

States with punitive justice systems have higher rates of foster care, study finds

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The number of children in foster care across the country is driven not solely by child abuse and neglect, but by states' varying politics and approaches to social problems, a new University of Washington (UW) study finds.

States with more punitive criminal justice systems tend to remove children from their homes far more frequently than those with generous welfare programs—meaning that two [states](#) with similar rates of child abuse and neglect could have very different rates of foster care entry.

Those findings are the basis of a study published online today that will appear in the June print edition of the *American Sociological Review*. Author Frank Edwards, a UW doctoral student in sociology, concludes that child welfare policies are heavily influenced by how states address social problems overall.

"We see across the board that politics are great predictors of policy," Edwards said. "If a state prefers more punitive criminal justice and less generous welfare benefits, then it's very likely that it will prefer a certain approach to child welfare as well."

Edwards, who previously worked with children in foster care in Texas, undertook the study to determine whether factors beyond child abuse and neglect were driving rates of foster care in various states. While previous studies have looked at the role of incarceration and welfare programs on parents' ability to care for their children, Edwards said none

have statistically examined how states' differing policies for addressing social issues influence [child welfare](#) systems.

And those variations, Edwards found, lead to big differences in the rates of foster care between states, after controlling for population differences. For example, Edwards found that states with punitive criminal justice systems are expected to place an average of 1.5 more children per 1,000 into foster care annually than states with less punitive criminal justice systems. For the national state average of about 1.47 million children, that translates to 2,200 additional foster care entries annually.

States with generous and inclusive welfare programs are expected to place 0.8 fewer children per 1,000 into foster care, compared to states with meager welfare programs.

Edwards analyzed federal foster care data for 2002 to 2011 for each state to determine rates of foster care entry; he also looked at how frequently states put foster children in residential treatment centers or other restrictive settings.

Then Edwards set out to measure how punitive states' criminal justice systems were, using the number of death sentences, incarceration rates, and numbers of police officers per capita as a benchmark. He also measured the relative generosity of states' welfare systems by their level of welfare benefits, enrollment in various assistance programs, and welfare workers per capita.

Comparing the data for various states, Edwards found that states with more punitive criminal justice systems generally had higher rates of foster care and tended to put children in treatment centers or other restrictive environments more often. Conversely, those with more generous welfare structures had lower rates of foster care, and lower

rates of restrictive confinement for children in foster care.

However, states with both generous welfare benefits and large bureaucracies tended to have slightly higher rates of foster care than those with generous benefits and smaller bureaucracies, since bringing more families into contact with service providers increases the ability to identify abuse and neglect.

"The idea of including all these other factors is that it's not just the direct effects of abuse and neglect that are involved," Edwards said. "If a state has a punitive [criminal justice](#) system, or a generous system of welfare provision, that indicates a stable way that legislators and bureaucrats think about and respond to problems like crime, poverty, and child abuse.

"These ways of understanding how to solve a particular problem get institutionalized, and play a large role in determining how a state designs and implements social policy across the board."

The study notes the often contradictory nature of child protection agencies, which are tasked both with providing support and resources for struggling parents and taking action when parenting falls short of expectations. That intervention resulted in an average of 1.4 percent of U.S. children coming into contact with the foster care system annually between 2002 and 2011, Edwards found.

There were a few anomalies in Edwards' findings—for example, some southern states had high incarceration rates and low welfare benefits but also low foster care rates, which he said could be due to less-developed child [welfare](#) infrastructures. And there were some limitations to the data. Up to 75 percent of all cases of children being placed in foster care with family members, for example, occur without taking [children](#) into state custody and therefore are not recorded in federal foster care

statistics.

But overall, Edwards said, the study shows that there is enormous variation in foster care [rates](#) across the country that is driven largely by states' politics and policies.

"If we want to understand why some states are putting more kids into foster care than others, we need to look at the policy environment," he said. "A state that prefers to punish people when they break the rules is also a state that might put families in situations such that abuse and neglect are more common. It's also a state that is likely to think that removing a child from the family is the only way to respond.

"The story of [foster care](#) is not just the story of [child abuse](#) and neglect. It's the story of policymaking and politics, writ large."

Provided by American Sociological Association

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