Reducing racial disparities and disproportionalities in the child welfare system: Policy perspectives about how to serve the best interests of African American youth

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1. Introduction

The main principle guiding child welfare services is that government has an interest in protecting children from serious harm. Beyond ensuring young people’s safety, however, there is less consensus about the mission of public child welfare services (Barth, 1999; Berrick, Needell, Barth, & Jonson-Reid, 1998). Similarly, there is widespread agreement that African American youth are overrepresented in the American child welfare system, but consensus does not exist regarding the causes of, and solutions for, reducing racial disproportionalities and disparities.1 In particular, the use of transracial adoption as a strategy to reduce the overrepresentation of African American children in foster care has engendered a rancorous debate in the field, but it remains the primary intervention supported by federal policy that explicitly targets racial disparities in child welfare services. Only recently, the General Accounting Office and the Donaldson Institute suggested changes to federal law in this area, indicating that the issue is far from being settled (2007; Smith, McRoy, Freundlich, & Kroll, 2008). This article will demonstrate that much of the difference in opinion reflects tension between four long-standing policy perspectives in child welfare: expedient permanency, cultural continuity, family preservation, and social advantage. Proponents of each point of view frame the problem of overrepresentation and related disparities uniquely, favor particular types of interventions, and highlight different research to support their claims.

As scholars and policy makers have contested the causes and solutions to racial disproportionality and disparity over time, the challenges facing African American children in the child welfare system have persisted. They are dramatic and well documented (For overviews, see: Courtney et al., 1996; Derezotes, Testa, & Poertner, 2005; Hill, 2006; Hines, Lemon, Wyatt, & Merdinger, 2004). At the national level, African American youth are overrepresented at every stage of the child welfare intervention process, relative to their proportion of the general population (Chapin Hall Center for Children, 2008). The concepts are related; for example, disproportionalities in out-of-home care occur whenever a subgroup of children experiences disparities in admission or discharge from foster care (Courtney & Skyles, 2003; Wulczyn & Lery, 2007). The problem of disproportionalities is an issue of the overrepresentation or underrepresentation of a subgroup of youth at different stages in the child welfare intervention process, relative to their proportion of the general population (Chapin Hall Center for Children, 2008). The concepts are related; for example, disproportionalities in out-of-home care occur whenever a subgroup of children experiences disparities in admission or discharge from foster care (Courtney & Skyles, 2003; Wulczyn & Lery, 2007). The problem of disproportionalities is an issue of the overrepresentation or underrepresentation of a subgroup of youth at different stages in the child welfare intervention process, relative to their proportion of the general population (Chapin Hall Center for Children, 2008).

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other racial or ethnic groups to be removed from the homes of their biological families and are less likely to return (Hill, 2007; Lu et al., 2004; Wulczyn, 2003; Wulczyn, Hislop, & George, 2000; Wulczyn & Lery, 2007). They are more likely than their peers of other racial backgrounds to have their parent’s rights terminated, only to wait longer in foster care for permanent placements where they have lower odds of being adopted (Barth, 1997; Courtney, 1994; Courtney & Wong, 1996; Kapp, 2001; Noonan & Burke, 2005). African American children are also more likely to be older, a part of sibling groups, or have behavioral problems, all factors that make youth less attractive to potential adoptive parents and predict failed reunification efforts in some studies (Brooks & James, 2003; Courtney, 1997; Hines, Lee, Osterling, & Drabble, 2007; McRoy, 2003).

These findings illustrate the pressing need for a variety of innovative and systematic approaches to meeting the needs of African American children involved in the child welfare system. This article considers the debate about the best strategies to reduce racial disparities and disproportionalities, and examines current public policy through the lens of long-standing policy perspectives in child welfare, ultimately exploring whether strong evidence exists to support the focus of current federal legislation on expedient permanency and the practice of transracial adoption.

2. Historical framework for understanding the current state of the debate

Since the passage of early American adoption statutes, the standard of a child’s best interest has been used to guide and evaluate child welfare interventions (Sokoloff, 1993). The challenge with such an analytical framework is that the notion of a child’s best interest is not objective. Rather than being a neutral concept with which to assess interventions, views of best interest invariably depend on particular sets of assumptions or points of view (Fox, 1982). In fact, certain outlooks have held more prominence in the field at different historical moments, largely reflecting changing beliefs and attitudes in the broader culture. Over time, however, four general perspectives have emerged regarding what policies and practices are in a child’s best interest after the goal of safety has been met: expedient permanency, cultural continuity, family preservation, and social advantage. This section will illustrate these four policy positions using select historical examples.

The perspective of social advantage largely motivated early child welfare practices in the private sector, which sought to prevent future delinquency and promote self-sufficiency by removing children from impoverished environments and placing them in juvenile institutions or rural farms (Howe, 1997; Pfohl, 1977; Sokoloff, 1993). Broader efforts to protect youth were constrained by dominant attitudes and conventions of the time, which included a reluctance to abrogate the rights of parents, normative family practices that sanctioned physical punishment, and disfavor towards government or professional intervention into private affairs (Pfohl, 1977). Mirroring popular opinion, the Supreme Court issued rulings in the 1920s that provided parents with constitutional protection against state interference in their children’s care, unless there was a compelling government interest to do so, such as preventing serious harm (Allen & Bissell, 2004).

Federal legislation prioritizing cultural continuity, which recognized racial or ethnic matching practices to be in the best interest of a child, passed in 1978 after American Indian tribes organized to address concerns about the large number of American Indian children that had been removed from Native homes and placed with White families (Cross, Earle, & Simmons, 2000; George, 1997). In sync with social movements emphasizing self-determination and community decision-making, Congress enacted the Indian Child Welfare Act (ICWA) in 1978, mandating a higher standard of evidence of abuse in Native families, requiring all options to keep children in a Native context be exhausted before placing them outside the tribe, and providing tribal governments with jurisdiction over their children in foster care (Ayers, 2005; Barth, Webster, & Lee, 2002).

The perspective of family preservation prevailed just 2 years later in the landmark Adoption Assistance and Child Welfare Act of 1980 (AACWA), which many consider to be the most important federal legislation shaping the principles behind, and delivery of, modern child welfare services (Allen & Bissell, 2004; Barth, 1999; Sanders, 2003). The legislation mandated child welfare workers make reasonable efforts to keep children with their biological families and created a new funding stream for prevention and reunification services (Fox, 1982; Sanders, 2003). AACWA implicitly defined the best interest of children as preserving the biological family and encompassed a belief that child removal is often affordable if parents are provided supportive services (Kernan & Lansford, 2004).

More recent federal legislation represents a shift away from family preservation and instead suggests that it is in children’s best interest to find them permanent placements with minimum delay, even if this means cutting familial or community ties. The Adoption and Safe Families Act of 1997 (ASFA) introduced shorter timelines for permanency planning and the termination of parental rights, along with options to forgo reasonable efforts towards reunification and new adoption incentives (Allen & Bissell, 2004). ASFA drew upon the theme of individual parental responsibility, reflecting a predominantly negative discourse regarding government support services for low income families (Briggs, 2006; Courtney, 1997; McConnell, 2005; Patton, 2000; Stein, 2003).

3. Four policy perspectives in the debate about serving the best interests of African American children in the child welfare system

Mirroring tensions in child welfare policy more broadly, differing appraisals of African American children’s best interest and strategies for reducing racial disparities and disproportionalities tend to align with the four policy perspectives that have historically shaped child welfare interventions: social advantage, expedient permanency, cultural continuity, and family preservation. Each outlook holds the same ultimate goal of permanency and general well-being for African American youth involved in the child welfare system; all four perspectives consider it in a child’s best interest to exit foster care and be placed with caregivers who can help them become a healthy, functioning adult. What primarily differentiates these points of view is the developmental outcome prioritized in placement decisions, or the aspect of functioning to be maximized by a child welfare intervention once the goal of safety has been met. For example, the social advantage perspective prioritizes interventions that are more likely to lead youth to become self-sufficient and connected to the labor market. In contrast, the cultural continuity position gives precedence to practices that will promote positive racial identity development. These outlooks also tend to correspond with different readings of the evidence regarding the unique challenges faced by African American children in the child welfare system and effective intervention strategies for reducing disparities and disproportionalities.

In reality, these policy perspectives are not necessarily separate or opposing; for most people it is a matter of priorities in the context of scarce resources. Fig. 1 illustrates how the positions (identified within parentheses), and the outcomes they emphasize (in bold letters), can be viewed as overlapping and complementary in terms of promoting overall child well-being. It is clearly in children’s best interest to have all four perspectives realized simultaneously; to be placed quickly in permanent homes with families to whom they have some biological relation, who can promote a sense of pride in their cultural background, have sufficient resources to meet their needs, and live in a neighborhood with good schools and few temptations to become involved in delinquent activity. Research from multiple disciplines has established that these are ideal contexts for child and adolescent development (Damon & Lerner, 2006). However, such placements are
not a reality for most youth in the child welfare system. Moreover, historically there has not been sufficient political will to allocate the level of resources necessary to support all four aspects of well-being for every youth in care. Therefore, the question becomes, once the goal of child safety has been met, what developmental outcome should be prioritized in placement decisions, how are these choices justified, and what policy interventions will support them? The answer is different depending on one’s perspective, and is further complicated in the case of African American children, for whom the problem of overrepresentation and racial disparities must also be addressed. Thus, while one policy perspective does not necessarily preclude the other, it is often the case that difficult choices between positions must be made, both at the level of individual cases and systems-level reform.

In order to outline a framework for understanding various positions in the debate, this section will explore how individuals who prioritize certain developmental outcomes might frame the problem of disparities and disproportionalities and how such problem definition informs preferences regarding intervention strategies. Other authors have considered the perspectives of colorblind individualism and community or color consciousness in arguments about the use of racial classifications or preferences in adoption (e.g. Freundlich, 2000; Howe, 1995, 1997; Patton, 2000). However, this article presents an expanded analysis, grounded in differing standpoints regarding the concept of a child’s best interest that have emerged over time in the field. It suggests that outlooks on racial disparities and disproportionalities are dependent on interpretations of the mission of child welfare services and views of race in modern society, not only the latter. Moreover, the purpose of this article was to outline these perspectives, and consider the implications for current federal legislation, rather than advance one position over the other. It is important to note that scholars who would not necessarily identify with a particular policy perspective are cited throughout the following section in order to reference publications that make a particular point or provide evidence from an empirical study in support of a specific claim, not to categorize individual researchers.

3.1. Expedient permanency

Over the last 10 years, the policy perspective of expedient permanency has guided major legislative reforms of the child welfare system (Barth, 1999; D’Andrade & Berrick, 2006). From this point of view, child welfare interventions should maximize youth’s short-term ability to form a stable and secure attachment with caregivers, and the goal of expedient permanency should be at the forefront of placement decisions. These individuals argue that it is in African American children’s best interest to find permanent placements in the timeliest manner possible, given the positive correlation between time in foster care and increased likelihood of experiencing a host of negative psychosocial outcomes (Mason et al., 2003; McDonald, 1996).

From this perspective, exit-rate dynamics are of primary concern; ineffective family preservation programs and race-matching practices are viewed as the driving force behind racial disparities and overrepresentation because they interfere with placing African American children in the first available and stable home environment (Bartholet, 1991; Kennedy, 1994). To support their line of reasoning, those who hold the expedient permanency position point to evaluations of family preservation programs that demonstrate that they do not successfully provide troubled families with support to adequately provide for their children (Duggan et al., 2004; Kernan & Lansford, 2004), or to research that indicates youth who reunify with their families tend to have worse developmental outcomes than foster or adopted children, and a significant number later return to the system (Courtney, 1995; Levy, Markovic, Chandhry, Ahart, & Torres, 1995; Wulczyn et al., 2000). They argue that a focus on exit-rate dynamics is appropriate because racial disparities in entries are understood primarily to be the result of African American families’ disproportionate levels of poverty and greater accumulated risk factors (such as rates of substance abuse or female-headed households), not their race per se (Levine, Doueck, Freeman, & Compaan, 1996; Schuck, 2005). Even though legacies of discrimination contribute to the challenges faced by African American parents whose children are removed from their care, those in the expedient permanency camp argue that it is not the mission of the child welfare system to redress such broad social injustices and individual children in foster care should not suffer until these wrongs are rectified.

Expedient permanency proponents maintain that there are too few African American families to meet the needs of African American youth in care; transracial adoption is therefore many children’s only option for expedient permanency (Barth, 1997; Bartholet, 1991; Hauggaard, 2000; Kennedy, 1994; Vroegh, 1997). These individuals argue that forcing African American youth to wait for a same-race adoption or an unlikely reunification unnecessarily, and in some cases, indefinitely extends their stay in foster care, which they consider far more detrimental to African American children’s development than being raised by a parent of a different racial background (Bartholet, 1991; Burrow & Finley, 2001). For example, when youth emancipate from the child welfare system because they cannot find a permanent placement, they often experience challenges such as homelessness, mental health problems, unemployment, and incarceration (Barth, 1990; Courtney & Dworsky, 2006; Courtney, Piliavin, Grogan-Kaylor, & Nesmith, 2001). Many who prioritize expedient permanency in placement decisions believe attempts to match African American children with African American families largely serve political, ideological or rhetorical motives (Burrow & Finley, 2001; Simon & Alstein, 1996; Vroegh, 1997). Others have argued that race matching in adoption is an illegal form of discrimination against White adoptive parents that further perpetuates racism in the same way legal segregation in housing and public accommodations once did (Bartholet, 1991; Kennedy, 1994).

To reduce the time African American youth wait for a permanent placement and improve their stability, those who hold the expedient permanency standpoint largely favor strategies such as exemptions from reunification efforts, accelerated timelines for terminating parental rights, concurrent planning, adoption incentives and color-blind placement decisions.
3.2. Cultural continuity

Individuals who hold the cultural continuity perspective argue that placement decisions should maximize children’s connection to their racial and ethnic community. From this outlook, it is in an African American child’s best interest to be able to cope effectively with racism and have a positive racial identity. These outcomes depend largely on the degree to which adoptive parents nurture them, and cultural continuity proponents argue that African American parents are naturally better agents of racial socialization because of their own experiences with racism and their tendency to live in neighborhoods where their children can attend schools, or otherwise interact, with African Americans (DeBerry, Scarr, & Weinberg, 1996; Hollingsworth, 1997; Howe, 1995, 1997; Lee, 2003; Park & Green, 2000; Patton, 2000; Raible, 2006; Taylor & Thornton, 1996; Willis, 1996).

Those who emphasize the cultural continuity perspective assert that biases against African Americans within and outside the child welfare system help explain the differential reporting, substantiation and decision-making outcomes for African American children and their families. They maintain that racial disparities and disproportionalities in the child welfare system are in no small way a result of historical discrimination against communities of color and ongoing institutional racism (Ards, Myers, Malkis, Sugrue, & Zhou, 2003; Crane & Ellis, 2004; Derezotes et al., 2005; Gilles & Kroll, 1991; Hines et al., 2004; Howe, 1997; Roberts, 2006; Willis, 1996). They point to research that demonstrates that African American families are more likely than parents of other racial backgrounds to be evaluated for child abuse under similar conditions, and once in the system, receive fewer and poorer quality services from a system that is insufficiently responsive to their needs, even when controlling for income, maltreatment type, and problem severity (Jenny, Hymel, Ritzen, Reinert, & Hay, 1999; Lane, Rubin, Monteith, & Christian, 2002; Morton, 2000; Rodenberg, 2004; Saunders, Nelson, & Landsmen, 1993). Given these findings, cultural continuity proponents argue that colorblind strategies for dealing with the problem of disparities and disproportionalities are not justifiable.

These individuals also maintain that the problem facing African American children in foster care is not intentional race-matching policies, but the limited number of White families who are willing to adopt older African American children, particularly those with special needs, who make up the majority of young languishing in out-of-home care (Brooks & James, 2003; Courtney, 1997; Freundlich, 2000; Howe, 1995, 1997; Roberts, 2002; Willis, 1996). Furthermore, those in the cultural continuity camp assert that African American parents, not White families, face the greatest obstacles to adopting African American children, even though they are more likely to adopt those difficult to place. They highlight studies that indicate many potential African American adoptive parents are deterred or screened out by ineffective recruitment strategies, inflexible requirements, longer legalizations processes, high fees, and overt discrimination (Freundlich, 2000; Gilles & Kroll, 1991; Hollingsworth, 1998; Howe, 1995; Kapp, 2001; Pertman, 2000). Emphasizing the challenges experienced by African American children adopted by White families, cultural continuity proponents argue that racial adoption is more detrimental to African American youth than waiting in foster care for a racial match (which they argue would not be of such concern if more African American adoptive families were recruited) (Howe, 1997; McRoy, 2003; Park and Green, 2000; Roberts, 2006). In further defense of this claim, they refer to research that indicates that time in foster care does not lead to worse long-term outcomes than those of matched comparison groups (Buehler, Orme, Post, & Patterson, 2000).

Those who prioritize the cultural continuity position support race matching in placement decisions, targeted recruitment of African American adoptive and foster parents with more flexible screening tools, and cultural competency training for adoptive parents of different racial backgrounds when race matching is not possible. As a strategy for promoting same-race placements and for directing resources back to African American communities, they also support efforts to strengthen kinship care and ensure family caregivers receive equitable access to subsidies and support services.

3.3. Family preservation

The family preservation perspective stresses the need for children to maintain contact and affective ties with their biological families, prioritizing these connections in placement decisions. From this point of view, it is in African American children’s best interest to provide their biological families with the resources they need to care for their children and prevent out-of-home or origin community placement (McRoy, 2003; Penn & Coverdale, 1996). When prevention efforts fail and children are removed from their parents’ care, those who hold the family preservation outlook emphasize the importance of maintaining the relationship between parent and child (Maluccio, Pine, & Warsh, 1994). They assert that the better developmental outcomes observed in foster and adoptive youth, relative to those who reunify, can be explained by socioeconomic differences between caregivers.

The family preservation perspective regarding racial disproportionalities and disparities in the child welfare system is primarily concerned with entry-rate dynamics, how children of color come to foster care and why youth awaiting adoption cannot be reunified with their birth families. Rather than children at risk, they see families and neighborhoods in need (McConnell, 2005). Receipt of welfare, parental mental illness, incarceration and domestic violence are cited as family risk factors associated with children’s entry into protective services and placement in foster care. Community risk factors that are correlated with higher out-of-home placements include concentrated poverty, racial or ethnic segregation, neighborhood crime and violence, dense public housing, female-headed households, limited access to services for mental health care and domestic violence, and low social capital (Derezotes et al., 2005; Hines et al., 2004; Lu et al., 2004). Proponents of the family preservation position recognize that because of the historical legacy of slavery contemporaneous with modern forms of racism, members of the African American community experience these risk factors more often. As a result, they frame the problem of racial disparities and disproportionalities in child welfare in terms of resource allocation and support interventions that are redistributive in nature (Courtney, 1997; Taylor & Thornton, 1996).

These individuals point out that many African American children and their families do not have equal access to effective, concrete family preservation and reunification services such as affordable housing, for substance abuse, employment, and mental health treatment (Denby & Curtis, 2003; McRoy, 2003; Rodenberg, 2004). From this perspective, delays in permanent placement while family reunification is pursued are a result of the inadequate services offered to families, not unreasonable efforts to keep them together (Courtney, 1997). When reunification is not possible, kinship care becomes the next best option as it maintains biological connections. To support their position, they highlight research that indicates children removed from their homes tend to experience fewer psychological problems when placed with familiar caregivers, even if the placement is temporary (Lawrence, Carlson, & Egeland, 2006).

Those who hold the family preservation perspective support redistributive policies that increase funding for concrete family preservation and child abuse prevention services, including income support, job development and substance abuse programs, and affordable housing. They are in favor of subsidized guardianships for kin providers when quality prevention and reunification efforts fail, and support open adoptions when kinship care is not an option.
3.4. Social advantage

A social advantage perspective focuses on the family and community conditions youth need in order to become productive, self-sufficient adults who do not engage in criminal activity or welfare dependency (Barth, 1999; Patton, 2000; Quiroz, 2007). Those who hold this point of view argue the main objective of child welfare interventions should be to give African American children who cannot safely return to their families the opportunity to thrive in more “favorable circumstances than those of their origins” (Fox, 1982, p. 288). These individuals maintain that it is in African American children’s best interest to maximize their access to tangible resources and social capital, particularly given the many ways that experiences leading to involvement in the child welfare system put youth at a great disadvantage.

Social advantage proponents argue that African American children’s extensive periods in foster care are a result of social workers’ emphasis on maintaining kin and community connections. The consequence of such decision-making is that youth often return to impoverished environments or are forced to remain in foster care until they “age out.” In these circumstances, youth are far more likely to drop out of high school, have children out of wedlock, commit crimes or depend on government assistance for income (Delgado, Fellmeth, Packard, Prosek, & Wichel, 2007; Leventhal & Brooks-Gunn, 2000). Instead, when youth are unable to return home safely, child welfare professionals should focus on the ability of prospective adoptive and foster families to raise productive citizens who are economically successful and socially integrated. Parents’ education, number of children, affiliation with religious institutions, level of income, along with the quality of their local schools and neighborhoods, are indicators of their capacity to produce adults who can compete in the labor market and should be the main factors considered in placement decisions (Barth, 1999). From a social advantage perspective, the main priority is to keep children away from communities and environments that produce delinquency, school failure, welfare dependency and violence. Although such standards are race-neutral, they favor more advantaged and well-resourced families and communities, which are more likely to be White given the nature of social stratification in the United States. On this point, some social advantage proponents argue that African American children can uniquely benefit from growing up in White communities where they will be able to develop skills necessary to succeed in a society that remains dominated by White people (Bartholet, 1991; Kennedy, 1994).

Proponents of the social advantage standpoint favor out of origin community placements, adoption subsidies, and other permanency planning policies that would facilitate the placement of African American children with families that have high social and material capital.

Table 1 summarizes each of these policy perspectives, related problem definitions and preferred intervention strategies. The grouping and similar shading of the expedient permanency/social advantage and cultural continuity/family preservation perspectives, along with the use of dotted lines in both Fig. 1 and Table 1, are intended to illustrate that all four of these perspectives intersect, whereas the pairs are more closely aligned.

4. Current federal policy targeting racial disproportionalities and disparities in child welfare

Although racial disproportionalities and disparities for African American youth in the child welfare system, along with related debates about causes and solutions, are long-standing, federal foster care policy did not directly address these problems until the early 1990s. At that time, most states had not provided any specific guidance to caseworkers with regard to the use of race in adoption decisions (Allen & Bissell, 2004; Simon & Alstein, 1996). The issue captured federal legislators’ attention when White foster parents began to file lawsuits against local child welfare agencies that would not allow them to adopt children of a different racial or ethnic background. News stories attributed foster care drift for African American children to racial matching practices in permanency

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Table 1 Characteristics of the four policy perspectives.

The goals of MEPA are to decrease the time children of color wait to be adopted, prevent discrimination in adoptive and foster placement decisions, and increase the number of foster and adoptive parents of color (Brooks, Barth, Bussiere, & Patterson, 1999; Curtis & Alexander, 1996). MEPA prohibits all agencies receiving federal funds from delaying, denying, or discriminating against potential foster care or adoptive placements based on the parents’ or child’s race, color, or national origin. The legislation made it illegal to spend time searching exclusively for same-race adoptive families or to require that caseworkers provide justification for transracial adoptions. MEPA also mandates that states develop plans to recruit foster and adoptive parents that represent the ethnic and racial diversity of children waiting for placement. The act authorizes financial penalties for states that are found to continue discriminating based on race (Allen & Bissell, 2004). In very limited situations, MEPA allowed agencies to consider the background of a child and the capacity of prospective parents to meet the young person’s related needs (Brooks et al., 1999; Curtis & Alexander, 1996).

Passed by Congress 2 years after MEPA, the Intertribal Adoption Provisions affirm and strengthen prohibitions against discrimination in placement decisions. They repeal wording in MEPA that narrowly allowed agencies to consider the relevance of culture, race or ethnicity when determining placements and make it illegal to require prospective adoptive parents to participate in cultural competency trainings (McRoy, 2003). IEAP also creates statutory rights for individuals to file suit if race is taken into account during permanency planning (Brooks et al., 1999).

The language of MEPA and IEAP implies that it is in a child’s best interest to move from foster care into the home of an adoptive family as quickly as possible, regardless of racial differences between the young person and the prospective adopters (Brooks et al., 1999). The statutes frame the problem of racial disparities and disproportionalities in foster care as the consequence of caseworkers’ bias against White adoptive parents (Brooks et al., 1999; Curtis & Alexander, 1996). Although MEPA requires states to recruit adoptive parents of color, the bill’s accountability measures indicate that the true focus of the legislation is to increase transracial adoption. The law provides no additional funding for new recruitment efforts, but creates statutory rights and financial penalties if race is used in placement decisions. MEPA and IEAP embody much of the public discourse about race and government interventions during the 1990s, particularly a growing resistance to affirmative action policies and support for a new, colorblind society (Briggs, 2006; Courtney, 1997; Patton, 2000). Courts and citizens across the country were calling for an end to the consideration of race or ethnicity in public employment, education and contracting (Tomasson, Crosby, & Herzberger, 2001). 5. Empirical research on the transracial adoption of African American youth: an effective approach to reducing racial disproportionalities and disparities in the child welfare system?

Federal policy makers have generally avoided wading into the fractious debate about racial and ethnic disparities and disproportionalities. However, current federal legislation directly addressing these issues for African American youth, MEPA and IEAP, clearly represent the policy position of expedient permanency and rely on the practice of transracial adoption as the primary strategy for reducing African American children’s overrepresentation in foster care by finding them permanent homes with minimum delay. Thus, despite lack of consensus in the field and the proposal of a wide range of potential intervention strategies, federal legislation directly addressing racial disproportionalities and disparities has almost exclusively represented the expedient permanency perspective. This section will consider whether the current legislative focus on transracial adoption and expedient permanency can be justified as an effective approach to reducing racial and ethnic disproportionalities and disparities in the child welfare system using available evidence. Towards this end, the following section will review the empirical studies of African American transracial adoption from the last 20 years, considered in relation to the four policy perspectives outlined above.

First, empirical studies that assess the impact of transracial adoption on African American adoptees’ psychosocial adjustment and racial identity development will be reviewed. Such evaluations focused on individual outcomes have merit for understanding whether transracial adoption is in the best interest of African American children. Second, to appraise the success of transracial adoption as an intervention to reduce racial disparities and disproportionalities, an investigation of system-level outcomes after the passage of MEPA and IEAP is also required (Courtney, 1997; Howe, 1997). Studies were located through searches of social science databases and the reference lists of articles, chapters and books identified therein. The focus of this article is on the overrepresentation of African American children in the child welfare system and related disparities; therefore, studies that did not include African American youth, or did not disaggregate their findings or their analysis by race, were excluded from the present review.

5.1. Major methodological limitations of transracial adoption research

There are considerable limitations to the research designs of all transracial adoption studies to date. At theoretical and low-quality administrative data, unrepresentative convenience sampling from private adoption agencies, small sample sizes, high attrition rates, inability to employ experimental designs, inappropriate comparison groups, low external validity, and the use of parental responses instead of direct observation or child perspectives are key methodological problems in transracial adoption research (Alexander & Curtis, 1996; Courtney et al., 1996; Frasch & Brooks, 2003; Hollingsworth, 1997; Park & Green, 2000; Rushton & Minnis, 1997). In particular, most studies have not included any non-adoptees, nor have they considered the effects of gender, age at placement, number of placements, previous trauma, school or neighborhood contexts, peer groups, or socioeconomic status of the caregivers on the sample’s development. Research from multiple fields has demonstrated that these factors can have significant influence on psychological and racial identity development (Harden, 2004; Wolfe & Marsh, 2006). It is also limiting that the perspectives of adult transracial adoptees have rarely been included in this literature, despite their growing numbers and the great value of their insights and experiences to related debates (Trenka, Oparah, & Shin, 2006). Unless otherwise noted, the studies outlined below have the aforementioned methodological limitations and their findings must be viewed with caution.

5.2. The psychosocial adjustment of African American transracial adoptees

This body of research investigates whether African American children raised in White families are as well adjusted as their peers raised by parents of similar backgrounds. One study found that African American children raised in White adoptive families (n = 55) developed higher IQ scores and achieved more academically

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3 Major legislative reforms, in the form of ASFA, were passed after MEPA and IEAP. However, given the existing shortage of adoptive parents of color, the focus of ASFA on expedited permanency also indirectly encourages the use of transracial adoption to meet the needs of African American children, as it does not monitor or provide additional resources for targeted recruitment efforts, nor does it address foster care entry dynamics.
throughout adolescence than their peers raised by African American parents ($n = 21$), who had lower levels of education and lived in neighborhoods with fewer resources (Weinberg, Scarr, & Waldman, 1992). This research provides evidence for the social advantage perspective that transracial adoption can benefit African American youth when they are placed in environments with high social and financial capital. For the most part, however, the literature on the psychosocial adjustment of transracial adoptees has considered whether or not they fare worse because they are being cared for by adults who do not share their racial background.

In this respect, many who hold the expedient permanency perspective claim that there is no compelling evidence that African American transracial adoptees do poorly because they grow up in White families or communities. Their evaluation of the research evidence suggests that any adjustment challenges faced by transracially adopted African American children are relatively normal, or comparable to those faced by other African American youth growing up in a predominantly White society (Burrow & Finley, 2004; Feigelman, 2000; Shireman, 1988; Silverman, 1993; Weinberg, Waldman, van Dulmen, & Scarr, 2004). For example, Hollingsworth’s (1997) meta-analysis found that transracial adoption had no statistically significant effect on self-esteem across five studies that included African American youth, and that the effect was in a positive direction. The one study to date that included African American biological offspring ($n = 19$) in addition to African American transracial adoptees ($n = 39$) and African American inracial adoptees ($n = 19$), found that there were no differences between the groups with respect to family functioning, child self-esteem or adjustment on standardized measurement tools completed in parent interviews (Shireman, 1988).

When transracial adoptees do experience adjustment difficulties, those from the expedient permanency perspective might argue that such findings can be attributed to their age at placement, as some research indicates that as age at adoption increases, adoptee adjustment generally decreases (Mason et al., 2003; McDonald, 1996; Sharma, 1996). A cross-sectional study considered this issue, comparing the school performance, behavior, health, and delinquency of African American children adopted by White families ($n = 24$) to White inracially adopted children ($n = 18$). The researchers found that African American transracial adoptees experienced significantly more behavior problems, but that such differences disappeared once age at placement was taken into account (Weinberg et al., 2004). Similarly, a study using a sample from 14 counties in California found that age at adoption and numbers of previous placements were strong predictors of adoption disruption, whereas a racial match between the adoptive child and family was not at all predictive when other variables, such as time in care before placement, special problems, gender, family structure, receipt of adoption subsidy, family structure, type of adoption (foster parent or not), and socioeconomic status of the adoptive parent(s), were considered (Barth, Berry, Yoshikami, & Goodfield, 1988).

Some proponents of the cultural continuity perspective question the validity of research that suggests that transracial adoptees’ psychosocial adjustment is healthy regardless of their racial identity development. They assert that studies indicating little to no effect on adjustment measures despite finding statistically significant differences between inracially adopted African American children ($n = 74$) and their transracially adopted counterparts ($n = 8$) on five out of twelve indices of adjustment (p. 582). Transracial adoptees reported that they experienced less depression and had a greater sense of self-worth, but had worse grades, greater psychosomatic symptoms and lower levels of perceived father closeness. Transracial adoptees also fared poorly on other measures of adjustment when compared to their inracially adopted counterparts, but these differences did not reach statistical significance (Burrow & Finley, 2004).

Those who hold the cultural continuity perspective might also point out that researchers have not always found that age at adoption mediates the psychosocial outcomes of transracially adopted youth. Analyzing longitudinal data based on parental evaluations of behavior using a standardized assessment, Feigelman (2000) found that adolescent African American transracial adoptees ($n = 33$) had significantly more behavior problems than their Latino ($n = 19$) and Asian ($n = 151$) counterparts, whereas there were no significant differences among the adoptees based on their age at adoption. After considering the effects of race, gender, adoptive family structure, and placement history on adjustment outcomes, Brooks and Barth (1999) determined that male transracial adoptees ($n = 74$) are more prone than other groups ($n = 150$) to experience adjustment problems in adulthood. They found that gender and race, not age at adoption, were the most significant predictors of long-term adjustment (Brooks & Barth, 1999).

5.3. The racial identity development of African American transracial adoptees

In addition to children’s psychosocial well-being, studies have examined whether growing up in a White family has a detrimental effect on African American children’s racial identity development. These studies tend to support the cultural continuity perspective that African American youth raised by White parents will experience more challenges in this respect, particularly if they live in predominantly White neighborhoods, send their children to similarly homogeneous schools and do not actively foster their racial socialization. In her meta-analysis, Hollingsworth (1997) found that transracial adoption had a significant negative effect on youth’s racial identity. For example, Simon, Altstein, and Melli (1994) found that 66% of African American transracial adoptees ($n = 89$) reported that they were proud to have their racial background as adolescents, in contrast to almost 90% of all other comparison groups, which included Asian transracial adoptees ($n = 12$), White inracial adoptees ($n = 16$) and White biological offspring ($n = 91$) (Simon et al., 1994). In Vroegh’s (1997) study, only 33% of transracial adoptees self-identified as African American, compared to 83% of the inracial adoptees. In Patton’s (2000) ethnographic interviews with 22 adult transracial adoptees who had at least one African American biological parent, she identified a similar pattern, where only 40% identified as African American and the remaining considered themselves White (20%) or biracial (40%).

Feigelman (2000) identified a significant correlation between growing up in predominantly White neighborhoods and transracial adoptees’ greater discomfort with their racial appearance, a finding supported by Patton’s qualitative work (2000). Furthermore, Feigelman (2000) confirmed the finding of DeBerry, Scarr, and Weinberg (1996) that negative feelings about racial appearance, along with transracial adoptees’ experience with discrimination, correlate with problem behavior and adjustment issues in young adulthood. Brooks and Barth (1999) found that out of the 39 African American adult transracial adoptees they studied, 21% of the females and 50% of the males reported discomfort over their...
racial appearance. In Vroegh’s (1997) in-home interviews, trans-
racial adoptees (n = 34) reported significantly more racial incidents than inracial adoptees (n = 18), perhaps a result of their greater contact with people of different backgrounds. For example, trans-
racial adoptees’ closest friends were predominately White and 25% had no African American friends, whereas inracial adoptees’ closest friends were African American and all had same-race relationships. Simon et al. (1994) also found that a significant majority of African American transracial adoptees indicated that their choices of friends and dating partners were White (73% and 60% respectively).

In addition to school and neighborhood influences, scholars have hypothesized that adoptive parenting practices can promote or hinder positive racial identity development. Patton (2000) reported, “the socialization [transracial adoptees] had received from their parents was often inadequate” for coping with racism, though they developed satisfactory methods for addressing these issues on their own (p. 66). DelBerry et al. (1996) analyzed two sets of data (1976 and 1986) from interviews with parents and African American children (n = 88) in the study of Weinberg, Scarr, and Waldeman. They used the interviews to measure family racial socialization, which they categorized as either an Africentric or Eurocentric reference group orientation. The authors found that parents had to actively nurture adoptees’ Africentric orienta-
tion, which tended to decline over time, but that their Eurocentric orientation evolved naturally from being a part of a White family, regardless of parents’ racial socialization practices.

Yet those who hold the expedient permanency perspective argue that these identity challenges largely resolve themselves over time, highlighting Vroegh’s (1997) study, which found that self-identification as African American increased with age and was not significantly correlated with other variables, such as the racial composition of their school or neighborhood. Although transracial adoptees may have more friends and dating partners who are White, Simon and Alstein (1994) found that 90% of the transracial adoptees in their study said that they expected to marry someone of the same race. Moreover, the findings regarding transracial adoptees’ complicated racial identity development may be a result of their light complexion and the mixed-racial background of their biological parents, not their adoption by White parents (Vroegh, 1997). For their part, social advantage proponents might draw attention to Baden’s (2002) study which found that transracial adoptees’ (n = 51) identification with their parents’ White culture can support positive psychological adjustment.

5.4. System-level outcomes of African American transracial adoption

Relative to the abundant literature on the topics of psychosocial adjustment and racial identity development of transracial adoptees, surprisingly little research exists about the system-level outcomes of policy reforms. Still, using what little information is available, those who hold the cultural continuity perspective point out that 4 years after the passage of MEPA, little reduction in racial dispro-
portionalities was evident at the national level. African American children made up 15% of the population, but still represented 30% of the children entering the system, 43% of the youth in foster care, 53% of the young people waiting for adoption and 32% of the children who exited care (Administration of Children and Families, 2006). In more recent years, adoption of African American children in particular, as a percentage of all children adopted from foster care, has also declined (Administration of Children and Families, 2006; General Accounting Office, 2002). African American children are still exiting foster care more slowly than are other children, even after controlling for age, placement length and type of placement (Smith, 2003).

Those who hold the expedient permanency perspective might argue that these weak system-level outcomes do not reflect the lack of efficacy of transracial adoption in moving African American youth out of the foster care system more quickly, but rather the sluggish implementation of MEPA/IEAP on the part of states, and considerable challenges in enforcing the law. In 1998, the General Accounting Office (1998) reported that the federal government had provided little information about how to apply the legislative mandates in casework practice, states and counties were slow to revise their policies, the consideration of race in placement decisions was a widely accepted best practice, and few workers had been trained in the new regulations. Such difficulties continue to be echoed by other experts and practitioners in the field (Brooks et al., 1999; Chibnall, Dutch, Jones-Harden, Brown, & Gourdine, 2003; Shaw, 2005). A review of national adoption placements from 1995 to 2001 found inconsistent growth (2–5%) in state-supported transracial adoptions of African American children, but due to problems with data quality in the 1990s, the authors reported that “no clear trend” was evident (Hansen & Simon, 2004, p. 52). In contrast, the national rate of same-race adoptions for African American children has remained steady, at around 70% (General Accounting Office, 2007). A national survey conducted in 2000 confirmed these findings; a large majority of child welfare agencies reported no increase in their rate of transracial adoption placements (77%), no additional training for staff on the use of race in permanency planning (61%), and no new recruitment efforts for potential adoptive parents of color (92%) (Mitchell et al., 2005).

The general validity of these studies is limited because they were based on self-reports and were not confirmed with administrative data, but the results are not surprising given a policy that provides no new funding or accountability measures for recruitment or training (Mitchell et al., 2005).

Beyond the disappointing descriptive trends regarding racial disparities, sophisticated statistical analyses have revealed modest indicators of positive change for African American children in foster care post-MEPA, IEAP and ASAP. With a large sample of administrative data from twelve state agencies, and controlling for age at admission, care type, urbanicity and year of admission, Wulczyn (2003) found that the effects of race on likelihood of exiting foster care to a permanent placement decreased between 3% and 5% between 1990 and 1998. He attributed this change in large part to African American infants whose time to adoption was growing shorter in this period (Wulczyn, 2003). Data on the race of adoptive parents were not included, but given that few states have increased their recruitment of parents of color, it is likely that many of these African American infant adoptions were transracial.

On the other hand, family preservation proponents might point out that Wulczyn (2003) also documented growing race-effects on reunification rates. In other words, the odds of reunification for African American children were decreasing during the 1990s, relative to White children. African Americans are also overrepresented among the children who have parental rights terminated (General Accounting Office, 2002; Smith, 2003). Moreover, disproportionalities for African American children in foster care are driven primarily by the number of older youth in care, not by challenges in finding permanent homes for infants (Barth, 1997; Courtney, 1997; McRoy, 2003). Therefore, those who hold the family preservation perspective would likely highlight that Wulczyn also found a significant increase in the rate of relative adoption among older African American children from urban areas who had been placed with kin (2003). It is reasonable to presume that most adoptions by family members are inracial.

6. Areas for future research

Given the contradictory findings, multiple adjustment domains involved, and the methodological challenges presented, we simply do not know with any certainty whether transracial adoption has a positive or negative impact on the psychosocial development of African American children. There is stronger evidence that these youth experience more challenges in developing a positive racial identity when they live with White families who do not actively take steps to foster their cultural pride. We have only limited support for
the notion that transracial adoption can reduce racial disparities and disproportionalities, and when it does, it appears to make a difference only for a relatively small sub-group of African American infants, not for the larger group of older children and those with special needs awaiting placement. Thus, using available research, it is difficult to assess whether transracial adoption is an effective intervention strategy to improve conditions for African American children in foster care while serving their best interests. Although obvious, it is important to note that transracial adoption does not address disparities in entry dynamics; African American youth and their families continue to be overrepresented in reporting, substantiation, and child removal rates. In sum, it is not clear whether promoting transracial adoption is in African American children’s best interests, or is more productive than other strategies in decreasing racial disproportionalities and disparities in foster care.

Even if research could convincingly demonstrate that transracial adoption leads to worse developmental outcomes for adoptees relative to instaracial adoptions, such a finding would not necessarily be sufficient evidence that transracial adoption should be curtailed. For if it is true that African American children generally stay in foster care longer when attempts are made to find racially matched permanent placements (a research question in and of itself), one would still need to consider how the outcomes of transracial adoption compare to those associated with longer spells in the foster care system. No existing study compares the outcomes of transracial adoptees to foster youth waiting for a same-race placement, or to those youth that never find an adoptive family and “age out” of the system. Now that race-matching practices are illegal, experimental research towards this end would not be possible, but future studies should include samples of African American children in temporary out-of-home placements.

Since researchers cannot randomly assign children to be adopted transracially, the use of statistical controls is also critical in future transracial adoption research. Additional studies utilizing large samples drawn from nationally representative groups of public agencies would do much to advance the literature on psychosocial and racial identity development of transracial adoptees. To isolate the effects of transracial adoption specifically, such data sets would need to include comparison groups of interracial adoptees, mixed-race children from interracial families, and African American biological offspring from similar socioeconomic conditions. This would provide a more useful context for understanding transracial adoptees’ development, helping to clarify which outcomes reflect a common experience among all African Americans in a predominately White society, and which can be attributed to parenting practices or the experience of growing up in a White family and neighborhood. When conducting transracial adoption research, investigators also need to collect more detailed data on participants racial backgrounds (e.g. whether they have a non-African American biological parent) in order to account for the challenges that mixed-race youth can face in their identity development independent from their adoption experience. As previously mentioned, information about study participants’ biological families and current caregivers, age at placement, gender, trauma experienced (both in their family and in their community), school and neighborhood demographics, behavioral problems, number of placements, and peer groups would also need to be included in order to disaggregate the influence of transracial adoption from other variables. Finally, additional research with adult transracial adoptees would help establish whether any challenges youth experience are eventually resolved, and would provide policy makers with the perspectives of important stakeholders in this debate.

In contrast to the number of studies considering how transracial adoption impacts the psychosocial and racial identity development of African American children, there is a dearth of studies evaluating whether the practice is even an effective strategy for reducing racial disparities and disproportionalities in the child welfare system. National, state and local administrative data sets that link information about the racial background of foster children, foster parents, adoptees and adoptive parents should be made publicly available. More broadly, greater efforts by agencies, counties, states and the federal government to monitor and report on disparities for African American youth and their families at different points in the child welfare system would increase accountability and allow for greater understanding of the causes of disproportionality and disparity, along with the nature of effective interventions (Dougherty, 2003; Hill, 2006).

Beyond transracial adoption research, there is an even greater need for comparative studies that consider the effectiveness of a full range of possible interventions to the problem of racial disproportionalities and disparities. Alternatives to MEPA’s and IEAP’s current focus on expedient permanency and adoption without consideration of race are varied; many are outlined in the sections on the cultural continuity, family preservation, and social advantage policy perspectives in this article, but they have received far less attention from researchers than transracial adoption. Much would be learned by comparing demonstration projects in demographically similar settings that employ different strategies for reducing racial disparities in child welfare entry and exit dynamics. Interventions that could have effects on disproportionate entries include structured decision-making tools in removal and placement decisions, family group conferencing, and fully resourced child abuse prevention programs that build on strengths and increase protective factors in vulnerable families and communities (Crampton & Jackson, 2007; Derezotes et al., 2005; Dougherty, 2003; McRoy, 2003). Other practices that may reduce race-effects in exit-rate dynamics, and which are allowed under existing policy frameworks, include targeted recruitment of, and more flexible eligibility standards for, African American foster and adoptive parents, comprehensive reunification services that include concrete support services and fully subsidized legal guardianships with kin (Chibnall et al., 2003; Gilles & Kroll, 1991; Hollingsworth, 1998; McRoy, 1997). These strategies, of course, will need to be subjected to rigorous research to show their effects.

Although current child welfare law requires that choices between interventions and placements be made based on the best interests of children, rather than the cost-saving desires of the taxpayer, the reality of the policy making process is that expenditures are tantamount concern. Legislators would also benefit from research regarding the cost-effectiveness of different approaches to reducing racial disproportionalities and disparities. Proponents of the expedient permanency perspective might argue that that transracial adoption is an easier or more feasible solution than other interventions, such as providing family preservation, but this is an empirical question that remains unanswered. Economic evaluations that assess the costs, and ideally the benefits or savings, of different approaches to addressing disparities and disproportionalities are sorely needed.

7. Conclusion

Despite ongoing debates in the field about the causes and solutions to racial disproportionalities and disparities, federal policy addressing this problem has centered on the practice of transracial adoption, primarily reflecting the expedient permanency policy perspective. A thorough review of relevant studies from the last 20 years reveals that strong empirical research does not exist to support this intervention, or policy perspective, over others. Instead, each position, related framing of the problem, and preferred intervention strategy appear to have some merit and support in the research literature. Moreover, given the considerable methodological challenges involved in these lines of inquiry, it is unlikely that future studies will provide irrefutable answers to questions about the relative efficacy of different interventions to reduce racial disparities and disproportionalities while also serving the best interests of African American children in the child welfare system.
Future discourse on these issues would be more productive with greater transparency regarding scholars’, advocates’ and policy makers’ points of view, coupled with reflection on all sides about the experiences that lead different stakeholders in the child welfare system to prioritize certain policy positions over others. Furthermore, until we know more about a variety of interventions that could reduce disproportionalities and related disparities, the field would benefit from a more nuanced debate that considers which child outcomes should be maximized under what conditions and towards what end. It is unreasonable to assume that one policy position or a singular approach is appropriate for all African American children or will lead to the resolution of such a complex problem as racial disproportionalities and disparities in the child welfare system. Since research exists to support all points of view, and the problem of disparities and disproportionalities remains unresolved, federal legislation targeting this problem should be expanded to incorporate cultural continuity, family preservation, and social advantage positions. Efforts to promote expedient permanency can be maintained even if additional positions are incorporated into future policies, as this article has illustrated that these policy perspectives can be understood as complementary, porous and not necessarily mutually exclusive. In fact, realizing all four perspectives is in African American children’s best interests, for each has as a core principle the well-being of the child.

The current emphasis on expedient permanency in federal policy, despite evidence that all four outcomes prioritized by each policy perspective contribute to the healthy development of African American children, raises many important issues that this article has illustrated that these policy perspectives can be understood as complementary, porous and not necessarily mutually exclusive. In fact, realizing all four perspectives is in African American youth in their efforts to reduce their representation in the child welfare system. Forced choices between policy perspectives happen in the context of scarce resources, a condition that is not an unchangeable given. The process of democratic public policy making is not objective, and although the evidence-based practice movement has garnered increasing attention in recent years, the state of current federal legislation may, for the most part, be a reflection of dominant attitudes during the times in which it was passed. To change the very terms under which this debate takes place, it will be necessary for social workers and youth service professionals to engage in organized policy practice, in partnership with African American children and their families.

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