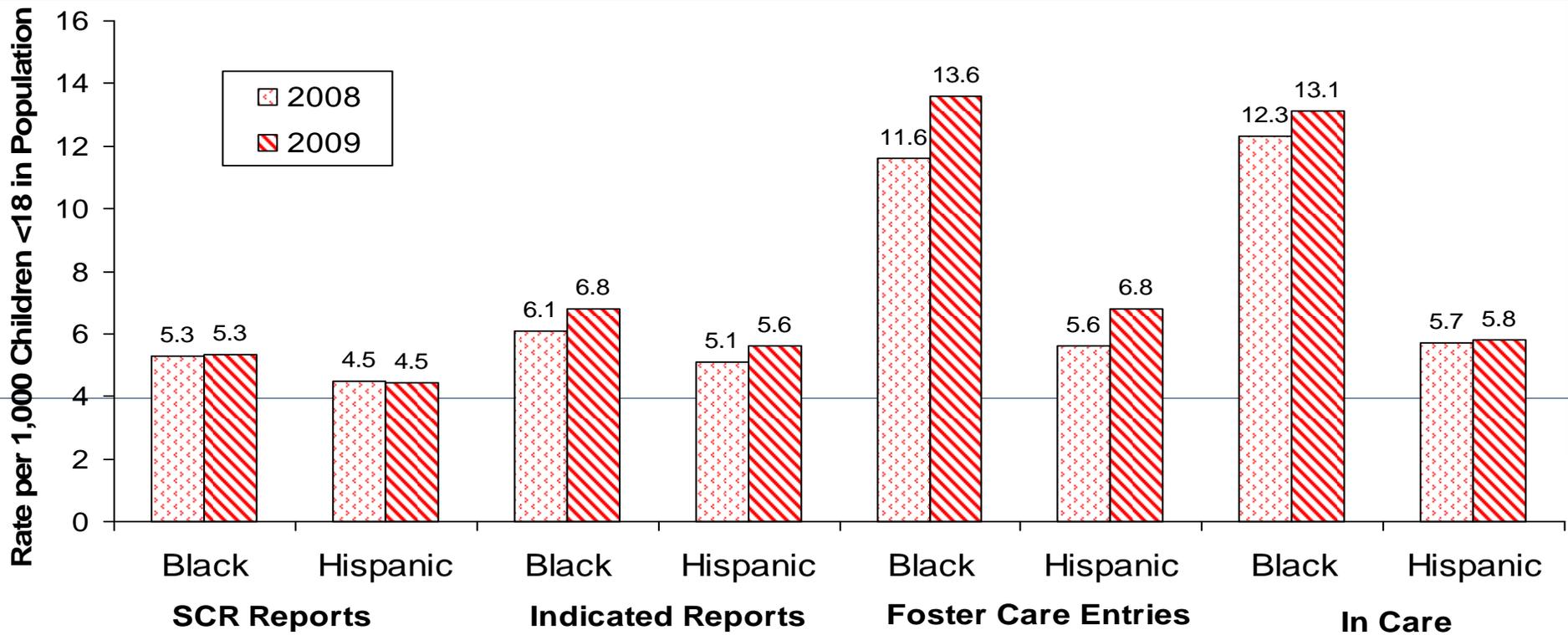
Race/ Ethnicity	Foster Care Entry Rate per 1,000 Children in ROS 2009
Black	9.096
White	2.165

Black Disparity Rate in ROS 2009

$$\frac{9.096}{2.165} = 4.2$$



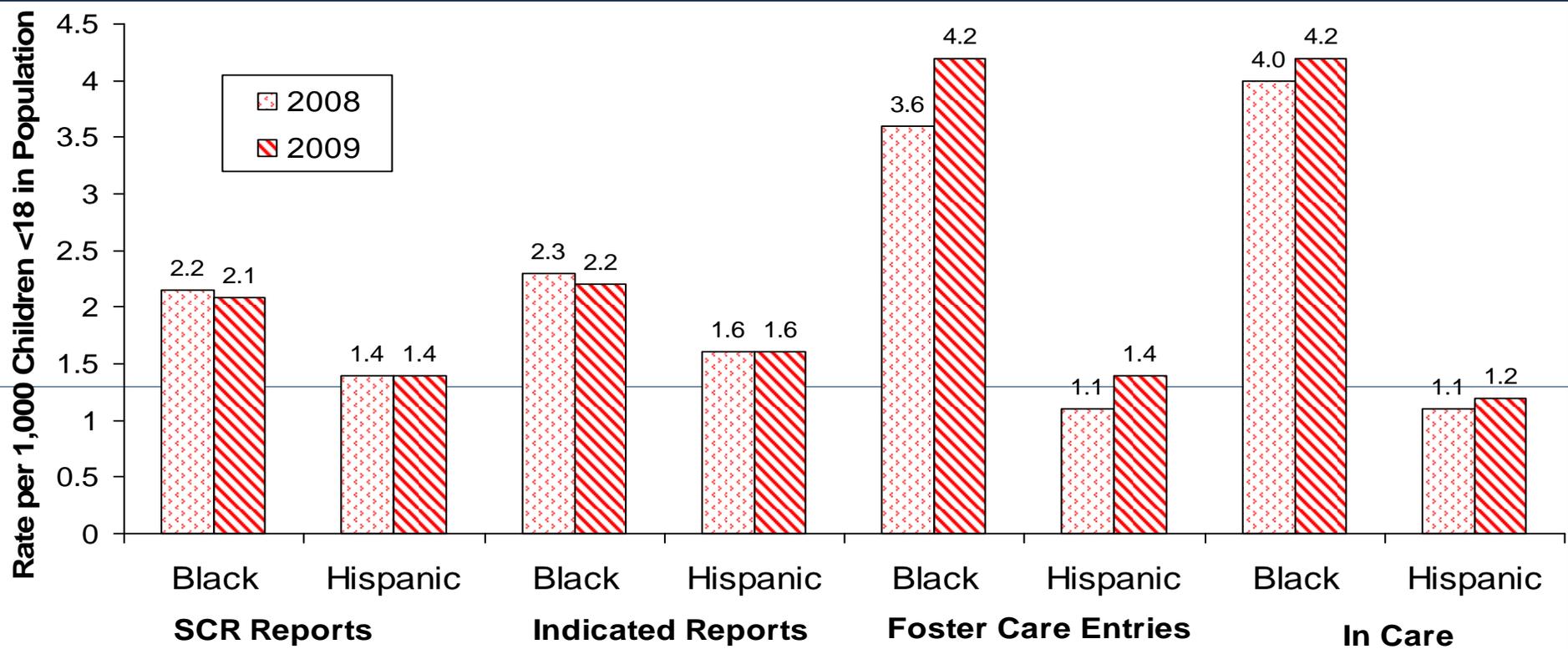
New York City: Changes in Disparity Rates for Black and Hispanic Children (vs Whites)



- There has been no change in report disparity during this period.
- From 2008 to 2009, disparity rates for black and Hispanic children have increased slightly for indicated reports, foster care entries and in care (the exception is in care disparity for Hispanic children). This is primarily due to a decrease in rate per 1,000 for white children at the indication stage and a higher decrease in rate per 1,000 for white children at the foster care stages.



Rest of State: Changes in Disparity Rates for Black and Hispanic Children (vs Whites)



- There has been no change in report and indication disparity during this period.
- From 2008 to 2009, disparity rates for black and Hispanic children have increased for foster care entries. This is due to an increase in rate per 1,000 for black and Hispanic children, while it remained the same for white children. For in care, there has been a slight increase. This is due to a smaller increase in rate per 1,000 for white children.



Disparity Rates for Black and Hispanic Children (vs Whites) and NYC vs ROS

- 2008 and 2009: At each stage, disparity rates are higher in NYC compared to ROS.
- 2009: In NYC, relative to white children, black children are 5.3 times as likely to be reported to SCR, 6.8 times as likely to be indicated, 13.6 times likely to be admitted to foster care and 13.1 times as likely to be in care.
- 2009: In ROS, relative to white children, black children are 2.1 times as likely to be reported to SCR, 2.2 times as likely to be indicated, 4.2 times likely to be admitted to foster care and 4.2 times as likely to be in care.
- 2008 and 2009: Hispanic disparity rates are much lower (compared to black) in both NYC and ROS.



Conclusion

■ Both Years

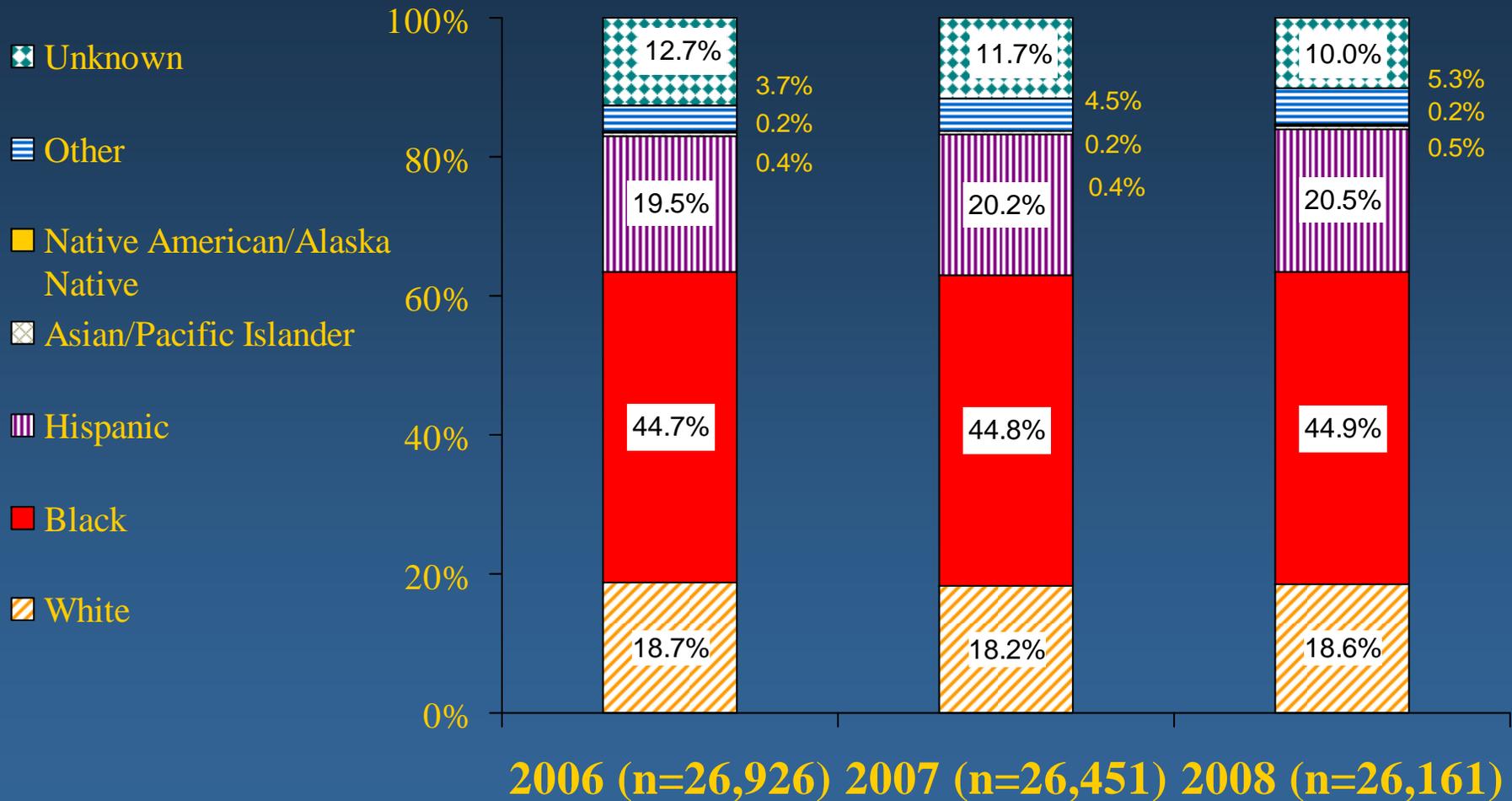
- In both NYC and rest of state, black and Hispanic children have higher rates of involvement in each stage of the child welfare system than white children. Disparity rates are more pronounced for black children than for Hispanic children.
- For black children in both NYC and rest of stage, disparity rates at the foster care stage are substantially higher than at the investigation stage of the system.

■ Changes from 2008 to 2009

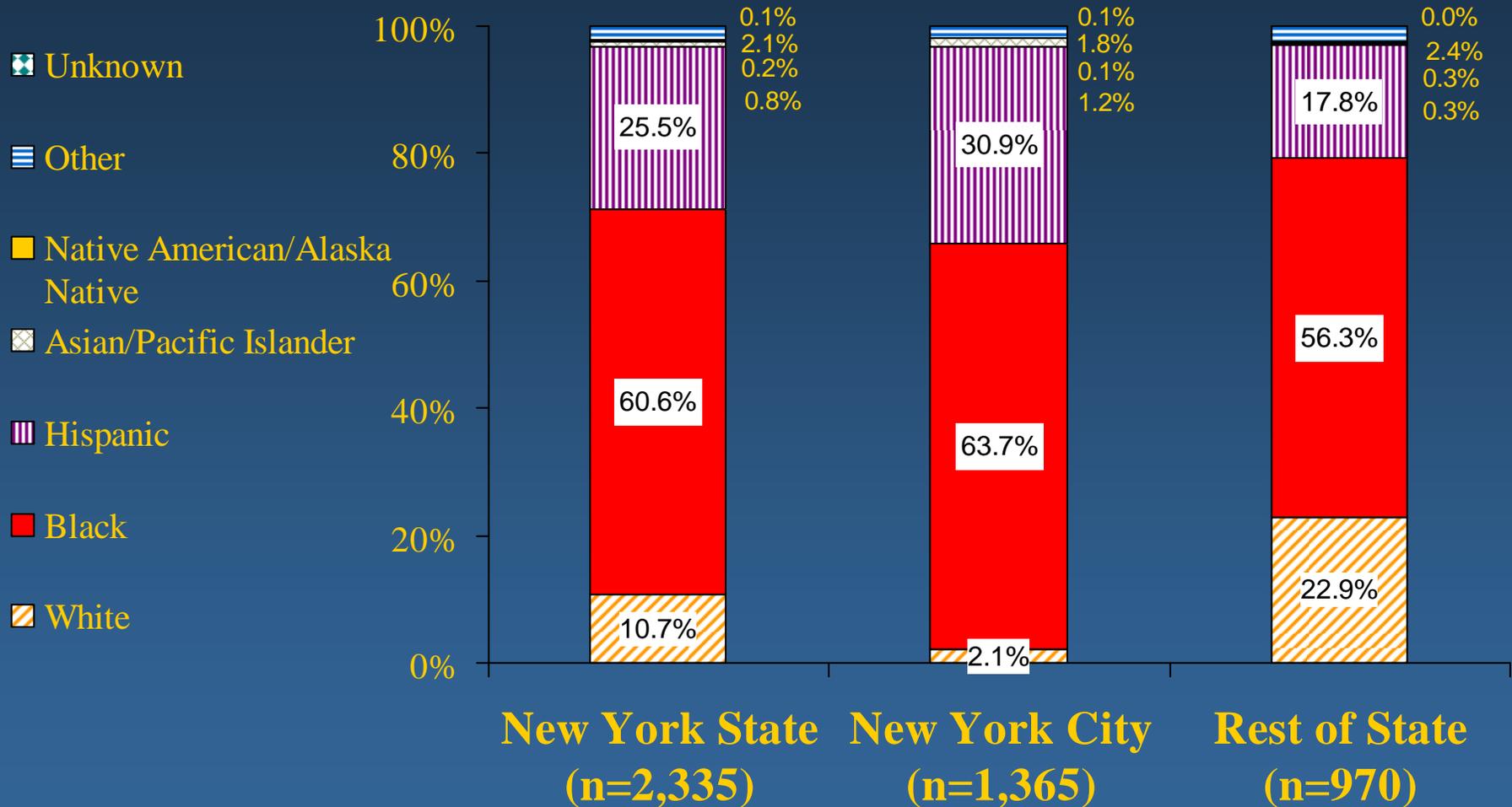
- In ROS, the proportion with “unknown” race/ethnicity for children in foster care has decreased dramatically from 2008 to 2009. While there has been no change for NYC, it was always relatively low.
- In NYC, there has been a slight increase in disparity rates at indication and foster care stages.
- In ROS, there has been a slight increase in disparity rates at the foster care stages, particularly in foster care entry.



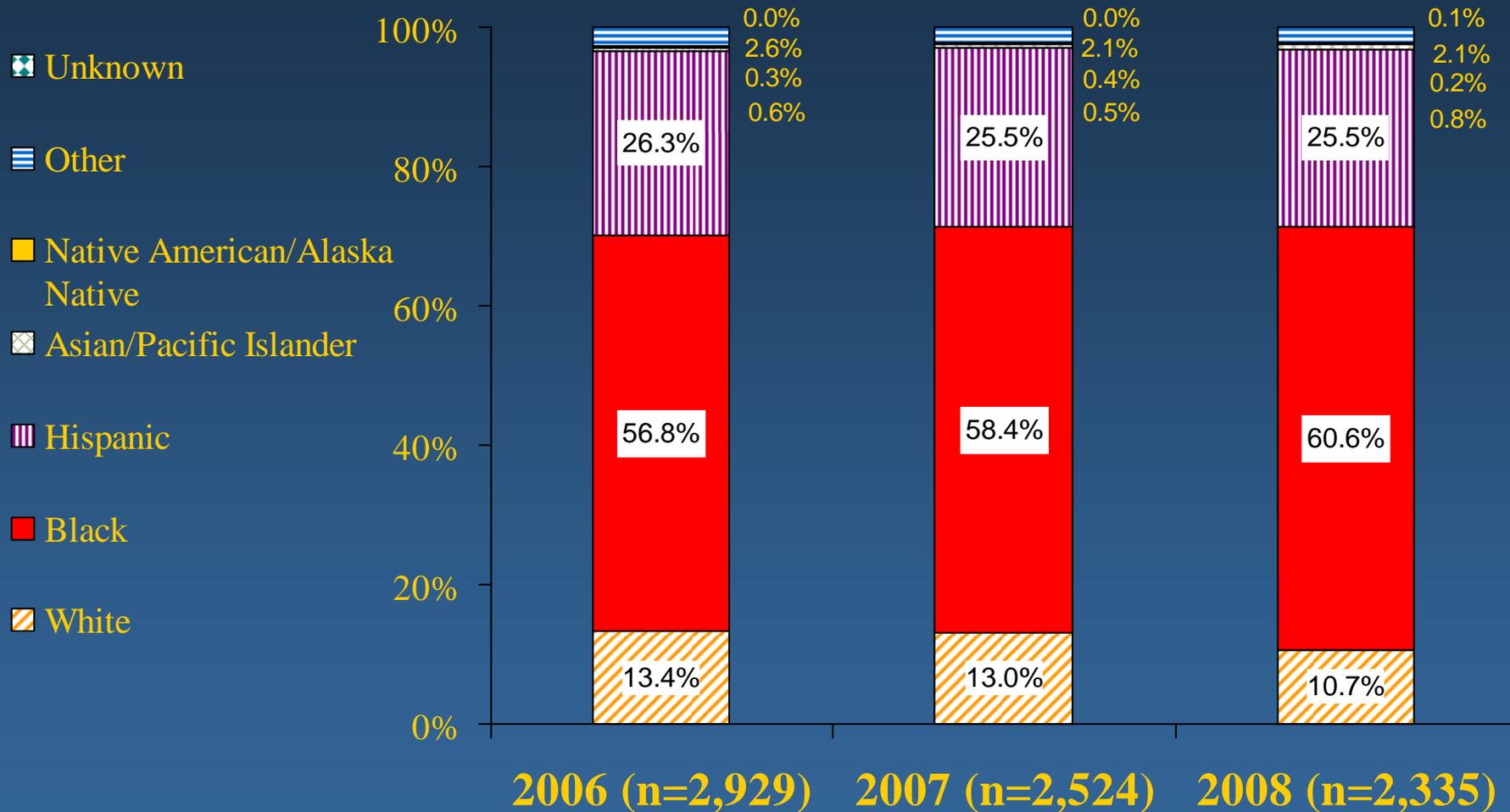
Trend 2006-2008: Race/Ethnicity Distribution of Children in Foster Care at End of Calendar Year Statewide



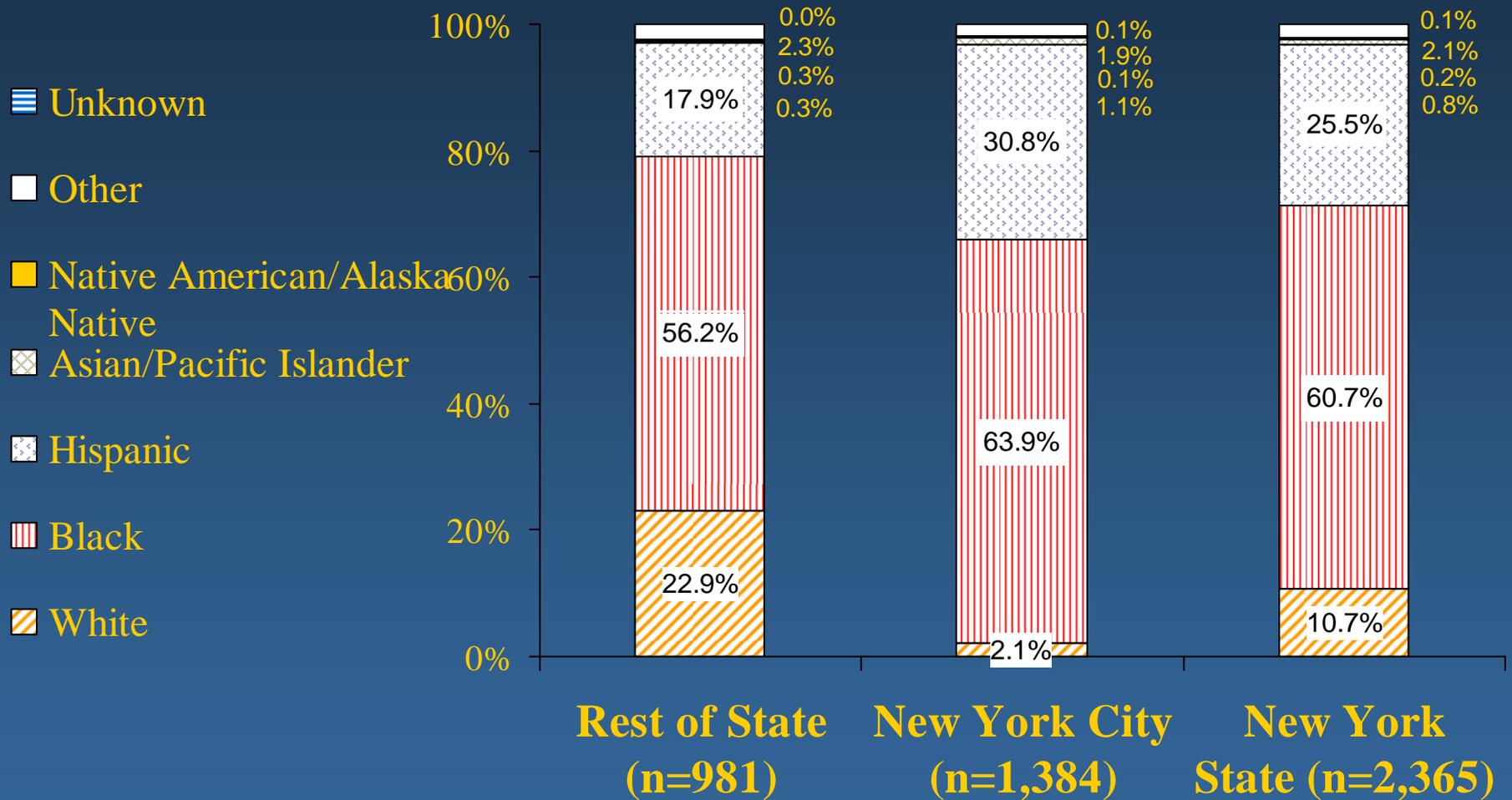
Race/Ethnicity Distribution of Youth in OCFS Custody on 12/31/2008



Trend 2006-2008: Race/Ethnicity Distribution of Youth in OCFS Custody at End of Calendar Year Statewide



Trend 2006-2008: Race/Ethnicity Distribution of Youth <18 Years in OCFS Custody at End of Calendar Year Statewide



Note: This includes all youth in OCFS facilities, voluntary agencies, aftercare and day placement.



2009 NYS Race Equity Data

Racial Disproportionality and Disparities in New York
Prepared by the Bureau of Evaluation and Research, New
York State Office of Children and Family Services.



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The data below, displayed for the State of New York in 2009, show Black/African American and Hispanic/Latino children represented at higher rates in foster care than in the general population, as well as at higher rates than children from other racial groups.



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Table 1

Basic Racial Equity Scorecard

Percentage, Disproportionality Rate, Rate per Thousand, and Disparity Ratio Indices by Race and Ethnicity for Children in Foster Care in the State of New York December 31, 2009

Race/Ethnicity ¹	Estimated Population 0-17 Years ²		Children in Foster Care ³		Disproportionality Rate ⁴	Rate per 1,000 ⁵	Disparity Ratio (compared to white children) ⁶
	#	%	#	%			
White	2,375,361	53.09%	4,561	20.78%	0.39	1.9	1.00
Black	835,665	18.68%	10,284	46.86%	2.51	12.3	6.41
Hispanic/Latino	918,072	20.52%	4,640	21.14%	1.03	5.1	2.63
Asian	327,733	7.32%	119	0.54%	0.07	0.4	0.19
American Indian	17,629	0.39%	55	0.25%	0.64	3.1	1.62
Other			1,512	6.89%			
Unknown			776	3.54%			
Total	4,474,460	100.00%	21,947	100.00%		4.9	

¹ Mutually exclusive race/ethnicity categories are constructed, whereby Hispanic/Latino children are included only in the Hispanic/Latino category regardless of their race.

² New York State population estimates for children 1-17 years in 2009 were obtained from Woods and Poole Economics, Inc.

³ New York State foster care data were obtained from Office of Children and Family Services (OCFS) administrative databases and reflect the number of children in foster care on December 31, 2009.

⁴ The Disproportionality Rate is a comparison of the percentage of children of a particular race or ethnicity in foster care to the percentage of the same group in the general population.

⁵ The Rate per Thousand is the number of children of a particular race or ethnicity that are in foster care for every 1,000 children in the general population of the same race or ethnicity.

⁶ The Disparity Ratio is the ratio of the rate per thousand for non-white and Hispanic children to the rate per thousand for white children.

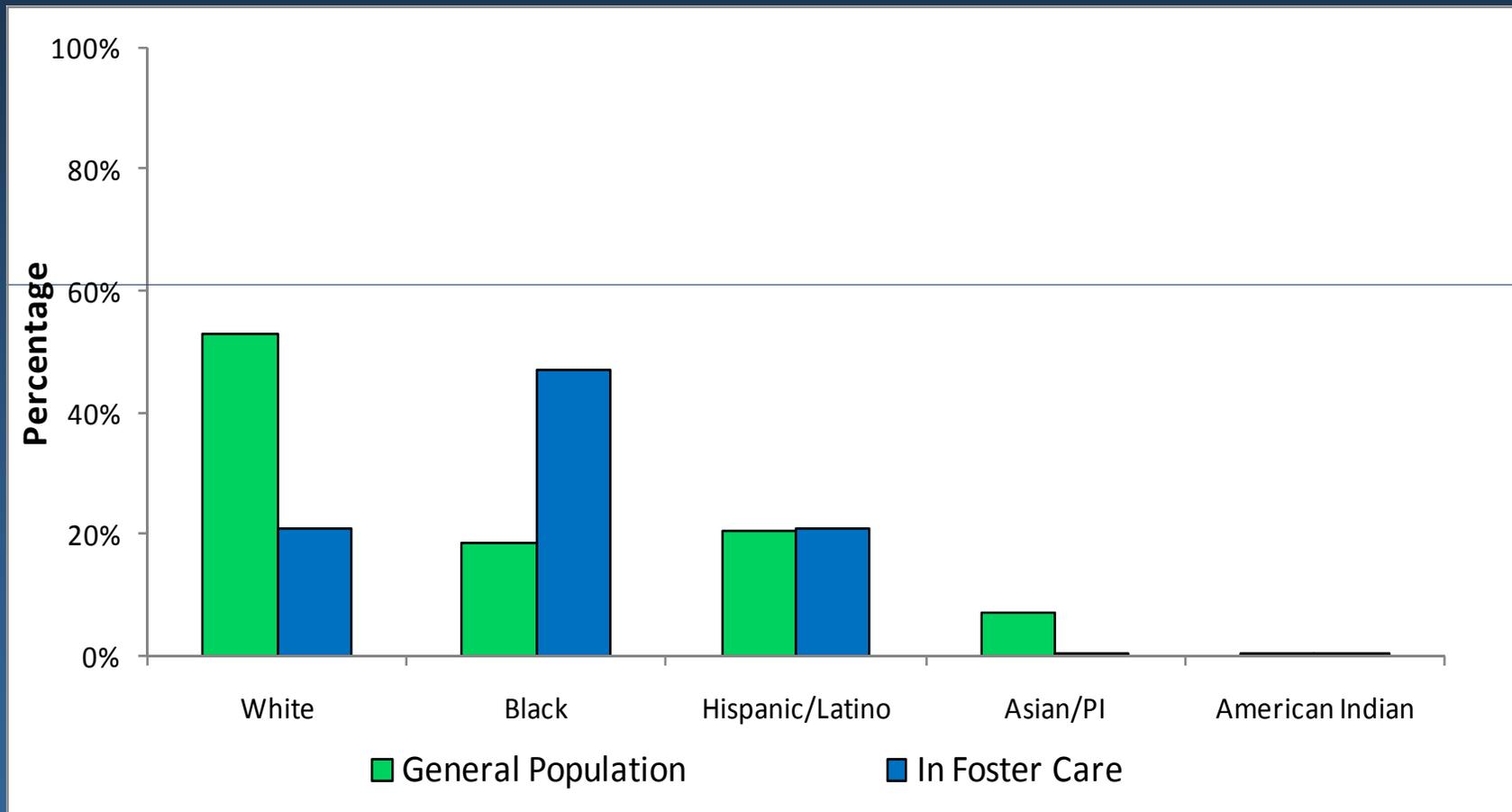


Chart 1 uses data from Table 1 above to show percentage representation of children by race and ethnicity in the general population (green column) and in foster care (blue column). According to Chart 1, the representation of Black/African American children in foster care in New York on December 31, 2009 was greater than their share of the general population; Hispanic/Latino children made up about the same proportion of the foster care population as the general population; and all other racial groups were underrepresented in the foster care system relative to their share of the general population.



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Chart 1: Percentage of Children in the General Population and in Foster Care in the State of New York on December 31, 2009 by Race and Ethnicity

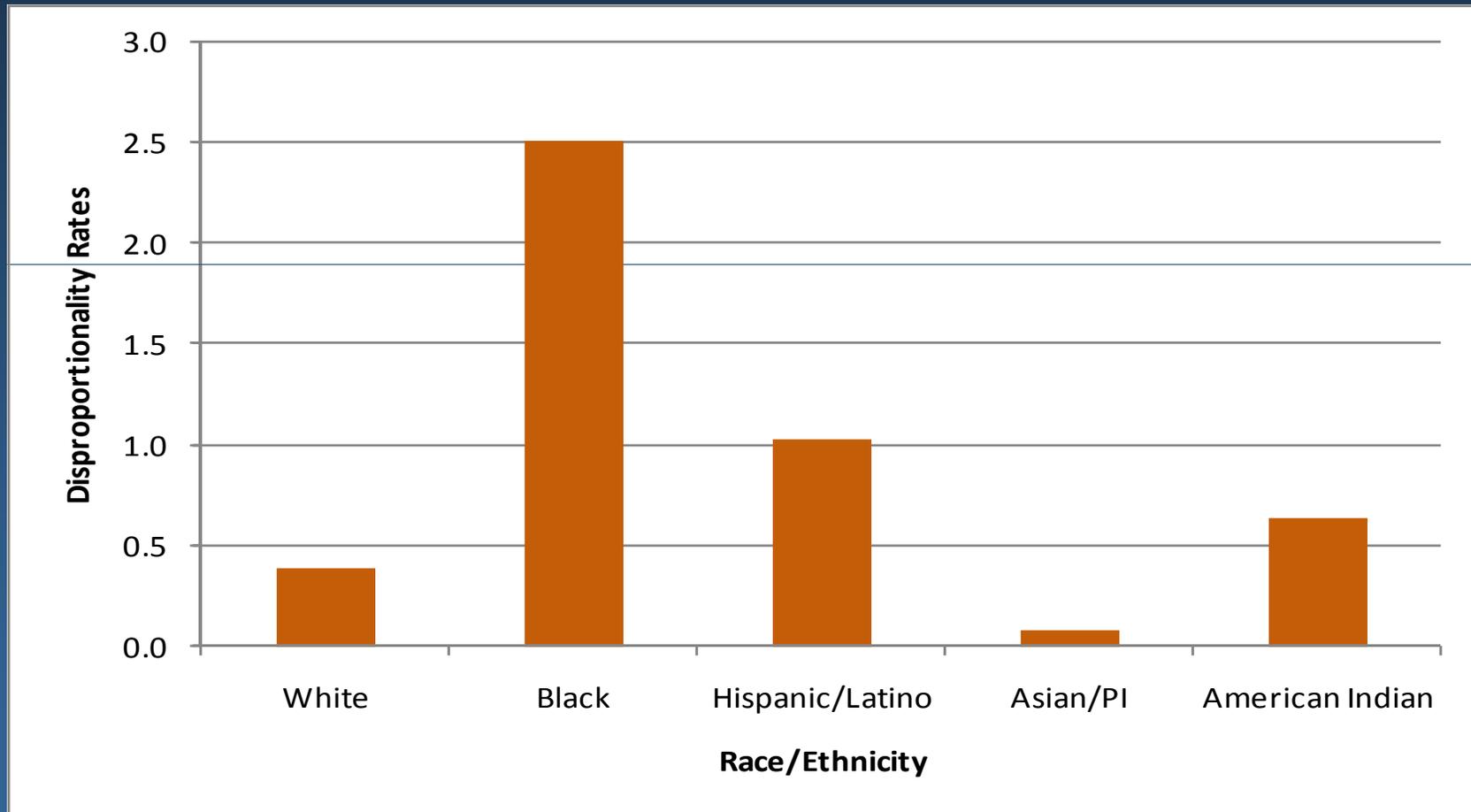


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Chart 2 uses data from Table 1 to show Disproportionality Rates of children by race and ethnicity. This chart indicates that Black/African American children were overrepresented in foster care in New York on December 31, 2009 as compared to their representation in the general population, while American Indian, Asian and white children were underrepresented. Representation of Hispanic/Latino children in foster care was about the same as their general population representation.



Chart 2: Racial Disproportionality Rates for Children in the State of New York on December 31, 2009

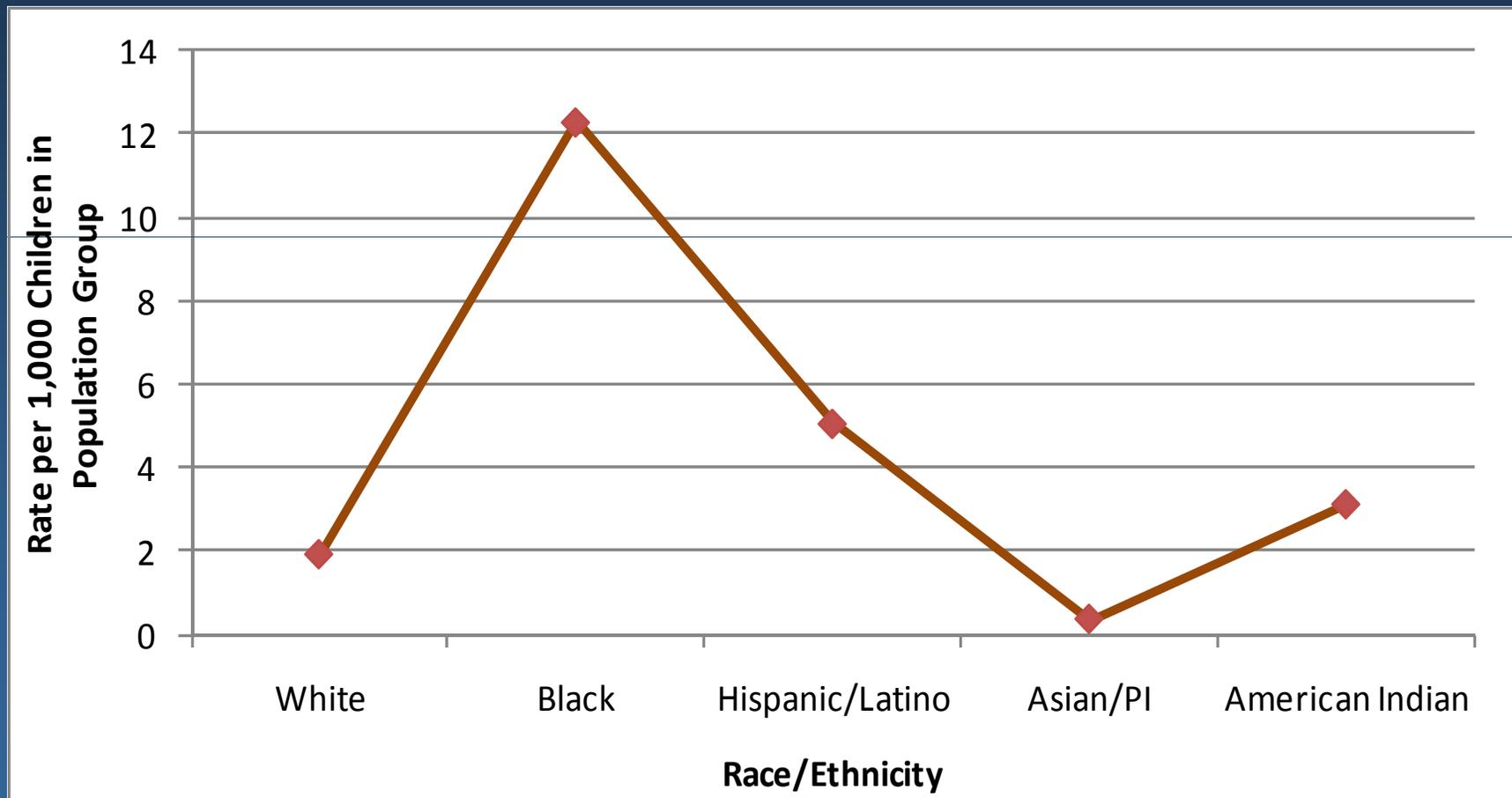


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Like the Disproportionality Rate, the Rate per Thousand by race/ethnicity compares the representation of each race/ethnicity in the foster care population to their representation in the general population. Chart 3 shows the rate of children in foster care per 1,000 children of the same race/ethnicity in the general population in 2009. Here we see that there were 12 Black/African American children in the foster care system per 1,000 Black/African American children in the general population, while the rate per thousand for all other racial/ethnic groups was less than 6.



Chart 3: Rate of children in Foster Care by Race per 1000 Children of the Same Race in the General Population in New York on December 31, 2009



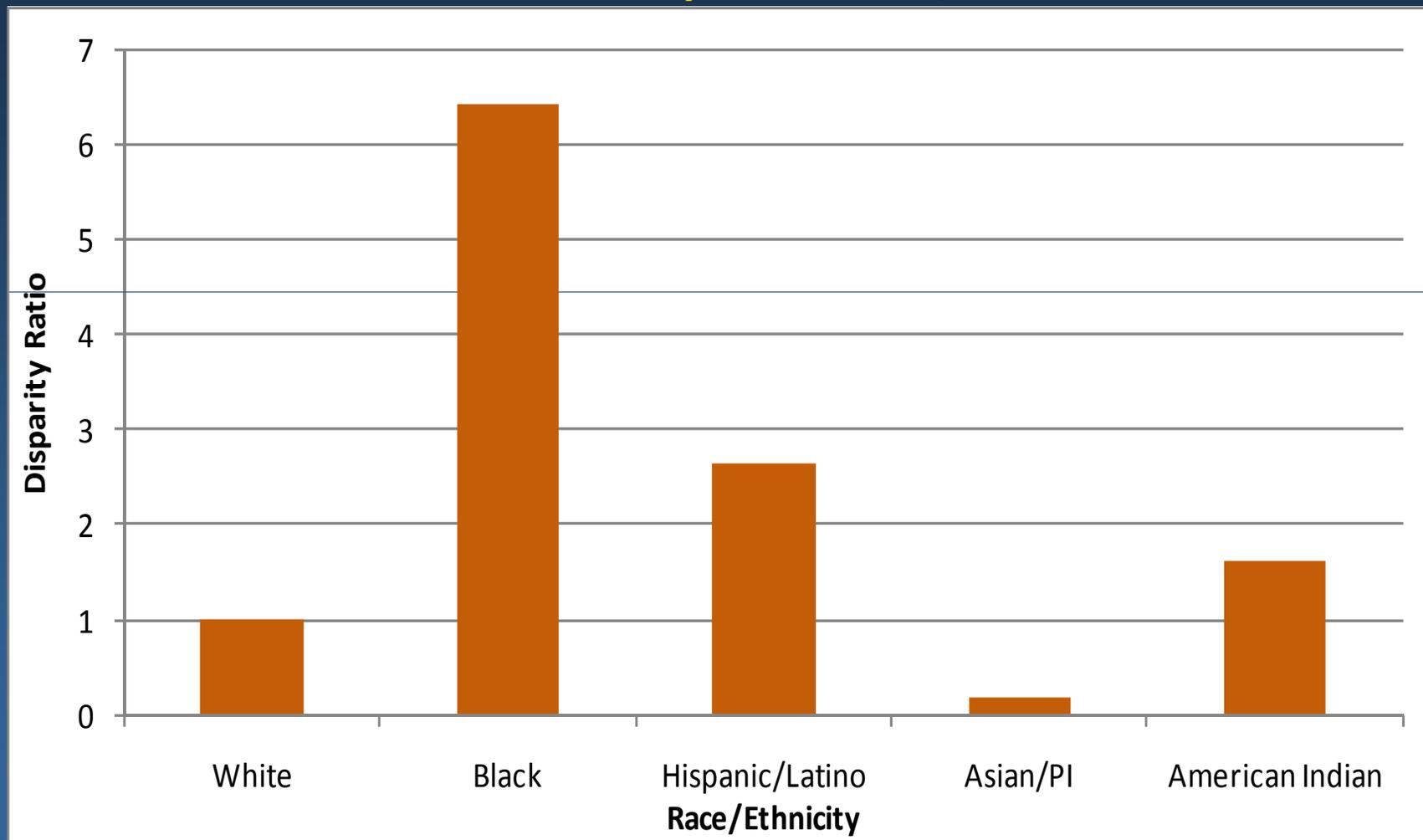
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The Disparity Ratio, a comparison of the representation of non-white and Hispanic/Latino children in foster care to the representation of white children in foster care. The Disparity Ratio is obtained by comparing Rates per Thousand for non-white and Hispanic/Latino children to Rate per Thousand for white children. Chart 4 below shows that, relative to white children, Black/African American children are more than 6 times as likely to be in the foster care system in New York, Hispanic/Latino children are about 2.5 times as likely, American Indian children are roughly 1.5 times as likely, and Asian children are about one-fifth as likely to be in foster care.



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Chart 4: Disparity Ratios of Children in Foster Care by Race/Ethnicity Compared to White Children in the State of New York on September 30, 2009



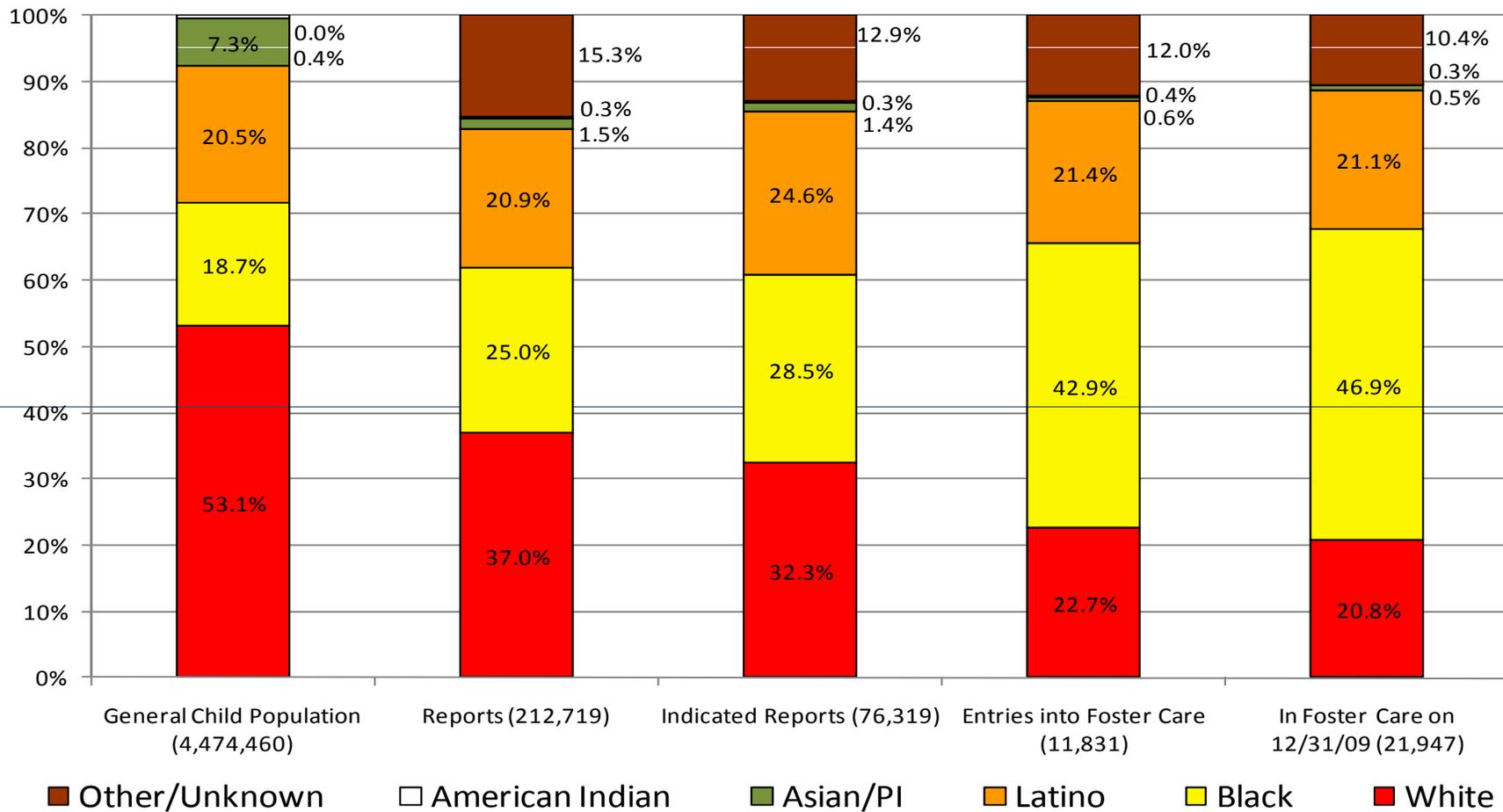
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Chart 5 is one example of how data can be broken down within a site to begin to better understand what is occurring at various decision-making stages in a given year. The chart indicates that Black/African American children make up a substantially higher percentage of the child welfare population at each stage in the process than their share of the general population of children, and their overrepresentation increases steadily with progression through the system. Representation of Hispanic/Latino children throughout the child welfare system remains close to their representation in the general population. Representation of white, Asian and American Indian children is less than their representation in the general population.



This presentation provides a snapshot of the representation of children of different races in the child welfare system, particularly in foster care, in New York. The best approach to understanding the extent of racial and ethnic disproportionality and disparities in a system is to use a combination of measures, including longitudinal, cohort and point-in-time data in tandem.





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National Efforts



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Promising Strategies for Reducing Disproportionality and Disparities

- **Woodbury County, Iowa**
 - Child Welfare System Navigators
- **Ramsey County, Minnesota**
 - Differential Response
- **Los Angeles County, CA**
 - Point of Engagement
- **North Carolina**
 - Engaging Fathers
- **Hawaii**
 - Standardized Risk Assessment
- **Texas**
 - Worker Training and Advisory Committees
- **Subsidized Guardianship**



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OCFS Efforts



2/10/2011

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An Overview of 1994-2006

- **Informal conversations reveal similar work by colleagues in CW and JJ**
- **Collaboration and sharing of information and data**
- **2003 meeting with OCFS leadership**
- **Ad hoc work group**



- **Presentations to regional office and OCFS division staff**
- **Attempted videoconference 2004**
- **Attempted symposium 2006**
- **GAO report**
- **National experts provide training and overview of issues – Khatib Waheed (CSSP) & Sania Metzger (CFP)**
- **Citizen Review Panels request emphasis on DMR**



Overview of the period 2007 - 2009



2/10/2011

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- **Formal Agency Committee recognized and support by OCFS Executive Office - 3 co chairs**
- **Division specific sub committees & work plans**
- **Monthly reports from divisions to executive office**
- **Quarterly reports from OCFS to Governors Office**
- **Agency definition of cultural competence**
- **Commitment letter signed by agency leadership**



- **Regular collection of state and county data on disparity rates**
- **Erie County Videoconference**
- **Require race/ethnicity data from CFSR/PIP counties in an effort to embed DMR work in CFSR/PIP**
- **Commitment to training for OCFS and support for districts**
- **DMC focus in Governors Juvenile Justice Task Force**
- **Growth from DMR/CC to Racial Equity & Cultural Competence**



- **Work with Casey Family Programs**
- **Work with Westchester County Court Catalyzing Change Committee**
- **Content specific presentations to agency staff on working within a cross cultural context**
- **October Commissioners' videoconference with national experts**



Valued Added Work in 2010



2/10/2011

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- **Initial work with 5 pilot counties**
- **Added 6th and 7th counties during the year**
- **Counties began using OCFS grants for planning activities**
- **Casey Family Programs provides funds to support work**
- **Casey Family Programs and CSSP provide for TA, coaching and support to counties**
- **State and counties collect, share & use data for DMR work**
- **OCFS provides ongoing management & support for county and regional office efforts**
- **OCFS provides training in adoption issues related to DMR work by national expert**
- **Casey Family Programs supports & organizes 2 day Peer TA Session with reps from Ramsey, Minn and Dallas, Texas**



- **OCFS convenes meetings of various state agency partners to encourage a cross system effort to address high disparities at the State level**
- **CBVH cultural competence training for all regional offices and some providers**
- **Division of Child Care Services has cultural competence training for central office staff and providers**
- **Ongoing presentations to various stakeholders including voluntary agencies, elected and appointed officials, SUNY Albany, Fordham U. NYS MICJ and others**
- **Participation in major DMR conference hosted by the People's Institute for Survival and Beyond at Baruch College**
- **Clear and public commitment to *reduce and ultimately eliminate* racial and ethnic disparities**



The Vision for the Future: 2011 and Beyond

- **Work with 7 counties currently engaged**
- **Define what success will look like at the county level**
- **Consider additional counties**
- **Advocate for work within OCFS**
- **Advocate for expansion of disparity considerations to include other systems**



Challenges

- **Requires new/different leadership focused on racial justice**
- **Constant focus on outcomes for children and families**
- **Overcome reluctance to hold up the mirror and look at our practice and policy (public and agency)**
- **Different supervisory skills to manage and support the different practice that is required – cultural competence**



- **Commitment to measure and monitor**
- **Target geographically to areas and families most in need**
- **Use data throughout the process**
- **Cross system communication with stakeholders and partners from systems that have impact on this issue early in the process**
- **Support with funding**



Anticipated Benefits

- **Reduced placements**
- **Cost Benefit/Reinvestment Opportunity**
- **Reduced length of stay – time in care**
- **Enhanced services**
- **Improved practice**
- **More effective policies**
- **Opportunities to energize work force**
- **Work with under represented groups (CBVH work)**
- **Form new partnerships & collaborations – faith community, emerging CBOs**

