

# Intersectionality and structural gendered racism: Theoretical considerations for Black women, children, and families impacted by child protective services in the United States

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## Abstract

This critical review uses the frameworks of intersectionality and structural gendered racism to understand the racialized, gendered, and class-based oppression regarding the overrepresentation of poor Black women, children, and families within child protective services (CPS) in the United States. The review begins with a discussion of intersectionality and examines the origins of CPS, along with the potential causes for overrepresentation within the system. Finally, the article presents a detailed overview of how structural gendered racism is manifested within CPS practices and policies. It is imperative that practitioners, administrators, and policymakers acknowledge the utility of applying the frameworks of intersectionality and structural gendered racism in understanding the disproportionate contact of poor Black women, children, and families within the system. It is important to work toward practice and policy interventions to improve the overall well-being of this population. Implications for social work practice and policy are discussed.

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**Introduction**

In the United States, 53 percent of Black children are the subject of child maltreatment reports, compared to 37 percent of all children (Kim et al., 2017). Black children are more likely to have higher rates of involvement in later stages of child protective services (Edwards et al., 2021) and are more likely to have negative developmental outcomes compared to White and Hispanic youth in CPS (Courtney et al., 2011; Gourdine, 2019; Kolivoski et al., 2017; Yi and Wildeman, 2018). The parents of Black children who are disproportionately impacted by CPS are often primarily poor, single Black mothers, who have been historically characterized as unworthy, unfit, and lacking in the necessary values of traditional motherhood, thus justifying CPS and the removal of their children (Bach, 2014; Lens, 2019; Roberts, 1993). This article seeks to critically review scholarship focusing on the overrepresentation of poor Black women, children, and families in CPS and add an intersectional analysis, particularly regarding the racialized, gendered, and class-based aspects of this disproportionately detrimental involvement. Using the framework of intersectionality and structural gendered racism is essential in understanding how race, class, and gender oppression have simultaneously influenced the overrepresentation of poor Black women, children, and families within CPS. This article gives theoretical considerations for CPS practitioners, administrators, and policymakers to inform their practice and policy interventions to improve outcomes for this population.

Nadan et al. (2015) argue that child maltreatment research and policy have rarely paid attention to intersectionality or to how multiple social identities are linked to produce disadvantages. This critical review provides a brief historical overview of intersectionality and CPS followed by a focused review of the literature on racial bias, the effects of poverty, and the gendered dimensions of oppression within the system. Finally, a detailed discussion of how structural gendered racism is manifested to explain the overrepresentation of poor Black women, children, and families in CPS is provided. Roberts (2002, 2012, 2014) has written extensively about structural gendered racism within CPS using a legal lens. This article seeks to apply these concepts using a social work lens with implications for social work policy and practice.

In recent years, the field of social work has recognized the necessity of discussing intersectionality in social work education with a focus on examining

the dynamics of power, privilege, and oppression in social work practice (Simon et al., 2021) as well as centering the experiences of Black women, Black girls, and their families (Dorsey et al., 2022; Dorsey and Williams-Butler, 2022). Beyond mere analysis, the field is now beginning to focus on explicit practice and policy changes needed to address the multiple oppressions these women and their families face (Kolivoski, 2020). It is important to note that this article focuses on the intersection of identities related to race, gender, and class as these oppressions are most salient for the population receiving CPS services. Finally, this paper gives specific theoretical considerations that demonstrate the usefulness of applying intersectionality and structural gendered racism within the field of CPS specifically and social welfare policy more broadly.

## **The role of intersectionality in understanding the overrepresentation of poor black women within CPS**

The framework of intersectionality is used to understand the simultaneous race, gender, and class oppression that poor Black women, children, and their families experience within CPS. The term intersectionality was first coined to describe the multiple oppressions that Black women face as a result of both their race and gender simultaneously (Crenshaw, 1989). This oppression is unique compared to Black men and White women, who both hold privileges related to their gender and race, respectively (Beal, 2008). Structural gendered racism refers to the interconnectedness of racism and sexism at the structural level shaping race and gender inequalities (Pirtle and Wright, 2021). Intersectionality is the framework that allows us to understand the actions of structural gendered racism that are implemented against Black women regarding CPS practices and policies. Black women are often deemed invisible relative to White women and Black and White men within society (Sesko and Biernat, 2010) and as a result, face unique hurdles within American society (Spates et al., 2020). A lack of focus on Black mothers within the CPS literature is an extension of the general invisibility of Black women in society at large. The framework of intersectionality explains how structural gendered racism works to oppress Black women in society – and, in the case of CPS, also Black children and Black families.

Intersectionality posits that race in addition to other identities such as gender, sexuality, and class all play a role in power relations (Davis, 2008) because the influence of each identity cannot be understood in isolation as each marginalized identity mutually impacts the relationship of the other marginalized identities (Collins, 1998). It is important to note that intersectionality is not additive in its application and does not comprise a main effects

approach, as is the case in non-intersectional approaches (Bowleg and Bauer, 2016). Further, intersectionality places an emphasis on understanding inequality, power, and privilege as they relate to aspects of different identities (Bowleg and Bauer, 2016; Else-Quest and Hyde, 2016).

*Black Feminist Thought* (Collins, 1990) was the first to expand the application of intersectionality to also include social class, sexuality, ethnicity, nationality, age, and other forms of identity that also shape Black women's experiences. Collins wrote at length about the *matrix of domination*, which describes the varying amounts of oppression and privilege associated with each identity an individual possesses. The matrix of domination emphasizes the importance of recognizing both the marginalization and privileges an individual possesses within different systems of oppression and acknowledges that there are few pure victims or oppressors.

*Contextual* and *situated intersectionality* are also important to give context to these issues. Contextual intersectionality emphasizes the importance of applying intersectionality within a specific context (Nayak et al., 2019), while situated intersectionality focuses on how differential power relationships related to different identities can be used to explain the social, economic, political, and personal domains in which inequality takes place (Yuval-Davis, 2015). In this case, contextual intersectionality helps one understand CPS as a unique organizational context with hierarchies of power and marginalization. Situated intersectionality allows for understanding the disadvantages of being a CPS-involved, poor, Black mother at the professional discretion of predominately White, middle class caseworkers. For example, cultural variation in communication patterns related to language and behavior in the form of expressions of anger and/or direct versus indirect communication, may lead to Black mothers being disproportionately punished when interacting with CPS workers and may contribute to racial disproportionality within both CPS and the juvenile justice system (Marshall and Haight, 2014). Applying contextual and situated intersectionality aids in understanding why these dynamics take place and their disproportionately detrimental impact on poor, Black mothers. While the focus of this review is contextually centered in CPS and focuses on power dynamics within it, it is also important to review the historical foundations of intersectionality broadly.

## Historical foundations of intersectionality

Black feminists dating back to Sojourner Truth's speech 'Ain't I a woman?' in 1851, detailed the struggles of being a Black woman long before the official term intersectionality was developed as an academic concept (Cole, 2009).

In the late 19<sup>th</sup> century, author and activist Anna Julia Cooper urged Black male leaders to include the sexist discrimination faced by Black women in their race-based agenda (Giddings, 1985). In the 1970s, the Combahee River Collective, a group of Black feminists, organized in opposition to all forms of oppression, including that related to race, sexuality, gender identity, class, disability, and age (Combahee River Collective, 1995). These ideas were later incorporated into the formalized concept of intersectionality (Smith, 2013).

Throughout the 1980s, women of color generated a wealth of scholarship about the interconnectedness of race, gender, class, and sexuality (Anzaldúa, 1987; Davis, 1983). Scholars such as Angela Davis and bell hooks played a substantial role in bringing such ideas to the forefront of academic consciousness (Collins, 1990; hooks, 1984). However, a formal name for the theory driving their work was not conceptualized until Crenshaw (1989) first coined the term intersectionality. Since its inception in the legal field, intersectionality has impacted many other disciplines including sociology, psychology, political science, women/gender/feminist studies, critical race studies, and childhood studies, among many others (Almeida et al., 1998; Cho et al., 2013; Konstantoni and Emejulu, 2017; Thorne, 2004).

Some argue that the diffusion of intersectionality to different areas of study without a deep understanding of the inherent political aspect of the framework has led to its depoliticization (Bilge, 2013; Nash, 2017). Some critics charge that more focus has been given to the academic exercise of adding, subtracting, and multiplying marginalized identities for the purpose of scholarship rather than applying the framework to examine relationships between power, privilege, and oppression and generating counter-hegemonic and transformative knowledge, activism, pedagogy, and non-oppressive coalitions (Bilge, 2013). This article seeks to apply contextual and situated intersectionality to CPS in the United States beginning with its historical foundations.

## **Historical foundations of child protective services**

It is important to note CPS was not originally designed to meet the needs of Black families; rather, the system developed in response to the needs of poor and working-class White families and European immigrants in the late 19<sup>th</sup> century (Hill, 2004). Further, it is not evident how CPS ultimately went on to disproportionately represent poor Black women, children, and families. This section explores how the historical foundations of CPS later played a role in the overrepresentation of poor Black women, children, and families.

CPS was originally established as a child protection movement to ensure the legal punishment of those deemed cruel and abusive to children (Carstens, 1911). The first case of child protection to be prosecuted in the United States, was that of a child named Mary Ellen in 1875, which resulted in the child being removed from her guardian. She was placed with the American Society for the Prevention of Cruelty to Animals (ASPCA) as animal protection was the only national protective agency in existence at the time (Pfohl, 1977). Soon after, the New York Society for the Prevention of Cruelty to Children (NYSPCC), the first organization focused on the prevention of cruelty to children, was founded to care for children of abusive parents (Coleman, 1924). From its inception, the NYSPCC adamantly denied that it was a social service agency. Rather, it was an organization created for the enforcement of the law against abusive and cruel parents (Antler and Antler, 1979). Thus, from its very foundation, CPS had an interdependent relationship with the criminal justice system, or carceral State, with the goal of punishing parents deemed unfit by using the power of the law to inflict State-led punishment. This interdependent relationship later forms the foundation for the overrepresentation of Black families and children within CPS (Kelly, 2021).

Eventually, the child protection movement gave way to the family protection or child welfare movement, which lasted from the early 1900s to the early 1960s. Rather than taking a punitive approach, family protection/child welfare services sought to support impoverished and struggling families and focused on family preservation (Lindsey, 1994). While child removal did still take place, the focus on support for indigent families is often where benevolent ideas surrounding the inception of child welfare services originated. However, from the very beginning, the decisions made by CPS were class-based. Preferable and desired parenting practices were often based on middle-class family status and parenting ideals (Antler and Antler, 1979). This initial preference for middle-class values put poor White families and White immigrants, the only families eligible for services during this time, at a distinct disadvantage, which was compounded when poor Black families were later able to receive services. CPS became increasingly punitive as more Black children became a larger proportion of the client base (Roberts, 2002).

Black children were not able to receive any government-sponsored child protective services until the passage of the Social Security Act in 1935 (Billingsley and Giovannoni, 1972). Before then, the Black community developed formal and informal systems of care for children, such as placing them in Black-run orphanages and day nurseries or with extended family members (Peebles-Wilkins, 1995). Flexible kinship networks have played a major role in supporting parentless and impoverished Black children from the days of slavery (Jimenez, 2006) to the present day (Washington et al., 2014).

In the 1960s, there was a distinctive shift away from family preservation back to a focus on parents as perpetrators of violence against children, or child protection (Nelson, 1984). *The Battered Child Syndrome* by Kempe et al. (1962) played a major role in this shift, arguing that parents who physically abused their children were often of low intelligence and had many personal character flaws, such as alcoholism, sexual promiscuity, unstable marriages, and minor criminal activities that made them unable to appropriately parent and nurture their children. Parents being characterized as criminals that needed to be punished for abusing and neglecting their children played a major role in the passing of the first federal CPS policy, the Child Abuse and Prevention Treatment Act (CAPTA) of 1974 (Nelson, 1984). Many of these negative characterizations of parents are often the characteristics that are disproportionately negatively attributed to poor Black mothers who are in contact with CPS today (Harp and Bunting, 2020). Now that we have identified the historical foundations of CPS, a brief review of the literature on the main effects of race, poverty, and gender on that disproportionate contact will be reviewed before utilizing an intersectional lens to explain it.

## Racism, racial bias, and discrimination

Several reports and research studies have confirmed that Black children are disproportionately overrepresented within CPS (Boyd 2014; Fluke et al., 2011; Gourdine, 2019; Kim et al., 2017; Putnam-Hornstein, et al., 2013). This is often attributed to several factors. Harris (2021) notes that racial bias, both implicit and explicit, often impacts the language, referrals, judgments, assessments, and recommendations influencing disproportionate racial contact within CPS. Biases within child welfare decision-making (Harris and Hackett, 2008), explicit and implicit bias on the part of CPS workers (Cooper 2013; Dettlaff and Rycraft, 2008), a lack of culturally appropriate services (Miller et al., 2013), and increased surveillance of Black families in general within CPS (Merritt, 2021) all play major roles in precipitating disproportionate contact.

There are often objective criteria required for the initial referral to child protective services (such as bruises, welts, and burns, among others) that leave no room for discretion regarding whether an event that might be determined to be abusive and/or neglectful took place. However, there are also subjective criteria (such as the intent of the parent, whether there was a delay in seeking treatment, or family isolation) which may be especially salient among mandated reporters. These subjective criteria can allow for racial biases, stereotypes, prejudices, and misconceptions about when to make a report that disadvantages Black families (Harris, 2014).

After reports are made, racial bias and discrimination continue to play a role throughout the process, influencing (for example) whether youth are placed in out-of-home-care as opposed to receiving in-home services, rates of reunification, and time to reunification (Harris, 2021). Black youth, on average, have worse outcomes overall on these measures compared to White youth (Courtney et al., 2011). While extensive literature has been published regarding the racial dynamics of disproportionality and overrepresentation, many researchers have also explored socioeconomic disadvantage and poverty as it relates to disproportionality.

## **Poverty, neglect, and socioeconomic disadvantage**

Extensive research has been conducted on the economic causes and consequences of child maltreatment (Berger and Waldfogel, 2011; Slack et al., 2017). Given the disproportionate impact of poverty on Black women and children, it is no surprise that a large portion of this research is dedicated to identifying the disparities related to poverty and socioeconomic disadvantage for Black children and their families. Poverty often exacerbates the circumstances in which child protective services removal can occur, particularly if workers and the mechanisms of CPS are not sensitive to the presenting problems associated with poverty settings (Gourdine, 2019). Neighborhood effects also play a major role. In one study, racial and ethnic heterogeneity predicted higher rates of child maltreatment referrals for Black children compared to White and Hispanic children (Klein and Merritt, 2014). Further, Johnson-Reid et al. (2013) found that Black children reported to CPS were more likely to live in poorer communities than White children and were more likely to have substantiated child protective services cases for neglect compared to White children. In reviewing the literature, Drake et al. (2021) determined that as long as Black families are disproportionately poor, they are likely to continue to be disproportionately reported to CPS at higher rates than White children. Many of these families acknowledge the profound effects of constant surveillance on their daily lives (Roberts, 2008).

## **Gendered dimension**

Issues related to race and poverty are often implicated in the literature as explanations for the overrepresentation of Black children in CPS. However, there is also a gendered aspect to the overrepresentation of Black mothers, of whom the cases of child abuse and neglect are primarily substantiated against. Breger



(2012) contends that our conception of motherhood itself is wrapped in gender biases that expect good mothers to be all-knowing, self-sacrificing, ever-protective, near-perfect human beings that would never place some other need before their children's needs. Often, the mothers of children who are placed in CPS have historically been deemed 'bad' mothers, whereas fathers are often completely left out of the conversation. Historically, fathers have been assumed to be absent, whereabouts unknown, and thus often avoid the judgment associated with not being a good parent who can appropriately care for their children. United States social welfare practices and policies have historically played a role in controlling and regulating women's lives based on the notion of the deserving and the undeserving mother (Abramovitz, 2017). Once a Black mother is deemed inadequate, or undeserving, there is no limit to how punitive social welfare policy can be. Swift (1995) argues that without taking into account the interconnected barriers that mothers face – poverty, sexism, and racism – CPS is ultimately perpetuating the oppression of these women, and by extension, their children.

## **Application of intersectionality and structural gendered racism**

Disproportionality in CPS is a complex phenomenon that cannot be explained by a single factor (Dettlaff and Rycraft, 2008; Dettlaff et al., 2011; Merritt, 2020; Roberts, 2012). This is especially the case related to disproportionately poor, single Black mothers impacted by CPS. Maternal standards are often based on racialized and gendered notions of what it means to be a mother. Even the parenting practices and values of Black middle-class women do not measure up to the ideal image of motherhood, in part because that ideal image is White (Roberts, 1993).

The impacts of structural gendered racism often begin even before birth for Black mothers. Black mothers are more likely to be reported for drug use screenings during pregnancy, have higher rates of reporting to authorities for drug use after delivery, and have a higher likelihood of facing legal consequences for prenatal drug use compared to White mothers (Harp and Bunting, 2020). The collective actions of healthcare, educational, and social service workers to disproportionately implement punitive practices toward poor Black mothers work as concentrated State interventions to surveil and control Black women's reproduction (Roberts, 1998). Michalsen (2019) expounds on how the over-policing of Black women's bodies serves to criminalize survival strategies (often in the context of sexual violence toward intimate partners) and devalue parenting styles that do not fit within White, middle-class parenting ideals.

The constant surveillance of the State, whether during incarceration, after incarceration, while on parole, or during contact with CPS, drastically changes the natural pattern of poor Black women's mothering (Gurusami, 2019). In addition to poverty, these mothers often must navigate multiple sources of violence to protect their children. Gendered violence toward Black women often works to reinforce racist, sexist, and patriarchal systems of control, particularly in the area of mothering (Michalsen, 2019).

Roberts (2002) highlighted the structural gendered racism within CPS when she interviewed Black mothers impacted by CPS and detailed their struggles in dealing with a system that primarily seeks to regulate, surveil, police, and control Black women's bodies, parenting practices, and communities. Unfortunately, many poor mothers are unable to avoid the surveillance of mandated reporters in healthcare, educational, and social service systems because the social support they do receive from the State requires the discretion of mandated reporters (Fong, 2019, 2020). As a result, many of these mothers often selectively engage with mandated reporters to share enough information to receive services, but still conceal material hardships so that their children are not removed. For some mothers, this information management (based on previous first-hand experiences, second-hand experiences, and generally ominous comments by providers around child removal) often leads to avoiding any contact with surveilling institutions as such contact puts one's family at increased risk of child removal (Brayne, 2014). In an effort to avoid child removal, many families forgo social services that could be beneficial to their household's overall well-being out of fear of State supervision (Bach, 2014). This silence is reinforced throughout the family court child maltreatment proceedings process for predominately poor Black mothers (Lens, 2019).

## **Structural gendered racism and child protective services policy**

Evidence of structural gendered racism regarding child welfare policy is abundant. Using the framework of intersectionality, Williams-Butler et al. (2020) found several instances where the language in historical policy documents related to major CPS legislation was biased against Black women, children, and families, ultimately demonstrating structural gendered racism at the policy level. For example, in Titles IV and V of the Social Security Act of 1935, many States established home suitability, illegitimate child, immorality, and promiscuity clauses to expel Black women and families from receiving needed services (often welfare benefits). The aforementioned clauses relied on

negative stereotypes often attributed to Black women (French, 2013) which made their disproportionate punishment acceptable.

Shortly after, the Flemming Rule passed in 1960 which was an administrative ruling by Arthur Flemming, then head of the US Department of Health and Human Services. This Rule provided services for many families that were previously expelled from receiving welfare benefits (Murray and Gesiriech, 2004). However, it required incidents of abuse or neglect to receive services. As a result, the Flemming Rule drastically increased the number of Black children receiving CPS as a way to administratively overcorrect for previously excluding families from receiving welfare benefits (Lawrence-Webb, 1997). The Flemming Rule is the first major rule to conflate poverty and CPS.

With the passing of CAPTA, Congress formalized the mandatory reporting of physical abuse via a nationwide system of reporting, investigation, and prosecution of child maltreatment (Nelson, 1984). However, CAPTA's definition of child abuse and neglect was broad and vague and ultimately played a role in the overrepresentation of Black women, children, and families within CPS (Williams-Butler et al., 2020). Many CPS workers, who were predominantly White, focused on enforcing White middle-class parenting ideals. As CAPTA offered little distinction between children who were neglected as opposed to those living in poverty (Barth, 2005), CPS workers' values (predominately White and middle-class) were measured against the parenting practices of those investigated (predominately poor and Black) (Miller et al., 2013). For example, adoption agencies traditionally used 'worthiness scales' to determine which families were offered acceptable homes for placement. In the 1970s, those qualifications included a two-parent traditional breadwinner father, stay-at-home mother, bedroom for each child, and homeownership; without these, parents were often considered unworthy of adoption (Ladner, 1977). However, few Black parents were able to meet these requirements, which played a large role in the increase of transracial adoptions of Black children into White families during this time (Ladner and Gourdine, 1995).

The implementation of mandated reporting, formalized by CAPTA, played a major role in the increasingly punitive role of CPS. Resources were redirected from providing services to needy children and families to investigating the ever-growing number of child abuse reports. Each report warranted an investigation and increased the need for CPS workers (Lindsey, 1994). By the 1980s, as neoliberal policies sought to downsize government spending and decrease social service budgets, means-testing became very important for the receipt of social welfare services (Abramovitz, 2014). However, the demand for CPS continued to increase (Lindsey, 1994). This continues to be true today, even though most child protection allegations are unsubstantiated (US Department of Health and Human Services, 2020).

Detrimental and controlling images, such as those of the Welfare Queen, were used by politicians and policymakers during the 1990s to support welfare reform and sought to reinforce racist, sexist, and gendered notions of what it meant to receive support from the State and further promoted structural gendered racism against Black women under State supervision. The racialized, classed, and gendered stereotypes of poor single mothers were instrumental in the transformation of the Aid to Families with Dependent Children (AFDC) program to the transitional work program of Temporary Aid to Needy Families (TANF) (Abramovitz, 2006). The Welfare Queen promoted the controlling image of poor Black maternal pathology by attributing laziness, drug addition, hyper-sexuality, and careless parenting all in one caricature whose lavish lifestyle was made possible by benefits funded through the State (Collins, 1990; Roberts, 1993). The emphasis on how poor Black women could not be trusted with welfare benefits fueled racist beliefs to further cut those benefits (Quadagno, 1994), all while there was a sustained increase in funding for child removal and adoption (Lindsey, 1994).

The Adoption and Safe Families Act (ASFA) of 1997 provided a financial incentive to the States to increase the pace of the termination of parental rights so that children could be adopted more quickly. If parents could not resolve the problems that led to their children being placed, reasonable efforts to reunify the family were not required (Allen and Bissell, 2004; McGowan, 2005). The passing of ASFA also marked the first time that the federal government mandated child protective services without a corresponding mandate to address the socioeconomic disadvantages that poor families faced (Courtney, 1998). Roberts (2012) notes that the passing of ASFA coincided with the official end to the social welfare safety net for poor and indigent children as adoption was considered the solution to rising out-of-home placement services that disproportionately impacted poor Black mothers. ASFA disproportionately impacts Black adolescents who are more likely to have their parental rights terminated and to be waiting for adoption because of their legal status as orphans compared to White adolescents (Simmel, 2012). Rather than being reserved for the most extreme cases of harm, adoption became a *de jure* State-sanctioned punishment for predominately poor Black mothers (Brooks et al., 1999; Roberts, 2002, 2012). These examples all illustrate how structural gendered racism works against Black women, children, and families within the US regarding CPS policy.

## Implications for practice and policy

For decades there have been calls to fundamentally reform and abolish CPS (Roberts, 2002, 2012, 2014) as well as more recently (Roberts, 2022). In

the last two years, calls to abolish the child welfare system have become especially fervent in light of the Black Lives Matter movement and the response to the murders of George Floyd and Breonna Taylor. Arguments for both abolition (Dettlaff et al., 2020) and reform (Barth et al., 2021) have reached a feverish pitch. Given the disproportionately detrimental impact of CPS on Black women, children, and families, both approaches are reviewed.

In incorporating Kendi's (2019) calls to be anti-racist, Dettlaff et al. (2020) recommends the abolition of CPS, replacing it with community-based support that focuses on the care and well-being of families and communities rather than the over-surveillance and over-involvement of CPS. Burton and Montauban (2021) also call for the abolition of CPS, or the family policing system, as it has most recently been referred (Kelly, 2021). They further call for the repeal of CAPTA in its entirety, the de-linking of funding from the foster care industry toward investments in quality of life, and reparations for the generations of families who experienced violence at the hands of child protective services. However, some question the validity of the evidence to support these claims and argue that many of these positions are based on misunderstandings of what the current data shows regarding child maltreatment (Barth et al., 2021). For example, some argue that the intergenerational transmission of child abuse and neglect may be responsible for the generations of parents and children involved in CPS. However, findings supporting intergenerational transmission have been contradictory over the years. While there is evidence for some form of intergenerational transmission of maltreatment, surveillance bias likely accounts for the greater likelihood of CPS reports among former CPS-involved parents (Widom et al., 2015).

Among those who recommend reforming CPS, Harp and Bunting (2020) suggest ending the practice of offering financial incentives to remove children from their homes as an important strategy for reducing racial disparities. Further, the Family First Prevention Services Act of 2018 is a recently passed federal child welfare policy that many may view as a reform to the system because it prioritizes children growing up in the least restrictive, family-like setting, with foster care being utilized as a last resort (Children's Defense Fund, 2018). As Black families are overrepresented within the foster care system, this theoretically would decrease the number of Black families under its surveillance. However, there is concern that the clinical interventions currently supported by the Administration for Children and Families Title IV-E Prevention Services Clearing House (which reviews programs and services to support children, families and prevent foster care placement) have not been demonstrated effective among Black families regarding preventative services. Further, relying on existing interventions without testing their effectiveness specifically on Black children and their families, not families of color in

general, may ultimately result in further perpetuation of racial disparities within CPS (Testa and Kelly, 2020). It is important that practitioners, administrators, and policymakers acknowledge the multiple oppressions that this population faces and takes an intersectional approach acknowledging the power and privilege dynamics impacting this population, particularly as many social workers are in positions of power affecting the daily lives of their clients (Simon et al., 2021).

## **Conclusion**

In the literature, racial disproportionality regarding CPS and child maltreatment often focuses on the causes and consequences of involvement for Black children and often minimizes or ignores the impact of this involvement for Black women, the mothers of these children, who are disproportionately surveilled based on biases related to race, gender, and class. Racism, sexism, and classism work together to disproportionately punish Black mothers via State-sanctioned regulatory control. It is important that CPS practitioners, administrators, and policymakers are aware of these issues and advocate on behalf of Black mothers in contact with the system around cultural variation issues and bias within the system. While those in the legal field have acknowledged the utility of applying intersectionality in understanding these issues, this article urges social workers to become more actively engaged in acknowledging how intersectionality and structural gendered racism influences the disproportionate contact of Black women and their children within CPS and work toward policy and practice interventions to improve their overall well-being. Understanding the interlocking and simultaneous oppression that racism, sexism, and classism play and the power and privilege dynamics related to clients' and workers' identities is important in informing practice, policy, and organizational change.

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