



# NICWA

National Indian Child Welfare Association

## What is Disproportionality in Child Welfare?

Research and data from states tell us that American Indian/Alaska Native (AI/AN) children are disproportionately represented (or overrepresented) in the child welfare system nationwide, especially in foster care. This means that higher percentages of AI/AN children are found in the child welfare system than in the general population. The overrepresentation of AI/AN children often starts with reports of abuse and neglect at rates proportionate to their population numbers but grows higher at each major decision point from investigation to placement, culminating in the overrepresentation of AI/AN children in placements outside the home. One study found that, due in large part to systematic bias, where abuse has been reported AI/AN children are 2 times more likely to be investigated, 2 times more likely to have allegations of abuse substantiated, and 4 times more likely to be placed in foster care than White children.<sup>1</sup>

## American Indian/Alaska Natives Disproportionality in Child Welfare Nationally

Nationwide **AI/AN children are overrepresented** in foster at a rate **2.6 times greater** than their proportion in the general population. This means that although AI/AN children are just 1% of all children in the United States they are 2.6% of all children who are placed outside their homes in foster care (*2017 data, which is the most up to date available on the data dashboard*). By comparison, **Caucasian/White children are underrepresented** nationwide at a rate of **0.9 times lower** than their proportion of the general population. Caucasian/White children make up 53% of all children in the United States but only 49% of all children placed outside their homes in foster care.<sup>2</sup>

The data used to create these statistics typically relies on a formula that compares the total population of AI/AN children in the state, including those AI/AN children both on and off tribal lands, to the numbers of AI/AN children in state care. However, there are often significant numbers of AI/AN children in state care who are not correctly identified as AI/AN in data reporting. Additionally, in some states, tribes are the primary governments responsible for providing child welfare services to tribal children on tribal lands. In these states, the inclusion of tribal children who reside on tribal lands in the population numbers may skew the disproportionality data, because the state is not responsible for the care of these children. It is estimated that approximately two-thirds of AI/AN children in foster care are placed by state child welfare agencies and one-third to 40% are placed in foster care by tribal authorities.<sup>3</sup> As a result, the data would underestimate the number of AI/ANs in foster care. If the number of AI/AN children who receive services from tribal governments were recorded the disproportionality rate for AI/AN children would likely be larger.

## Disproportionate Foster Care of AI/AN Children: 15 States with the Highest Rates

Although national data highlights the overrepresentation of AI/AN children in the child welfare system, a closer look at individual state data illustrates how specific state policies and practices impact AI/AN children and families. (See table below).

<sup>1</sup>Hill, R. B. Casey-Center for the Study of Social Policy Alliance for Racial Equity in Child Welfare, Race Matters Consortium Westat. (2007). *An analysis of racial/ethnic disproportionality and disparity at the national, state, and county levels*. Seattle, WA: Casey Family Programs.

<sup>2</sup>National Center for Juvenile Justice (2019). Disproportionality Rates for Children of Color in Foster Care Dashboard. [http://www.ncjj.org/AFCARS/Disproportionality\\_Dashboard.aspx](http://www.ncjj.org/AFCARS/Disproportionality_Dashboard.aspx)

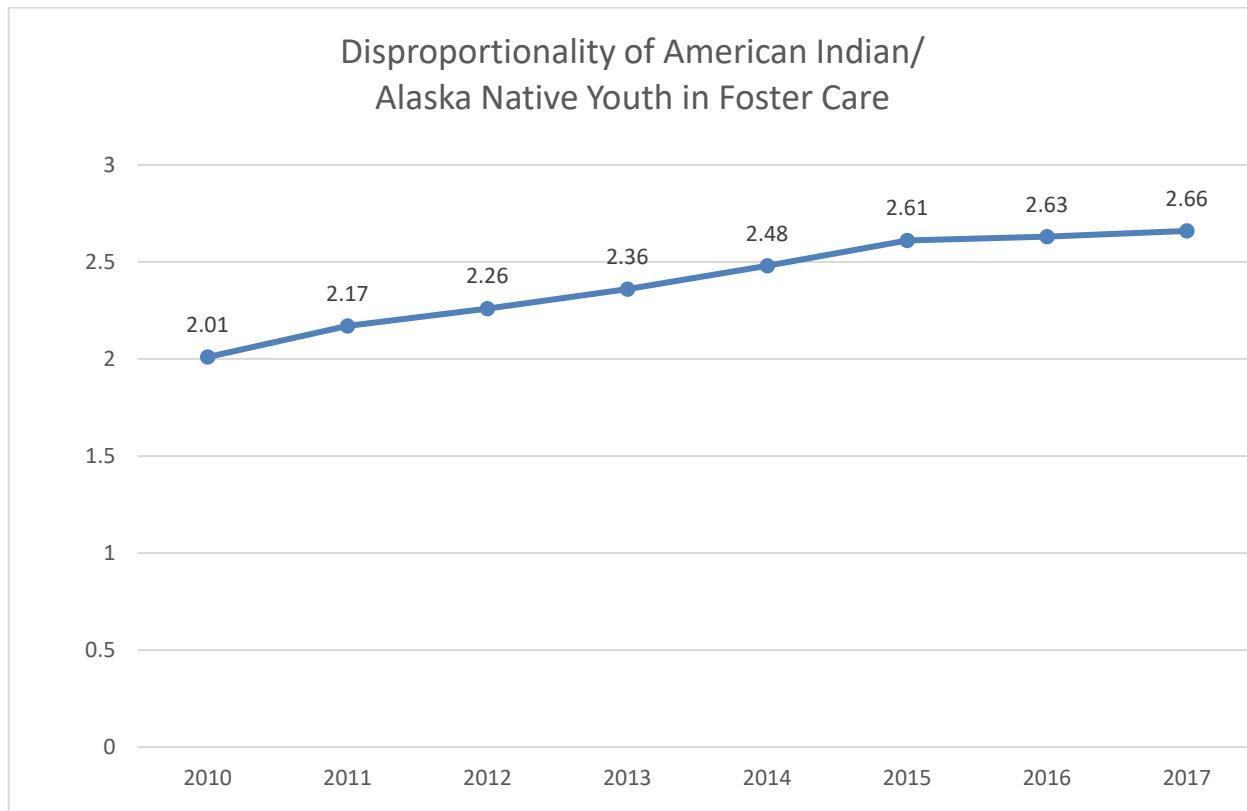
<sup>3</sup>Earle, K. A. & Cross, A. (2001). Child abuse and neglect among American Indian/Alaska Native children: An analysis of existing data. Seattle, WA: Casey Family Programs.

State	Disproportionality rate (2017)	% of children who are AI/AN	% of children in foster care who are AI/AN
Minnesota	16	1.7	27.2
Wisconsin	5.4	1.3	7
North Dakota	4.6	8.6	39
South Dakota	4.1	13.8	57
Nebraska	3.88	1.3	4.9
Oregon	3.53	1.6	5.6
Hawaii	3.5	0.2	0.6
Washington	3.2	1.8	5.7
Montana	3.2	10.7	34.2
Utah	3.1	1.1	3.3
Alaska	2.5	21.2	53
Iowa	2.1	0.4	0.9
North Carolina	1.8	1.3	2.4
California	1.8	0.5	0.9
Idaho	1.6	1.4	2.2

Source: [http://www.ncji.org/AFCARS/Disproportionality\\_Dashboard.aspx](http://www.ncji.org/AFCARS/Disproportionality_Dashboard.aspx)

## National Changes of Disproportionate Foster Care Placement of AI/AN Children Over Time

While some states have reduced disproportionality of foster care placement of AI/AN children over time, others have not. As illustrated in the graph below, for AI/AN children, disproportionality increased dramatically from 2009 to 2014.<sup>5</sup> It has since continued to increase subsequently as shown below.



Source: [http://www.ncjj.org/AFCARS/Disproportionality\\_Dashboard.aspx](http://www.ncjj.org/AFCARS/Disproportionality_Dashboard.aspx)

<sup>4</sup> National Center for Juvenile Justice (2019). Disproportionality Rates for Children of Color in Foster Care Dashboard. [http://www.ncjj.org/AFCARS/Disproportionality\\_Dashboard.aspx](http://www.ncjj.org/AFCARS/Disproportionality_Dashboard.aspx)

<sup>5</sup> Woods, S. & Summers, A. (2016). Technical assistance bulletin: Disproportionality rates for children of color in foster care (Fiscal Year 2014). National Council of Juvenile and Family Court Judges: Reno, NV.