

## **Black kids fare worse in foster care**

12/03/03

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### ***Children's advocates troubled by disparities revealed in report***

Black children in Tennessee's child welfare system languish in foster care twice as long on average as white children, according to a new report by a nationally known expert on race and child welfare.

Children's advocates say they are troubled by findings that they say show black children bearing the weight of the state's failed child welfare system. The report highlights disparities between black and white children in state custody and makes recommendations.

Department of Children's Services officials said they are reviewing the report.

"We will take a look at why things are that way," spokeswoman Margie Maddux said.

The findings and recommendations will be forwarded to a work group appointed by Gov. Phil Bredesen, which is putting together an action plan to meet the settlement terms, Maddux said.

Among the study's findings is that black children are more likely to be determined "delinquent" and sent to juvenile detention facilities than white children who commit similar offenses and are termed "unruly" and sent to foster homes.

"That is very alarming," said David Raybin, the Tennessee lawyer for children in foster care who are plaintiffs in a class-action federal lawsuit against DCS. The lawsuit, known as the "Brian A." case after one of the children, resulted in a settlement two years ago.

"It is clearly unconstitutional to have social services delivered with adverse racial impact," Raybin said.

The 18-month report by University of Texas social work professor Ruth McRoy was conducted as one of the requirements in the settlement.

"We are very disappointed at the result," Raybin said. "We had expected DCS would do better and that race would not be such a dramatic factor."

Researchers found that black children stayed in foster care on average 52 months, compared with 26 months for white children.

That's an outgrowth of another finding — that black children are less likely to have "permanency plans," which chart a course to return children home to their parents if that is appropriate, said

Marcia Robinson Lowry, executive director of Children's Rights, a New York advocacy group that filed the Brian A. lawsuit.

Another problem is that parents of black children are only half as likely as white parents to receive all or some of the services they need, according to the report.

"These elements all add up, and the ramifications are that we have a system that is not measuring up and is worse for black children," Lowry said.

"I don't think anyone is sitting in a state office saying, 'Let's do a worse job for black children.' That would be hard to imagine, and I don't think that's happening. But the impact is worse for black children."

At the start of the study, there were 7,521 children in foster care: 2,664 (35.4%) were black, 4,638 (58.1%) were white and 183 (2.4%) were multiracial.

DCS has 90 days to come up with a plan to formulate recommendations, which are to be implemented within 18 months, the report says.

A review of adoption rates showed that 70% of adoptive families were white and 27.4% were black. Most children adopted, 60.5%, were white, while 31.6% were black and 7.3% were multi-race.

White families adopted 15% of black children, and in only one case did a black family adopt a white child, the report says.

The report also raps the state for not diligently recruiting black foster and adoptive parents and says black families caring for foster children often do not maximize grant amounts to which they are entitled.

The report also criticizes DCS for the low number of black Child Protective Services staff members, about 13%, although there are disproportionately high numbers of black children and families in the system.

Among recommendations:

- Recruit black foster parents and relatives who can serve as caregivers with a goal of increasing the number by 30%.
- Explore the extent that black children are being sent to relatives but not getting maximum financial support.
- Hire an outside consultant to study the number of black children diverted to the juvenile justice system rather than foster care.
- Increase the number of black staff members.

- Train staff in working with minority families.

The report is the third such study of racial disparity in recent history in Tennessee but the most comprehensive, according to Children's Rights. In 1997 the Commission on Children and Youth identified the problem, and a Tennessee comptroller's report followed up with a 1999 report.

A federal court hearing is scheduled Jan. 2 on a contempt of court motion filed by plaintiffs against the state. The disparity report is not expected to be a part of that hearing.