

NATIONAL COALITION FOR CHILD PROTECTION REFORM

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To: Minnesota House of Representatives, Committee on Children and Families

From: Richard Wexler, Executive Director, National Coalition for Child Protection Reform

Re: African American Family Preservation Act (SF716 / HF912)

Date: March 20, 2024

We all know the adage “Fool me once, shame on you, fool me twice, shame on me.” It is an honor to submit this statement to lawmakers who have refused to be fooled twice. It is my hope that you will continue your current good work by passing the African American Family Preservation Act.

I’ll explain what I mean about not being fooled below. First, let me introduce myself and the organization I represent.

The National Coalition for Child Protection Reform is a small nonprofit child advocacy organization dedicated to trying to make the “child welfare” system better serve America’s most vulnerable children. You can read all about our distinguished Board of Directors – the nation’s finest *ad hoc* child welfare think tank -- here <https://nccpr.org/nccpr-board-and-staff/> and about what others in the field say about us here: <https://nccpr.org/what-others-say-about-nccpr/> My own background is in journalism: 19 years as a practitioner, three as a professor. I spent much of my time covering child welfare, work that culminated in publication of a well-received book, *Wounded Innocents* (Prometheus Books, 1990, 1995).

As the letterhead makes clear, we’re not from Minnesota. But we’ve been following Minnesota child welfare for decades and made multiple trips to the state. But most important is our national perspective: our ability to compare and contrast performance among the states. Sadly, Minnesota’s performance has been among the worst in America for decades.

- Minnesota tears apart families and consigns children to the chaos of foster care at a rate vastly above the national average – even when rates of child poverty are factored in. In 2021, the most recent year for which comparative data are available, the rate of entries into foster care in Minnesota was more than double the national average – only seven states were worse.

So when others tell you massive removal of children is needed to keep children safe, please ask yourselves: Are Minnesota children really more than twice as safe as the national average? That's certainly not what we've been reading in the *Star Tribune* lately.

- The 2021 figures are not an aberration. Minnesota has been an extreme outlier every year since 1999.

- Minnesota's record for racial disproportionality, when it comes to taking away Black children, is even worse than the national average.

- Minnesota's record for racial disproportionality, when it comes to taking away Native American children, is the worst in America, by far.

Our full report on Minnesota child welfare, [available here](#), has details and sources for all of these data. But I'll just note one thing now: I hope the state Department of Human Services isn't still giving you that nonsense line about how Minnesota counts entries other states don't. If they pull that one again, please get in touch and I'll explain why it's not true.

Understandably, you may not know about all these data. DHS certainly has no reason to tell you. But I'll tell you who does know: reporters and editors at the *Star Tribune*. They knew in 2014 and they know now. They've simply chosen not to tell you.

Instead, as an inferno of needless removal rages in Minnesota, every few years, that newspaper comes along to pour gasoline on the fire.

So in 2014, they falsely claimed that in Minnesota – a state more fanatical about removing children than almost any other -- somehow a supposed devotion to *not* removing children was placing them in danger.

A prior legislature and a prior governor believed it. A commission falsely claimed that the “pendulum” had swung too far toward keeping families together. The result was a [foster-care panic](#), a sharp sudden surge in removals of children – over and above the already high level – because everyone from caseworkers to county agency chiefs was terrified to leave children in their own homes. Between 2014 and 2017, the number of children trapped in Minnesota foster care – already far too high – skyrocketed 50%. So let's be clear: In Minnesota, the pendulum swings only from an excessive rate of removal to an *obscene* rate of removal.

But there's one thing foster care panics don't do: They don't make children safer. That's true even when using the deeply flawed measure chosen by some prior politicians and reporters themselves: child abuse deaths. In the few places large enough to measure, such as New York City, Florida and Illinois, the number of such deaths stayed the same or went up after foster-care panics.

In contrast, dialing back the child welfare surveillance state, curbing foster care and bolstering concrete help for families *does* work. A liberal Texas think tank stopped crusading for more foster care after [conducting this study](#), showing what did, and did not, make children safer.

The “[unintended abolition](#),” when family police agencies had to pull back during the COVID-19 pandemic, demonstrated the same. Fearmongers predicted COVID would lead to a “pandemic of child abuse.” Instead, when child welfare agencies stepped back, community-based community-run mutual aid organizations stepped up and the federal government stepped in with the best “preventive service” of all – no-strings-attached cash – child abuse went down.

That’s because the real reasons for the horror story cases have nothing to do with a supposed fanatical devotion to family preservation. Instead, they often result from workers so deluged with false reports, trivial cases and poverty cases that they have no time to investigate any case properly.

But the best evidence that the *Star Tribune*’s foster-care panic failed to make children safer comes from – the *Star Tribune*. As you know, their recent stories read almost like a cut-and-paste of the 2014 series. They are filled with horror stories about deaths of children known to the system. So by their own criteria, the foster care panic they set off in 2014 and all that followed failed.

The *Star Tribune* used to be one of America’s great regional newspapers. Long ago, their editorial page did some of the most careful, nuanced reporting on these issues to be found anywhere. But today, the *Star Tribune* shames the profession of which I used to be a part.

In contrast, you are bringing honor to the profession of lawmaking. By refusing to be fooled twice, by refusing to tolerate another foster care panic, and by looking earnestly and honestly for better ideas, you may become a model for the nation.

You are following another famous adage “First, do no harm.” Now, I hope you will move Minnesota forward by passing the African American Family Preservation Act. But don’t do it only because of how much it will help Black children avoid the enormous trauma of needless foster care, though surely that would be reason enough. Do it because, by reducing the overload on the entire system, it will make all Minnesota children safer.

If you have any questions or need any further information, please reach out at any time.

Thank you.