

November 6, 2020

Travis County Model Court for Children and Families – Statement Against Racism

At the Travis County Model Court for Children and Families, we are a multidisciplinary group dedicated to justice and positive outcomes for the children and families we serve. Our mission is to make certain every child has a safe, permanent, healthy home in a timely manner and to strengthen families, while ensuring fairness and procedural protections for individuals. Since the inception of our model court in 2008, our child welfare collaborative has refused to tolerate racial disproportionality as the status quo and we continue this stance today. Since 2008, our Model Court’s Disproportionality Committee has pursued a goal to identify and eliminate multi-systemic factors that result in the disproportionate representation and disparate treatment of children and families of color in the child welfare system. Together, we have hosted and engaged in trainings and courageous conversations about institutional racism and bias in decision making. We have actively sought to understand and address the factors that affect decisions in our courtroom as well as those that funnel children of color into the child welfare system, the foster care system, and our courtrooms at disproportionately high numbers. We acknowledge there is still much work to be done and we join our voices with those who are speaking out across the country to state that racism is a problem and we must all work to put an end to it. The Travis County Model Court for Children and Families is committed to anti-racist work so that we can bring equity to an institutionally unjust system.

Decisions in our Travis County courtrooms affect the lives of over 2500 children each year who are the subjects of civil child protection lawsuits filed by the Texas Department of Family and Protective Services (DFPS). Each lawsuit is filed after the state agency has made a finding of abuse or neglect and, although it is sometimes known as a “foster care docket,” children in our cases may live at home, in foster care, or with relatives. Nearly all the families in our court are living in poverty and many identify as persons of color. According to the Fiscal Year 2019 data from DFPS, 27% of children removed from their families in Travis County were African American, although African American children only account for 7% of our population¹. This highlights the worst disproportionate outcomes for African American children in the entire state of Texas which is why we know we must account for this impact on our African American community as a court and as a system.

Experts tell us child abuse takes place in every ZIP code and across all socioeconomic backgrounds, and so we believe it is unacceptable that children and families of color continue to be reported to the child welfare system in greater numbers than their white peers and, when they enter foster care, they stay longer². In Texas, most child abuse reports are made by health care personnel (19%) or teachers and other education personnel

¹ Source: DFPS “[Disproportionality Analysis FY 19: Rider 40 - Minority Child Removals Report for FY2019](https://www.dfps.state.tx.us/About_DFPS/Reports_and_Presentations/Rider_Reports/documents/2019/2019-10-01_Rider_40_Report.pdf). Available Online at: https://www.dfps.state.tx.us/About_DFPS/Reports_and_Presentations/Rider_Reports/documents/2019/2019-10-01_Rider_40_Report.pdf

² In FY19, for Travis County, relative adoptions took an average of **25.8** months for African American children (among the 32 African American children adopted by relatives) vs. **18.9** months for Anglo children (among the 18 Anglo children adopted by relatives). The disparity for African American children compared to Anglo children continually increased over the last 3 years since FY17.

(15%). In Travis County, DFPS data from Fiscal Year 2019 reveals that law enforcement is also a top reporter of abuse and neglect accounting for approximately 40% of all the reports made. Notably, health care personnel, education personnel, and law enforcement are all mandatory reporters under the law. Most of the reports from all reporters come from three primary ZIP codes in our community. DFPS data shows those ZIP codes with the most referrals in Travis County are 78753, 78744, and 78723. The Travis County Model Court for Children and Families acknowledges the disparities plaguing our child welfare system and commits to systemic change. We stand firm with others who have raised their voices against racism and believe it has no place in our nation – and especially not in our courtrooms, schools, hospitals, or in interactions between members of the public and law enforcement. We believe that the law, the legal system, and the administration of justice demand fair treatment for all persons, regardless of their races and ethnicities and we must commit to undo the institutional racism that is engrained in the systems for which we are a part.

As the Travis County Model Court for Children and Families has been engaging in collaborations within the Court System and in the community, we have begun to see the impact of this work. On October 1, 2020, DFPS released the Rider 40 Minority Child Removal Reports for Fiscal Year 2020. In this most recent data there is shown to be *slight* improvements in the disproportionality at the point of intake and investigations for African American children but there is a *significant* improvement in the disproportionality index of African American children as compared to Anglo children at the point of removal. The rate of removal for previous years, as noted previously, showed that African American children were 7.8 times more likely to be removed from their families than Anglo children and in Fiscal Year 2020, the index improved to show African American children now being 4.2 times more likely to be removed from their families than Anglo children.³ Even with the improved disparity index, the disproportionality for African American Children is far above the state average and we know there is much work to be done. However, through the efforts and collaborations initiated by the Travis County Model Court for Children and Families, we now know that systems change is possible, especially at key decision-making points in the child welfare system..

The members of our Model Court believe that we must continually strive to deepen our understanding of racial disparities. We are committed to seeking out and eliminating racial injustice wherever it is found in the child welfare system and the court system. We believe anti-racist work is essential, not only as part of our service to children and families on the docket, but because these efforts benefit our entire community. We readily accept the long-term nature of these efforts. We challenge others to join us in our work.

For questions about the Travis County Model Court for Children and Families, please contact Tammy Jitnoom, Judicial Aide and Model Court Coordinator: Tammy.Jitnoom@traviscountytexas.gov

³ Source: DFPS “[Disproportionality Analysis FY 20: Rider 40 - Minority Child Removals Report for FY2020](https://www.dfps.state.tx.us/About_DFPS/Reports_and_Presentations/Rider_Reports/documents/2020/2020-10-01_Rider_40_Report.pdf). Available Online at: https://www.dfps.state.tx.us/About_DFPS/Reports_and_Presentations/Rider_Reports/documents/2020/2020-10-01_Rider_40_Report.pdf