

Illinois Family Regulation System Data Snapshot¹

Illinois Black Advocacy Initiative Convening
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Racial Disproportionality of Black children, parents, and families in the Illinois Family Regulation System

Racial disproportionality refers to the over- or under-representation of children from a racial or ethnic group impacted by specified “*child welfare indicators*” compared to their representation in the general child population.² In 2022, the Illinois child population was **3.1 million children**.³ The racial and ethnic breakdown for the Illinois general child population was: White - 50.6%; Latinx - 24.8%; Black - 15.2%; Asian - 5.6%; Multiracial - 3.6%; Indian/Indigenous (“Native”) - 0.1%; Pacific Islander - 0.3%. In Illinois in 2022, there were 216,644 hotline calls and 94,704 investigations covering 153,356 children; the state took custody of 5,534 children from their parents/caretakers and detained them in the foster system.⁴

Illinois examines **racial disproportionality** with reference to ten child welfare indicators: **(1)** investigations; **(2)** protective custodies; **(3)** indicated investigations; **(4)** intact family services; **(5)** substitute care entries; **(6)** placement instability; **(7)** length of stay in substitute care; **(8)** reunification with parent(s); **(9)** adoption; **(10)** guardianship.

Illinois’ **Racial Disproportionality Index (RDI)** documents the magnitude and intensity of state control and regulation of Black children, their parents, and families by the Illinois “child protection/child welfare” system. **Absolute RDI** for a “child welfare indicator” is calculated by dividing a racial group’s percentage within a particular indicator by the group’s percentage in the general child population, and is provided for **(1)** investigations, **(2)** indicated investigations, **(3)** protective custodies, **(4)** intact family services; and **(5)** substitute care entries.⁵ **Relative RDI** indicates an increase or decrease in a racial or ethnic group’s percentage in a particular indicator compared to their percentage in a prior

¹ **Sources:** *Racial and Ethnic Disproportionality in the Illinois Child Welfare System: FY 2023 Report* (“*Disproportionality Report*”), Children and Family Research Center, School of Social Work, University of Illinois Urbana-Champaign, https://cfrc.illinois.edu/pubs/rp_20231016_RacialAndEthnicDisproportionalityInTheIllinoisChildWelfareSystemFY2023Report.pdf; *Budget Proposal Overview, FY 2024, Illinois Department of Children and Family Services* (“*Budget Overview*”), <https://dcfs.illinois.gov/content/dam/soi/en/web/dcfs/documents/about-us/documents/budget-proposal-overview-fy2024.pdf>; and *State of Illinois’ Child Welfare System Strategic Plan 2023-2025* (“*Strategic Plan*”) <https://www2.illinois.gov/dcfs/xxaboutus/newsandreports/Documents/dcfs-strategic-plan%202023-2025.pdf>.

² See Children and Family Research Center, *Understanding Disproportionality* https://cfrc.illinois.edu/pubs/bf_20171115_UnderstandingDisproportionalityintheChildWelfareSystem.pdf and *Exploring Disproportionality*, https://cfrc.illinois.edu/pubs/bf_20171115_ExploringDisproportionalityintheIllinoisChildWelfareSystem.pdf.

³ *Disproportionality Report*, p. 3.

⁴ *DCFS 2024 Budget Proposal Overview*, p. 3.

⁵ **Example:** dividing the percentage of Black children among those taken into “substitute care” (33.3% in 2022) by the percentage of Black children in the general population (15.2%) results in “absolute racial disproportionality index (RDI) of 2.2, meaning that Black children were taken into “substitute care” at over two times their representation in the child population, and therefore were overrepresented among children taken into state custody in 2022. *Disproportionality Report*, pp. 3-4.

indicator,⁶ and is provided for all ten child welfare indicators. Tracking closely with trends over the past 7 years, absolute and relative RDI statistics for 2022 reveal that **Black children in Illinois were:**

- **overrepresented** at every indicator including investigations,⁷ protective custodies (temporary removal),⁸ indicated investigations,⁹ intact family services,¹⁰ and formal state custody (“substitute care entries”);¹¹
- **overrepresented** in placement instability (three or more placements during the first year in state custody)¹² and length of stay¹³ while in state custody;
- **underrepresented** in reunification¹⁴ and adoptions;¹⁵ and
- **proportionally** represented in guardianships.¹⁶

Illinois Department of Children & Family Services: Budget Information

It is anticipated that the 2024 budget for the Illinois Department of Children and Family Services (“DCFS”) will be just over **\$2 Billion dollars (\$2,008,197,200)**, a significant increase over the 2023 amount of **\$1.8 Billion dollars**.¹⁷ While it is unclear exactly what expenditures are included in each category, the 2024 projected amount is divided among 5 program areas, including:

⁶ **Example:** dividing the percentage of Black children taken into substitute care (33.3%) by the percentage of Black children subjected to investigations (33.1%), yielding a “relative RDI” for substitute care of 1.0, meaning that there was no increase or decrease in the disproportionality for Black children from investigations to foster system custody. Note that this doesn’t mean there’s no disproportionality - **Black children** are **overrepresented** both in investigations and in foster system custody).

⁷ In 2022 in Illinois, **Black children** were the only group **overrepresented** among children in **investigations** compared to their representation in the general population (absolute RDI 2.2; no relative RDI calculated because no access to hotline call data provided by DCFS).

⁸ In 2022 in Illinois, **Black children** were the only group **overrepresented** among children in **“protective custodies”** (detained in state custody for up to 48 hours (excluding weekends) until a court hearing is held (absolute RDI 2.3 times their percentage in the Illinois child population; increase in over-representation in comparison to investigations (relative RDI 1.2).

⁹ In 2022 in Illinois, **Black children** were the only group **overrepresented** among children in **“indicated investigations”** (where agency makes a finding of “credible evidence” that the alleged abuse or neglect occurred following background checks on all adults in the household; judging home environment; questioning children, accused person, and all adults in household; and referencing “structured safety assessment”); no change in overrepresentation between % in the group of children investigated and % in indicated investigations (relative RDI 1.0).

¹⁰ In 2022 in Illinois, **Black children** were the only group overrepresented in receiving **“intact family services”** (where children remain at home and family gets “supportive services”)(absolute RDI 2.1); no change in overrepresentation compared to investigations (relative RDI 1.0).

¹¹ In 2022 in Illinois, **Black children** were the only group **overrepresented** in **“substitute care entries”** (detained in foster system) (absolute RDI 2.2); no increase in overrepresentation compared to investigations (relative RDI 1.0).

¹² In 2022 in Illinois, Black children were the only group overrepresented in absolute and relative RDI for **placement instability** (children in substitute care who experienced three or more placements in their first year in custody) (absolute RDI 1.4; relative RDI 1.4).

¹³ In 2022 in Illinois, **Black children** (along with “multiracial” children) were **overrepresented** in **“length of time”** in state custody (48 months or more in state custody before reunification, adoption, or guardianship) compared to their percentage in state custody.

¹⁴ In 2022 in Illinois, **Black children** were the only group **underrepresented** in the group **reunified with their parents** compared to their percentage in state custody. The overall reunification rate in 2022 was 19.1% (Budget Proposal Overview 2024, p. 3).

¹⁵ In 2022 in Illinois (along with Latinx children), **Black children** were **underrepresented** in **adoptions** compared to their percentage in state custody. The overall rate for adoption was 9.3% (Budget Proposal Overview 2024, p. 3).

¹⁶ In 2022 in Illinois, Black children (along with white and Latinx children) were proportionally represented in **guardianships** compared to their percentage in state custody. The overall rate for guardianships was 2.4% (Budget Proposal Overview 2024, p. 3).

¹⁷ *Budget Overview 2024*, p. 6.

- Protective Services, \$235,372.4 (21.8% increase)
- Adoption & Guardianship, \$223,213.7 (7.6% increase)
- Family Maintenance, \$138,802.1 (6.4% increase)
- Family Reunification, \$1,335,123.8 (9.9% increase)
- Accountability, \$75,685.1 (18.1% increase)

According to Legal Aid Chicago, *Norman* consent decree¹⁸ funding in 2022 was \$5,385,000 compared to \$507,231,100 spent on maintaining children in out-of-home state custody (“foster care and specializing care”). 2023 *Norman* spending was \$7,385,000 vs. \$606,534,700 on out-of-home state custody, and it is anticipated that in 2024 *Norman* spending will be \$9,385,000 vs. \$625,873,100 for out-of-home state custody.¹⁹

Illinois Department of Children and Family Services **Performance on Federal Child and Family Services Review (CSFR)**

The federal Children’s Bureau conducts periodic assessments of state child welfare systems to: (1) ensure conformity with certain federal child welfare requirements; (2) determine what is actually happening to children and families as they are engaged in child welfare services; and (3) assist states in enhancing their capacity to help children and families achieve positive outcomes.²⁰ The CSFRs identify strengths and areas needing improvement and systemic changes that will improve child and family outcomes.

The most recent federal audit of the Illinois family regulation system found that **the state failed every one of the 7 designated child welfare “safety, permanency, and well-being” outcomes.**²¹ The federal auditors found that “the Illinois DCFS is not operating in substantial conformity with the federal requirements across all child welfare outcomes.” Noting that it is a “**highly privatized**” system with approximately 80% of foster care cases served through contract case management providers, the Children’s Bureau concluded that “DCFS **fails** to ensure that “basic child welfare casework practices, such as caseworker contact with children and parents, occur routinely statewide at the level required to promote child safety, permanency, and child and family well-being outcomes.”²² Some significant findings include that **fathers are not routinely engaged**, even when their whereabouts are known; there’s a lack of concerted efforts to identify and locate relatives; and children’s mental, behavioral,

¹⁸ The goal of the *Norman* consent decree is “to insure that through housing support and/or disbursement of cash assistance, the child(ren) will not be in danger of being placed in DCFS custody or the return home of the children will not be jeopardized by the family’s subsistence need” through the operation of 2 programs: the Housing Advocacy Program (provides assistance to Norman certified families to locate and maintain adequate housing) and Emergency Cash Assistance (provides cash assistance checks to assist Norman certified families purchase items needed to care for their children).” “*Norman Consent Decree*,” Illinois Catalog of State Financial Assistance (CSFA), <https://omb.illinois.gov/PUBLIC/GATA/CSFA/Program.aspx?csfa=1330>.

¹⁹ Legal Aid Chicago, on file with IBAI.

²⁰ U.S. Health and Human Services, Administration for Children and Families, Children’s Bureau, *Child and Family Services Reviews*, <https://www.acf.hhs.gov/cb/monitoring/child-family-services-reviews>

²¹ U.S. Health and Human Services, Administration for Children and Families, Children’s Bureau, *Child and Family Services Reviews, Illinois Final Report 2018* (“Illinois CSFR 2018”), <https://www.acf.hhs.gov/sites/default/files/documents/cb/il-cfsr-r3-final.pdf>. See Appendix A for a summary of findings on all measures.

²² Illinois CSFR 2018, p. 3.

medical, and dental health needs are not appropriately assessed and addressed. Illinois failed on all key indicators:

- **Safety**, including maintaining children safely in their homes whenever possible and appropriate and providing services to families to prevent removal or re-entry into foster care after reunification
- **Permanency**, including: placement stability; efforts to achieve reunification, guardianship, adoption, or other planned permanent living arrangement; maintaining continuity of family relationships and preserving family connections, including with siblings; visiting with parents and siblings with sufficient frequency and quality to promote continuity in the child's relationship with these close family members; maintaining the child's connections to his or her neighborhood, community, faith, extended family, Tribe, school, and friends; placement with relatives; promoting, supporting, and/or maintaining positive relationships between the child, their parents or primary caretakers from whom the child was removed through activities other than just arranging for visitation
- **Wellbeing**, including failure to: enhance the capacity of families to provide for their children's needs; assess the needs of children and their caregivers; identify services necessary to achieve case goals and address issues relevant to the agency's involvement with the family; provide appropriate services; involve parents and children in case planning on an ongoing basis; and children's educational, physical, and mental health needs were not appropriately assessed or addressed.

The Children's Bureau found significant deficits in the Illinois family regulation system in the "systemic factor" area of **Service Array and Resource Development**, including: uneven availability and accessibility of services across the state; waitlists of several weeks to months for parent and child mental health and substance abuse services; lack of availability of: mentorship programs, residential treatment and placement resources for older youth, domestic violence services, parent coaching classes, prevention/community-based services, intact family-based services, parent-child visitation resources, and respite services for foster parents. **Other areas of deficiency** included limited accessible transportation, distances to needed services, locating providers who accept Medicaid, and high staff/service provider turnover are barriers to accessing services in a timely manner. The Children's Bureau reported that, "[o]verall, services are not routinely individualized and tailored to meet the needs of children and parents."²³

²³ Illinois CFSR 2018, p. 20.