June 2008

# RACIAL DISPROPORTIONALITY IN WASHINGTON STATE'S CHILD WELFARE SYSTEM

Across the country, children of color are present in the child welfare system at rates greater than their proportions in the population.[1]  This over-representation is referred to as "racial disproportionality."  In Washington State, a 2004 study of the child welfare system in King County found that American Indian (Indian) and Black children were overrepresented at all points in the system.[2]

The 2007 Legislature created the Racial Disproportionality Advisory Committee to study disproportion in Washington's child welfare system.[3] and, if disproportionality is found, to identify those decision points where disproportionality occurs.  The legislation also directed the Washington State Institute for Public Policy (Institute) to provide technical assistance to the Committee.  By June 2008, the Committee must prepare a report for the Secretary of the Department of Social and Health Services (DSHS) on the prevalence of disproportionality.

After describing our data sources, definitions, and approach in Section I, we present descriptive statistics on racial disproportionality and factors related to child welfare outcomes (Section II).  Last, we provide results of regression analyses that control for multiple factors simultaneously to see the combined effects on disproportionality (Section III).

Some tribes in Washington State operate their own juvenile courts and/or their own child welfare systems.  Indian children may initially enter the state child welfare system and then transfer to the tribal child welfare system.  Further, a state court asserting jurisdiction over an Indian child may transfer jurisdiction to a tribal court and, in many cases, tribal courts have jurisdiction of the dependency action from the beginning.  Information on children who are solely under tribal court jurisdiction and/or who are served only by tribal child welfare agencies was not available for this analysis.  Therefore, these findings are limited to Indian children who are served by the state child welfare system.

## Summary

In 2004, the focus year for the analysis, we identified 58,005 children referred to Child Protective Services (CPS).  These children were followed through November 2007.  We examined the proportions of children from various racial groups at different points in the child welfare system to determine whether disproportionality exists in the system.  Statewide findings indicate the following:

**Referral to CPS**

Patterns of disproportionality are evident at the time of reports to CPS alleging child abuse or neglect.  Compared with White children:

✓ American Indian children were three times as likely to be referred to CPS.

✓ Black children were nearly twice as likely to be referred to CPS.

✓ Hispanic children were 1.3 times as likely to be referred to CPS.

✓ Asian children were less likely to be referred to CPS.

Persons required by law to report suspected abuse and neglect (mandated reporters) accounted for about 60 percent of initial referrals to CPS for Indian, Black, Hispanic, and White children; 72 percent of referred Asian children were referred by mandated reporters.

**Decisions After Referral**

As we followed children after a CPS referral, we calculated the disproportionality that occurred within the child welfare system.  We found that patterns of disproportionality varied by race.  Compared with White children referred to CPS, after referral:

✓ Indian children were 1.6 times as likely to be removed from home and twice as likely to remain in foster care for over two years.

✓ Black children were 1.2 times more likely to be removed from home and 1.5 times more likely to remain in care for over two years.

✓ Hispanic children were no more likely to be removed from home or to remain in care for over two years.

✓ Asian children were no more likely to be removed from home and less likely to remain in care for over two years.

**Poverty and Family Structure**

Children from poor families and those from single parent households are overrepresented in the child welfare system.

When we statistically controlled for poverty, family structure, and case characteristics, the patterns of disproportionality did not change for Black, Hispanic, or Asian children.  For Indian children, however, disproportionality after referral was reduced by about 45 percent.

**Regional Variation**

Disproportionality varies among the DSHS administrative regions; the largest disproportionality after referral was seen with Indian children in Region 4.

## Section I: Approach to Analysis

The overall approach to analysis was guided by the legislative direction (see sidebar).[4]

In studies of the child welfare system, two approaches are common. One is a "snapshot" that looks at the population in the system at one point in time. The second involves following a cohort of children from entry into the child welfare system through subsequent events.

Both approaches have their strengths and weaknesses. The snapshot approach is valuable for program administration, because it reveals the population's composition and informs resource allocations. For example, infants may require different services than adolescents. If one is interested in decision-making across a system, however, it is necessary to follow a cohort of individuals from entry. Such a cohort analysis reveals the dynamics of a population over time.

The Legislature directed that this study examine entries and exits at each stage of the child welfare system. Thus, a cohort approach was necessary to investigate the decisions and outcomes for children once they have contact with the child welfare system.

**Cautions and Limitations.** This analysis is descriptive, covering characteristics of the child welfare system's population. The analysis does not attempt to explain or uncover the causes of disproportionality.

**Study Population.** For this analysis, we began with all referrals to Child Protective Services (CPS) that occurred in 2004. Resolution of child welfare cases can take considerable time. We chose 2004 because it allows at least two years of follow-up for all children. We identified 58,005 individual children referred to CPS in that year.

We begin with a descriptive analysis, looking at racial disproportionality at each decision point. Later, we take a more comprehensive approach to the analysis that controls for factors that prior research indicates may influence child welfare outcomes, such as prior contacts with the welfare system, nature of the alleged abuse, gender, and type of referrer.

This analysis is based on children, not on families. Because a child might be referred more than once in a year, we "unduplicated" the referral data so that each child was represented only once.

This unduplication allows us to examine the entire population of children involved at each decision point without confusing the issue of children with multiple referrals.[5]

**Defining Race.** Race is a complex concept that carries many cultural interpretations. Individuals may have more than one racial or ethnic heritage. In the 2000 Census, respondents could choose as many races/ethnicities as were necessary to describe themselves.[6] While most Americans described themselves as one race only, 2.4 percent indicated more than one race and some indicated up to six racial categories, in addition to Hispanic origin.

The Children's Administration database allows up to six races, as well as a code for Hispanic heritage.[7]

Of the children with a CPS referral in 2004, 8 percent had more than one race/ethnicity code. For this analysis, children were assigned to racial categories based on rules determined by the Advisory Committee's Research Subcommittee. Each child was assigned only one race, so that percentages totaled to 100 percent.[8]  Although we lose some of the richness and complexity of the child population's racial and ethnic composition, this classification scheme permits more clarity in describing results.  The rules are as follows:

> American Indian.  If any of the six racial codes indicated American Indian background, the child was coded Indian in our analysis.

> Black.  If a child had no Indian heritage, but any of the codes indicated Black or African American, the child was coded as Black.

> Asian/Pacific Islander.  If a child was coded as Asian or one of the codes for Pacific Islander, with no Black or American Indian heritage, the child's race was coded as Asian.  We would have preferred to look at Pacific Islanders separately; however, this population is too small for a meaningful statewide analysis.[9]

> Hispanic.  Any child with Hispanic heritage, but not in the first three categories, was coded as Hispanic.

> White.  Any child with no indication of Indian, Black, Asian, or Hispanic race/ethnicity was coded as White.

In order to measure disproportionality, we must also know the number of children in each race statewide.  To obtain these numbers, we used modified Census data for each county in Washington.[10]  For each age group, these data provide the number of persons in each of 124 possible combinations of ethnicity, gender, and multiple races.  We calculated the statewide and regional population of children by race using the same definitions applied to the child welfare population.

## Data Sources

Data for this report came from several sources.  The Children's Administration Management Information System (CAMIS) was the source for all referrals, accepted referrals, and placements (children removed from home).  The legal events module in CAMIS provided information on court events when

dependency cases were filed for children.  Further legal information was obtained by matching children to superior court records on dependency cases and cases involving termination of parental rights. Washington's Office of Financial Management provided county-level information on the number of persons by age in various combinations of racial and ethnic categories, based on the 2000 Census.

The legislation directs the Committee to study how poverty and family structure affect disproportionality. Since the earlier referenced data sources do not provide information on income or family structure for families referred to CPS, the Research Subcommittee agreed to use a family's receipt of food stamps during 2004 as a measure of poverty. Food stamp records also provide some information on family structure.

CAMIS does not identify out-of-home placements resulting from CPS referrals.  We therefore use the same procedure used by Children's Administration in its federal reporting to the National Child Abuse and Neglect Data System (NCANDS).  NCANDS defines an out-of-home placement occurring in the 90 days following a referral to be a CPS placement.[11]

## Factors That May Affect Disproportionality

In addition to family structure and poverty, the legislation directs the Advisory Committee to consider geography in its analysis.  We have also included the category of person reporting the alleged abuse and neglect, and the age and gender of the children.  We use DSHS administrative region to account for geography.

**Family Structure.**  The Research Subcommittee recommended we use eight categories of family structure.  These were children living with:

- Married couple
- Single mother only
- Single mother and partner
- Single mother and others
- Single father only
- Single father and partner
- Single father and others
- Relative or guardian

CAMIS collects data on family structure only for children removed from home. CAMIS definitions of family structure allow us to identify only the following:

- Married couple
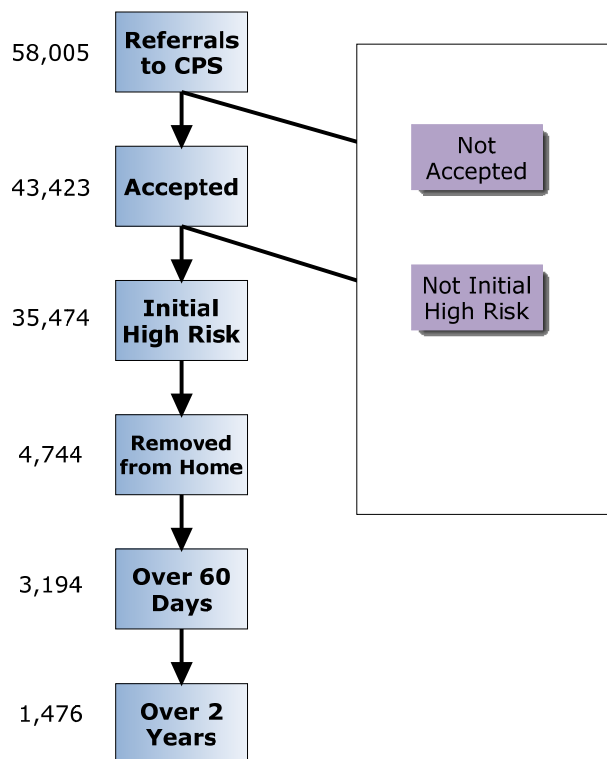- Single father
- Single mother
- Unmarried couple

DSHS Division of Research and Data Analysis (RDA) matched children who were referred to CPS in 2004 against families receiving food stamps in 2004. Food stamp records provide information about household composition. We were able to evaluate the effect of family structure following a CPS referral for those families receiving food stamps. For these cases, definitions of family structure from the Research Subcommittee were used.

**Poverty.** We define poverty as receipt of food stamps in the year of the study. As mentioned above, RDA matched records of children with a CPS referral to those of families receiving food stamps in 2004.

**Decision Points and Outcomes.** Most children enter the child welfare system when a report is made to CPS about alleged child abuse or neglect. These reports are called "referrals." Exhibit 1 provides a simplified overview of the process that is set in motion when a child is referred to Child Protective Services. The number to the left of each event represents the number of children referred in 2004 who experienced that event. At each decision point, some children leave the system, so that the number of remaining children decreases. It is useful to understand that some children assessed as high risk following an investigation may not be removed from home but still receive services, such as alternative response services.

Because the Committee and DSHS must create a plan to address disproportionality, we have focused on three decision points after the referral that involve professional judgments by DSHS Children's Administration staff about children's cases.

*Exhibit 1*
**Referrals to Child Protective Services in 2004 Decision Points and Outcomes Through 2007**



| | |
|---|---|
| 58,005 | Referrals to CPS |
| 43,423 | Accepted |
| 35,474 | Initial High Risk |
| 4,744 | Removed from Home |
| 3,194 | Over 60 Days |
| 1,476 | Over 2 Years |

Not Accepted

Not Initial High Risk

The results of the following these decisions determine whether a child remains in the system or is not compelled to comply with Children's Administration.
These decision points are:

1) *The decision to accept a referral.* Referrals may not be accepted if it is not clear there was actually a victim, or if is not possible from the referral to identify the alleged victim.

2) *Initial assessment of the referral as high risk.* Intake workers assign a risk tag ranging from 0 (no risk) to 5 (very high risk). According to DSHS rules, referrals assessed a risk of 3 (moderate risk) or greater require an investigation. Families with risk tags of 1 or 2 may be referred to an alternative response system.

3) *Child removed from home.* If a decision is made to remove the child, the child may be placed in a foster home or in the home of a relative. In this report we refer to this decision as "placement."[12]

Analysis of each decision point was conducted separately. For each decision point, we identified all the children who had been moved to that point at least once during 2004.[13] In our analysis, we identified 58,005 individual children with a referral to CPS. Of those children, 43,358 had an accepted referral; cases of 35,493 children were assessed high risk at intake; and, 4,744 were removed from home.

We do not analyze substantiation of the referral as a separate decision point. Substantiation is the determination that abuse or neglect occurred. This statistic is commonly used in the child welfare literature and is required for federal reporting. In Washington, however, substantiation (called "founded" in Washington) of a referral does not appear to be a predictor of further child outcomes. For example, of the 4,744 children removed from home after a CPS referral, 48 percent did not have a founded referral.[14] Children's Administration uses a combination of investigation findings and risk to determine removal of children. Unlike the decision points we include in our analysis, even if none of the allegations are substantiated (founded), the child may remain in the child welfare system. Thus, "founded" is not a clear decision point in Washington.

If children are removed from home, timelines for court involvement are defined by state and federal laws. The following sequence and timing of events is outlined in the federal Adoption and Safe Families Act of 1997 (ASFA):

1) If a child is removed from home and the removal is not voluntary, DSHS must file a dependency petition in the courts within 72 hours of removal.[15]

2) Within 75 days of filing, a fact-finding disposition hearing is held.[16] Within 14 days of the fact-finding disposition, a hearing is held to determine if a dependency is established. A dependency generally means that the child is in the care and custody of the State.[17]

3) A permanency planning hearing must be held by 12 months following the court case filing. If the dependency remains open, a permanency planning hearing must be held every 12 months thereafter.

4) The state must move to terminate parental rights if a child has been in out-of-home placement for 15 of the previous 22 months.[18,19]

Outcomes that will be examined in this report for children removed from home include:

- Placements for over 60 days

- Placements for over two years

- Placement with relatives

- Reunification with parents

- Guardianship established. (This legal action is considered a permanent outcome. Although the case technically remains open in Children's Administration, it requires a lower level of supervision. In our analysis, we consider the case closed.)[20]

- Filing of dependency case

- Establishment of dependency

- Termination of parental rights

- Adoption

- Any permanent arrangement (reunification, guardianship, adoption) within two years of removal from home

**Order of Findings: First Descriptive, Then Refined With Regression Analysis.** Section II of this report presents descriptive statistics on disproportionality for key decision points and outcomes. However, factors such as poverty, family structure, prior history with the child welfare system, age of the child, type of reporter (mandated or relatives/neighbors), or the type of alleged maltreatment may influence decisions and outcomes. Observed racial disproportionality may be partially explained by variation in these factors among racial or ethnic groups.

Section III of the report presents information from regression analyses that help isolate the effect of a child's race from the many factors that can affect outcomes for children in the child welfare system.

Children may also enter the child welfare system when families are in crisis, either because of parental circumstances or because of child behavior. We provide a separate analysis of cases not linked to a CPS referral in Appendix A.6.

**Measuring Disproportionality**

This analysis creates a Disproportionality Index (DI) for children in various racial groups compared with White children. *The DI measures the chances of an event occurring for a child of color compared with the chances for a White child.*

First we calculate rates for each racial group at each decision point. For example, 5,612 Indian children were referred to Child Protective Services (CPS) in 2004. According to the census, there were 55,872 children with any Indian heritage in Washington in 2000. We calculate the rate for Indian children by dividing the number of children referred by the number of children in the population and multiplying the result by 1,000 to get the rate per 1,000 children:

Rate of referral for Indian children:
$(5,612 \div 55,872) \times 1,000 = 100$

This represents a rate of 100 Indian children referred for every 1,000 Indian children in the population.

**Disproportionality Index (DI).** Because children of various races are not represented evenly in the population, we employ a metric commonly used to compare rates between races: the Disproportionality Index. At each event, we calculate the DI for each racial group compared with White children by dividing the rate of referral of each racial group by the rate for White children. Using this same example, the comparable rate for White children was 34 per 1,000 children.

DI of referral for Indian children:
$100 \div 34 = 2.92$

This means that Indian children are nearly three times as likely to be referred to CPS as White children.

The first measure of disproportionality is at the point of the referral to CPS. This calculation reveals whether children of other races are referred at rates greater or less than those of White children.

Next, we calculate the disproportionality that may occur **after** children are referred to CPS. In calculating disproportionality after referral, we build on the approach outlined by Mark Courtney at the first meeting of the Advisory Committee. Courtney examined the outcomes for racial/ethnic groups as children are moved through the child welfare system.[21] This approach allows us to understand the influence of race once children have been brought to the attention of the child welfare system.

As a third step, we take advantage of a statistical technique called logistic regression to isolate the effects of race separate from other case characteristics. This technique is commonly used in medicine and other fields. For example, logistic regression can be used to calculate the effect of body mass index on the likelihood of a heart attack, controlling for smoking and cholesterol levels. Recently, logistic regression has been used to examine racial disproportionality in Minnesota's child welfare system.[22] As was done in the Minnesota analysis, we used logistic regression to measure the effect of race on outcomes while simultaneously controlling for factors known to affect outcomes in child welfare systems.

**Section II: Descriptive Disproportionality Statistics and Factors Related to Child Welfare Outcomes**

The findings from this analysis focus on several questions:

- Does racial disproportionality exist in Washington's child welfare system? If so, which racial groups are over-represented compared with White children?

- How does disproportionality affect outcomes for children?

- How is disproportionality affected by family structure, poverty, geography, and other factors?

We begin with descriptive statistics showing the rates and disproportionality for children at different decision points and outcomes.

**Does racial disproportionality exist in Washington's child welfare system? If so, which racial groups are over-represented compared with White children?**

When we look at the child welfare system overall, we see some significant differences between the rates of involvement of White children and children of other races. Indian, Black, and Hispanic children are over-represented in the child welfare system compared with White children. Asian children, on the other hand, are represented at rates lower than their proportions in the state population.

Exhibit 2 displays populations and rates for each of the races at selected decision points and child outcomes:

- Referrals
- Accepted referrals
- Initial high risk
- Removed from the home
- Placements over 60 days
- Placements over two years

At the point of referral, we learn that Indian children had the highest rate of referral (100 children per 1,000 population) to the child welfare system, followed by Black children (65/1,000), Hispanic children (46/1,000), White children (34/1,000), and Asian children (16/1,000). If all races had the same rates, we would conclude there was no disproportionality at the point of referral.

*Exhibit 2*
**Rates of Occurrence for Children Referred to CPS, 2004 Cohort**

|  |  | Indian | Black | Asian | Hispanic | White |
|---|---|---|---|---|---|---|
| **Census Population** |  | 55,872 | 86,861 | 122,406 | 159,828 | 1,086,865 |
| **Total** | Referrals | 5,612 | 5,642 | 2,011 | 7,377 | 37,363 |
|  | Accepted Referrals | 4,283 | 4,412 | 1,563 | 5,768 | 27,332 |
|  | Initial High Risk | 3,756 | 3,834 | 1,242 | 4,589 | 22,072 |
|  | Removed From Home | 658 | 513 | 154 | 610 | 2,809 |
|  | Placements Over 60 days | 481 | 337 | 86 | 402 | 1,887 |
|  | Placements Over Two Years | 266 | 183 | 38 | 165 | 823 |
| **Rate per 1,000 Population** | Referrals | 100.4 | 65.0 | 16.4 | 46.2 | 34.4 |
|  | Accepted Referrals | 76.7 | 50.8 | 12.8 | 36.1 | 25.1 |
|  | Initial High Risk | 67.2 | 44.1 | 10.1 | 28.7 | 20.3 |
|  | Removed From Home | 11.8 | 5.9 | 1.3 | 3.8 | 2.6 |
|  | Placements Over 60 days | 8.6 | 3.9 | 0.7 | 2.5 | 1.7 |
|  | Placements Over Two Years | 4.8 | 2.1 | 0.3 | 1.0 | 0.8 |

Rates for White children are in gray for ease of visual comparison.

The Disproportionality Index (DI) by race for each decision point or outcome is shown in Exhibit 3.  Again, the DI tells us how likely a child of one race is to have a particular outcome or decision, compared with a White child.  For example, the DI for a CPS referral for Indian children is 2.92 which means that Indian children in Washington are nearly three times as likely as White children to be referred to CPS.  If we look at Indian children in foster care for more than two years, the DI is 6.29: Indian children in this state are over six times as likely to be in long-term foster care as are White children in Washington.

Statistics in Exhibit 3 indicate that much of the disproportionality occurs when children are referred to CPS. Studies in Minnesota[23] and California[24] have similarly identified the referral as the source of most of the disproportionality for Black children in those states.  Most other research analyzing racial disproportionality in the child welfare system looks at outcomes and decisions after the point of referral.
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*Exhibit 3*
**Racial Disproportionality Index at Selected Decision Points and Events, 2004 Cohort**

| | | Indian | Black | Asian | Hispanic | White |
|---|---|---|---|---|---|---|
| **Disproportionality Index (Rate Compared With Whites)** | Referrals | 2.92 | 1.89 | 0.48 | 1.34 | 1.00 |
| | Accepted Referrals | 3.05 | 2.02 | 0.51 | 1.44 | 1.00 |
| | Initial High Risk | 3.31 | 2.17 | 0.50 | 1.41 | 1.00 |
| | Removed From Home | 4.56 | 2.29 | 0.49 | 1.48 | 1.00 |
| | Placements Over 60 days | 4.96 | 2.24 | 0.41 | 1.45 | 1.00 |
| | Placements Over Two Years | 6.29 | 2.79 | 0.41 | 1.37 | 1.00 |

Rates for White children are in gray for ease of visual comparison.

Typically, children enter the child welfare system when a person reports suspected abuse or neglect. The child welfare agency is obligated to respond to the referral.  The child welfare system may have little control over disproportionality occurring at the point of referral.

After the referral to CPS, however, the way the agency makes decisions about accepting referrals, assessing risk, or removing children from home can increase or decrease disproportionality.   Any initial provision of services to families and efforts to reunify families may also affect disproportionality at later stages in the child welfare system.

In order to distinguish the disproportionality that "walks in the door" from disproportionality influenced by the decisions of the child welfare system, we calculate another measure, the Disproportionality Index after referral (DIAR). DIAR is a useful tool to focus attention on where—in the system—disproportionality occurs.  DIAR can potentially indicate one or more distinct decision points that increase (or decrease) rates of disproportionality.  Using this analysis, the agency

may have a better idea where to focus its remediation efforts.

Disproportionality after referral is calculated by dividing the DI at a later decision or outcome by the DI at referral.  For example, the DI for Indian children at referral is 2.92 and the DI for placements more than two years is 6.29, so

Disproportionality after referral (in care over two years): $6.29 \div 2.92 = 2.15$

That is, the disproportionality of Indian children increased more than twofold **after** referral to the child welfare system.

Exhibit 4 indicates that DIAR varied by race.  We see over a 100% increase for Indian children between the initial referral and placement for over two years. For Black children, DIAR increased 50 percent over the same period.  On the other hand, the DIAR for Hispanic and Asian children was close to one, indicating little or no disproportionality once these children entered the system.

*Exhibit 4*
**Racial Disproportionality Index After Referral at
Selected Decision Points and Events, 2004 Cohort**

|  |  | Indian | Black | Asian | Hispanic | White |
|---|---|---|---|---|---|---|
| **Disproportionality Index After Referral (DIAR) (Ratio of DI)** | Referrals | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
|  | Accepted Referrals | 1.04 | 1.07 | 1.06 | 1.07 | 1.00 |
|  | Initial High Risk | 1.13 | 1.15 | 1.05 | 1.05 | 1.00 |
|  | Removed From Home | 1.56 | 1.21 | 1.02 | 1.03 | 1.00 |
|  | Placements Over 60 days | 1.70 | 1.18 | 0.85 | 1.03 | 1.00 |
|  | Placements Over Two Years | 2.15 | 1.48 | 0.86 | 0.92 | 1.00 |

Rates for White children are in gray for ease of visual comparison.

Exhibits 5 through 8 graphically display the same information provided in Exhibits 3 and 4. Each graph shows DI and DIAR for each race at various decision points and outcomes.

Exhibit 5 shows the two Disproportionality Indices (DI and DIAR) for Indian children compared with White children. The vertical axis measures disproportionality. Major decision points and outcomes are listed along the bottom. The dark blue line indicates the DI at various decisions. The green line is the DIAR after referral. The red line represents the DI and DIAR for White children; its value is always one, because disproportionality is measured relative to White children.

The dark blue line indicates how the DI changes as involvement with the child welfare system increases. Indian children are over six times as likely to be in foster care for over two years as White children in Washington. The green line on this chart shows, for Indian children, how disproportionality increases once the child is involved in the system. For example, compared with White children referred to CPS, referred Indian children are more than twice as likely to be in foster care for over two years.

Similar information for Black children is shown in Exhibit 6. Note that the vertical axis is on the same scale for all the races in the section. Black children are referred to CPS at rates nearly twice those of White children. Disproportionality increases at later stages of the child welfare process. Black children are 2.79 times as likely as White children statewide to be in foster care for over two years. The green line shows that compared with White children with a CPS referral, after referral, Black children are 1.5 times as likely to be in foster care for over two years.
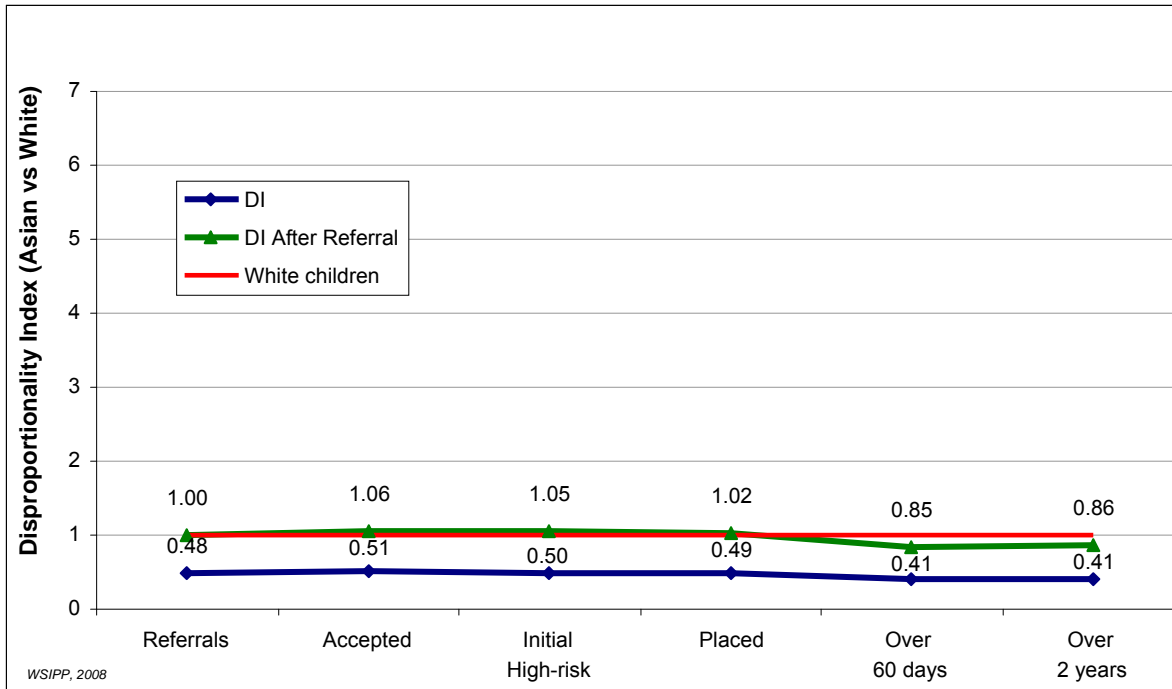
***Exhibit 5***
**Disproportionality Index**
**Indian Children Compared With White Children, Statewide, 2004 Cohort**
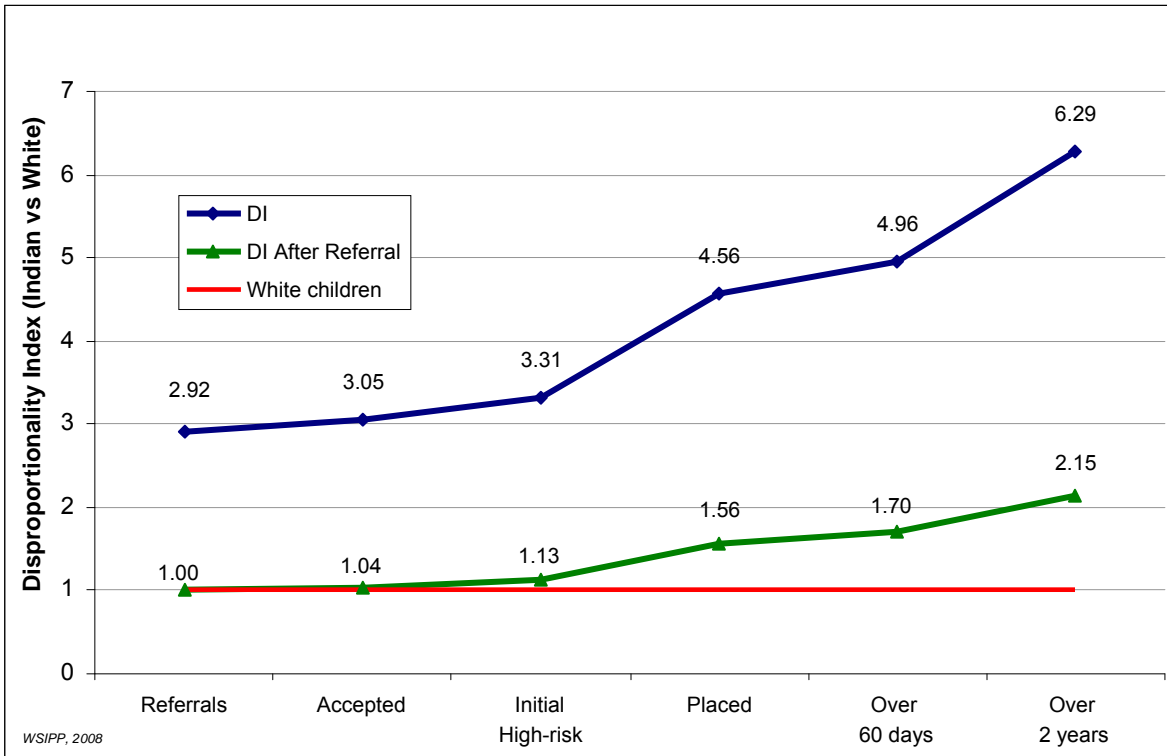


***Exhibit 6***
**Disproportionality Index**
**Black Children Compared With White Children, Statewide, 2004 Cohort**
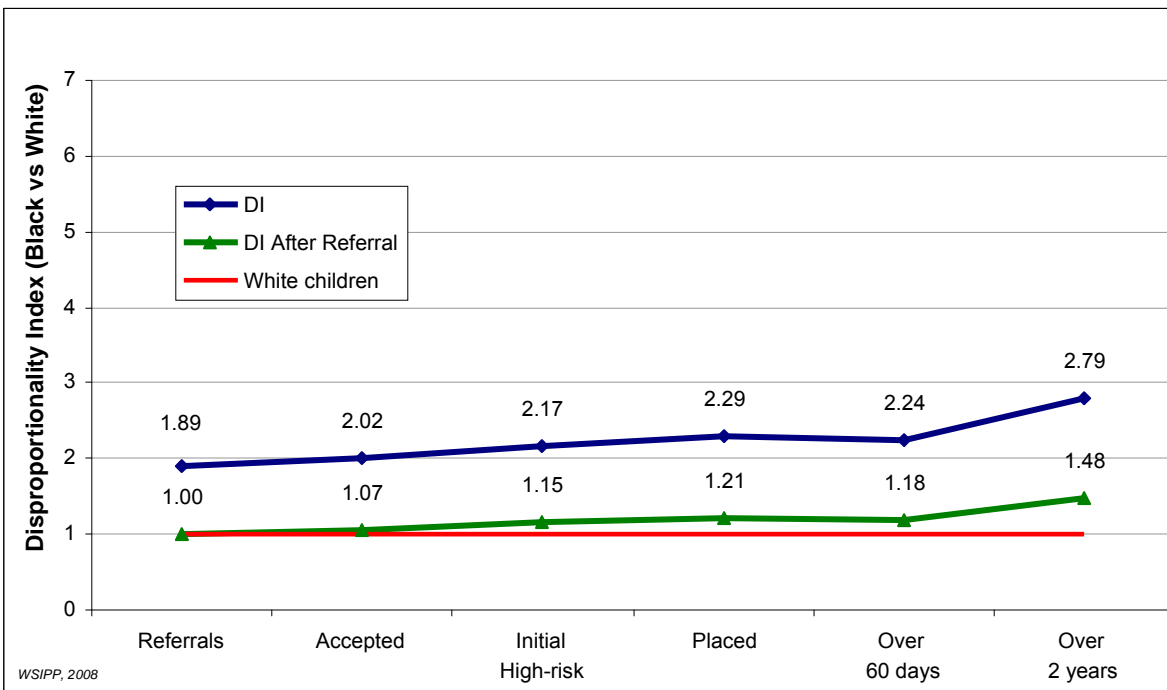
Exhibit 7
**Disproportionality Index**
**Asian Children Compared With White Children, Statewide, 2004 Cohort**



Disproportionality for Asian children is somewhat different than for Indian and Black children (see Exhibit 7, above). Asian children are underrepresented: the DI is less than one at all decision points and outcomes. That indicates that Asian children are represented at rates significantly lower than White children. The overall disproportionality does not change with increased involvement in the system. At each of the decision points and outcomes after referral, we observe little or no disproportionality.
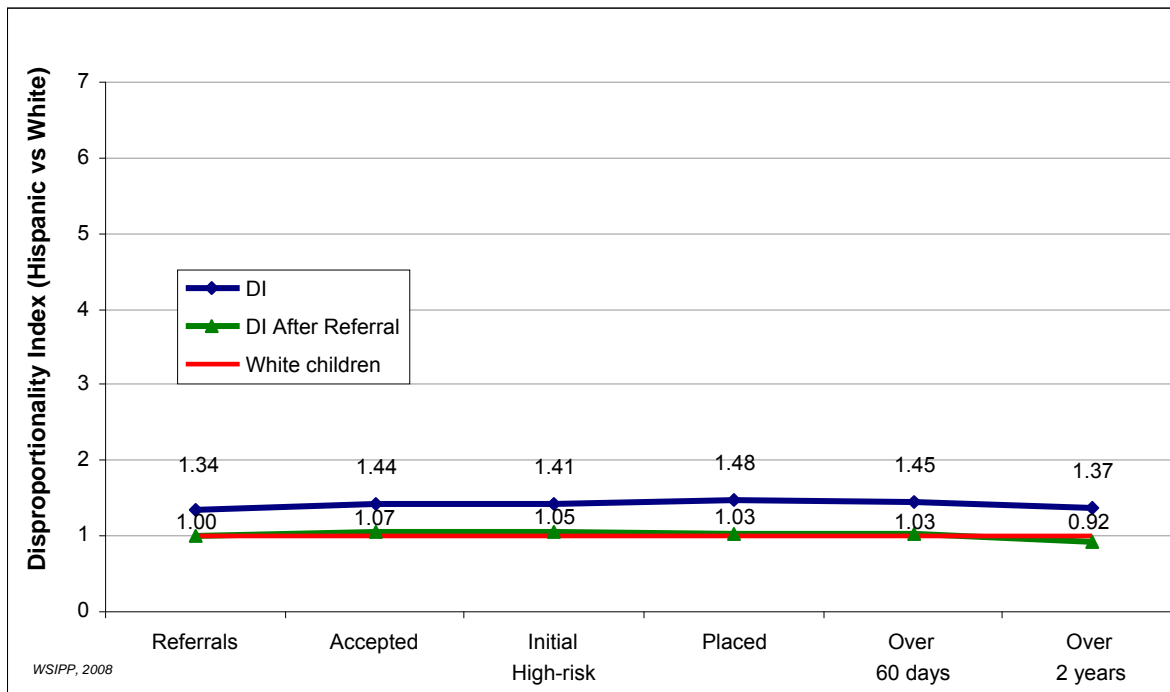
Exhibit 8 displays the DI for Hispanic children. The initial rate of referral for Hispanic children is 34 percent higher than for White children (DI=1.34). The DI for placements over two years is nearly the same as for a CPS referral. For Hispanic children, little or no disproportionality after referral is observed.

**How does disproportionality affect placement outcomes for children?**

Exhibit 9 shows outcomes for children removed from home following a CPS referral in 2004. Data was only available to November 2007 and as of that time some of the children were still in foster care placements. Placement outcomes for children removed from home following a CPS referral in 2004 fell into the following categories:

- Placement still open (still in foster care)
- Reach majority (age out of system)
- Adoption
- Guardianship
- Reunification

For each racial group, the likelihood of children removed from home having each of these outcomes was calculated and compared to

likelihood for White children removed from home. These comparisons were tested for statistical significance. Thus for each racial group, we assess whether each of the five placement outcomes is statistically different from those of White children.

**Placement Outcomes by Racial Group: Statistical Significance Compared to White Children**

Compared to White children in CPS placements,

Indian children in CPS placements were:
- ✓ More likely to remain in foster care
- ✓ More likely to reach the age of majority
- ✓ Less likely to be adopted
- ✓ More likely to be in a guardianships
- ✓ Less likely to be reunified with parents

Black children in CPS placements were:
- ✓ More likely to remain in foster care
- ✓ As likely to reach the age of majority
- ✓ As likely to be adopted
- ✓ As likely to be in a guardianships
- ✓ As likely to be reunified with parents

Asian children in CPS placements were:
- ✓ As likely to remain in foster care
- ✓ As likely to reach the age of majority
- ✓ As likely to be adopted
- ✓ As likely to be in a guardianships
- ✓ As likely to be reunified with parents

Hispanic children in CPS placements were:
- ✓ As likely to remain in foster care
- ✓ As likely to reach the age of majority
- ✓ Less likely to be adopted
- ✓ As likely to be in a guardianships
- ✓ As likely to be reunified with parents

*Exhibit 9*
**Outcomes for Children Removed From Home
After a CPS Referral**



WSIPP, 2008

Legend: ■ Reunified ■ Guardianship ■ Adopted ■ Reached Majority ■ Placement Still Open
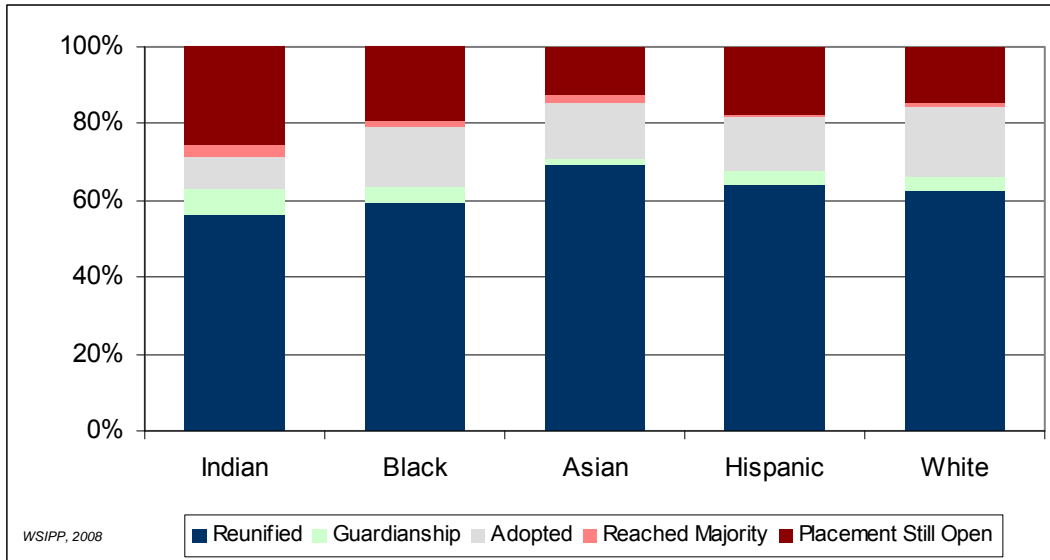
Note: This analysis omits children who were transferred to other jurisdictions. Most were Indian children transferred to tribal authority.

The reunification results differ from those of the King County report, which concluded that reunification for Black children was less likely than for White children.[25] Some of the difference can be explained by the two different approaches used in the analysis. We followed a cohort of children and examined their outcomes. The King County report examined all exits from foster care during a year. The key difference is that all the children in an exit sample have had a resolution of their cases, whereas the cohort analysis includes children whose cases have not yet been resolved.

We replicated the King County approach, using all King County children who exited foster care in 2002 (the year of the King County data) and in 2004. In 2002, rates of reunification for Black children exiting foster care were significantly lower than rates for White children. In 2004, however, rates of reunification for Indian and Black children were not significantly different than rates for White children. It appears that in King County, disproportionality with respect to reunification varies by year.

An earlier Institute report found that reunification rates varied over time as the caseload of children in foster care differed from year to year. Factors such as the percentage of children referred for neglect, placements with relatives ("relative placements"), and children placed as infants affect reunification rates.[26]

In Exhibit 10, reunification, guardianship, and adoption are combined into a single "permanency" outcome.  By November 2007, Indian and Black children were significantly less likely to be in a permanent placement than White, Asian, or Hispanic children.

***Exhibit 10***
**Permanency Outcomes for Children Removed From Home
After a CPS Referral**

*WSIPP, 2008*

14
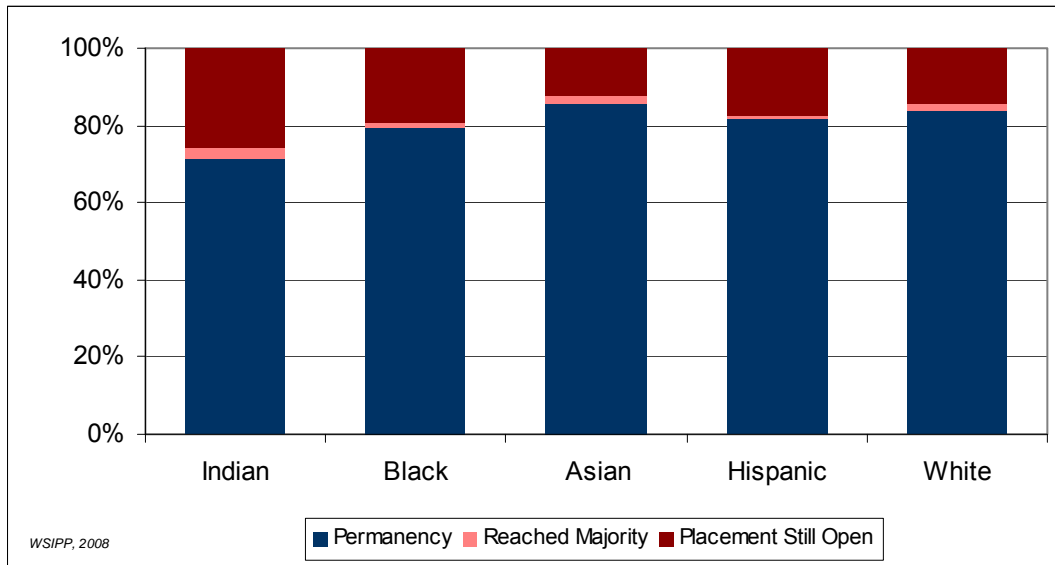
Another possible outcome is placement with relatives. Although children in relative placements, as well as children with guardianships, are still legally involved in the child welfare system, relative placements are considered preferable to foster care. Relative placements provide more stability for children and encourage family attachment. Exhibit 11 shows the percentage of children, by race, in relative care; the likelihood of being placed with relatives is roughly the same across racial groups.[27] Placements that last longer than 60 days more often involved relative care.

We found no significant difference among races in the percentage of children placed with relatives.

*Exhibit 11*
**Children in Relative Placements Following CPS Referral**
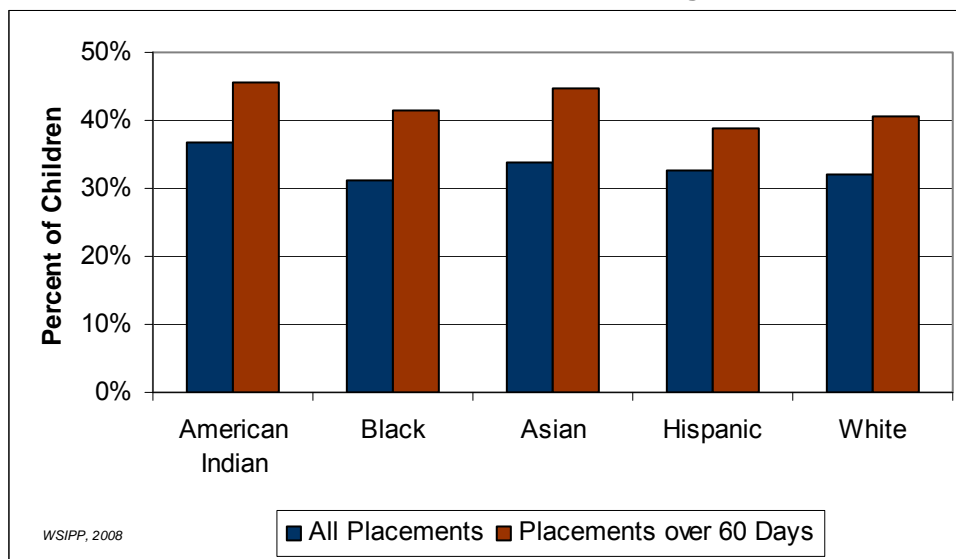


## Court Outcomes

We have shown that disproportionality exists by the time the decision is made to remove a child from home. To examine disproportionality in the courts, we use the same methods, starting with the child's removal from the home. Exhibit 12 shows the legal events as percentages of children removed from home.

These legal events include the following:

- Dependency case filed
- Declared independent
- Termination petition filed
- Parental rights terminated
- Adoption

Of the 4,744 children in placements linked to CPS referrals, 3,334 children (70 percent) could be linked to a dependency case in the courts.[28] Dependencies were established for most of these

children (3,309). Termination petitions begin the proceedings to terminate parental rights. Termination of parental rights refers to the court order terminating those rights; we include cases involving both court orders of termination and relinquishment of parental rights.

As a percentage of children with placements, court case filings and establishment of dependencies were significantly less for Black, Asian, and Hispanic children than for White children.

Among children in placements linked to CPS referrals, Indian children were less likely to be involved in a termination proceeding or be adopted. This finding may be a product of explicit policies and procedures under the Indian Child Welfare Act that discourages termination of parental rights.[29]

**Exhibit 12**
**Legal Outcomes for Children Removed the Home**

|  | Indian‡ | Black | Asian | Hispanic | White | All Races |
|---|---|---|---|---|---|---|
| **Children Removed From Home Following a CPS Referral** | 658 (100%) | 513 (100%) | 154 (100%) | 610 (100%) | 2,808 (100%) | 4,744 (100%) |
| **Children With a Dependency Case** | 489 (74%) | 324 (63%)* | 95 (62%)* | 412 (68%)* | 2,013 (72%) | 3,334 (70%) |
| **Children Declared Dependent** | 477 (72%) | 324 (63%)* | 95 (62%) | 410 (67%)* | 2,002 (71%) | 3,309 (70%) |
| **Children for Whom a Termination Petition Was Filed** | 109 (17%)** | 153 (30%) | 34 (22%) | 150 (25%) | 809 (29%) | 1,256 (26%) |
| **Children Where Parental Rights Were Terminated** | 105 (16%)** | 149 (29%) | 37 (24%) | 149 (24%) | 776 (28%) | 1,216 (26%) |
| **Children Who Were Adopted** | 50 (8%)** | 79 (15%) | 22 (15%) | 85 (14%) | 511 (18%) | 747 (16%) |

‡ Children transferred to other jurisdictions are not included in the analysis of court events.
* Indicates significance at p=0.05
** Indicates significance at p<.01

Rates for White children are in gray for ease of visual comparison.

**How is disproportionality affected by family structure, poverty, geography, and other factors?**

**Referrals to CPS.** As we have shown, disproportionality for all racial/ethnic groups is present (either positive or negative) at the point of referral to CPS. Some professionals are required by law to report suspected abuse or neglect. They are often called "mandated reporters."

Can the disproportionality be explained because of these "mandated reporters"?

Across racial groups, we observed about 60 percent of CPS referrals are from mandated reporters. The exception is Asian children: 79 percent of these referrals come from mandated reporters.

Exhibit 13 provides information about the number of children referred to CPS by the type of reporter, mandated and non-mandated. It also shows the percentage of all referrals by reporter type, rates per 1,000 children and the Disproportionality Index (DI) for mandated and non-mandated reporters.

For example, in 2004, 5,642 Black children were referred to CPS. Of these, 3,532, or 63 percent, were referred by a mandated reporter at a rate of 40.7 per 1,000 children. These compare to 60 percent of White children referred by mandated reporters at a rate of 20.5 per 1,000 children. This gives a DI for Black children of 1.98 (40.7 ÷ 20.5). The same approach yields a DI for Black children referred by **non**-mandated reporters of 1.76. Although disproportionality is greater among mandated reporters, it persists regardless of reporter type.

*Exhibit 13*
**Mandated Versus Non-Mandated Reporters**
**CPS Referrals, 2004 Cohort**

| Race of Child | Indian | Black | Asian | Hispanic | White | All Races |
|---|---|---|---|---|---|---|
| Census Population | 55,872 | 86,861 | 122,406 | 159,828 | 1,086,865 | 1,511,832 |
| **CPS Referrals** | | | | | | |
| **All CPS Referrals** | 5,612 | 5,642 | 2,011 | 7,377 | 37,362 | 58,005 |
| Rate per 1,000 Children | 100.4 | 65.0 | 16.4 | 46.2 | 34.4 | 38.4 |
| Disproportionality Index | 2.92 | 1.89 | 0.48 | 1.34 | 1.00 | NA |
| **BY REPORTER TYPE** | | | | | | |
| **Mandated** | | | | | | |
| Number Referrals | 3,456 | 3,532 | 1,452 | 4,790 | 22,335 | 35,565 |
| Percent of Reports | 62% | 63% | 72% | 65% | 60% | 61% |
| Rate per 1,000 Children | 61.9 | 40.7 | 11.9 | 30.0 | 20.5 | 23.5 |
| Disproportionality Index | 3.01 | 1.98 | 0.58 | 1.46 | 1.00 | NA |
| **Non-Mandated** | | | | | | |
| Number Referrals | 2,156 | 2,110 | 559 | 2,587 | 15,027 | 22,440 |
| Percent of Referrals | 38% | 37% | 28% | 35% | 40% | 39% |
| Rate per 1,000 Children | 38.6 | 24.3 | 4.6 | 16.2 | 13.8 | 14.8 |
| Disproportionality Index | 2.79 | 1.76 | 0.33 | 1.17 | 1.00 | NA |

Rates for White children are in gray for ease of visual comparison.

The disproportionality results are similar at the point of out-of-home placement (see Exhibit 14). Disproportionality is consistently greater for mandated reporters, but it is observed even among non-mandated reporters who are most often friends, relatives, or neighbors.
A breakdown of the specific types of reporters (e.g., law enforcement, educators, or medical professionals) is provided in Appendix A.4.

*Exhibit 14*
**Mandated Versus Non-Mandated Reporters**
**CPS Out-of-Home Placement, 2004 Cohort**

| Race of Child | American Indian | Black | Asian | Hispanic | White | All Races |
|---|---|---|---|---|---|---|
| **Out-of-Home Placement** | | | | | | |
| **All Placements** | 658 | 513 | 154 | 610 | 2,808 | 4,744 |
| Rate per 1,000 Children | 11.8 | 5.9 | 1.3 | 3.8 | 2.6 | 3.1 |
| Disproportionality Index | 4.56 | 2.29 | 0.49 | 1.48 | 1.00 | NA |
| **BY REPORTER TYPE** | | | | | | |
| **Mandated** | | | | | | |
| Number Referrals | 526 | 398 | 133 | 486 | 2,153 | 3,697 |
| Percent of Referrals | 80% | 78% | 86% | 80% | 77% | 78% |
| Rate per 1,000 Children | 9.4 | 4.6 | 1.1 | 3.0 | 2.0 | 2.4 |
| Disproportionality Index | 4.76 | 2.32 | 0.55 | 1.54 | 1.00 | NA |
| **Non-Mandated** | | | | | | |
| Number Referrals | 132 | 115 | 21 | 124 | 655 | 1,047 |
| Percent of Referrals | 20% | 22% | 14% | 20% | 23% | 22% |
| Rate per 1,000 Children | 2.4 | 1.3 | 0.2 | 0.8 | 0.6 | 0.7 |
| Disproportionality Index | 3.91 | 2.19 | 0.29 | 1.29 | 1.00 | NA |

Rates for White children are in gray for ease of visual comparison.

**Child Age and Disproportionality.** We examined how disproportionality at referral varies by the age of the child at time of referral (see Appendix A.5). For Black, Hispanic, and Asian children, disproportionality does not change with age. Among Indian children, disproportionality is greatest for infants and declines for older children.

At the decision to remove a child from home, the pattern or disproportionality and age is quite different. Among Indian children, disproportionality varies little with age unless children are older; for children over 10 years old, the DI increases. The DI is greater for Black children and Hispanic children ages 10 to 14. While the DI is always less than one for Asian children, representation is closer to that of White children for those over 10 years old.

**Geography.** DSHS divides the state into six geographical regions for administrative purposes. These regions are displayed in Exhibit 15. We use the regions to examine the legislative directive to study geographical differences in disproportionality.

Disproportionality varies by DSHS region. Exhibits 16, 17, and 18 display the Disproportionality Index After Referral for Indian, Black, and Hispanic children in each region. In comparing regions, we calculate DIAR compared to White children in the same region. We do not include a chart for Asian children as the numbers of these children in each of the regions are small and in no region does the DIAR exceed a value of one at any decision point or outcome. The actual values for each race, region, and decision/outcome are provided in Appendices B.1 – B.6.

Exhibit 16 shows the DIAR for Indian children in each of the regions. In all regions, DIAR for increases at later points in the system. In Region 4, the DIAR at placement is nearly two, indicating that Indian children referred to CPS are nearly twice as likely to be removed from home as White children referred to CPS. At the point of placement for over two years, the DIAR for Indian children in Region 4 is greater than three.

*Exhibit 15*
**Washington State DSHS Administrative Regions**
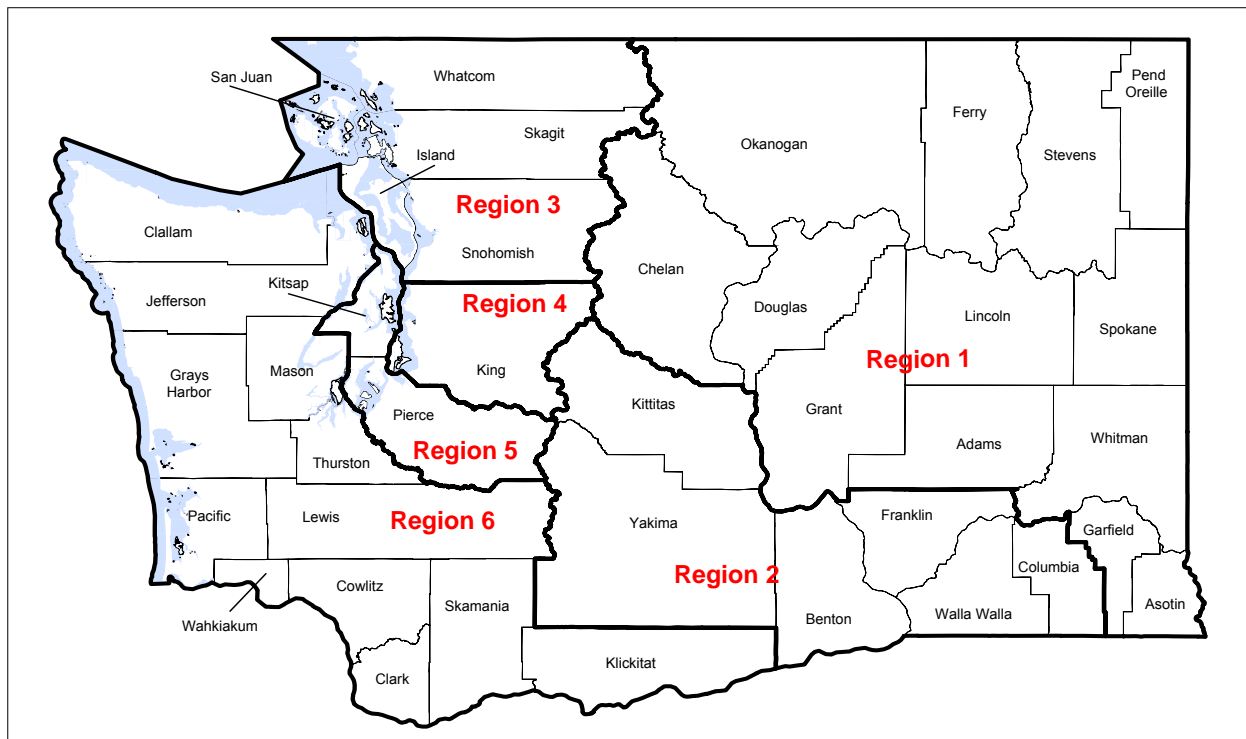
**Exhibit 16**
**Disproportionality After Referral**
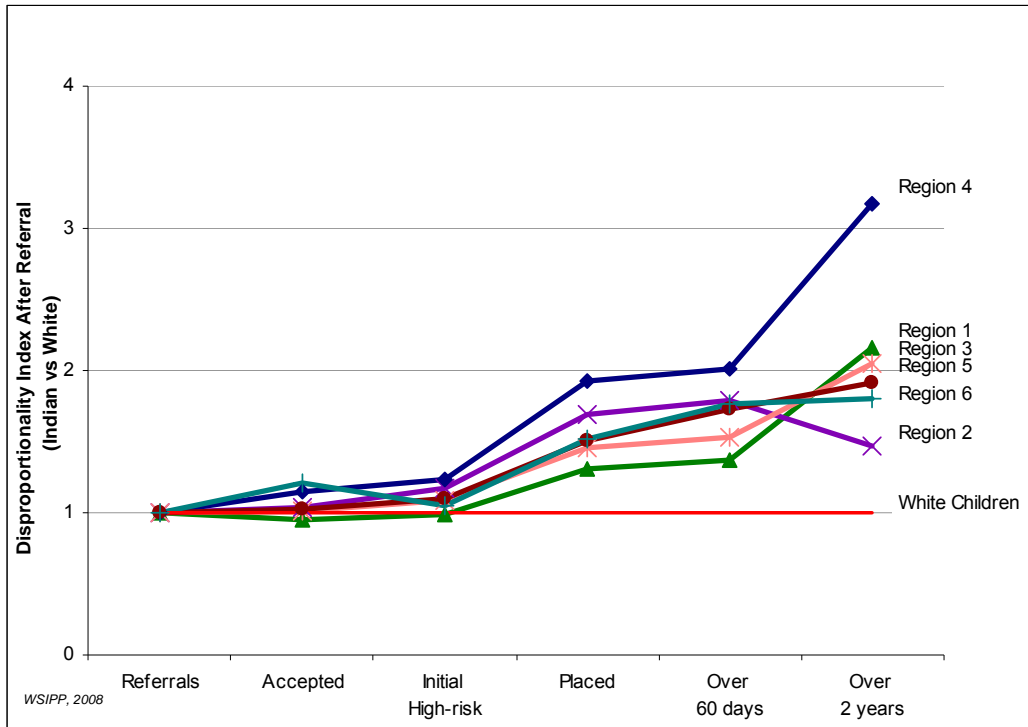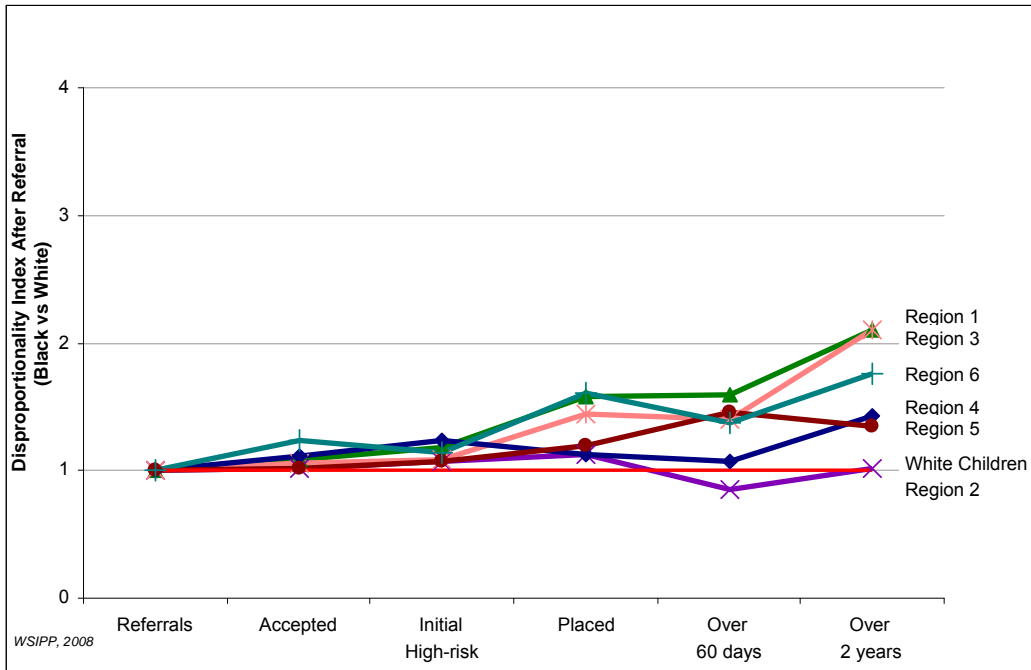**Indian Children in Each DSHS Region**
**2004 Cohort**

Exhibit 17 shows disproportionality after referral by region for Black children. In Regions 1, 3, and 6 DIAR is greater than in other regions. In these regions, the key points are removal from home and remaining in care for over two years. In Region 2, DIAR is always close to one, indicating similar outcomes for Black and White children in that region.

Disproportionality after referral for Hispanic children by region is shown in Exhibit 18. In Regions 2 and 3, DIAR indicates that Hispanic children are less likely than White children referred to CPS to be in care for over 60 day or over two years..

**Exhibit 17**
**Disproportionality After Referral**
**Black Children in Each DSHS Region**
**2004 Cohort**



**Exhibit 18**
**Disproportionality After Referral**
**Hispanic Children in Each DSHS Region**
**2004 Cohort**
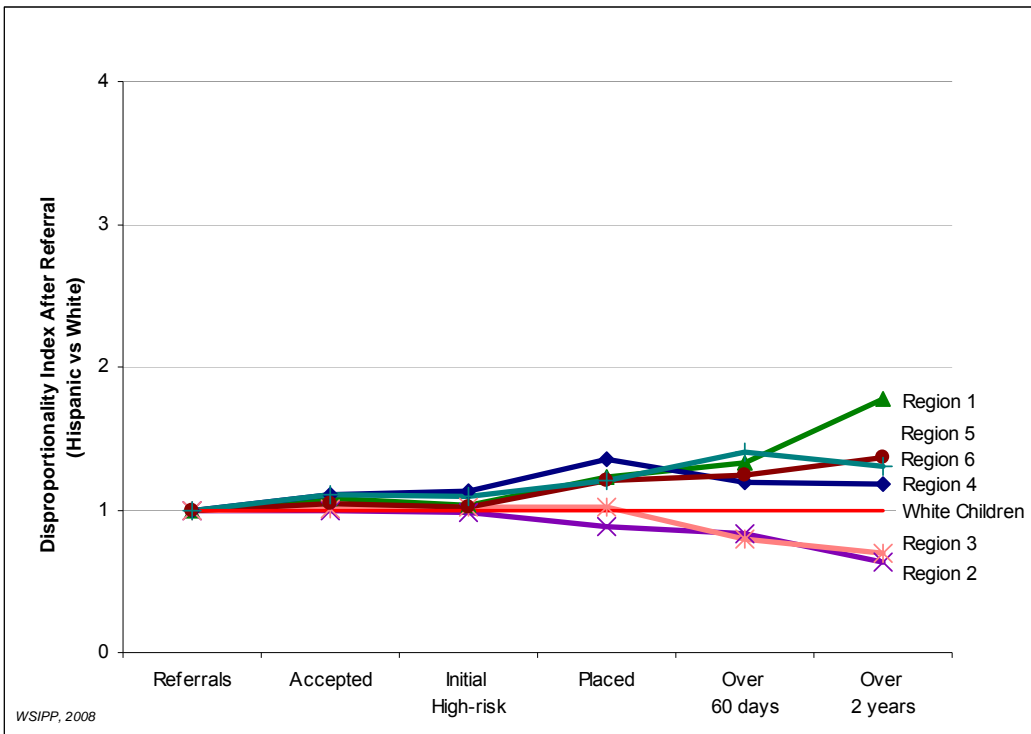
## Poverty and Family Structure

Extensive evidence points to a clear relationship between family poverty and involvement in the child welfare system.[30] The Third National Incidence Study of Child Abuse and Neglect, conducted in 1993 and 1994, found that family income had the strongest relationship to child maltreatment of all the factors analyzed.[31]

In 2004, 332,100 children in Washington lived in households that received food stamps. This represented 24 percent of all children in the state. In the same year, 38 percent of children referred to CPS received food stamps. The regression analyses show that receipt of food stamps is significantly associated with further involvement at all points through placement for over 60 days. Children with CPS referrals represent 7 percent of all children receiving food stamps in the same year.

Turning to family structure, relevant data are more limited in CAMIS. CAMIS collects data on family structure only for children removed from home. CAMIS relies on the following definitions for family structure:

- Married couple
- Single father
- Single mother
- Unmarried couple

Exhibit 20 shows the percentage of children living in households headed by a single parent. For each race, the chart shows the percentage of all children living with a single parent in Washington[32] and the percentage of children removed from home after a CPS referral. Across all races, children in households headed by single parents are more likely to be in foster care. For example, 18 percent of White children in Washington live in a home headed by a single parent, while 74 percent of White children in foster care were living in single parent households at the time of out-of-home placement.

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*Exhibit 19*
**Children in Washington Receiving Food Stamps**

| | |
|---|---|
| **All children receiving food stamps in Washington** | 332,100 |
| **Children referred to CPS** | 22,619 |
| **Children with CPS referrals as percentage of food stamp population** | 7% |

*Exhibit 20*
**Children in Households Headed by Single Parents**



WSIPP, 2008
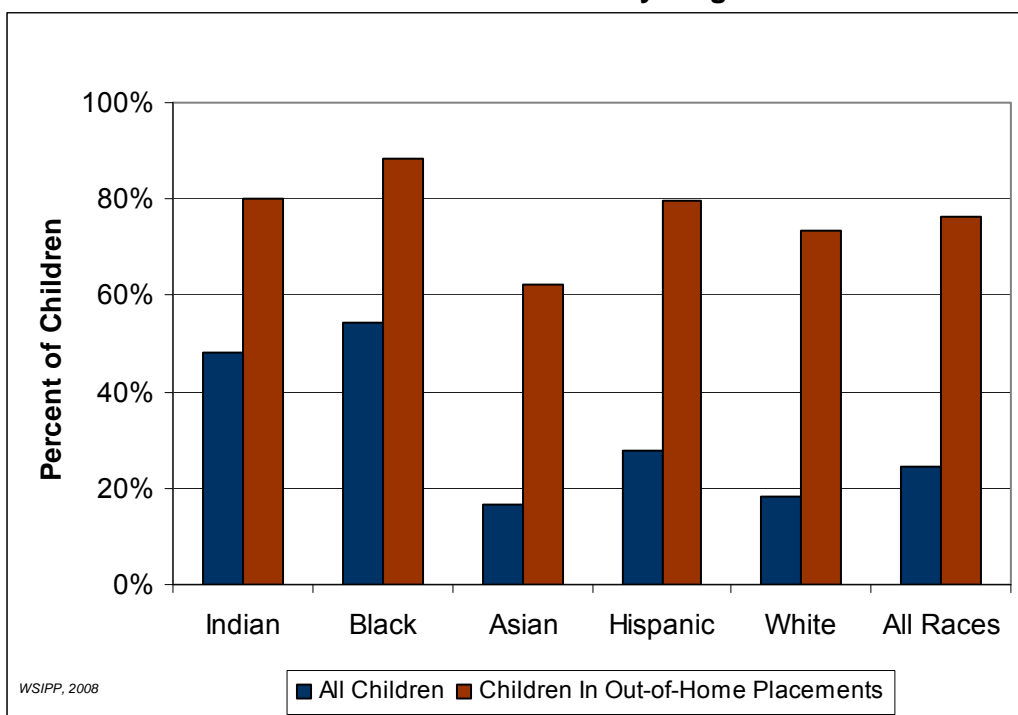
Living in a single parent household is associated with an increased likelihood that a child will be removed from home after a CPS referral, regardless of race. This risk, however, needs to be placed in appropriate context. While single-parent status increased the likelihood of child welfare involvement, data in Exhibit 21 indicate that 1 percent of all children from single parent homes were placed in foster care in 2004.

*Exhibit 21*
**Children in Single Parent Homes in Washington Placed in Foster Care**

| | |
|---|---|
| **All children in single parent Washington households (2000 Census)** | 362,265 |
| **Children in CPS placements** | 3,379 |
| **Percentage of children from single parent homes placed out of home** | 1% |

To supplement this analysis, we used a subset of children referred to CPS in 2004 whose families also received food stamps in the same year. In Section III, we used regression analysis to examine the influence of family structure on decisions for children following a CPS referral, looking only at those families who received food stamps.

## Section III: Regression Analysis Results

Up to this point, we have sequentially reported on decisions and outcomes, as well as some factors related to outcomes. We expect that these factors work in combination to affect decisions and outcomes. Logistic regression analysis isolates the effects of race from the other case characteristics available in the administrative data.[33]

Logistic regression allows us to assess, at each step in the process, the likelihood that Indian, Black, Asian, and Hispanic children will be retained in the system as compared with White children. We use logistic regression to model the likelihood of a child remaining in the child welfare system at five key decision points or outcomes after referral:

- Acceptance of referral;
- Of accepted referrals, children assessed to be at high-risk for abuse or neglect;
- Of high-risk children, those placed out of home;
- Of children placed out of home, those who remain out of home for over 60 days; and
- Of those in care for over 60 days, those who remain for over two years.

Logistic regression also allows us to control for factors other than race that may affect outcomes. Those factors include type of alleged abuse, child gender, type of referrer, child age at referral, DSHS region, and poverty (that is, the family received food stamps). Analyses of events early in the process also control for the intake worker who recorded the call and assigned the initial risk tag.[34] The full results of these "multivariate" regressions are included in Appendix A.3.

The key findings summarized below discuss the results for each racial group in comparison with White children, controlling for other case characteristics.

## Key Findings by Racial Group

Compared with White children,

Indian children referred to CPS were:
- ✓ Less likely to have a referral accepted.
- ✓ More likely to have a high risk tag at intake.
- ✓ More likely to be removed from home if they had a high risk at intake.
- ✓ If removed from home, as likely to remain in care for over 60 days.
- ✓ More likely to remain in care two years later.

Black children were:
- ✓ More likely to have a referral accepted.
- ✓ More likely to be assessed high risk at intake.
- ✓ As likely to be removed from home.
- ✓ As likely to be in care for over 60 days.
- ✓ More likely to be in care for over two years.

Asian children were:
- ✓ More likely to have a referral accepted.
- ✓ As likely to be assessed high risk.
- ✓ As likely to be removed from home.
- ✓ As likely to remain in care for over 60 days.
- ✓ As likely to remain in care for over two years.

Hispanic children were:
- ✓ More likely to have a referral accepted.
- ✓ As likely to be assessed high risk at intake.
- ✓ More likely to be removed from home if high risk.
- ✓ As likely to remain in care for over 60 days.
- ✓ As likely to remain in care for over two years.

## Adjustments to Disproportionality

Using the logistic regression results, we calculate what the Disproportionality Index would look like after controlling for case characteristics in the regression.

Exhibits 22 through 25 show the disproportionality and the adjusted disproportionality after controlling for known characteristics. For each of the racial groups, there are two graphs; each graph shows the raw disproportionality and disproportionality after adjustment. In each exhibit, the first graph (A) shows overall disproportionality. The second graph (B) uses a different scale and shows only the disproportionality that occurred after children were referred to CPS. The chart also shows DIAR after adjusting for case characteristics.

For example, information for Indian children is shown in Exhibit 22.

- Exhibit 22A shows overall disproportionality.
- Exhibit 22B shows DIAR.

After adjusting for case characteristics, the Disproportionality Index for Indian children was less than the raw value that did not take other factors into account. Among Indian children involved in the child welfare system, case characteristics—other than race—accounted for 25 percent of the overrepresentation of Indian children at the point of removal from home.

**Disproportionality for Indian Children
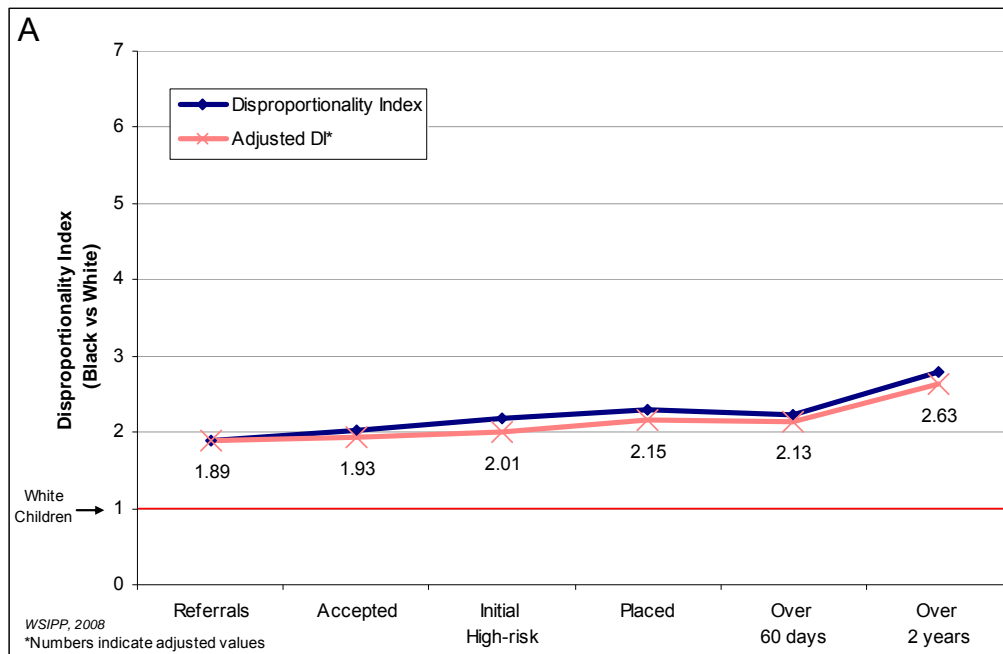With Regression-Adjusted Results**
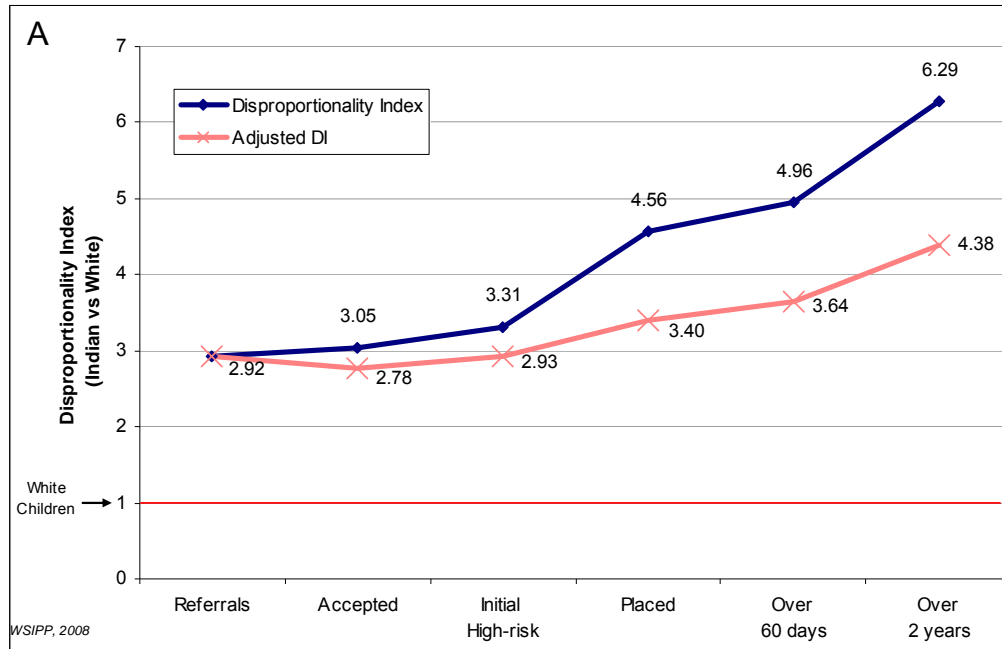


The lower overall adjusted disproportionality is reflected in a lower DIAR. (See Exhibit 22B, below.) After regression adjustment, the DIAR for Indian children remained about one until the decision to place a child out of home, when it increased to 1.17.

*Exhibit 22B*
**Disproportionality <u>After Referral</u> for Indian Children
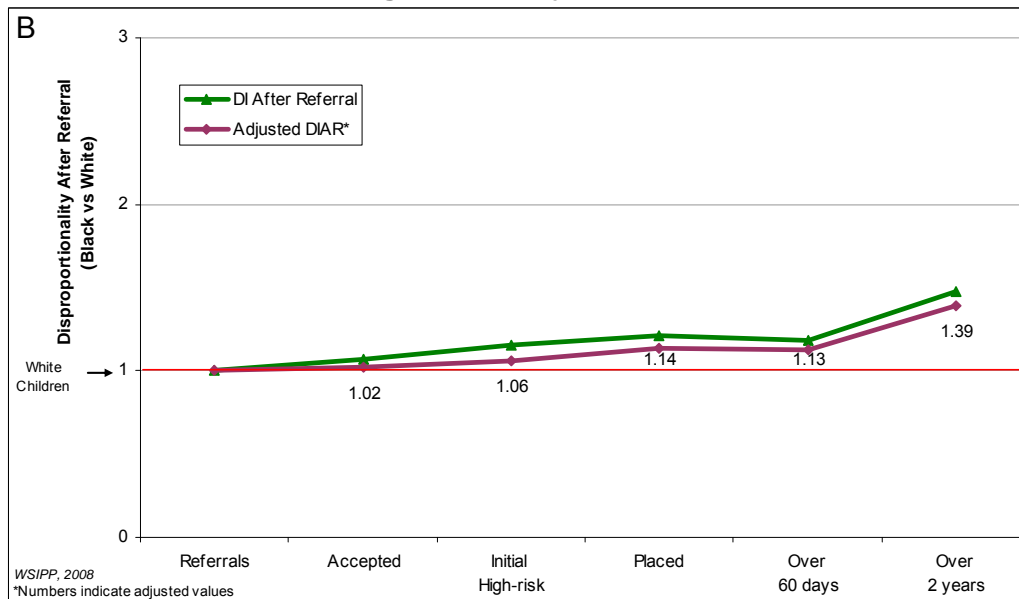With Regression-Adjusted Results**
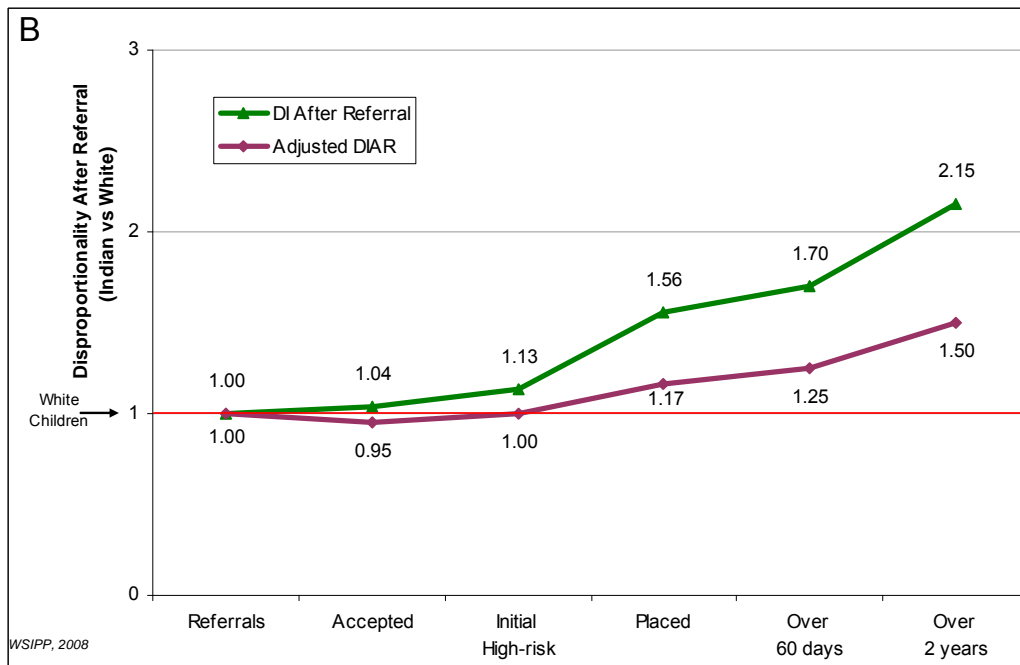
Exhibits 23 through 25 show that adjusting for case characteristics has only small effects on disproportionality for Black, Asian, and Hispanic children. Numbers on these charts indicate the adjusted disproportionality indices.

*Exhibit 23A*
**Disproportionality for Black Children**
**With Regression-Adjusted Results**



*Exhibit 23B*
**Disproportionality <u>After Referral</u> for Black Children**
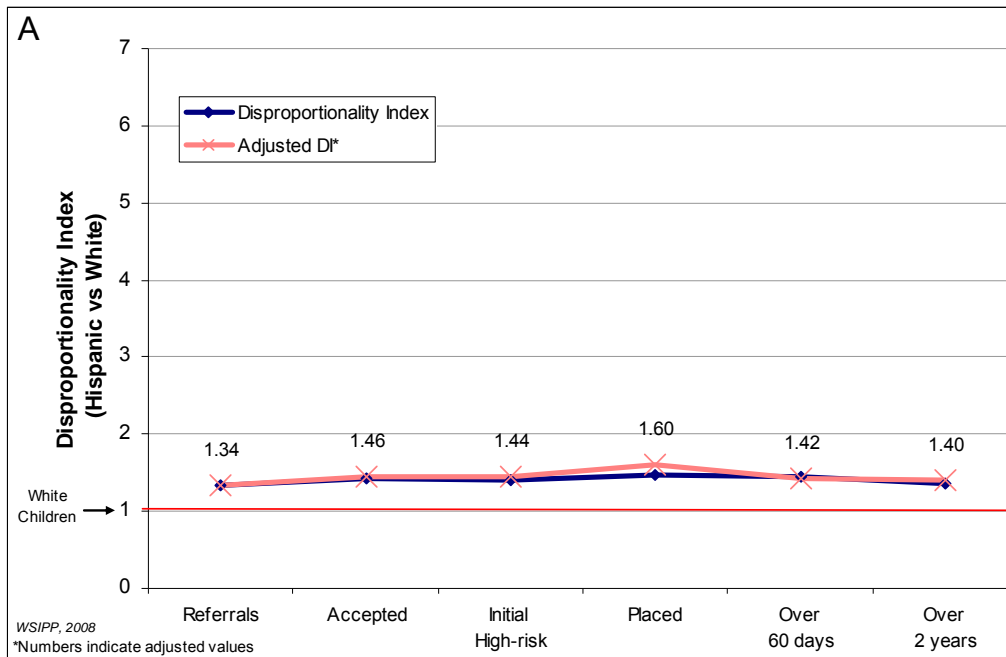**With Regression-Adjusted Results**



25

**Disproportionality for Asian Children
With Regression-Adjusted Results**
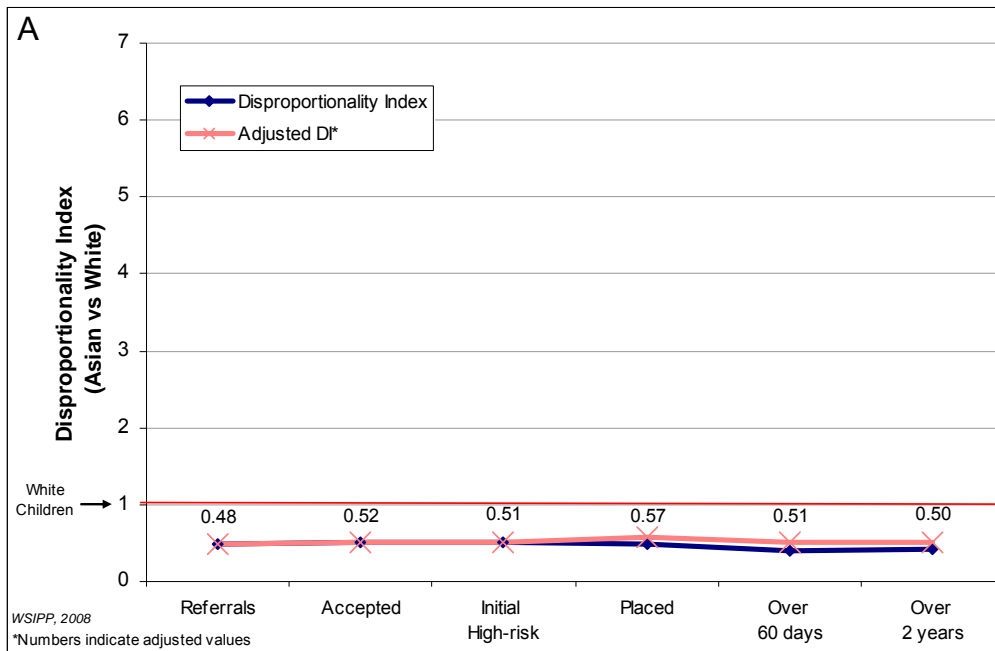
**Disproportionality <u>After Referral</u> for Asian Children
With Regression-Adjusted Results**
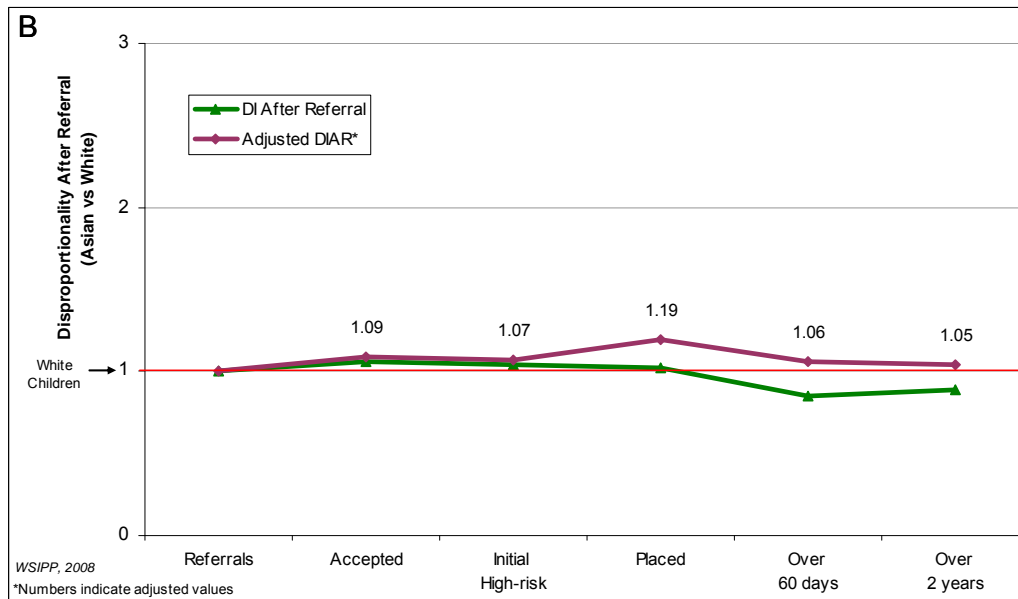
**Disproportionality for Hispanic Children**
**With Regression-Adjusted Results**

**Disproportionality <u>After Referral</u> for Hispanic Children**
**With Regression-Adjusted Results**
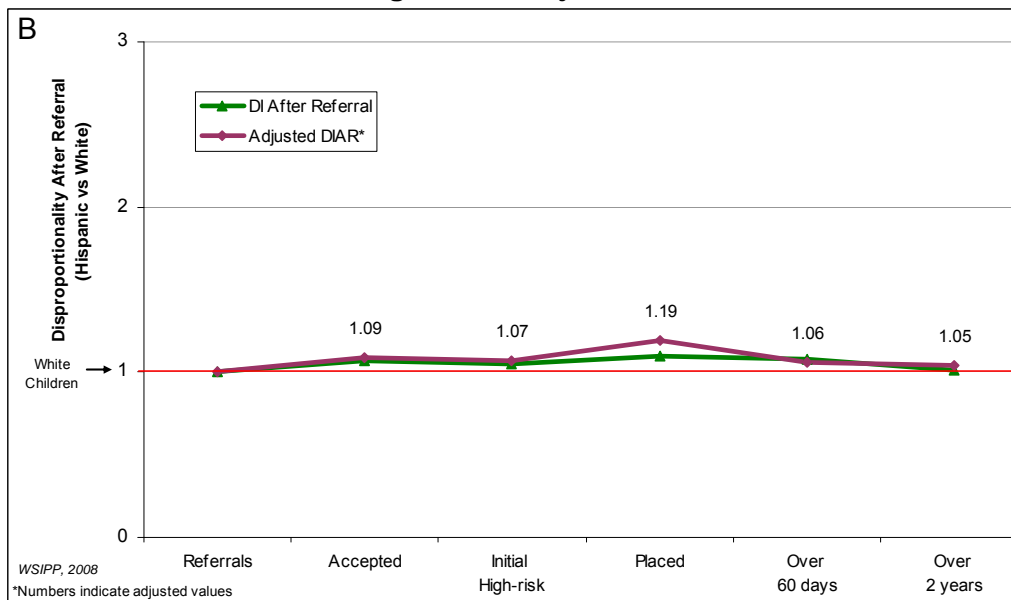


Thus, we see that the known case characteristics can explain much of the disproportionality after referral for Indian children but not for children in other race categories. It may be that other case factors may further account for differences among the races. Factors such as parental mental illness, substance abuse, and domestic violence have been shown to increase involvement in the child welfare system. These kinds of information were not available for this analysis.

**Permanency.** For each racial group, we analyzed the likelihood of reunification with parents and permanent placement within two years of out-of-home placement. The broader category of permanency includes reunification as well as guardianship and adoption. We found that, in comparison with White children:

- ✓ Asian and Hispanic children were more likely to be reunified within two years.

- ✓ Indian and Black children were less likely to have permanent outcomes within two years.

Black and Indian children entering care in 2004 were as likely as White children to reunify with their families within two years. Asian and Hispanic children were as likely as White children to have permanent outcomes.

**Court outcomes.** We also analyzed two court outcomes using regression analysis. The first is the establishment of a dependency,[35] and the second examines termination of parental rights among dependent children. We found that, in comparison with White children:

- ✓ Black and Hispanic children were less likely to have a dependency established.

- ✓ Indian children were less likely to have parental rights terminated.

Indian and Asian children in placements linked to a CPS referral were as likely as White children to have a dependency established. Black, Asian, and Hispanic children were as likely to experience termination of parental rights as White children.

**Family Structure.** To understand whether family structure affects outcomes, similar analyses were conducted considering only children whose families received food stamps. (These are the only children for whom household composition information is available for the decision points examined.) Results for family structure compare various family structures to families with single mothers. We found that, in comparison with children in single mother households:

- ✓ Children in single father households were less likely to have a referral accepted and more likely to have an out-of-home placement.

- ✓ Those in two-parent households were more likely to have referral accepted and less likely to have an out-of-home placement.

- ✓ Children living with mothers and others (non-parents) were more likely to have an initial risk tag of 3 or higher and less likely to have an out-of-home placement.

- ✓ Children in relative or guardian households were less likely to have an accepted referral.

We also examined family structures for children who were removed from the home. Family structure is available for the entire population of children removed from the home (including those who do not receive food stamps). We found that, compared with children who had been living with single mothers:

- ✓ Children living with single fathers were less likely to be in out-of-home care for over 60 days.

- ✓ Children living with an unmarried couple were more likely to be in out-of-home care for over 60 days.

- ✓ Children placed out of home for at least 60 days who had been living with a married couple were less likely to be in out-of-home care for over two years.

## Summary of Main Findings

The first task of this legislatively directed analysis was to determine whether racial disproportionality exists in Washington's child welfare system. The analysis identified children who were referred to CPS in 2004 and followed their involvement in the child welfare system until November 2007. Indian, Black, and Hispanic children were present in the system at rates greater than White children. Relative to White children, Indian children were nearly three times as likely to be referred to CPS and over six times as likely to be in foster care for over two years. Disproportionality also existed for Asian children, who were **under**-represented in Washington.

The second task was to examine disproportionality at all major decision points in the child welfare system. From the analysis, it is clear that most of the disproportionality occurred when someone makes a referral to CPS to report suspected abuse or neglect. The type of referrer—for example mandated reporters or informal reports by neighbors, relatives, and friends—appears not to account for the disproportionality found for Indian, Black, and (to a lesser extent) Hispanic children. Involvement at this stage reflects disproportionality at the societal, not institutional level. Outcomes after referral may be improved, but if entry rates stay imbalanced, disproportionality will still exist (unless White children, in large numbers, stay longer or exit later).

After controlling for other characteristics, factors that contributed to further disproportionality appear to be:

- The decision to remove a child from home.

- Longer time to permanency for children in foster care, especially for Indian and Black children.

A third task was to provide information on low-income and single-parent families involved in the child welfare system. Our analysis finds that in 2004, children from low-income families were over-represented in the child welfare system. This factor helps to explain some of the disproportionality observed. Single-parent status also was related to placement of children in foster care. According to the 2000 census, 25 percent of children in Washington lived in a household headed by a single parent. By contrast, 76 percent of children in foster care came from single-parent homes. Among children in foster care, the percentage of children from single-parent homes ranged by race from 62 percent for Asian children to 88 percent for Black children.

The fourth task was to determine whether outcomes for children in the child welfare system vary by race. Our analysis suggests that:

- Indian children had the greatest disproportionality at referral, were more likely to be removed from home, reunified less often with their families, and were more likely to remain in foster care.

- Black children were more likely to be removed from home, and remain in care longer than White children. They reunified about as often as White children. However, after two years they were more likely to remain in foster care and less likely to be in a permanent placement than White children.

- Hispanic children were referred to CPS at higher rates than White children. Disproportionality changed little for Hispanic children after referral to CPS.

- Asian children were referred at rates of about half of those for White children. Disproportionality did not change at any of the major decision points.

The results of regression analysis, which controlled for known case characteristics, including poverty, geography, type of neglect, age of the child, type of reporter and, where possible, family structure, still indicated disproportionality at many points in the child welfare system. After this adjustment, however, the degree of disproportionality was found to be lower for Indian children and slightly lower for Black children.

When we applied regression analysis to the two key outcomes in the legal system—establishment of a dependency when children were removed from home and termination of parental rights among dependent children—we found little or no disproportionality in court outcomes.

The Legislature directed the committee to aggregate results by geographical region. Rather large differences in disproportionality, especially for Indian and Black children, existed across the six DSHS administrative regions. In general, disproportionality was greatest in Region 4 (King County).

**Cautions and Limitations.** It is important to repeat that this analysis addresses only the issue of disproportionate representation of children of color in the child welfare system. The causes of the disproportionality remain unclear. With the administrative databases available for analysis, we can say little about disparity of treatment.

# Endnotes

[1] See, for example: Hill, R.B. (2006). *Synthesis of research on disproportionality in child welfare: An update.* Casey Family Programs; General Accountability Office (2007). *African American children in foster care: Additional HHS assistance needed to help state reduce the proportion in care.* Washington, D.C.: United States Government Accountability Office, AGO-07-816.

[2] King County Coalition on Racial Disproportionality (2004). *Racial disproportionality in the child welfare system in King County Washington. Report: Quantitative and qualitative data on racial disproportionality.*

[3] SHB 1472, Chapter 465, Laws of 2007

[4] Following the report on prevalence of disproportionality, the Advisory Committee in conjunction with the Secretary of DSHS will develop a plan for remediation by December 1, 2008.

[5] The issue of children with multiple events is handled in a separate analysis.

[6] U.S. Census (2001). *Census brief: Two or more races, population 2000.* Washington D.C. Department of Commerce, U.S. Census Bureau. Accessed at <http://www.census.gov/prod/2001pubs/c2kbr01-6.pdf>.

[7] A list of race ethnicity codes used in CAMIS is provided in Appendix A.1.

[8] About 2 percent of children in placements had race coded as unknown or missing. We assigned these children to races in the same proportion as children in each child welfare population. For example, if 10 percent of the children in a region were Indian, we classified 10 percent of children with a missing race code as Indian. For regression analysis, we omitted children with a missing race code.

[9] According to the 2000 Census, 1 percent of children in Washington State had any Pacific Islander heritage. We observed the same percentage in the child welfare database.

[10] Census 2000 Modified Race Data MR31 (MR31-COTXT, Prepared by the U.S. Census Bureau, 2002).

[11] Personal communication with Cindy Ellingson, Children's Administration. May 30, 2008.

[12] In 2007, HB 1377 broadened the options for placement to include persons with whom the child has a "pre-existing relationship," such as family friends.

[13] Children referred to CPS in late 2004 for whom decisions were made early in 2005 are included in this cohort of children referred to CPS in 2004.

[14] Prior to 2007, results of investigated cases could be designated as founded, unfounded, or inconclusive. In 2007 RCW 26.44.030 was amended to permit only "founded" or "unfounded" findings of investigations. "Inconclusive" findings are no longer permitted.

[15] WAC 388-15-041. There is an exception to the 3-day rule if parents agree to a voluntary placement. In these cases, DSHS may wait up to six months before filing if the parents are making progress addressing the deficits resulting in the removal. After 180 days, a shelter care hearing must be held, or "just cause" shown, in order to continue the voluntary placement. (Children's Administration Operations Manual, 11211, Section C.)

[16] RCW 13.34.060

[17] RCW 13.34.130

[18] Public Law 105-89, Adoption and Safe Families Act of 1997, as summarized in: Child Welfare Information Gateway (2008) Major Federal Legislation Concerned With Child Protection, Child Welfare, and Adoption. Washington D.C., Children's Bureau/ACYF, U.S. Department of Health and Human Services. Accessed at: http://www.childwelfare.gov/pubs/otherpubs/majorfedlegis.pdf

[19] Ibid. The state may not file a termination petition if it is not deemed in the best interest of the child, the child in the care of a relative, or the state has not provided the family of origin with services they require.

[20] In placements where a guardianship fails and the child returns to foster care, we include the time spent in the guardianship in calculating the duration of the case.

[21] Courtney, Mark (2007). Keynote Speaker, Washington State Racial Disproportionality Advisory Committee, Seattle, WA: Topic: "Racial Disproportionality in Child Welfare Services Provision." November 2, 2007.

[22] Johnson, E.P., Clark, S., Donald, M., Pedersen, R., Pichotta, C. (2007) Racial Disproportionality in Minnesota's Child Protections System. *Child Welfare 86*(4):5-20.

[23] Ibid.

[24] Lemon, K., D'Andrade, A. Austin, J.M. 2005. *Understanding and Addressing Disproportionality in the Front End of the Child Welfare System.* Berkeley Ca: Bay area Social Services Consortium. *http://cssr.berkeley.edu/bassc/public/EvidenceForPractice3_Disproportionality_FullReport.pdf*

[25] Op cit. King County Coalition on Racial Disproportionality.

[26] Miller, M. (2004*). Decline in Washington's family reunifications: What influenced this trend?* Olympia: Washington State Institute for Public Policy.

[27] For this analysis, relative placement is defined as any child with at least one placement with a relative.

[28] To be considered a match, the court case could not start more than a week before the placement.

[29] If a child is under joint jurisdiction of Children's Administration and a tribe, tribal codes dictate how the case is handled. Many tribes do not recognize termination of parental rights and prefer permanent legal guardianships or family placements. (Personal communication, May 23, 2008: Nancy Dufraine, Indian Child Welfare Manager, Children's Administration, Washington State Department of Social and Health Services.)

[30] See, for example: Lee, B.J., Goerge, R.M. Poverty, early child-bearing and child maltreatment: A multinomial analysis. *Children and Youth Services Review. 12*(9/10): 755-780; Wu, S.S., Ma, C-X, Carter, R.L., Ariet, M., Feaver, E.A., Resnick, M.B., Roth, J. (2004). Risk factors for infant maltreatment: a population-base study. *Child Abuse and Neglect 28*(12): 1253-1264.

[31] Sedlak, A.J., Broadhurst, D.D. (1996). *The third national incidence study of child abuse and neglect.* Washington D.C.: U.S. Department of Health and Human Services, Administration for Children and Families.

[32] Poverty status in 1999 of related children under 18 years by family type, age, race, and Hispanic/Latino. Universe: Related children under 18 years. Census 2000 Summary File, PCT52/PCT76 A−I. Downloaded from Washington's Office of Financial Management <http://www.ofm.wa.gov/census2000/dp58/st/53.pdf>.

[33] We used logistic regression using the Statistical Analysis System (SAS).

[34] Analysis shows that individual intake workers vary significantly in the average risk they assign to cases. Significant variation also occurs among the regions. For the regression analyses, we calculated the average risk tag for each worker in 2004. These analyses omitted children whose intake workers did not handle at least three cases in 2004.

[35] In our analysis of legal data, we found that of 3,334 children for whom a dependency case was opened following a CPS referral, over 97 percent had a dependency established.

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