

# Racial Disproportionality in Child Welfare Task Force

Meeting Minutes  
December 14, 2022

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**Meeting called to order at 9:05AM by:** LaTanya Jackson Wilson, Co-Chair, Vice President of Advocacy, Shriver Center on Poverty Law  
Beverly Jones, Co-Chair, Vice President and Chief Operating Officer, Lutheran Child and Family Services of IL

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**Members in attendance:**

Mareema Ali, Office of the Inspector General, DCFS  
Janet Barnes, Cook County Public Guardian  
Sara Block, Ascend Justice  
Dagené Brown, Director, Office of Racial Equity Practice  
Nora Collins-Mandeville, Director of Systems Reform Policy, ACLU of IL  
Ronald Davis, Parent Member  
Chandler Mattison-Farris, ACOI, Proxy for Heather Dorsey, Assistant Director of Courts, Administrative Office of the Illinois Courts  
David Esposito, Supportive Housing Providers Association of IL  
Melissa Frydman, Director of Family Advocacy Clinic, U of I College of Law  
State Representative Angelica Guerrero-Cuellar, IL Legislative Latino Caucus  
Lettie Hicks, Parents United for Change, Community Organizing and Family Issues  
Carla Rogers, Proxy for State Senator Mattie Hunter  
Cherie Kesler, Attorney, Village of Savoy-SBDC  
Kim McCullough-Starks, Director, Healthcare and Family Services  
State Senator Christina Pacione-Zayas, IL Legislative Latino Caucus  
Onie Riley, Former Youth Member  
Robert Rodemeyer, Cook County State's Attorney's Office  
Barb Frobish, Proxy for State Senator Sally Turner

**Members not present:**

Paris Bateman, State's Attorney Office  
State Representative Chris Bos  
State Representative Lakesia Collins  
Clarissa Fourman, Former Youth Member  
State Representative Sonya Harper  
LaTanya Law, Dept of Human Services  
Tina Lewis, Cook County Public Defender  
State Representative Camille Lilly  
Bryan Samuels, Chapin Hall

**Public:**

Lyman Legters, Senior Director Strategic Consulting, Casey Family Programs  
Dr. Vanessa White, Consultant, Shriver Center on Poverty Law  
Ashley Deckert, Illinois Collaboration on Youth  
Simone Weil, Director, Public Policy, Casey Family Programs  
Anita Weinberg, Loyola University  
Summer George, Illinois Collaboration on Youth

**DCFS:** Norma Machay, Northern Region Immersion Site Director  
Levonda Harris, Assistant to the DCFS Statewide Office of Racial Equity Practice  
Kara Hamilton, Associate Deputy Director, External Communication & Advisory Groups  
Darnita Jackson, Administrative Assistant, Office of Legislative Affairs

**Welcome & Roll Call:**

Co-Chair LaTanya Jackson Wilson welcomed Members and presented the “Opening Question”. Darnita Jackson took the roll. It was determined that a quorum was present.

**Approval of Minutes:**

David Esposito entered a motion to approve the minutes from the meeting on November 9, 2022. Beverly Jones seconded the motion. The minutes were approved by unanimous consent.

**Agenda Overview:**

Co-Chair LaTanya Jackson Wilson outlined the day’s agenda to include a Family First Summit Overview presentation by Lyman Legters – Casey Family Programs and Norma Machay – DCFS to be followed by breakout sessions, subcommittee report-outs to the whole group, recommendations to date, public comment, closing remarks and adjournment.

**Discussion Item 1 – Family First Summit Overview Presentation:**

Lyman Legters and Norma Machay are Co-facilitators of the Family First Communication and Integration work group responsible for planning the Family First Summit meeting that took place on November 1, 2022 at the University of Illinois in Champaign, Urbana. There were over 185 participants present in-person and over 90 virtual participants online.

- Norma, the Immersion Site Director for Lake County introduced herself and provided her background information in serving DCFS for 26 years whereas she began as a case worker.
- Lyman, the Strategic Consultant for Casey Family Programs currently assigned to Illinois also introduced himself and provided the presentation would summarize the Family First Summit meeting and include rationale that could serve as a catalyst for transformation in Illinois.

Overview Presentation – Strengthening Illinois through Child and Family Well-Being: A Summary: by Norma Machay and Lyman Legters.

- The Family First Communication and Integration work group worked together for 3 years and was originally initiated by the Family First Planning Committee in an effort to share more information about Family First external from DCFS and present an opportunity to elevate families and serve as a catalyst for transformation of the child welfare system in Illinois. Reference to the Family First and Prevention Services Act (FFPSA) enacted to reform the federal child welfare funding. The work group meets twice a month and is comprised of the following:
  - Private Agency Partners
  - Administrative Office of IL Courts
  - ISBE
  - DCFS Divisional Leaders
  - Sister Agencies
- The work group created a Mission Statement specifically for the Summit to be family and youth centered, to include what is needed to achieve well-being for families and to address the following:
  - Prevention
  - Coordination
  - Awareness
  - Diversion
  - Youth and Family Centered being that equitable and mobilized
- The work group created a Vision Statement for themselves as follows:
  - Partnership and alignment across public systems agencies and the community is normalized systemic and silos are dismantled.
  - Vision is for families in Illinois to have the capacity to care for their children and that all Illinois children thrive in safe, stable and nurturing families and environments.

- The Family First Summit Meeting participants and notable speakers included:
  - State of Illinois Deputy Governor Sol Flores,
  - Dr. David Sanders, Executive Vice President of Systems Improvement, Casey Family Programs,
  - 3 Lived Expertise Panelists who have experienced the child welfare system, sister and community agencies.
  - State Policy Panel moderated by Andrea Durbin, Chief Executive Officer, Illinois Collaboration on Youth and co-facilitator of the Family First Communication and Integration work group; also included Christine Haley, DHS State Homelessness Chief, who presented information on homelessness, programs and initiatives.
  - Jeffery Aranowski, Executive Director for ISBE presented information on Safe and Healthy Climate.
  - Tim Verry, Director of the Division of Family and Community Services,
  - Karin Norrington Reaves, National Workforce Development Consultant presented information regarding workforce development; and
  - Directors of programs within State Departments, Judges, State Attorneys and a great amount of other stakeholders
  
- The Lived Expertise panelists developed the following Call to Action plans:
  - The IL Juvenile Court System and the IL Child Welfare System take too long to reunify children with their parents.
  - Shared parenting is essential to ensure timely permanency. When children are removed and placed with a relative or foster home a shared parenting contract should be a part of that to include goals of timely permanency.
  - Listen to youth-in-care, they know what they need and want and have not been heard.
  
- The Family First Summit Meeting ended with the development of 5 action plans, one for Statewide and one for each region. Notable takeaways from each include the following:
  - Statewide Goal – investing local and state tax dollars on services and supports families and communities need to include support to meet basic needs, prevention services and services that are locally identified/driven to include cultural shifts wherein asking for support is viewed as positive.
  - Cook Region – seek funding and opportunities to support families before they are involved with DCFS, to strengthen the internal communication, to integrate with other providers that support families and have engagement and foster relationships with families to meet families where they are.
  - Central Region – Collaborative cross-system meetings at the system level - an example provided from Lake County in which meetings took place quarterly and included child welfare, the court system, DHS, Daycare and home visiting which later determined that all were serving the same families. To include other partners/providers in the family meetings, to share information more efficiently via releases or shared data bases, to have the focus be on children and families i.e., family engagement and relationship building.
  - Northern Region identified needing funding flexibility such as more funds for primary prevention, expanding or reforming how Norman Funds can be used with regards to funding for housing, immigration, education and legal services, as well as the availability of services specifically as it relates to mental health providers, youth and early childhood supports, and preventative supports that are truly preventive and put into place before the risk factor is identified.
  - Southern Region identified needs related to IT, staff and integrated data bases among the sister agencies to better serve the families, as well as additional support to the workforce in terms of training, credentialing and opportunities for pathways, goals to build protective factors into primary prevention to have early supporters as well as coordination and support from other systems such as schools.
  
- A reinforced commitment to Racial Justice was front and centered in every presentation and from every speaker and is an essential key to transformation. Transformation will require a systemic approach for collaboration and service delivery to achieve wellbeing. Racial justice must be a cross systems focused; there needs to be an alignment across efforts.
  
- 21<sup>st</sup> Century Child and Family Well-Being Framework:
  - Consists of a family well-being system that prevents harm by working in partnership with children, families, communities, and agencies to assure all families have the capacity to care for their children and all children thrive in safe stable, nurturing families and environments.
  - Has to be a collective responsibility, not DCFS focused.
  - Needs to be proactive building protective capacity pre-maltreatment; safety may need to be redefined at the intersection of poverty, neglect or conditions that are out of the control of families that impact their involvement with systems.
  - Focuses on universal population-efforts and impact.
  - Primary prevention needs to be included; Family First allows for the ability to fund resources to families, to broaden approach beyond the child for intervention, to do secondary and prevention from the front end of the system.

- Well-being was defined as the unifying concept, that translates and travels across systems and contexts, contemplates a “life-course perspective and sets thriving, healing and wholeness frame as the goal. Well-being is a human condition of thriving characterized by health and fulfillment to be considered as a lifelong process; example given in terms of well becoming. Racial justice/racial equity is a well-being domain and can be articulated that way across systems.
- References to the data slides presented by Dr. Sanders during the meeting were shown which are based upon data collected from Illinois reflecting distinct disparities for black children in the following areas between 2015 and 2021:
  - The rate at which they are screened in for investigation or assessment as well as for the rate they are screened in and substantiated in an investigation.
  - The rate in which they are entering care which has improved over the last couple of years.
  - The rate of black children that are staying in care
  - All of which begs the question per Dr. Sanders whether there are 2 systems in Illinois, one for black children and families and one for everyone else.

### **Questions/Comments Noted for Further Discussion:**

- Lyman offered to come back to share information regarding the direction of the Statewide and regional action plans with the Task Force at a later date.
- Norma indicated the Family First Communication and Integration work group would be meeting to discuss the Statewide action plan and develop ways to move forward with leaders within the department.
- Lettie Hicks volunteered to be a part of the workgroup and next steps process going forward as an individual with lived expertise and recommended an alignment/relationship with the Juvenile Justice system.
- Q: Co-Chair LaTanya Jackson Wilson inquired about the racial justice aspect of the action plans and things that were directed to specifically address the treatment of black families. A: Norma will send this information to the Task Force.
- Q: Co-Chair Beverly Jones inquired about how to incorporate all the various efforts to address disproportionality from the Task Force, individual agencies, etc. into a whole. A: Lyman indicated this continues to be one of the struggles in the racial justice space, making sure there is connection and alignment which needs to be centered in the discussions and suggested this an important consideration for the Task Force as disintegration is one of the things that derails the transformation. Norma shared this is a recommendation and part of building those action plans set forward by the work group to break those silos as they envision the next steps to move the work.
  - Dagené Brown indicated that part of her role within the Department is to ensure efforts are not duplicative and extended an invitation to the Task Force Chairs to attend a future Advisory Commission meeting and potentially the Commission’s Chair will attend a future Task Force meeting for collaborative works.
- Sara Block made a comment with regards to the wellbeing system and things to consider that contributes to wellbeing so that other systems, community partners and organizations are included. Sara mentioned there needs to be a narrow entry point into child welfare.
  - Lyman agreed and shared in their discussions the driving factor is to be clear the specific and narrow role of child protection versus the broader childhood wellbeing focus that aligns across systems.
- Robert Rodemeyer made a comment about the recommendation to coparent with foster parents made by the Lived Expertise panelists stating it goes against the construct of the system referencing that per the Juvenile Court Act guardianship cannot be explored unless adoption is ruled out whereas adoption is a goal of priority over guardianship. Additionally, the Department does not subsidize guardianship in non-relative homes and the randomized matching of POS agencies based upon contracts with the Department versus from a parent or child’s community of origin hinders reunification.
  - Lyman reiterated the need for a collective response considering some of the things mentioned are outside of the purview of DCFIS indicating consideration be given for the policy level, what legislative action needs to be taken and what other agencies need to be involved.
  - Norma reported these issues were brought up in the summit meeting by the Lived Expertise panelist.
  - Dagené reported the language “rule out adoption” has been changed; however, the practice has not changed with Judges in some areas preferring the adoption method and ordering the Department move in that direction before guardianship as an option.

### **Discussion Item 2 – Shift in Mindsets**

Co-Chair LaTanya talked about the nature in which the system was designed and built to be disadvantageous to black families. Values, concepts and mindsets have to change in order for the policies and procedures to change will be effective. The mother and father, the 2 parents are the best suited to care for their children and starting from this principle

and then indicating the supports a family needs to continue to be able to care for their children. Mindsets have to be changed in order for the policies, procedures and recommendations to change the way that things function. Being committed to doing things differently and recognizing that we can do better is important.

- Co-Chair Bev commented it really means changing the mindsets of people who work in the field because everyone is not on board and that is a lot of the work that needs to be done for a foundation and reinforcing those messages. Additionally, there needs to be a critical mass of the direction we are going and that is our commitment but to stay where you are is not acceptable. The work of the Task Force is important and there is a sense of urgency and importance to the work.
- Sara commented with regards to where mindsets need to shift, involves the idea of shrinking child protection and child welfare as we know it to serve a limited purpose and reinvesting to address the needs of families in a more holistic, receptive, less punitive, less oppressive way that can build the community which will also require public awareness and buy in.
- Lyman commented the things that will derail transformative and reform efforts are predictable such as changes in leadership, tragedies and other distractions and presented the question how we build them into the strategies and inoculate the work from these barriers or detractors.
  - Co-Chair LaTanya commented there are ways to plan and build the challenges that will come as a result into the plan.

### Subcommittee Breakout Sessions

Co-Chair LaTanya provided guidance for discussions during the breakout sessions to include the things discussed during the Summary Presentation, ideas and solutions as it relates to the individual subject matter of each subcommittee with consideration for the following prompts which were posed for the creation of action plans:

- Define a share goal and a vision for prevention for your region moving forward.
- How will you change or enhance your practice to promote family well-being?
- How will you foster collaboration across government agencies and providers with your agency?
- What supports would you need to take on your new approach to prevention services in your work, agency and region?

**Breakout Sessions Began at 10:25AM**

**Breakout Sessions Ended at 10:55AM**

### **Subcommittee Report-Outs:**

- Co-Chair LaTanya Jackson Wilson reported the Investigated Screened-In Maltreatment Reports Subcommittee began discussions with goals as referenced by the Family First summary presentation with regards to when families seek assistance, how to encourage families to seek assistance and removing the punitive element of seeking assistance. Additional discussions were held on the dynamics involved when a family has experienced domestic violence – the approach taken when a parent is a risk, removal of the child, priority placed on safety but recognizing that the best place for the child may be in that situation with the parents and how this could be solved. The fact that there are referrals from Domestic Relations to State Court because of the situation and divorce which could potentially provide an opportunity to identify other state agencies to support families. Further discussions were also had on mandatory versus discretionary reporting and potentially having specific factors for reporting for mandated reporters based on certain offenses such as head trauma to include a guidance for when reports should be made with consideration given to other factors involved; advising mandated reporters on what takes place, input was provided by one subcommittee member/former teacher indicating neither training nor guidance was provided with regard to mandated reporting, when to report, what actions should take place, etc. Discussions on the need for massive funding for the initial stages of investigation, pre-petition legal representation is needed for the families involved and other supports that can be provided to keep children in their homes which will change the outcomes.
- Dr. Vanessa White reported the Protective Custodies Subcommittee discussed needing clarity around the first 48 hours (when a child is removed from their home); what happens if the report is indicated and how quickly this decision point leads to a child being placed in foster care. Dagené reported the subcommittee discussed protective custody as an entry point and consideration for after protective custody is taken; what happens to the families within the system? Additional data is needed for an understanding of the cases coming in and those that are referred to Intact Family Services looking at voluntary and involuntary intact cases; what other options are available versus bringing the family into the system. Dagené advised being part of Intact Family Services is still an indication that a family is involved with the system and the fact that it makes it difficult for families to get resources when its stigmatized. The subcommittee will continue to determine the data that is needed to continue this conversation.

- Co-Chair Bev reported the Indicated Reports Subcommittee discussed the questions they had with regards to adoption versus guardianship, which families get referred to Intact Family Services as opposed to children being removed from the home and how youth are educated while being served by the child welfare system.

Questions/Data Requests noted for further discussion:

- What percentage of families get referred to Intact Family Services as opposed to children being removed to be disaggregated by race? How is that decided? What is the percentage of indicated findings and case closures by race and the reasons why?
  - If a relative gets guardianship does any of the children return home to the parent? How many kin or relatives get guardianship versus going through the adoption process?
  - How well are youth-in-care doing in school? Are they behind and what assistance and supports do they receive to help improve their education? Data is needed by race and grade level.
- Sara Block reported the Timely Exit from Substitute Care Subcommittee discussed the development of service plans and how parents are integrated into the process, whether they are comfortable and trustful expressing what they need. What is being measured as far as progress and the participation of services, what should be the measure and who is qualified to determine this? How the system responds to barriers to participating services? Additional discussions were had around adjudication, disposition and shrinking the system in different ways. In Illinois the Juvenile Court Act, supporting case law findings are made with the child but should they be similar to an indicated finding, i.e. parent and child? Consideration for raising the burden of proof at adjudication from preponderance to clear and convincing evidence. With regards to disposition what does the standard of fit, willing and able really mean and how is fit being defined as well as the minimum parenting standard that make most parents feel like they are not enough or that the outcome is predetermined especially among black families. In addition, evaluation of the best interest standard as it is subjective, susceptible to bias and favors the status quo of children remaining in foster care and how children internalized being a ward of the State. The subcommittee will continue discussions beginning with the permanency planning process during the next meeting.

Questions/Data Requests from Chat noted for further discussion:

- Data on which families are offered Intact services and how successful are Intact services.
- Data where there was an investigation and PC was not taken and the child was later injured or died.
- Data on how decisions are made for Child welfare referrals versus investigation and referral for Intact services and how it differs across the State disaggregated by race.
- Data on the language and when the court can even consider guardianship as a permanency goal.

### Recommendations to Date:

- Pre-petition legal advocacy; Establish a state-funded right to legal counsel for families at the very first point of DCFS' investigation.
- Changing the burden of proof during adjudication from preponderance to clear and convincing.
- Mandated reporters to receive the same training that provides guidance on when to report and based upon specific offenses or guidance for reporters in terms of alternatives to calling the Hotline for when you have concerns; legal recognition that there are other ways to support a family then calls into the Hotline; another number to call for the straight provision of community services outside of DCFS. A partnership between DHS and DCFS where the call comes in and both take action if needed.
  - **Noted for awareness:** Dagené made reference to the African American Family Commission and their final report with lists Differential Response as one of their initiatives in which calls were by another entity outside of DCFS. The African American Family Commission ended in 1994. DCFS current Child Welfare Services Referral program is the alternative to Differential Response; however, you are still required to call the Child Abuse Hotline for services and once it is determined that the call does not meet the criteria for an investigation the case is referred to community-based services. Dagené will send the Co-Chairs a copy of the final report and recommendations.
  - Nora Collins-Mandeville made reference to agencies such as DHS that have the expertise and community-based services, substance abuse and housing services as well as comprehensive community-based youth service. Having a mandated reporter report their concerns to an agency that has access to those services seems to be an appropriate alternative.
- Strengthen parents' capacity to care for youth at home by allowing them to utilize funds that have traditionally been earmarked to pay for foster care.
- Increase families' access to high-quality legal assistance to proactively address reasons families may be separated including housing and employment discrimination, lack of access to public benefits, access to stable, safe, and affordable housing, educational supports, intimate partner violence, and other family law issues. Free or low-cost legal assistance should be available to families in need.
- Disentangle factors tied to poverty from the maltreatment definition of "neglect."

- Disaggregate systemwide data to root out bias and institute a blind removal protocol.
- Amend Illinois' drug exposed infant statute to align with the protections provided by the Illinois Reproductive Health Act
- Streamline and simplify the process parents can use to have their records cleared within a reasonable amount of time following their successful completion of DCFS intervention.
- Further limit disclosure of DCFS records for employer and professional licensing determinations.
- Require DCFS to demonstrate evidence of specific, meaningful actions it has taken to avoid forcible family separation and why no service arrangement or other in-home interventions could sufficiently decrease DCFS' concerns in court proceedings.
- Require the Court to make findings regarding how the trauma of family separation may impact each youth's well-being as part of the Court's best interest analysis in removal hearings, i.e., a thorough balancing of harms of family separation and placement into foster care against the harms child is exposed to in home.
- Establish a statutory right to client-directed, state funded legal representation for every youth in care at all phases of case proceedings. Deliver support to the youth through a multi-disciplinary legal representation team that includes social workers, peer mentors, and system navigators.
- Provide alternative methods for mandated reporters to report concerns or seek services for families, i.e., hotline outside of DCFS so access services, also allowing mandated reporters more discretion and the ability to use professional judgment within the scope of their professional duties as to whether a case actually needs to be made.
- Increase and enhance family connections.
- Require that DCFS provide evidence at all hearings demonstrating affirmative, active efforts to prevent the breakup of kin/family and that those efforts have and continue to prove unsuccessful.
- Adopt more rigorous legal standards that require DCFS to engage in meaningful, active, ongoing, solution-oriented efforts to remove all barriers to frequent quality contact between youth and their family members regardless of the permanency goal.

**Public Comment:**

None

**Action Items/Next Steps:**

- Email Darnita Jackson or Dagené Brown with additional data requests.
- Email the Co-Chairs for alternative subcommittee designations, suggestions, questions, comments, or recommendations.

**Meeting Adjournment:**

Dagené Brown moved to adjourn the meeting. Onie Riley seconded the motion. The meeting was adjourned at 11:32AM.

**Next Meeting Scheduled for January 18, 2023.**