The U.S. child welfare system—often referred to as the “family regulation system” by impacted parents and advocates—refers to a set of laws and government agencies mandated to protect and support victims of child abuse and neglect, collectively referred to as “child maltreatment.” Under the current system, government agencies receive reports with claims of child maltreatment, investigate those claims, determine if they believe abuse or neglect occurred, and, often remove children from their homes and place them into the physical and/or legal custody of the state.

The act of separating a child from their family and community imposes profound trauma on children—even the briefest separation can cause emotional harm that can last a lifetime. Once in foster care, many children are separated from their siblings, bounced between foster care placements, and further abused in their out-of-home placements. Youth with a history of involvement in the foster care system experience poor outcomes long after they exit care, including greater involvement with the criminal legal system, less educational achievement, and less long-term financial success than their peers without system involvement.

### THE FRONT END OF THE CHILD WELFARE SYSTEM

The “front end” of the child welfare system is a series of decision points between an initial report of suspected child abuse or neglect and a child’s removal from their home.

#### REPORTING

In 2020, U.S. child welfare agencies received a total of 3.9 million reports involving 7.1 million children. An overwhelming 65.7 percent of these reports came from law enforcement personnel and “helping professionals,” including educational, medical, social services, and mental health personnel. At this stage, Black children are children are reported twice as often as white children.

#### SCREENING

After evaluating whether the allegations of child maltreatment met statutory definitions of abuse or neglect in 2020, agencies screened out 45.8 percent of reports and screened in 54.2 percent of reports for further investigation. At the screening stage, Black children are between two and five times more likely to have their cases screened in for investigation than white children.

#### INVESTIGATION

During investigations, Child Protective Services (“CPS”) and/or law enforcement conduct interviews, assessments, home visits, and various background checks to determine whether allegations of child maltreatment are substantiated. Current estimates indicate that before turning eighteen, 37.4 percent of all children, including 53 percent of Black children, in the U.S. will be subjected to a CPS investigation.

#### SUBSTANTIATION

Despite the common misconception that most maltreatment cases involve abuse, 76.1 percent of substantiated maltreatment reports in 2020 involved allegations of “neglect.” In contrast, physical abuse constituted 16.5 percent, sexual abuse constituted 9.4 percent, and sex trafficking constituted 0.2 percent of substantiated maltreatment reports. Importantly, an estimated 18.4 percent of Black children and 15.8 percent of Native American will have a substantiated maltreatment case before they turn eighteen, compared to 11 percent of white children.
If children remain in foster care for 15 of the most recent 22 months, federal law allows states to legally terminate their parents’ rights. 1 in 100 American children will experience termination of parental rights (“TPR”) by the age of eighteen. For children removed from their families, 20% will experience TPR, including 18% of Black children and 16% of Native American children.

In 2021, more than 52,000 children who were rendered “legal orphans” by the state through TPR were awaiting adoption. Many of these children remain without guardians until they ultimately turn eighteen and “age out” of the foster care system.

**EXITING THE FOSTER SYSTEM**

Upon exiting foster care, children may experience one of several outcomes: (1) reunification with their families, (2) adoption, (3) guardianship, (4) placement with relatives, or (5) “aging out” of the system. Children of color consistently experience worse outcomes than their white counterparts as they exit care.

**REUNIFICATIONS**

In 2021, approximately 100,000 children—less than half of youth exiting foster care—were reunified with their families. Native American children are reunified with their families at lower rates than children of any other race.

**ADOPTIONS**

In 2021, approximately 53,500 children were adopted. Despite making up only 14 percent of the general child population, Black children represent more than 20 percent of children in foster care awaiting adoption. Researchers estimate that prospective adoptive parents are 11.3 percent less likely to apply to adopt a Black child than a child of another race.
In 2021, more than 19,000 youth aged out of foster care without an identified family home. Youth who age out of care often lack sources of emotional support, guidance, or many skills with which to navigate the world on their own. Research has shown that youth who age out of the system are more likely than youth in the general population to experience homelessness, unemployment, and incarceration as adults.

**AGING OUT**

The ills inflicted by the child welfare system, compounded with existing racial and socio-economic barriers in American society, produce gross disparities between youth with lived experience in foster care and other young adults.

**EDUCATIONAL ATTAINMENT**

Youth formerly involved in the foster care system are three times less likely to graduate high school or receive a GED and six times less likely to have a postsecondary degree than young adults without prior system involvement. Only 4 percent of youth with lived experience in foster care graduate from a four-year college.

**CRIMINAL LEGAL INVOLVEMENT**

Individuals with a history in foster care are significantly more likely to be involved in the criminal legal system later in life. In fact, almost 1 in 5 individuals incarcerated in state prisons were formerly involved in the foster care system.

For youth who are placed in group homes, this probability is even higher: youth who have been in group homes are 2.5 times more likely to be arrested than youth who have been in foster homes.

**HOMELESSNESS**

A study of youth experiencing homelessness across 11 states found that youth formerly involved in the foster care system constitute approximately 50 percent of all young people who are homeless. A study estimating the incidence of homelessness during the transition from foster care to adulthood found that an estimated 36 percent—more than one out of every three—of youth who aged out experienced homelessness by age 26. Furthermore, youth with prior foster care involvement tend to remain homeless for over eight months longer than other youth who are homeless.

**HEALTH**

Youth who were in foster care are more likely than both economically secure and economically insecure peers to lack health insurance, exacerbating the difficulty of accessing needed medical resources, and to experience worse general health outcomes; cardiovascular risk factors, including hypertension, diabetes, and other chronic health conditions. One study found that youth with a history in foster care are five times more likely to be diagnosed with drug dependency than youth who had not been in care.

Because of the trauma of separation, structural inequities, and frequent negative experiences in care, youth with a history in foster care are also significantly more likely to suffer from serious and life-threatening mental health disorders. Individuals with prior involvement in care report having attempted suicide within the past year at rates quadruple those of non-foster youth without prior system involvement and experience post-traumatic stress disorder at double the rate of U.S. war veterans.
VICTIMIZATION

An FBI operation across 76 U.S. cities found that 60 percent of sex trafficking victims were previously involved with the foster care system. Youth previously involved with the system are also more likely to be victims of crimes and experience intimate partner violence.

FINANCIAL STABILITY

Research demonstrates that 50 percent of youth with prior involvement in foster care are unemployed by age 24. One study reported that, by age 21, 75 percent of young women and more than one in every three young men who had been in foster care relied on need-based public benefits such as food stamps, housing benefits, and unemployment insurance. The same study found that than one out of four youth with lived experience in foster care are food insecure.