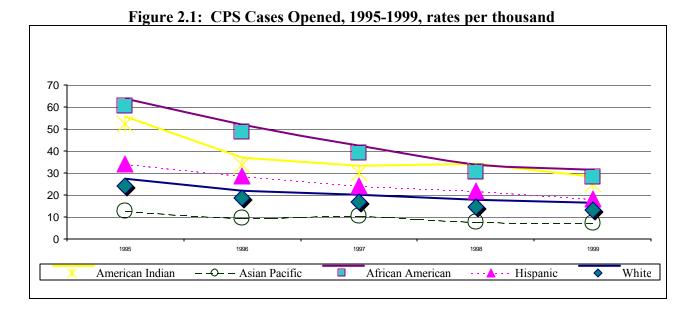
# **Chapter 2. Over-representation in Child Protective Services Cases**

Program Area V, Child Protective Services Cases, is the largest in the CWEST 1995-2000 dataset, with 129,300 case openings (or 118,232 cases with known ethnicity). This section presents information on differences between ethnic groups in CPS cases, including differences in rates of case openings, program target area, rates of substantiation, demographics, referral source, custody, services received, length of case and length of time in out of home care, and case re-opening. While this chapter presents information on the data for Colorado as a whole, Appendix A contains charts presenting the key findings for CPS cases for the ten large counties and three additional regions separately.

Figure 1.1 in the first chapter showed that there was over-representation of American Indian, African American and Hispanic children in CPS cases relative to their proportions in the population. Figure 2.1 shows the pattern of case openings over time. As with child welfare cases



as a whole, the rates per thousand for minority child case openings are declining, and becoming less disproportionate over time. Also similar to child welfare cases as a whole, the largest

declines in case openings relative to child population are for African American and American Indian children. However, even with the decline in rates and decline in degree of disproportionality, in 1999 (the last year for which state census data on ethnicity by age was readily available), groups that were over-represented at the beginning of the data period remained so.

#### Program Area and Demographic Information, CPS Cases 1995-2000

This section includes information on the program area of CPS cases, the referral source, and child age and gender. The CPS program area includes six categories: founded abuse/neglect reports, unfounded reports, at risk/requests services cases, court orders services cases, children subject of a report and inconclusive cases

Figure 2.2: Program Target for CPS Cases, Number and Percent by Ethnicity

			Program				
		Founded	Court ord.	At risk	Unfounded	Unk.	Total
American Indian	N	308	151	280	410	298	1447
	%	21.3%	10.4%	19.4%	28.3%	20.6%	100.0%
Asian Pacific	N	308	65	166	476	373	1388
	%	22.2%	4.7%	12.0%	34.3%	26.9%	100.0%
African American	N	2126	923	1425	3557	2680	10711
	%	19.8%	8.6%	13.3%	33.2%	25.0%	100.0%
Hispanic	N	5265	1624	5894	10969	6750	30502
	%	17.3%	5.3%	19.3%	36.0%	22.1%	100.0%
White	N	13575	2838	13244	25214	19315	74186
	%	18.3%	3.8%	17.9%	34.0%	26.0%	100.0%
Total	N	21582	5601	21009	40626	29416	118234
	%	18.3%	4.7%	17.8%	34.4%	24.9%	100.0%

were combined for analysis into a category shown here as unknown, since the disposition was not yet known. Figure 2.2 shows the number and percentages within ethnic group for each program area. In this table and for the charts that follow, percentages are shown within each

ethnic group, unlike the percentages shown in Figure 1.1 that gave percentages within child welfare program areas. By using percentages within ethnic groups, it is possible to compare groups on specifics factors. In the table above, for instance, 10.4% of American Indian children with a CPS case opening had a program target area of 'Court orders services,' compared to only 3.8% of White children. This particular difference turns out to be important in analysis as many of the court ordered cases result in placement, which influences and partially explains the higher placement patterns for American Indian children. The following chart shows the differences in Program Area graphically (omitting the inconclusive and reported cases).

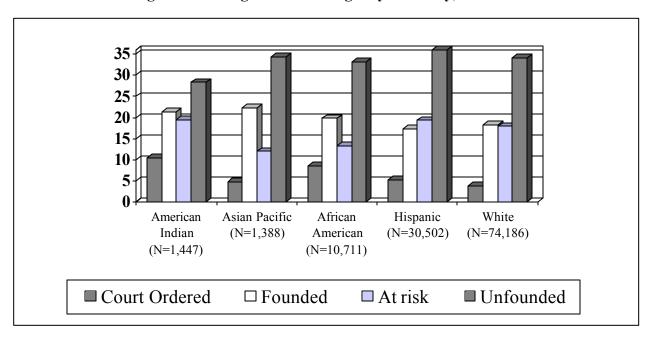


Figure 2.3: Program Area/Target by Ethnicity, Percents

The following series of charts examine demographic and initial case characteristics for CPS cases. With such a large data set, all differences by ethnicity are significant at the .05 level, thus significance levels for each comparison are not given. The first difference can be seen in the age ranges of children with CPS cases opened. A higher percentage of cases (over 30%) for

American Indian, African American and Hispanic children involve very young children ages 0 to 3. The pattern is different for Asian Pacific Islander and White children, who have fewer case openings for the youngest age groups and a higher percentage of case openings of adolescents compared to American Indian, African American and Hispanic children.

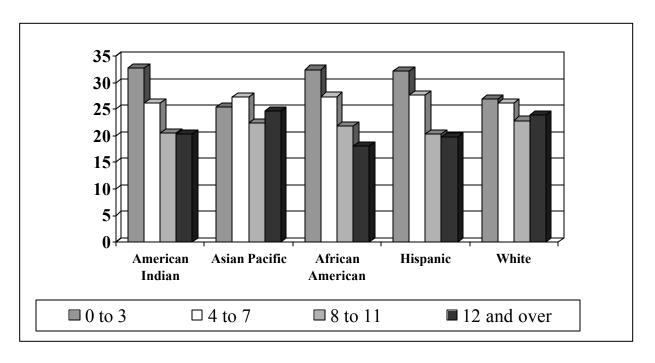
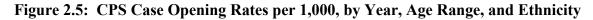
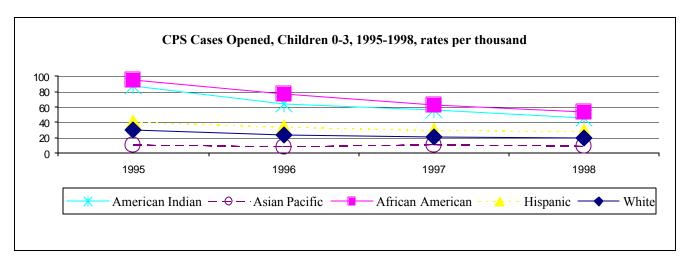
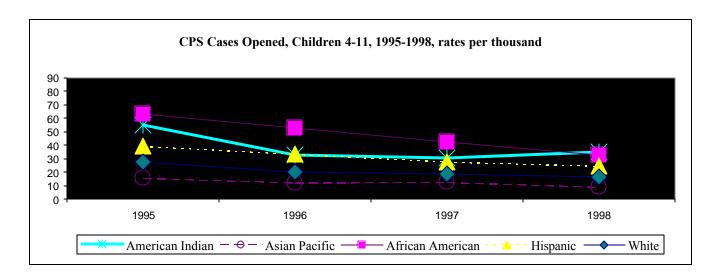


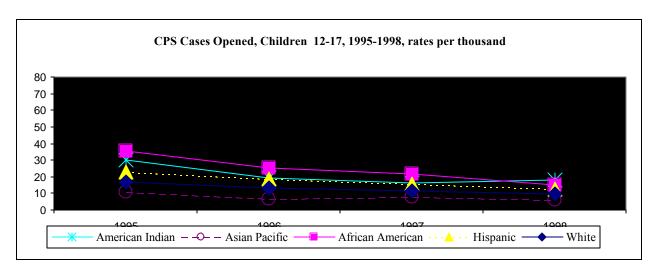
Figure 2.4: Age of Children in CPS Cases by Ethnicity, Percents

Charts on the following page show the trends in rates per thousand of case openings for three age ranges: 0 to 3, 4 to 11 and 12 to 17. What the rates per thousand show for different age categories and different ethnic groups is that while in general case openings declined over the four year period, the rates per thousand for American Indian children 4 to 11 and 12 to 17 rose slightly between 1997 and 1998.









Information on referral source is available in the data for the years 1998-2000. The following chart shows the referral source for those cases in which it is known (omitting anonymous callers). Within each ethnic group the greatest percentage of cases were referred by legal sources (police and courts) and by school personnel, though the relative proportions vary. For simplicity, this chart does not show the percent of referrals from unknown sources, which accounts for 12% of referrals for Asian Pacific Islander children, approximately 15% of referrals for Hispanic and White children, 18% of referrals for American Indian children, and 20% of referrals for African American children.

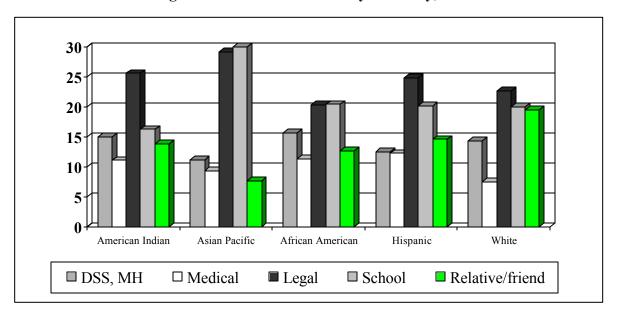


Figure 2.6: Referral Source by Ethnicity, Percents

There are some differences in gender of children with CPS case openings, with African American and White children having a balance very close to 50/50, and slightly more girls are opened in cases involving American Indian (53.2%), Asian Pacific Islander (52.2%), and Hispanic (51.7%) children.

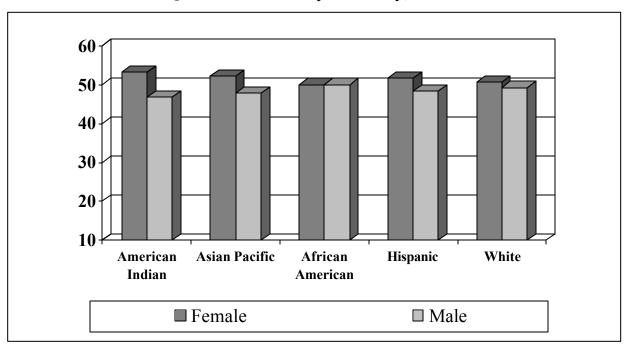


Figure 2.7: Gender by Ethnicity, Percents

### **CPS Case Decisions: Substantiation, Legal Status and Service Patterns**

This section examines the patterns of case decisions once children are in CPS, and how those patterns may be different by ethnicity. However, The dataset in CWEST does not contain complete information about risk factors that may influence those case decisions (such as severity levels, child or parent characteristics), it is not possible to tell from these results to what extent differential decision making reflected different levels of need. The decisions analyzed are:

- Substantiation
- Custody Status
- D&Ns, TPRs, and Children free for Adoption
- First Service Type
- Broad Service Pattern
- Length of Case and Length of Time in Placement
- Number of Cases, Number of Services, and Number of Workers
- Permanency Goal
- Closure Residence
- Placement Rates over Five Years

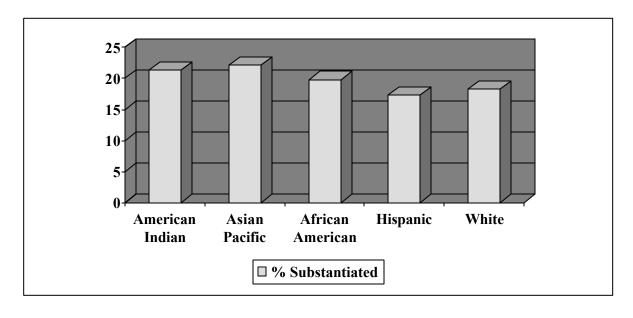
**Substantiation** can be analyzed in terms of rates per 1,000 children in the population, the approach used with NCANDS data published in the *Child Maltreatment* series for 1998 and 1999 (U.S. Department of Healthand Human Services, 2000, 2001), and as percent of cases investigated, the approach used in several studies cited earlier. The first table, Figure 2.8, shows the rates per thousand children in the population of founded (or substantiated cases) at both the national level and for Colorado for 1998 and 1999. While Colorado's substantiation rates are lower than the national rates for all ethnic groups for those years, the disparity in the percent substantiated, by ethnicity, is very similar to the national pattern, and is higher for both African American and American Indian children for both years.

Figure 2.8: Substantiation Rates\* by Ethnic Group, Colorado and National Data (\*rates are substantiated or founded cases per 1000 children in the population)

National Rates, NCANI	OS Data, 1998	National Rates, NCANDS Data, 1999			
American Indian	19.8	American Indian	20.1		
Asian American	3.8	Asian American	4.4		
African American	20.7	African American	25.2		
Hispanic	10.6	Hispanic	12.6		
White	8.5	White	10.6		
Colorado Datos CWES	T Data 1000	Colomado Datos CWI	EST Data 1000		
Colorado Rates, CWES	· · · · · · · · · · · · · · · · · · ·	Colorado Rates, CWI			
American Indian	5.2	American Indian	5.1		
Asian American	1.6	Asian American	1.7		
African American	6.6	African American	7.3		
Hispanic	Hispanic 4.1		3.4		
White	2.9	White	2.5		

While the substantiation rates expressed as a percentage of all cases investigated does not show such extreme disparity as the rates per thousand (which reflect the volume of cases referred to CPS), the differences are all statistically significant. Figure 2.9 shows the percent of opened cases that were substantiated (from the first column of Figure 2.2), by ethnicity. Hispanic and

Figure 2.9: Percentage of CPS Cases Substantiated, by Ethnicity



White children have the lowest substantiation rates, Asian Pacific Island and American Indian and African American children the highest.

## Custody

While over 90% of Asian Pacific Island, Hispanic, and White children are in the custody of their parents, only 85% of African American and 78% of American Indian children are. A higher percentage of American Indian and African American children are in DSS custody or coded as 'Non-DSS Custody/Protective Custody Orders' (shown as PC in the chart), but they are also more likely to be in the custody of kin or of a Tribe (if American Indian).

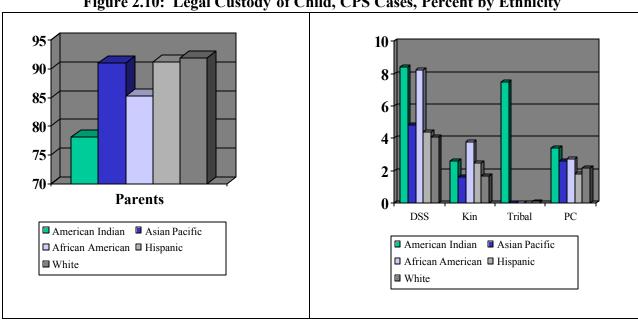


Figure 2.10: Legal Custody of Child, CPS Cases, Percent by Ethnicity

#### **Other Legal Actions**

There are also differences in the percent of cases for which a D&N has been filed, Termination of Parental Rights filed, and in which the child has been freed for adoption, as shown in Figure 2.11. All of those legal decisions or outcomes are more prevalent for American Indian and African American children

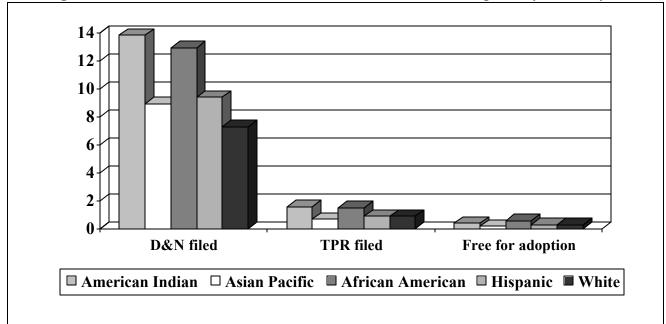


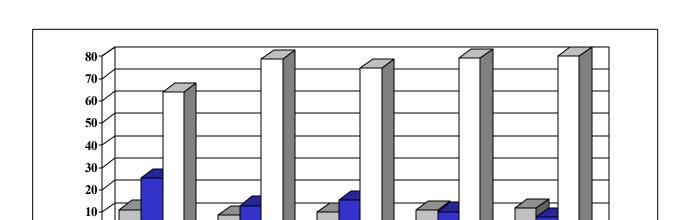
Figure 2.11: CPS Cases with D&N filed, TPR, and Free for Adoption by Ethnicity

#### **Service Patterns**

The CWEST data file contains records for all service accounts a child has during an open case. The long file of separate account records was merged to create a file with multiple service records within one child's cas.e xSince many studies have found minority over-representation in the use of foster care, the following charts look at the way out of home care is used within ethnic groups, particularly in the first service, the last paid service, and the broad pattern that would include any out of home placement over the life of the case xxxxx.

Figures 2.12 and 2.13 show the type of service a child receives first during CPS cases, and for children whose first service is out of home placement, the type of placement. Over 20% of American Indian children are placed out of home during their first service, compared to less than 10% for White and Hispanic children. African American children have the second highest likelihood of being placed early in the case.

The type of first out of home placement, shown in Figure 2.13, varies across counties due to differing availability of shelters, etc., however, for the statewide data, more American Indian and White children are placed directly into foster care, while that is less likely for African American and Asian Pacific Island children. A first placement in kin care is more likely for African American and Hispanic children, and a first placement in a more restrictive facility such as RTC/RCCF/specialized group home more likely for White and Asian Pacific Island children.



African American

■ Out of Home

Hispanic

White

☐ CW Supervision only

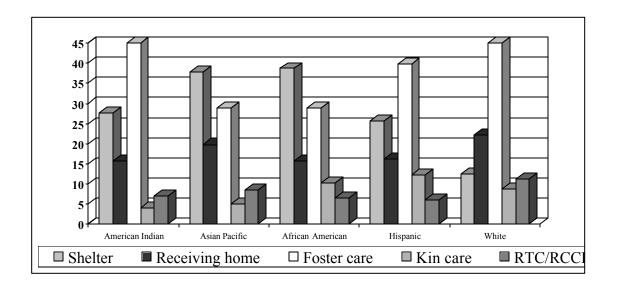
Figure 2.12: First Service Type of CPS Cases, Percent by Ethnicity

American Indian

□ CORE

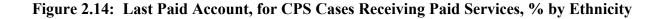
Asian Pacific

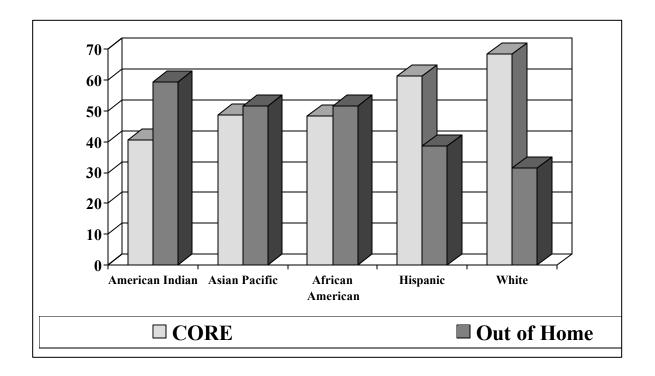




It should be noted that while Asian Pacific and White children are more likely to have had a *first* placement into a more restrictive facility when their initial service was out of home, when we look at *any* such placement for all opened CPS cases, it is American Indian and African American children who are the most likely to have ever been placed in RTC/RCCF/group care (3.3% and 2.2% respectively, compared to 1.7% of Asian Pacific Island, 1.4% of White and 1.1% of Hispanic children).

In addition to over-representation of minority youth in out of home care for the first service, they are also over-represented in having out of home care as the last paid service of the case before closure. Figure 2.14 shows the percentages of youth ending with either a Core service or out of home (percents are of youth with any paid service accounts – it can be seen from Figure 2.12 that 60 - 80% of youth had casework supervision only and are thus not counted for the last paid account).





The following chart showing broad service patterns presents three categories: 1) children who got Core services but were never placed out of home, 2) children who were placed at some point in the case, whether or not they also had Core services, and 3) children who received casework supervision only during the case. Percentages of children having at least one out of home placement during their first CPS cases are approximately twice as high for American Indian and African American children as for White children. 26.6% of American Indian and 17.1% of African American children had at least one out of home placement, compared to 11.5% for Hispanic, 13.8% for Asian Pacific Island, and just 8.9% of White children.

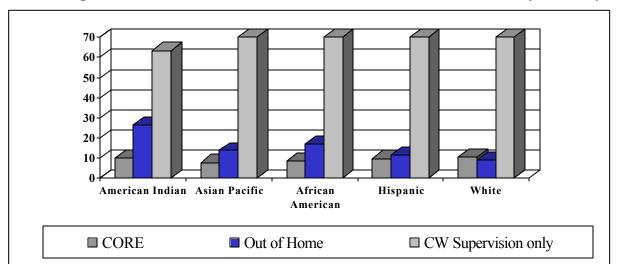


Figure 2.15: Broad Service Pattern Across 1st CPS Case, Percents by Ethnicity

## Length of Stay, Number of Cases and Services

Both length of the first case and length of time spent in out of home placements during that case show a similar pattern: longer stays for American Indian and African American children. Figure 2.16 shows the average (mean) length of the first case and the standard deviation, for those cases that have closed. All differences between groups are statistically significant, except the difference between American Indian and African American children, both of whom have average case lengths over 100 days. The longer lengths of stay are shown in bold.

Figure 2.16: Length of CPS Case 1 for Closed Cases (in Days)

Ethnic Group	N	Mean LOS in Days	Std. Deviation
American Indian	1,360	128	224
Asian Pacific	1,334	77	144
African American	10,104	115	219
Hispanic	28,988	97	185
White	71,404	92	177

Since time in a case may involve both out of home placement and time at home, the following table shows average days spent in out of home placements over the course of the case.

American Indian and African American children spend the most days in out of home care. All differences are statistically significant from each other, with the exception of Asian/Pacific Island children, whose number of days does not differ significantly from either Hispanic or White children.

Figure 2.17: Length of Time in Out of Home Care during CPS Case 1 (in Days)

Ethnic Group	N	Mean LOS in Days	Std. Deviation	
American Indian	1,447	49	173	
Asian Pacific	1,388	14	81	
African American	10,713	34	150	
Hispanic	30,503	18	98	
White	74,187	16	95	

The following tables show the average number of case openings a child had during the period 1995-2000, the average number of service accounts provided, and the average number of workers. While the mean differences are small, those that are statistically significant are noted. In all three charts, African American children are shown to have significantly more cases, more services provided, and more changes in workers.

Figure 2.18: Average number of CPS cases opened, 1995-2000								
Ethnic Group	Mean	Std. Deviation						
American Indian	1.49	0.89						
Asian Pacific*	1.29	0.75						
African American**	1.51	0.91						
Hispanic	1.49	0.90						
White	1.48	0.91						

<sup>\*</sup> Significantly lower than average for all other groups

<sup>\*\*</sup> Significantly higher than Asian Pacific and White averages only

Figure 2.19: Average number of services (accounts) in CPS Case 1							
Ethnic Group	Mean	Std. Deviation					
American Indian*	1.46	1.55					
Asian Pacific**	1.20	0.94					
African American*	1.39	1.58					
Hispanic**	1.25	1.10					
White**	1.24	1.11					

<sup>\*</sup> American Indian and African American averages do not differ significantly from each other, but both are significantly higher than the other 3 groups

<sup>\*\*</sup> Asian Pacific, Hispanic, and White averages do not differ significantly from each other, but all are significant lower than the other 2 groups

Figure 2.20: Average number of workers across data period 1995-2000							
Ethnic Group	Mean	Std. Deviation					
American Indian	1.40	0.78					
Asian Pacific*	1.25	0.67					
African American**	1.46	0.84					
Hispanic	1.41	0.78					
White	1.41	0.80					

<sup>\*</sup> Significantly lower than average for all other groups

### Service Leave Reasons, Permanency Goal, and Closure Residence

Each service account has a service leave reason coded. While the majority of leave reasons for all groups were coded as treatment success or partial success, some involve 'negative' leave reasons, such as: 'Treatment not successful,' 'Needs more restrictive setting,' or 'Requested by provider.' A variable was made that counted any of these non-successful reasons across the CPS case. Percentages of children having any negative leave reason were higher for American Indian (6.6%) and African American children (4.5%), compared to all other groups (whose rates were all 3.0%).

The two following charts show the permanency goals for children with CPS cases and the child's residence at case closure. A majority of children of all ethnic groups have a goal of reunification or remaining at home, and a majority of children end their case at home, but there are more American Indian and African American children with a goal of kinship care or guardianship. While the percentages are very small (less than 1%), more American Indian and African American children also have the goals of adoption, long-term foster care, or emancipation.

<sup>\*\*</sup> Significantly higher than average for all other groups

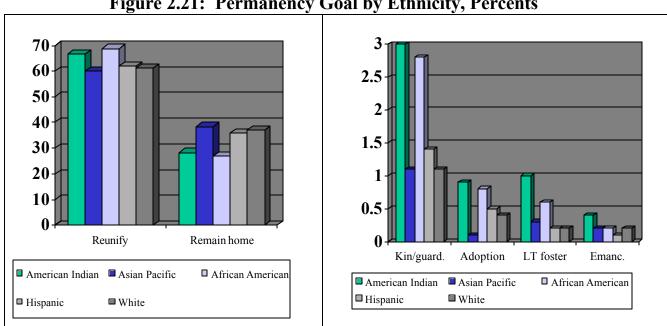


Figure 2.21: Permanency Goal by Ethnicity, Percents

Figure 2.22 shows that more American Indian and African American children do exit to a home with relatives or guardians, but slightly more also remain in long-term foster care.

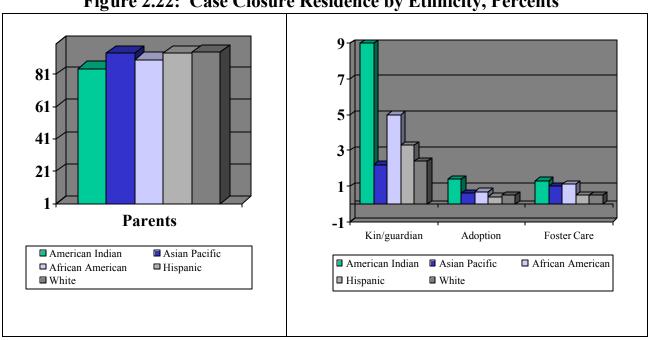
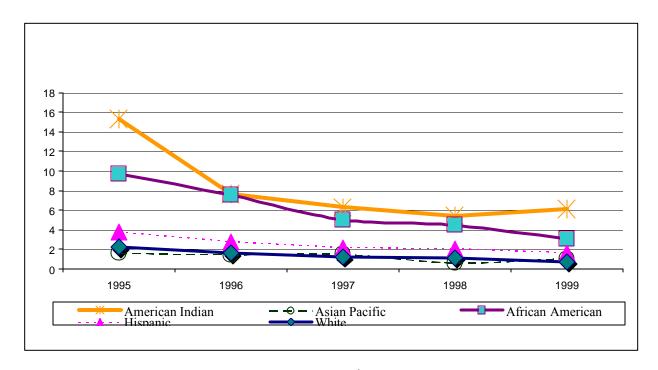


Figure 2.22: Case Closure Residence by Ethnicity, Percents

Out of home care can also be examined in terms of rates per thousand child population.

Looked at this way, Figure 2.23 shows Asian Pacific Island, Hispanic and White rates per 1000 remained low across the five-year period. Rates for American Indian and African American children fell between 1995 and 1997. After that, the rate for African American children continued to decline, while the rate for American Indian children rose slightly between 1998 and 1999.

Figure 2.23: Rates per 1,000 of Out of Home Placement During 1st CPS Case, by Ethnicity



## Predictive Model for Out of Home Placement in 1st CPS Case

Using logistic regression, the following factors were entered as possible predictors of out of home placement in a child's first case in the data set:

- Ethnic group
- Age
- Gender
- Program target
- Extreme Poverty (IV-E eligibility for income)

Figure 2.25: Logistic Regression Predicting Placement during 1st Case

Variable Effect of the Odds Ratio

**Ethnicity** (compared to White children):

American Indian children 2.8 times more likely

Asian American children

African American children

Hispanic children

1.8 times (80%) more likely

1.8 times (80%) more likely

1.3 times (30%) more likely

**Program target** (compared to founded cases):

Unfounded cases
Inconclusive or reported cases
At risk cases
Court ordered cases

86% less likely
79% less likely
48% less likely
3 times more likely

**Extreme Poverty**: 44 times more likely

**Age and Gender**: No differences

These five factors created a model that accounted for 28% of the variance, and increased the ability to correctly classify children as placed or not from 89.4% to 90.9 %. The odds ratios, which give the likelihood of placement compared to a reference category within each factor, showed that IV-E eligibility by reason of poverty and having court-ordered services were both strong and significant predictors. Age and gender, when all other factors are included, were not significant. All minority children were significantly more likely than White children to have an out of home placement at some time during their first case. American Indian children are 2.8 times more likely; Asian Pacific Island and African American children were 80% more likely to be placed, and Hispanic children 30% more likely to be placed.

# Return to Care: Predictive Model for 2<sup>nd</sup> CPS Case

Using logistic regression, the following factors were entered as possible predictors of a second case following closure of the first one:

- Ethnic group
- Age
- Gender
- Program target
- IV-E eligibility

Unlike the model predicting placement, which accounted for 28% of the variance, these same factors in this model account for only 1% of the variance and the model does not provide any improvement in the ability to correctly classify children as placed or not, which remains 69.8%. The odds ratios were:

Figure 2.26: Cox Regression Predicting Time to 2<sup>nd</sup> CPS Case

**Ethnicity** (compared to White children):

American Indian children no difference
Asian American children 45% less likely
African American children 10% more likely
Hispanic children no difference

**Program target** (compared to founded cases):

Unfounded cases 40% more likely

Inconclusive or reported cases

1.3 times (30%) more likely
1.4 times (40%) more likely

Court ordered cases no difference

**Extreme Poverty**: 20% more likely

**Age and Gender**: Minimal differences

The fact that the factors are unable to predict the occurrence of a second case, and the fact that the influence of ethnicity is negligible, is actually positive for this study on over-representation of minority children. It shows that ethnicity is *not* a strong factor influencing a child's recidivism in the child welfare system, however, the low predictive power of the model means that many other unmeasured variables are influencing the occurrence of a second case.

## County and Regional Differences, CPS Cases

Separate charts are included in Appendix A that examine ethnicity in CPS cases relative to ethnicity in county population, Program Area/Target, first service provided, last service, case closure residence, broad service pattern and predictive models for out of home placement and the occurrence of a second case, for the ten large counties and three additional regions defined as:

- ?? Four Corners region Archuleta, Dolores, La Plata, Mineral, Montezuma, San Miguel
- ?? Southern Tier region Alamosa, Baca, Bent, Costilla, Conejos, Crowley, Huerfano, Las Animas, Otero, Prowers, Rio Grande, Saguache
- ?? North/Rural counties Chaffee, Cheyenne, Clear Creek, Crowley, Custer, Delta, Eagle, Elbert, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Jackson, Kiowa, Kit Carson, Lake, Lincoln, Logan, Moffat, Montrose, Morgan, Ouray, Park, Phillips, Pitkin, Rio Blanco, Routt, San Juan, Sedgwick, Summit, Teller, Washington, Yuma

While there were a few counties in which the disproportionality of minority children relative to the census population for that county was not as great as others, and a few counties where ethnicity was not a predictor of placement, minority over-representation was found for most locales both in proportion of cases opened and in the use of out of home placement. Even in counties where the presence of court ordered services as a program area and the IV-E eligibility poverty measure were very strong predictors of placement, ethnicity was also a predictor.

The following charts look at the broad service pattern for American Indian and White children in the Four Corners region and Hispanic and White children in the Southern Tier region, comparing the types of service received to those of Denver County.

Figure 2.27: Use of Core vs. Any Out of Home Services, CPS Cases, Denver County and Four Corners Region, American Indian and White children

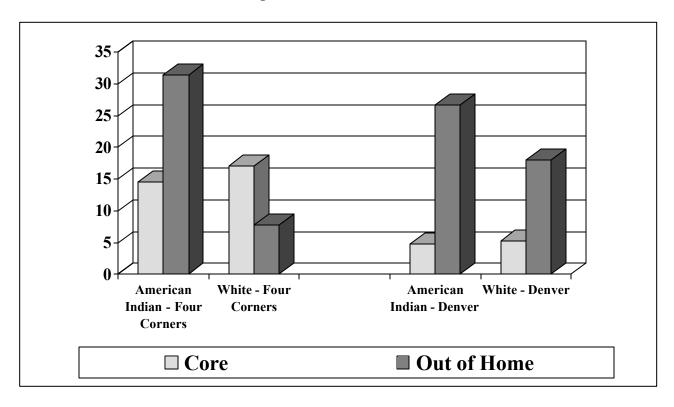


Figure 2.27 shows that more children in both groups – American Indian and White – receive Core service without out of home placement in the Four Corners region than in Denver County. But out of home placement rates are also higher for American Indian children in the Four Corners region than they are in Denver, and much higher than the out of home placement for White children.

Figure 2.28 shows a different pattern – both Hispanic and White children in the Southern Tier region are far less likely to be placed, and more likely to receive Core services.

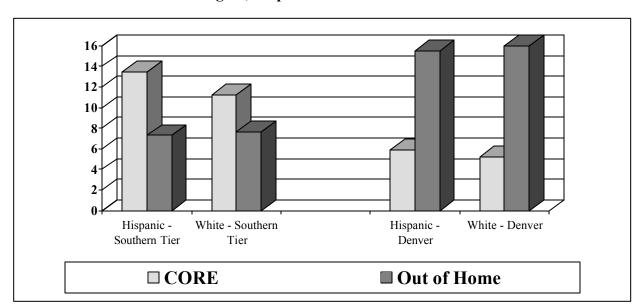


Figure 2.28: Use of Core vs. Any Out of Home Services, CPS Cases, Denver County and Southern Tier Region, Hispanic and White children

## **Summary**

Minority youth – American Indian, African American and Hispanic – are over-represented in CPS cases that opened 1995-2000, relative to their proportions in Colorado's census. Asian / Pacific Island children are actually under-represented relative to census. This is true for most, but not all, of the ten large counties and three defined regions. While the disparity in rates per 1,000 has declined since 1995, American Indian, African American, and Hispanic children still made up a disproportionate share of the CPS population.

Since CWEST data do not include screened out CPS referrals, and since data in the *1999 Child Maltreatment* publication indicate that Colorado screened out 38% of referrals that year, it is not possible to know how the ethnic breakdown of all referrals received might differ from that of CPS cases opened.

There are differences in gender among ethnic groups, with slightly more girls opened for American Indian, Asian/Pacific Islander and Hispanic children. American Indian, African American and Hispanic children also tended to be younger – over 30% for each of those groups were in the zero to three age range. While most cases for all groups were referred by legal or

school sources, there were also more medical referrals for American Indian, African American and Hispanic children.

Substantiation rates were higher for American Indian and African American children, particularly when analyzed in terms of rates per 1,000. This mirrors the national trend seen in NCANDS data. Those groups also had more children in the program area of Court Orders Services, an area associated with higher rates of placement, more D&N petitions filed, more TPRs, and more children free for adoption (though the latter two outcomes are extremely infrequent for all groups).

American Indian and African American children had a higher percentage than other groups of out of home placements, had cases that stayed open longer, and spent more time in out of home care. While there have been few national studies that included American Indian children, national studies have repeated shown higher out of home placement rates for African American children. These two groups also tended to have slightly more 'negative' service leave reasons coded – such as treatment failure, need for more restrictive care, or requests by provider.

While a close residence with parents was the most common pattern for all ethnic groups, there were more American Indian and African American children than other groups who exited to adoptive or long term foster homes, and they were also more likely to exit to kin or guardian homes than others.

In a multivariate model, minority ethnicity was highly predictive of out of home care, particularly for American Indian, Asian/Pacific Island, and African American children, even when other factors, such as age, gender, program area target, and extreme poverty, were controlled for. While Hispanic children were also more likely to have out of home care than White children, their odds of doing so were less than for other groups.

While the percentages of second case openings were also higher for American Indian and African American children, multivariate models predicting time to opening of a second case did not show ethnicity to be as critical an influence as it was for out of home placement in the first case. But the variables available explained only a very small part of the variance, suggesting that there are many unexplained factors not captured in the CWEST data set. While there were variables in the CWEST data containing some information on maltreatment type, severity, and child and parent risk factors, there was too much missing data, and missing differentially by ethnicity, to use in analysis. More information on the circumstances of the CPS report and on

child	and	family	functioning	would	allow a	fuller	understa	nding	of the	nature	of the	over-
repre	senta	ition.										