

True Narratives: Framing Pain, Punishment, and the Lethality of Termination of Parental Rights

Abstract

This essay is written in the practice of abolitionism, to disentangle controlling myths from reality that overwhelmingly stifle expansive and honest discourse around the devastating practice of terminating parental rights (TPR). This essay seeks to deepen collective political analysis, unpacking structural racism and anti-Blackness which buttress family policing law, policy and practice. The essay adds to family policing abolition discourse through rigorous excavation of framing and narrative patterns of history, and utilizing a story-based strategy amplifying the perspective of those subjected to state violence of policing families. The essay seeks to reveal the death-making nature of TPR through true narratives, arguing sustainable, positive change for families cannot occur if TPR reigns as a mainstay threat and tool for decimating familial connection, and calls for an end to the state’s ability to inflict TPR on families.

Introduction

We write this essay in the practice of abolitionism, to disentangle controlling myths from reality that overwhelmingly stifle an expansive and honest discourse around the devastating practice of terminating parental rights (hereinafter “TPR”). This essay deepens political analysis by unpacking the structural racism and anti-Blackness which buttresses the law, policy and practice of family policing. The essay further adds to contemporary family policing¹ abolition discourse

¹ More commonly called the “child welfare system,” the authors have made a conscious choice to use the term “family policing system” throughout this essay as it more accurately reflects the degree of surveillance and harm families experience as a result of “child welfare” intervention. As Dorothy Roberts describes in her seminal book *Torn Apart*, the child protection system is more aptly called the family policing system. Dorothy Roberts, *TORN APART: HOW THE CHILD WELFARE SYSTEM DESTROYS BLACK FAMILIES--AND HOW ABOLITION CAN BUILD A SAFER WORLD* (2023) (“Policing” is the word that captures best what the system does to America’s most disenfranchised families. It subjects them to surveillance, coercion, and punishment. It is a family policing system.”). (Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World*, 2022, p. 24)

through rigorous excavation of the framing and narrative patterns of history and utilizing a story-based strategy that amplifies the perspective of those subjected to the state violence of policing families. A core component of abolitionist thought is that communities, especially those at the margins of multiple identity, possess the expertise and know-how to care for themselves. (Davis, 2003) Therefore, this essay elevates the collective reality and expertise of Black communities who experience family separation and the lethality of TPR as predicated by subjugation through racialized terror, anti-Blackness and oppression. The state’s capacity to use TPR reinforces and embeds the “metaracism” inherent to family policing.² (Rose, 2024, pp. 59-61) As a resistance strategy to these abusive forces, this essay argues that collective true narratives can build base and power with individuals most impacted by TPR and those who advocate in solidarity with them in the struggle for freedom and liberation.

In this essay we confront the ignored reality that overwhelmingly, families who are exposed to family policing do not experience “child welfare” or child or family “wellbeing” as life-sustaining, protective or safe for families. In contrast, in the name of providing safety and protecting children, the family policing system creates harm for families, specifically harming children, their parents and caregivers, and communities at large. (Trivedi, *The Harm of Child Removal*, 2019; Trivedi, *The Hidden Pain of Family Policing*, forthcoming 2024; Merritt, 2021) In particular, the violence

²In her book *Metaracism: How Systemic Racism Devastates Black Lives – and How We Break Free*, sociologist Tricia Rose uses Donella Meadow’s four question test to determine whether something is a system or if it just “a pile o’ stuff”. Rose uses the four questions to examine a set of 75 policies and practices as a group. Can we identify the parts? Do the parts interconnect? Do the parts interconnect in ways that produce metaeffects? And do the outcomes/effects persist over time? Rose writes that not only do the parts interconnect, but:

they do so in ways that intensify negative effects for Black bodies in multiple and reverberating directions. Additionally, not only do the policies and practices interconnect in ways that reverberate in multiple directions to produce metaracism—the metaeffects of systemic racism—they persist over time. The intricate interconnections across many policies were strikingly consistent and targeted in both focus and impact. The vast majority involved some combination of containment, extraction, and punishment of Black bodies. (Rose, 2024, pp. 59-61)

of TPR creates deep corporal wounds and scars for parents and children, the impact of which reverberates through the lives of families and communities intergenerationally and historically in racialized patterns and rhymes. (Albert, Bain, Brico, Dinkins, & Houston, 2021) The mythos of “safety” and “protection” which undergirds family policing ignores the lived realities of these walking wounded, (Katz & Lee, 2024) and the anti-Blackness and anti-indigeneity inherently embedded in the law, policy and practice of family policing. (Briggs, 2020; Roberts, *Shattered Bonds: The Color of Child Welfare*, 2001) TPR and adoption have exacted pain and punishment on untold numbers of Black, indigenous and other non-Black families. Yet the focus of this piece is on the unyielding and structurally pervasive assault experienced by Black families resulting from family policing intervention. Deconstructing the role of anti-Blackness in family policing is not meant to dismiss the weight of the many harms of family policing experienced by indigenous and other non-Black families. Rather by unpacking and underscoring the role of white supremacy, anti-Blackness and structural racism inherent to family policing, we prefigure the justice-seeking practices which will liberate all families from family policing’s lethal reign.

This essay seeks to reveal the death-making nature of TPR through true narratives. As political scientist Jenn M. Jackson has written, “(w)ithout knowing, embracing, and believing the truth about ourselves, our histories, and our present conditions, we leave our stories to be written by mythmakers and fairy-tale writers.” (Jackson, 2024, p. 60) Such “historical deceit” is rooted in white supremacy. (Jackson, 2024, p. 60) In contrast, true narratives are comprised of participatory collective messages told by people who share communal experiences, in this case people who have experienced systemic blame, isolation, invisibility and violence by the state. True narratives in this context seek to reveal patterns, structural conditions, and the impact that family policing has on countless numbers of Black families and communities. As Ta’Nehisi Coates writes in his recent

seminal book, *The Message*, “this tradition of writing, of drawing out a common humanity is indispensable to our future, if only because what must be cultivated and cared for must first be seen.” (Coates T. , 2024, p. 16) Coates, referencing Audre Lorde, notes, “You cannot act upon what you cannot see.” (Coates T. , 2024, p. 18) The main purpose of true narratives is to elevate and organize around a group of people’s reality at the intersections of historical struggle, and present new evidence that challenges dominating myths that protect the status quo. Challenging these myths and casting light on true narratives is critical to challenging systems of oppression, as Coates explains:

...above us stand the very people who did the casting, jeering, tossing soil into our eyes and yelling down at us, “You’re doing it wrong.” But we are not them, and the standards of enslavers, colonizers, and villains simply will not do. We require another standard – one that sees the sharpening of our writing as the quality of light. And with that light we are charged with examining the stories we have been told, and how they undergird the politics we have accepted, and then the telling new stories ourselves. (Coates T. , 2024, p. 19)

By excavating true narratives, we reframe the causes of problems, which in turn reframes liberatory actions and approaches a prefigurative future.

It is our shared belief that TPR is not only the equivalent of the civil death penalty for families, but that it has no serviceability to the well-being of our society, let alone for the benefit of families who become emmeshed with the family policing system. TPR is inherently violent – it involves forcefully stripping children and parents of any legal recognition of the core of their identity, their biological connection to each other, with the aim of creating a “fictive birth,” literally rewriting legal documents to accomplish the erasure of any documentary evidence of family ties. (Mulzer & Albert, 2022, p. 565) Social justice activist and lawyer Bryan Stevenson has long called us to ask in relationship to capital punishment not “whether people deserve to die for the crimes they commit,” but rather “*Do we deserve to kill?*” (Stevenson, 2014, p. 275) In other words, is

this a power we believe the state should hold? Just as we reject the state violence inherent in capital punishment, we repudiate the state violence inherent in TPR, and join a chorus of collective voices calling not only for the repeal of ASFA, but an end to the family policing system's ability to inflict TPR on families. (Albert, Bain, Brico, Dinkins, & Houston, 2021; Mulzer & Albert, 2022; Sankaran & Church, 2023; Whitt-Woolsey & Sprang, 2014)

By excavating true narratives, we further argue that sustainable, positive change for families cannot occur if TPR reigns as a mainstay threat and tool for decimating familial connection. The only purpose served by TPR is to subject families to pain and punishment. By allowing it to persist uninterrupted, we are willingly consenting to and witnessing the annihilation of Black families and communities under the guise of keeping children safe. TPR poisons the entire family from the initial CPS knock at the door, perpetuating pre-existing anti-Blackness and ongoing racial terror through kidnapping and monetization of children. Yet the family policing system clings to the myth of TPR and adoption as the positive accomplishment of "permanency" for a child. (Creamer & Lee, Winter 2022)

The work of dissociating fact from fiction begins with asking a few fundamentally important questions about family policing and TPR: 1) What are the prevailing myths about TPR and adoption?; 2) Who is telling and/or controlling the narrative about TPR, and why?; 3) What serviceability and benefit comes from the existing narrative about TPR?; 4) What true narratives about TPR are being obscured?; 5) What happens when we obscure TPR true narratives? 6) What does the civil death penalty in the form of TPR cost us?

This essay will proceed in six parts. First, we will explain how our respective lived experiences and collective work in this essay are demonstrative of the critical connections which are the prerequisite to the liberatory work of ending the lethality of TPR and the harms of family policing.

Second, we will confront the function and impact of allowing myths to prevail over true narratives, to maintain and sustain anti-Blackness and white supremacy. Third, we will strategize with history, facing several causes of anti-Blackness inherent to family policing, highlighting what underpins the systemic assaults on Black life. Fourth, we will excavate the myths and realities of the function and impact of TPR and adoption. Fifth, we will share a true narrative which articulates the costs and impact of being sentenced to the civil death penalty. Finally, the essay will close with visions for the future which inform implications for practice.

Critical Connections

We write as two humans who share a commitment to abolitionism and have arrived here through different lived experiences. Each of us has over 20 years of experience with the family policing system -- Author 1 as a Black community organizer, activist and leader, and Author 2 as a white lawyer and clinical law professor. We felt drawn by an obligation and commitment to liberation to combine our energies on this essay for varied reasons set forth below.

Author 1

Author 1 writes: *I have spent 20 years dueling with the reality that modern-day institutions infused with colonialist, capitalist, racist, and white supremacist ideological ethos that establish global wealth, social status, political power, and wide-spread advantages for white bodies, are not designed to consider my humanity. As an immature being, I desired to believe that Lady Justice was blind. I chose to consent to the myth that police, social services, courts, and schools treated every human with fairness. These controlling narratives shaped my frames, my behaviors and many of my decisions. The persistent corrosive weathering altered my sense of self-importance. Thereby, leaving me with wise scars that tell a true narrative about state-sanctioned violence and the patterned effects. In my early thirties, I began to view my abusive encounters with the cops as*

a system of beliefs and practices that are deputized to annihilate Black bodies with impunity. With every blow, every handcuff, every assault on my body, my resolve for freedom intensified. So did my righteous rage. Being physically beaten by law enforcement has profoundly shifted my obligation to co-struggle toward abolition. In a traumatic way, I was conditioned and prepared for police brutality.

I was not, however, equipped to grasp the enormity of abuse and violence handed out through family policing. Having to appear in front of a judge, without effective legal representation to unwillingly accept that the rights to my child were ordered terminated, is the most devastating day of my life. I chose to co-author this essay so that I can continue the long journey toward freedom. To reveal the true narratives and struggles of the battle, devastation, grief, and hope for a future where the horrors of the civil death penalty will not be allowed to destroy and haunt one more beautiful family. The central piece of my life's work is building solidarity with those who have been victimized by TPR, comrades who were once state actors and abolitionists seeking a world without violence to live into an existing vision of abolitionism. All while refusing to accept anything less than the eradication of the civil death penalty.

The phenomenon of race plays a significant role in how I have been conditioned to navigate society and movement containers. I do not have a lot of trust that white bodies are conditioned to actively reckon with their racism in ways that allow them to leverage their advantages for the social good, or to move other white bodies to become liberated from the grips of white supremacy. This country's racial caste has demanded us to show white bodies deference, while remaining in our "cotton picking" lanes. And when Black bodies begin to "act free" by protesting, resisting, and fighting against state violence, many white bodies retreat or assert power to insist that abolitionists "say it or do it another way." Before Author 2 and I agreed to co-author

this essay, I spoke at a family policing parent representation conference and borrowed a quote by Charles Hamilton Houston who asserted that “a lawyer is either a social engineer or a parasite on society.” The primary purpose of my practicing abolitionism is to heal the wounds caused by being racialized under the law. This practice requires understanding and embracing the truth about our history; setting clear intentions to undo prolonged suffering and to support efforts that focus on interpersonal and collective transformation. My work revolves around undoing whiteness and the devastating impacts of its invention.

Initially, Author 2 did not think she had much to contribute to this essay. Gradually, she thought what she could offer would be technical and even linear at best. Author 2’s offerings are what has been missing from the collective discourse around eradicating family policing. This essay is demonstrative of an abolitionist practice in building critical connections between a lawyer and activist. Critical connections are the formation to building nets that work. To establish this kind of relationship with comrades requires imagination, sacrifice, and self-examination. Critical connections depend on practice. I believe that what we practice with one another will dictate how robust and strong our collective advocacy becomes. At the individual level, this adds to cross-racial solidarity and increases my trust that with rigorous honesty and acknowledging how anti-Blackness has impaired notions of partiality, worthiness, and punishment, more lawyers will accept the invitation to nurture freedom dreams. This process has been necessary and should inspire a better understanding of what must happen first in our movements toward abolition—real relationships.

Author 2

Author 2 writes: When Author 1 asked me to co-author this piece, I gave him significant push-back – what could I possibly have to say that he could not articulate more compellingly than

I could? Anyone who knows Author 1 knows he is a highly effective abolitionist organizer, advocate, educator and storyteller. As a white-bodied person who cares deeply about combatting the systemic racism endemic to the family policing system, I still did not trust that I could accurately describe how anti-Blackness pervades the core ideologies inherent to TPR and family policing more generally. I am grateful Author 1 encouraged me to push through those doubts and co-create this piece with him. As I reflect on my over 20 years of family law legal practice, teaching, and training of lawyers, I have had to reckon with my own role in facilitating and enabling the violent racialized harm of TPR, even while professing to critique it and advocating to fight its harms.

I have been deeply inspired by the family-led family policing abolitionist movement, and believe that I, along with others in the legal profession, need to join in solidarity with that struggle. A necessary prerequisite to such solidarity requires reckoning and self-reflection, on the role we have and continue to play, in enabling and perpetrating the harms of the family policing system and TPR specifically. Part of how such a reckoning happens is through critical connections and organizing with the families most impacted by the family policing system, as it is the only way we can hold ourselves accountable and leverage the truth about the systemic racialized violence inherent in TPR. Particularly for those of us who are white-bodied, such cross-racial solidarity conditions us not only to actively bear witness to the true narratives of racialized harms, but to stand in solidarity. The collective vision set out in this piece is a demonstration of what such critical connections and solidarity can produce.

Thinking through what I could contribute to this piece required me to more deeply wrestle with a question which Author 1 frequently poses to public audiences and in small groups: what is your role as the oppressor? Like many lawyers, I have spent my entire legal career working within

and around a system that I understand as inherently unjust and harmful – it’s actually what drew me to the work, as I thought individualized zealous advocacy (and systemic policy advocacy) could make a difference for families. I have understood my role as an attorney in part as to encourage people to follow the law and rules, and I have even justified and rationalized that the law and rules made sense or could produce fair outcomes – even when the harms were obvious. In short, like most lawyers and other “professional stakeholders” within and around the family policing system, I am complicit.

Lawyers’ training and egos often inhibit their capacity for self-reflection and self-awareness of this complicity, just as it has for me. Lawyers will focus, as I have, on good intent and “positive results” that have come from advocacy and point to alleged “expertise” that comes from proximity to families most impacted by family policing. But that proximity is not the same as solidarity, and our “expertise” can actually disadvantage our view. What does it mean to be a participant in the systematic devastation of Black and brown families? For me, as a resourced white woman providing legal counsel to primarily low-income Black and brown people, I have been able to function within and around a harmful racist system without facing any personal credible danger of harm. This has allowed me to function and remove myself from the daily harms perpetrated, assuaging myself that I did the ‘best I could’ to “mitigate harm,” and seeing myself as an ally for speaking out against the harms where I could. I understand now that such a notion of allyship is myopic and contributes to harm; rather than allyship I strive for solidarity. Simultaneously my role has often advantaged me with more credibility within, and with regard to, that system than the families most impacted by the system itself. And yet my individual representation, systemic advocacy, teaching and scholarly writing have not stemmed the tide of racialized devastation and destruction caused by the family policing system and TPR specifically.

*Nor can it, without a radically different approach. As abolitionist lawyer and organizer Andrea Ritchie writes in *Practicing New Worlds: Abolition and Emergent Strategies*, “We can’t continue to organize in ways that replicate and legitimize the systems we are seeking to dismantle.” (Ritchie, 2023, p. 4)*

I have long considered myself to be a family policing abolitionist. But only more recently am I beginning to truly understand how to practice abolitionism. To do so requires unlearning as much as it requires learning, requires ceding advantages as much as it requires leveraging opportunity, dismantling as much as it requires creating – and must be done through radical care, connection and visioning with the most impacted families. I am proud not just of the vision Author I and I have collectively created in this piece, but of the critical connection and solidarity we have built through partnering on this piece. I look forward to a continued role in the struggle.

The Significance of Critical Connections

Our collaboration on this piece has modeled the kind of collective, generative and transformative work which is required for such foundation-shifting change if we are to be guided by true narratives to frame visions for the future.

Mythos, Frames and True Narratives

Abolitionist praxis entails making the invisible, visible. (Gilmore, 2007, pp. 25-26; Kaba, 2021, pp. 12-13) To make true narratives visible, one goal is to delegitimize the existing frames and myths which obscure how the institution of “child welfare” is a death-making agent for racism. As Professor Dorothy Roberts has persuasively demonstrated, the story of family policing is framed and housed in our collective minds as safety, beneficial for the child, charitable benevolence and Christian or even God’s work. (Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World*, 2022, pp. 110-111)

These tropes are designed to tug at our hearts, make us believe that we are saving children by keeping them away from their loving families, under the façade of benevolence. (Roberts, Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World , 2022, p. 24) Because of the emotive influences, abolitionists are faced with one choice, to collectivize and counter every deeply held assumption with truth.

So, what myths underpin family policing? The federal agency charged with promoting and administering “child welfare” for our nation, the Administration for Children and Families (ACF), currently describes “child welfare” as, “a continuum of services designed to ensure that children are safe and that families have the necessary support to care for their children successfully. ACF provides funding and technical assistance to state/tribal child welfare programs and grantees to promote positive outcomes for children and families.” (Families, 2024) George Orwell has suggested that “myths, which are believed in, tend to become true.” (Orwell, 1968, p. 139) In excavating true narratives, it is clear that the description that ACF would like us to consent to is a fairy-tale, a control narrative and a myth. Do we believe that federal and state agents dictating and advocating for more robust “child welfare” practice and policy believe this narrative? Whether state agents believe the lies or not, state agencies are not required to examine the contemporary practices and policies through the frames of historical context, abolitionism or human beings most harmed by racism unless we hold them accountable to do so. Systemic and structural racism are both reinforced and perpetuated when true narratives are buried and ignored, permitting false narratives infused with white supremacy and anti-Blackness to become embedded and persistent in the collective mind of the law and society at large.

Patterns and Rhymes: The Role of Controlling Myths in Maintaining White Supremacy

From the beginning, our nation has revolved around a throughline narrative that has affirmatively invented propagandized myths about the “Black experience” in America. Overwhelmingly these false narratives neglect to examine and redress the causal effects associated with the invention of whiteness. W.E.B. Dubois described what he called the public and psychological wages of whiteness as unearned wages granted to white people of any class; including access to spaces and opportunities reserved solely for their use, enjoyment, and ownership. (DuBois, 1935, pp. 700-701) The invention and evolution of whiteness in this nation were developed to discriminate against European immigrants. (Dubois, 1903) It was not until very late in the 19th century that many European immigrants became categorized as white and received social, political, economic, and legal advantages. (Dubois, 1903) As it was then, collectively facing the realities of whiteness for white bodies and the establishments that ideology reproduces, appears to be a nearly unconquerable obstacle. The false narrative of Black inferiority persists, sixty years post the second Civil Rights Act outlawed discrimination based on race, color, sex, religion, and national origin, in our aftertimes, white bodies continue to be seen as the standard of humanity. This shows up structurally, and philosophically throughout the institutions and systems in this country, including family policing. If we are raced outside of that standard, then we are viewed as a deviation from humanity.

As the invention of race evolved, enslaved Africans were thought to be an inferior species. (Dubois, 1903; Fanon, 1952) This blatant inaccuracy is replayed through existing mythos about the superiority of humans who are now known as white. (Dubois, 1903; Fanon, 1952) Historically, humanity, suffering and national insults against Black bodies have been obscured. (Morrison, 1992) Yet the “Black experience” is not only one of struggle and resistance. (hooks, *Ain't I a woman? Black women and feminism*, 1981) Collective Black experiences tell the true narrative

of hope, fortitude, love, and shared humanity. (Baldwin, 1963) As bell hooks wrote, "'To be truly visionary we have to root our imagination in our own reality, our own culture. The oppression of marginalized people can be masked when their voices are not heard, when their stories are not told.'" (hooks, *Outlaw Culture: Resisting Representations*, 1994, p. 22) When controlling narratives attempt to erase or disappear our stories, worth, and contributions, the masses are positioned to dismiss or ignore our pain and triumphs. (hooks, *Outlaw Culture: Resisting Representations*, 1994)

The myths of Black bodies as deviant, criminal, servile, unworthy of love and care are emblematic of systems of oppression. (Fanon, 1952) The ethos of the plantation runs through the DNA of carceral institutions. (Alexander, 2010; Davis, 2003) Therefore, state actors and complicit bystanders enact the dynasty of white supremacy with tactical precision to contain and control the Black body. (Alexander, 2010; Davis, 2003) This is a familiar pattern of governance and social policy within these United States -- the intentional denial of the impact of coloniality, enslavement, theft of Native land, racialization, universal Christianity, patriarchy and capitalism is the power-hoarding tactic that overwhelmingly advantages white bodies. (Davis, 2003; Gilmore, 2007) Having social advantages at the political, economic and societal levels has afforded the public the ability to purposefully deny the experiences of Black bodies. (Alexander, 2010) Historically and in the present, Black bodies and social change activists have been misidentified as disruptive, civilly disobedient, and require control and policing. (Davis, 2003) The harsh reality is that the public is driven by the power of the story. (Adichie, 2009) History has proven that who gets to tell the story dictates the public reaction. (Adichie, 2009; Zinn, 1980)

Patterns and Rhymes: Collective Truth and the Subjugation of True Narratives

To understand the power of controlling myths and the subjugation of true narratives, we shift from the battle of the story to the story of the battle. An example of this narrative battle was

revealed during the climax of the struggle for Civil Rights. By the middle of 1968, as people across the globe mourned the assassination of Dr. Martin Luther King, Jr., who just four years prior with the support of activists, abolitionists and comrades, organized fearlessly for the passage of the 1964 Civil Rights Bill, fear and government control over Black communities were in full effect. (Branch, 2006; Carson, 2013) From 1965 onward, major cities across the Country were activated by what were framed as “race riots.” (Branch, 2006; Carson, 2013) By utilizing “riots” and “race” without telling a true narrative, white America pulled from memory of what was historically embedded in their minds—anti-Blackness. Once the words “race riots” hit the streets, relics of the anti-Black narrative were intensified and hijacked the collective white amygdala. (Hinton, 2021; Kendi, 2016) One of the most influential tools of domination is to make a person fear the “other.” (Fanon, 1952) As with physical traumas, white bodies have been conditioned to fear, mistrust, ignore, and control Black bodies. (Fanon, 1952; Menakem, 2017) This deeply held fear caused emotional dysregulation, halted any executive functioning, removed the ability to think logically and activated false memories of what they were taught about Black bodies. (Hinton, 2021; Kendi, 2016) Up to this point in our history, most of their teachings came from dominant, oppressive forces of control.

White outrage and fear, not anti-Blackness and state violence, prompted President Lyndon B. Johnson to commission a predominantly white group to explore the true narratives surrounding the events that led to the devastation, protest and demonstrations. The Kerner Commission, led by Chairman Otto Kerner, Governor of Illinois, was charged with answering three questions to understand what happened in these cities during such civil unrest: 1) What happened? 2) Why did it happen? 3) What could be done to prevent it happening again? (Disorders., 1968) Commonly referred to as The Kerner Commission Report, the analysis and profiles within this over 400-page

document provide guidance of ways to effectively utilize story-based techniques and true narratives to resist the tactics of white supremacy and those who consent to these tactics. (Disorders., 1968)

The Kerner Commission Report is an example of true narratives, as it revealed what Black communities knew all along, namely that the protests were a direct response to decades if not centuries of “pervasive racial discrimination and segregation,” rather than the work of a small group of radicals or a foreign conspiracy as three quarters of white America believed. (Disorders., 1968) Further, the Report concluded what was hidden in plain sight — that police violence had caused and exacerbated the civil disorder, and that Black activists were protesting white societal beliefs and norms as a whole—not individual white people. (Disorders., 1968) The Commission wrote further:

Despite these complexities, certain fundamental matters are clear. Of these, the most fundamental is the racial attitude and behavior of white Americans toward black Americans. Race prejudice has shaped our history decisively; it now threatens to affect our future. White racism is essentially responsible for the explosive mixture which has been accumulating in our cities since the end of World War II. . . . What white Americans have never fully understood—but what the Black can never forget, is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it. (Disorders., 1968)

By excavating true narratives, the Kerner Report revealed universal truths experienced by the Black community, and largely ignored and denied by white society.

Yet rather than representing a turning point that might have led to healing racial trauma and dismantling structural racism, the Kerner Commission Report was buried and obscured from the public view. Imagine if LBJ would have wielded his political, social, and economic power to speak the truth to the public, we may very well be engulfed in a different conversation today as it relates to the ongoing policing of Black bodies. Yet as we churn our approaches to freedom and organize to fill gaps with accurate perspectives of Black bodies who are ravished and traumatized by state

violence to tell a true narrative, we see this pattern repeated. As abolitionists, we understand that strategizing with history is a powerful tool for crafting effective blueprints for liberation. In the next section, we excavate modern family policing history to tell a true narrative.

Strategizing with History

In order to excavate true narratives, we must wrestle with how and why we got here, as the answers presage how we prevent it from happening again. All too frequently, the telling of modern family policing history and policy is steeped in the mythos that the devastation wrought on Black families and communities are an accidental byproduct of social policy framed by race neutral benevolent intent. This mythos is reinforced by a narrative arc which starts with the Progressive Child Savers of the late 19th century and then buffered by pointing to their intentional exclusion of Black children from the institutions and efforts which created the framework of modern “child protection” as “evidence” of lack of intentional design. This narrative framing subjugates the true narrative of the role of white supremacy in framing the origins and function of family policing.

The Original Wounds: The Legacy of Slavery and Genocide

As healing justice and emergent strategy writer Susan Raffo has written, the true narrative history of the United States dates back to two original wounds – “the attempted genocide of those people indigenous to this land” and “the institution of slavery.” (Raffo, 2022) In the context of family policing, scholars such as Dorothy Roberts, Alan Detlaff, and others have articulated, the legacy of slavery and colonialism have framed and infiltrated “child protection” at every turn. (Detlaff, 2023; Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World* , 2022) As Professor Roberts has written, “[f]amily destruction has historically functioned as a chief instrument of group oppression in the United

States.”³ (Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World* , 2022, p. 87) Further, state-sponsored family separation and forced adoption has also long been recognized as a form of cultural genocide. (Mapp & Smith Rotabi-Casares, 2023) As Roberts has elaborated, the existence of slavery from the inception of the United States meant that “child welfare institutions could develop without concern for the majority of Black children,” ensuring “an inherently racist child welfare system. On the other hand, the brutal domination and destruction of enslaved families profoundly shaped the development of child welfare institutions.” (Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World* , 2022, pp. 108-109) (Billingsley & Giovanni, 1972) Strategizing with history, we must reconcile with the reality that family separation and the underlying fiction of TPR and adoption, are two sides of the same coin, animated by the same forces of ethnocide which have always been central to America’s white supremacy, and live on in our modern-day family policing system.

As Professors Roberts and Detlaff have detailed, family separation has always been wielded as an extractive tool of racialized social control and capitalism against Black, indigenous, and non-white immigrant families. (Detlaff, 2023; Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World* , 2022, p. 47) Family separation has operated as a tool to maintain white supremacy from severing family bonds during enslavement, to the cultural whitewashing of indigenous children in Native American residential schools, to the Orphan Trains which shipped immigrant children to the rural West, to modern day mass incarceration and separation of families at the United States – Mexico border. (Detlaff, 2023; Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition*

Can Build a Safer World , 2022, p. 47) Further, family separation has also been motivated as a tool of racialized financial enrichment, from laws enacted during enslavement monetized racial heritage,⁴ to Reconstruction-era apprenticeships,⁵ and again the Native American residential schools,⁶ and Orphan Trains,⁷ each of these efforts were further propelled by the notion that Black, indigenous and non-white immigrant families not only did not deserve their children but could not produce children who could productively serve society's needs -- a problem which could be remedied by removal from environment, while simultaneously serving capitalist interests. (Briggs, 2020, pp. 20, 28, 48) (Katz M. B., 1986, pp. 110-111) (McGowan, 2014, pp. 14, 16-17) (Gordon, The Great Arizona Orphan Abduction, 1999, p. 10)

Modern Family Policing Policy as Cultural Genocide

It is against this contextual backdrop that we must wrestle with why exponential numbers of Black children's legal ties to their parents have been violently severed since the 1960s. (Roberts, Shattered Bonds: The Color of Child Welfare, 2001) Because the private charitable organizations which were the Progressive era precursors to the modern foster-industrial complex were focused on "saving" European immigrant children, and structural racism which marred 20th century welfare policy, (Spinak, 2023, pp. 17-32) Black children were largely left out of the foster care and adoption equation until the past six decades. (Detlaff, 2023; Roberts, Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World , 2022, p.

⁴ These laws made the child of enslaved person enslaved, thereby enriching the enslaver and creating a perverse financial incentive for sexual violence.

⁵ After emancipation, former enslavers induced Black families to apprentice their children, thus reinforcing ongoing family separation, and simultaneously destabilizing the family by removing potential wage earners, while preserving the financial enrichment of plantation owners.

⁶ The Native American residential schools, orchestrated by the federal government, sought to "kill the Indian to save the man," with the ostensible goal of producing productive citizens who could be assimilated into white society.

⁷ In the late 19th century, the explicit goal of Progressive Child Savers like Charles Loring Brace, who originated the Orphan Trains shipping mostly Irish, Italian and other European immigrant children to the farms of the rural West, was to save these children from being raised without the middle and upper class white Protestant norms; and in doing so provided farmers with a source of free child labor.

47) As others have documented, both the practical realities and legal mechanisms of modern adoption, such as immoral and unethical practices of securing and/or stealing babies from parents, terminating parental rights, and sealing records are relatively recent inventions of the 20th century. (Cahn & Heifetz Hollinger, 2004, pp. 9-10) (Gottlieb, 2024) Yet in the 1950s, virtually no adoption agencies would accept Black children and most families seeking to adopt were white. (Gottlieb, 2024) During this period, according to one federal government estimate, about 70 percent of white “illegitimate” children were matched for adoption, many through unwed mothers’ homes, whereas the rate for nonwhite children was between 3 and 5 percent. (Briggs, 2020, p. 37) By sealing records, these adoption methods both reinforced the post-war ideal of the white middle class nuclear family, and helped reproduce the racial order preserving single motherhood for Black mothers. (Mulzer & Albert, 2022, p. 573)

What has unfolded since the 1960s can only be understood as a series of policies designed to punish and surveil Black bodies. As the Kerner Report detailed, Black demands for liberation led to policing of Black bodies, but these efforts were not limited to police violence and mass incarceration. As Black liberation movements took hold, and white fear and backlash were unleashed, Black mothers and their children became the target of surveillance and control. (Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*, 2016; Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty*, 1997) Due to racist and segregationist policies Black mothers and their children had previously been excluded from New Deal era programs such as Aid for Families with Dependent children (known as welfare) and publicly funded foster care. (Gordon, *Pitied But Not Entitled: Single Mothers and the History of Welfare 1890-1935*, 1994; Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*, 2016) Yet on the heels of successful movements

for desegregation and civil rights in which Black women and children were at the forefront, government officials began to promote a narrative of Black mothers (for whom the institution of marriage was largely inaccessible) as draining public resources by accessing public benefits for their “illegitimate” children. (Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*, 2016; Lindhorst & Leighninger, 2003) Suitability laws (which required a state child welfare agency finding that children receiving public benefits were being raised in a “suitable” home free from “illicit” relationships), and later the “Fleming Rule” (which required public services or support for children to remain in or be placed in a suitable home) was the one-two punch that resulted in Black mothers being kicked off of welfare rolls and their children placed in foster care. (Lindhorst & Leighninger, 2003) Thus, by linking economic need to parental unsuitability and family separation, along with creating the funding mechanism to match state funds for foster care with federal dollars, the modern “foster care” (state custody) system, was formalized. (Mangold, 2022; Power, 2023)

In the decades which have followed, a series of neoliberal and anti-Black federal policies have served to turn the influx of Black children into formal “foster care” from a steady stream to a tsunami, leaving in its wake a trail of devastation in Black communities across the nation. (Roberts, *Shattered Bonds: The Color of Child Welfare*, 2001; Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World*, 2022) The combined effect of CAPTA, the War on Drugs (fueled by the grossly exaggerated “crack baby” epidemic), mass incarceration, AACWA and then ASFA has been to increase the reach and grip of the family policing system’s tentacles of surveillance, without sufficient funding or mandate to keep families together. (Baughman, Coles, Feinberg, & Newman, 2021) Each of these policies are animated by the same set of myths, pitting children’s “safety” against “bad parents”, thereby

focusing the debates surrounding policy and practice, not on whether families should be separated, but *when*. (Trivedi, *The Hidden Pain of Family Policing*, forthcoming 2024)

Since the 1970s, the numbers of children ripped from their families has skyrocketed, and Black children have entered state custody at astronomically disproportionate rates. (Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*, 2016; Roberts, *Shattered Bonds: The Color of Child Welfare*, 2001) Although AACWA ostensibly was designed to preserve families wherever possible, it did so without sufficient funding or actual mandate to keep families together or reunify them, leading to lengthy stays in state custody. (Roberts, *Torn Apart: How the Child Welfare System Destroys Black Families and How Abolition Can Build a Safer World*, 2022, p. 120) This problem was framed under the mythos of “foster care drift” or children “languishing in foster care” – as if children in state custody had no connection to families and communities. (Roberts, *Shattered Bonds: The Color of Child Welfare*, 2001) But instead of responding to that critique, ASFA sought to move children more swiftly out of state custody by creating a mandatory timeline and requirement that prioritized TPR and adoption as the solution to do so. (Pagano, 1999) Specifically, ASFA mandates TPR be filed (absent limited exceptions) after a child has been in state custody for 15 of the last 22 months, and excuses “reasonable efforts” toward reunification when “aggravated circumstances” are present. (Adoption and Safe Families Act of 1997) Both AACWA and ASFA sought to answer the wrong problem – what to do with the number of the children in state custody, without providing any real check on sheer number of children who are ripped from their families or the resources to ensure they could go home. As a result, ASFA’s legacy is one of destruction, trauma and loss for the more than two million children, and their families and communities, who have experienced the lethality of TPR since ASFA became law. (Katz S. , *Philadelphia Inquirer*, 2022) (Pol’y, 2022)

From ASFA's advent in 1997 forward, it has worked as designed – while approximately 12% of children in foster care experienced TPR in the years between 1980 – 1990, (Raz & Edwards, 2023) 27% of children now leave foster care due to adoption. (U.S. Department of Health & Human Services - Administration for Children, 2023) This does not account for the vast numbers of legal orphans created by ASFA's mandates,⁸ (Inst., 2017) or the reality that the rate of TPR for Black children is far higher – 1 in every 41 Black children will have their rights terminated. (White & Persson, 2022) ASFA's mandate undermines Constitutional mandate that family integrity is primary, by prioritizing a child's alleged “immediate safety” over long-term consequences of family separation and trauma of adoption. (Trivedi, The Adoption and Safe Families Act is not worth saving: The case for repeal, 2023) By creating financial incentives to states to complete adoptions, without any such incentive to accomplish reunifications or prevent family separation altogether, (Phagan-Hansel, 2018), ASFA monetizes Black children's lives.

While strategizing with history is instructive and important, neither the legislative and policy history of TPR and adoption, nor statistics surrounding the impact of the family policing system, capture the depth of the true harms TPR has wrought on Black families and communities. In the next section we will excavate the true narrative of the pain and punishment exacted by TPR and adoption.

True Narratives and TPR

While true narratives have never been excavated at the scale of a Kerner Commission type process regarding the impact and effect of TPR on Black families and communities, the patterns and rhymes of collective experience of Black bodies annihilated by family policing tell a true story.

⁸ The exact number of legal orphans created by ASFA is unknown, but it is estimated that tens of thousands of children have left state custody since ASFA was enacted with their rights to family permanently severed and not having been adopted.

By endorsing and submitting to the ideology of whiteness, family policing does not only attempt to kill the spirit of the family but to sustain an ongoing genocide of Black families and communities. The insatiable appetite for Black annihilation is coveted while becoming fuel for the sophisticated genealogy of accumulating wealth, power, and prestige by orchestrating “make belief” stranger families through seductive adoption incentives, slander, denial of constitutional dignities and treachery. With ferocity, family policing and its supporters reproduce controlling false narratives that seek to hide any costs to the families it destroys. These costs are evidenced by personal and collective scars -- the civil death penalty has become one of many reasons so many other parents are walking wounded by family policing.

The Mythos of Bad Parents and New Beginnings

While other scholars and advocates have highlighted the ways in which family policing’s overreliance on family separation as the primary form of “help” offered to families causes significant harm to families, (Gottlieb, 2024; Trivedi, *The Harm of Child Removal*, 2019; Trivedi, *The Hidden Pain of Family Policing*, forthcoming 2024) less analyzed is the unique impact of the violence of termination of parental rights on parents and communities. Of the many overarching false narratives that animate the web of law which forms the modern family policing system, a central throughline is the notion that if children “cannot” stay with or return to their families, that TPR and adoption offer the ideal form of “permanence” for children in foster care who “cannot” be reunified. (Katz & Lee, *Lies My Child Welfare System Told Me: The critical importance of centering families' voices in family policing legal advocacy*, 2024) This framing pits children against parents, as it is mired in the assumption that not only must children be separated from their “bad” parents to be safe, but that family connection does not matter. The emphasis on permanency becomes a self-fulfilling prophecy, as family policing agents have little incentive, financial or

otherwise to reunify families if their North Star remains legal permanency. (Selivanoff & Urs, Reimagining How Cases End & Families Evolve, 2024)

The myth of adoption as a fairy tale happy ending is embedded deeply into the law and practice of family policing. Yet the legal underpinnings of modern-day adoption did not exist until the mid to late 19th century with the Child-Saving movement, and termination of parental rights was virtually unheard of until the mid-20th century. (Gottlieb, 2024) Yet ASFA, and its predecessor, AACWA, codified into law an aspect of adoption as it has long existed in the public imagination, namely as a “rebirth,” permitting children to “start their lives anew, in their 'forever' homes, with 'better' parents.” (Mulzer & Albert, 2022, p. 580) As Annette Appell has written, the family policing system perpetuates the myth that “children can be fully and existentially separated from their parents,” as well as the idea that “parents are fungible.” (Appell, 2011) As Sacha Coupet has elaborated, TPR and adoption are preferred because of the myth that it can wipe the slate clean and permit “innocent and wounded children to start anew with healthier, untainted families,” obviating the need to address the root causes of child abuse and neglect and the system’s utter failure to address them “upstream,” and fixing the system’s gaze “downstream” to celebrate “the reconstituted adoptive nuclear family.” (Coupet, 2005)

The myth of TPR and adoption stems from another myth which animates the laws of family policing – the myth that bad parenting alone is the root cause of child maltreatment. (Godsoe, 2013, pp. 122, 129-130) Further, as others have discussed, such notions of “bad” parenting codify a racialized and criminalized normative judgment of parenting which is inherently anti-Black and advantages white heteronormative middle-class norms. As Dorothy Roberts has elaborated, the logic of family policing and its reliance on family separation as a primary intervention is reliant on longstanding stereotypes of “Black mothers’ depravity and negligence.” (Roberts, *The Legacy*

of Black Mothers' Radical Resistance of Care, 2024, p. 82) These myths embed a prescriptive standard which holds parents individually responsible for the structural racism and poverty which is routinely labeled as child neglect or maltreatment. In doing so, ASFA codifies a legal assumption which not only utterly devalues the parent-child relationship but assumes parents and children emmeshed in the family policing system do not share love or connection that is worth preserving. (Godsoe, 2013, pp. 129-130) As Roberts notes, this assumption is rooted in the same logic used by enslavers, “the myth that Black people lacked the capacity to feel emotional pain or care deeply for their children.” (Roberts, The Legacy of Black Mothers' Radical Resistance of Care, 2024, p. 81)

True Narratives and the Impact of TPR

These myths embedded in the law of TPR and adoption bear no resemblance to the collective devastating true narratives told by the families and communities annihilated by TPR. These truths are hiding in plain sight – known to the families and communities impacted by family policing, but also by the agents and advocates who function within and around the family policing system. And yet the state obliterates families’ truths in order to maintain and sustain the myths inherent to TPR and adoption.

True narratives require a radical pursuit of truth that reveals the impact of TPR. Similar to the impact of policing on Black communities, Black families tell a true narrative of the everyday state violence that results from family policing, and specifically TPR. Ta-Nehisi Coates illustrates this dynamic in his seminal book *Between the World and Me*, revealing a true narrative regarding the impact of abusive power and policing, “and destruction is merely the superlative form of a dominion whose prerogatives include frisking’s, detaining’s, beatings, and humiliations. All of this is common to black people. And all of this is old for black people. No one is held responsible.”

(Coates T.-N. , 2015, p. 9) True narrative is a disciplined approach to help us feel the weight of choices to sever the physical connection between parent and child. We believe true narratives are a way forward to becoming responsible for centuries of racialized trauma inflicted on Black parents' bodies. We must never look away from this truth. If we choose to deny the systemic harms, we are actively choosing to participate in and consent to genocidal suffering.

So, what are the costs of TPR? What is the everyday violence that family policing consents to and is complicit in? It is difficult to categorize the depths of the wounds to Black families and communities resulting from the systematic kidnapping of Black children, and the ensuing erasure of lineage, family ties, ethnicity, culture and religion, the rendering invisible of parents' voices and struggles to maintain their families. The denial and deprivation of generations of Black love. These are the collective truths to which family policing has consented to, in which every actor within and around family policing is complicit. In the next section, Author 2 will actively bear witness and leverage visibility of, and solidarity with, Author 1's voice and advantaged perspective regarding these costs.

Pain, Punishment and the Lethality of the Civil Death Penalty

To survive the pain, punishment, and the lethality of the civil death penalty requires humans to endure a life filled with indescribable pain, outrageous fear, and a sweet longing for hope, reprieve, and self-love to flow on overdrive. To thrive beyond mere resilience and survival takes a great deal of imagination, critical connections, and fortified bravery to nurture freedom dreams while playing an active role in the struggle to ensure that the state will one day stop punishing Black bodies to death. The civil death penalty condemns Black families, and our communities to damnation. The costs are immediate and over time, as the wounds from TPR bleed untreated, the state's punishment begins to adversely impact our emotional and physical health. The prices that

Black parents pay when injected with the “hot shot” of TPR vary in range, as they do for the children, extended families and larger communities who also continue to bleed from these wounds.

In preparation for writing this section, I was asked “what are the costs of being sentenced to the civil death penalty?” My internal, self-talk was “*you can't hold the magnitude of this painful truth without the desire to push or deny it away.*” Having previously been exposed to and seen as a “token” in numerous environments, under a microscope of revealing “what happened to me” was met with resistance and defensiveness, I learned that sharing my vulnerability and trauma was not the most effective strategy for liberation and I stopped sharing what happened to me individually as a form of protest. An expression of dissent from the “trauma porn” that has invaded workgroups, advisory boards, and conferences. I have the power to choose who is deserving of knowing my experience, where and how it is shared. This resistance allows me to not be deduced to a single story, a single experience, because I am not the single story. Collective storytelling has become my truth-telling.

Being gifted with reciprocal vulnerability and bravery of comrades in the struggle, I reflected on conversations with other Black activists who like me, had been torched and left for dead because of the civil death penalty. Through this process of sustained critical connections, I courageously faced the fact that each of us were taxed and forced to handover payment for what family policing did to us. It was through the process of communal love, remembering the circumstances, conditions and listening to our scars for collective wisdom, that greater clarity emerged. In solidarity, we embraced the enlightening reality that each carried a major piece of the *true narrative*, as well as share in the painful costs of being sentenced to the civil death penalty. Some of our collective costs are: 1) dehumanization, 2) loss of personhood, 3) prolonged disorientation, 4) shame and rage, and 5) internalized hopelessness. Some might ask, “*how do I*

know? Or What proof do I have that TPR is a death-making tool? My response is simple: *I have 20 years of scars that ache when the wind blows. Touch our scars and let true narratives help you grow an understanding of the horrific costs we must pay when subjected to state-sanctioned violence.* My scars are unique because they are mine, but my wounds are not exceptional or unusual – my true narrative is bolstered by the true narratives of the scores of ancestors, community members and friends who carry the same identifying scars.

For me, this nightmarish battle began on January 4, 2004, when my then two-year-old son was pried from his bed. We were both placed in an Orleans Parrish Police Department's squad car. With haste, my child was held in bondage in the arms of an officer riding shotgun. I was handcuffed and in the caged backseat. Through swollen eyelids from the beating received by the same officer who now held my child hostage, tears streamed down my face. Within minutes, the cops stopped the car in what felt like a dark alley. We arrived at the family policing depot for children who “needed” stranger placement. I begged to hug my child and to tell him I loved him. I was denied one of the most important acts of love a parent could offer their child—a warm embrace. My soul was crushed, and I felt completely powerless. After spending a bit over twenty hours in Orleans Parrish’s jail, I was released with no charges indicated. Throughout that night, I had no idea that I was in the most demoralizing season of my life.

A few hours after my release, I sat with the family policing investigator at the kitchen table of our rented home. My first question to him was, “when will my son come home?” He informed me that my son was placed in “foster care” and gave me the name, number and address of the agency which would manage my case. Completely dumfounded, I asked, “why did the police take my child?” He responded with, “potential drug use and domestic disturbance.” The investigator was stoic, showed little emotional affect, rushed the conversation along and appeared agitated and

inconvenienced by my search for answers he could not offer me. Within three days, parenting as I had come to love it, was forever altered. I thought that people who hurt their children were the ones who faced this type of scrutiny. My son was demonstrably cared for, loved, fed well, clean, never touched, hit, yelled at. For the life of me, I just did not understand how this could be happening.

My son's mother and I followed the investigator's directives and scheduled a time to meet with our social worker. After being met with metal detectors, heavy security and buzzer activated doors, we waited where in the not-so-distant future, our supervised "visits" would take place, including the final visit while our son was still a child. The social worker greeted us with a smile, told us that our child was okay and that we could arrange supervised visits. She walked us through some of the process and confirmed that our child was now in the custody of the state for allegations related to drug use. The meeting lasted for about an hour. She initially approached us with one visit per week. That lasted for two weeks. I advocated for three visits per week, and we began to make this the routine for the next four months.

Each visit was devastatingly brutal. To bond with my child while being monitored by state agents with clipboards and a timer, only accelerated my internalized loss of personhood and agency as a parent. Yet, I showed up, smiled at them, and remained as courteous as the circumstances allowed. Deep down, I was enraged and covered with fear. I knew my place and made a conscious decision to bare knuckle it through those transactions. Even when the social worker would interrupt or insert themselves into our visit, I remained governed by "appropriate" responses and decorum. Visitation time always ended in tears. My son cried. We cried. Trying to sustain three visits per week, hold gainful employment and maintain some level of sanity and hope was excruciating.

Attempting to balance and prioritize the rigors of life and the family police resulted in a handful of missed visits between late March and April of 2004.

By May 2004, just over five months after my son was taken into state custody, my visits and contact with family police agents stopped abruptly. On a muggy night, under a broken streetlight, I was approached and jumped by four men. This assault was ignited as I attempted to purchase forty dollars' worth of crack from one of the men. As they proceeded to kick and punch, I defended myself by swinging a pair of scissors that I kept in my pocket for protection. I woke up in an ambulance and arrived at the emergency room with a broken left forearm, a concussion, and several open cuts on my face. Shortly after visiting the orthopedist, I was arrested and charged with aggravated battery. That beatdown was not as painful as what the next level of punishment would bring.

From January to May, I had not experienced the inside of juvenile or family court. There was no official service plan outside of supervised visitation, and no referrals or other “services” offered. By June of 2024, I would find myself caged in the House of Detention (HOD) within Orleans Parrish Prison without an idea of if or when I would see my son again. While locked up, I had no contact with the outside world. These intensified the feelings of isolation, uncontrollable grief, and shame. Me and my son were both “caught in the system.” A viscous cycle that showed no signs of relief or care for the connection we needed most. Here is where I began to creep into moments of despair. I shared space with 27 other Black men facing felony convictions. Within those walls, we had no therapeutic outlet. Therefore, suppressing our emotions and fears became one way of coping with the ripple effects of being punished. The captive arrangement at HOD were three large cell blocks. Each block was situated to hold 12 sets of bunks. During my stay, our block housed over 30 other men for weeks at a time. Men without bunks received a mat, cardboard

thin blanket without a pillow. We did everything in the block except shower, which happened once per day. We were all in a constant state of fear and untouchable rage. This is an environment if I were seen or heard crying about family policing could have caused me greater humiliation than that with which I was quietly surviving.

One day in July 2004, I received a package from the court with the results from a “parental fitness examination” that I received in April. The results of the psychological evaluation gave me purpose and active hope. The results indicated that the Doctor did not believe that I was a danger or risk to my child. She recommended that I seek support for my addiction to cocaine. The April exam consisted of over seven-hundred questions, and state Doctors glued to two-way mirrors as I interacted with my son. I was offended that they went through such lengths to determine if I was “fit” to parent my two-year old son. The reality is that I read to him when he was in his mamma’s belly, and I was the warm chest he laid on during his colicky moments as an infant. It was my steamed chicken breast in orange juice that gave his food a bit of flavor. It was me, his father, that did whatever it took to make sure he had shelter, clean clothes, and toys to explore. While we were in that tank being watched, it felt like they were not concerned with how much I loved my son. I felt like I was becoming a minstrel of myself. Having to perform to prove my worth as a father was one of the most humiliating encounters I have had with agents of the state. Despite those memories, I believed that despair would not get the last word. There was hope on the horizon. I expected to receive a notice to appear before a judge after such great news from the evaluation report. Before I saw a dependency court, I appeared in front of a superior court judge pleading guilty to the aggravated battery charge and sentenced to time served plus six months. Therefore, my release date was set for March 2005, which would keep me caged in Orleans Parrish without having to be shipped to spend time in another facility.

The first and last time I saw the inside of the family court in New Orleans was December 10, 2004. This was the day I was transported from HOD to sit in front of a Black judge who wielded a death blow that shattered hope, and despair upended my positivity for a period. On the way to court, I confided in the transporting officer and gave him a few details about what I thought I would face during my appearance. From my perspective, I had not had my “day in court,” and was still under the illusion that I had to be found guilty of something related to child abuse before any further actions could be taken. Unlike criminal court, I was escorted through the front door of the courthouse in wrist and ankle shackles. My son’s mother was also incarcerated at the time. She was dressed in the same hideous orange jumpsuit with black stickers that boldly read “O.P.P” across the back. This was the first time we had talked since before my arrest. If her eyes were any indication, she was experiencing the same, if not more devastation. The waiting area was not crowded, and I quickly recognized the gentleman who accompanied my son to the psychological examination. Before the state made him the “make believe” father, I knew him as a foster parent. Before going into the hearing, the transporting officer allowed me to write a short letter to the foster parents. The officer delivered my message thanking them for their care and support during the most difficult moments of my life. I was appreciative and felt compelled to dignify them for what I hoped was an unselfish act of support and care until I could get my child home.

Being locked up since May without a haircut, in shackles, I was embarrassed, ashamed of what I allowed myself to become. As the court officer announced the judge's arrival, we all stood and honored her powerful presence. She called the matter, our names, announced why we were here and proceeded to address me and my son’s mother. As she sat perched from above, she stipulated that due to lack of contact with our child it had been recommended that our parental rights be terminated. I gasped for air and found myself wishing I could simply disappear. It would

be years later before I realized that in the eyes of the executioner, I was never seen. Once I gained enough courage to look her square in her eyes, she asked if we would consent or sign our rights over to the state. Through an attorney that I had only met once, we chose to take it however she needed to give it. But we were not giving our rights away. In the most callous tone, the judge, with her eyes locked in mine, ordered that our parental rights were thereby terminated. My child now belonged to the state of Louisiana. This was the death blow that I could not duck, dodge, or weave away from. In my case, the arbitrary timelines within ASFA were not breached. By 2004 utilizing family policing as the primary mechanism to free children up for government assisted adoptions had not been perfected yet. Louisiana and many other states had perfected punishing Black bodies through racists schemes. They had not yet become exemplars at dolling out the civil death penalty.

I was bussed back to HOD to serve the remaining months of my sentence replaying every detail and wondering what I did so badly that I deserved to be without the child who carries my blood. The wound of devaluation manifested itself in many forms. When the judge looked at me, she believed me to be irredeemable. Remember the letter expressing gratitude for the foster parents' benevolence? Before exiting her court, that sincere gesture resulted in the judge adding an additional thirty days to my sentence for passing "contraband." My son was a gift from above. For as long as I can remember, I had dreamt of having my first child at twenty-seven. When he arrived, the moment felt like a dream come true. My life was full and complete with lifelong aspirations of being the best father a son has ever had. In an instant, my dream was no longer livable. As Langston Hughes queried, *What happens to a dream deferred? Does it dry up, like a raisin in the sun?....Does it explode?* (Hughes, 1994)

The next three and half months awaiting release were met with bouts of undiagnosed depression, cold sweats, and silent tears. Upon my release I was faced with the reality that my life

would never be the same. In such a brief period, I went from being a father with life goals, my own small family, dreams, hopes and desires for an abundant future, to a parent without a child to parent. While adjusting to a severed physical bond with my son, I remained in New Orleans until Hurricane Katrina smashed the city and surrounding areas. Eventually I relocated to Florida.

Florida is where I have gained a deep appreciation for accountability, community, acceptance, and forgiveness. By the time I surrendered and admitted that my life was unmanageable, I had purchased and written ten greeting cards which I kept for my absent son. I wrote words of encouragement, short poems, and always reminded him that he is never forgotten. The cards were my way honoring the holidays, and two birthdays that had passed between the civil death penalty and the time I got sober. During that period, my active addiction, and experiences with carceral institutions intensified, and my emotional health deteriorated. Before walking into a nine-month, in-patient recovery facility, I had no conscious understanding of the value of critical connections, collectivism, and vulnerability. I found myself surrounded by other men who would reinvigorate my hope and help me see that redemption begins with figuring out how to forgive myself first, learn to make amends, practice the steps, and never pick up. They guided me to remember that all I have control over is me. And if I felt hesitant to stand alone, they would stand with me.

I recognize that if you become fixated on missed visits, multiple arrests, and a felony conviction, carceral logic combined with our collective dependence on punishment, it is easy to dismiss this true narrative. Some may even believe that I deserved to be sentenced to a lifetime of suffering from dehumanization, loss of personhood, prolonged disorientation, shame and rage, and internalized hopelessness because of non-compliance and broken rules created by racist ideas. Some may believe these are the worst things a person can do. Bryan Stevenson has written that

“each of us is more than the worst thing we’ve ever done.” (Stevenson, 2014) Well, getting high, convicted for stabbing another man, and a few missed visits are not the worst things I have ever done. The worst thing I have done has been to myself; believing I was not worthy of human dignity, justice, and redemption. I exist knowing that I am more than what false narratives will have many believe.

Today, I am more than seventeen years sober. Free from the obsession to get high, drink, hurt or shame myself. I have been diligently practicing freedom from those internalized beliefs through active sobriety and recovering from the pain caused by state violence. The false narrative will say that I was sentenced to the civil death penalty because of inadequate contact or abandonment. The true narrative says that TPR happened because of an anti-Black ethos that is designed to break the spirit of Black bodies. This belief manifested itself through complicit actors who consented to using their power to destroy one more Black family.

When my second son was born, I armed myself with knowledge and ways to protect us from the state. In an odd way, I became politicized in the rooms of AA, volunteering in the community, listening to other Black parents as we shared glimpses of the shared harm caused by family policing. My life’s mission became a collective mission. To organize with other parents that are lifting the harms, devastation, and impacts of the civil death penalty toward abolition. A critical assignment in this quest is to do everything within our power to make sure true narratives are no longer obscured or disappeared. For us, this is one way of practicing abolitionism, communal healing and solidarity while shedding much needed light on the darkness that persists in the institution called family policing.

Through critical connections with other Black activists and parents who have had their physical connections severed by the state, we are no longer consumed by the burden of unhealed

costs. We seek a future free from state violence, we envision a world where mistakes are rubbed out, not rubbed in. We believe the constant struggle for freedom is never-ending. And that is why we ask you to free yourselves from believing false, controlling mythos about the charitable nature of family policing. Black families are not asking for charity. We are demanding freedom!

Implications for Practice (Future Visions)

As Author 2 now rejoins Author 1, we consider and reflect on the meaning of true narratives, and we turn our attention to the future. The practice of abolitionism calls us to stretch our imagination far beyond what is visible and feels within reach. With true narratives as the guidepost, and critical connections as our mode of operating, we must revisit the fundamental question *what kind of world do we want to live in?* And further we must ask: *What must we now believe? What must we abandon? Who must inform our reeducation? What does our furthest imagination look like?*

As we said from the beginning of this piece, we believe sustainable, positive change for families cannot occur if TPR reigns as a mainstay threat and tool for decimating familial connection. If we claim to be serious about a true commitment to families' safety and integrity, TPR can no longer be a tool the state is permitted to wield. Allowing TPR to be part of the equation poisons every aspect of a families' interaction with the family policing system. Because from that initial knock at the door, both the family policing agent *and* the family know that total annihilation of that family is not only an option, but a strong possibility. There can be no trust built with a family, let alone meaningful care or help that can stem from that foundation, where "concurrent planning" for that family's demise overshadows every step of a family's path with family policing. The state's power to wield TPR incentivizes state agents to make minimal (termed under the mythos of "reasonable") efforts to reunify the family, creating meaningless checklists of obstacles

and hoops for parents to jump over and through, all the while disabled by the disenfranchised grief and trauma caused to themselves and their children. It is not surprising that hope and reason for living struggles for breath under the weight of “concurrent” planning. Black families know they are in a race for survival against the ASFA clock to prevent their own destruction-that true story is woven into their DNA after 400 years in this country. As Malcom X said, “I have no mercy or compassion in me for a society that will crush people and then penalize them for not being able to stand under the weight.” (X, 1965, p. 22)

Visioning a world without the state having capacity for TPR means believing that we can co-struggle to build a world devoid of annihilating Black families. We feel certain that if the state’s capacity to unleash TPR on families were eliminated tomorrow, the entire family policing infrastructure would begin to crumble; creating a ripple effect that could compel brave rethinking about what safety is and keeping families together means. Ending state-sanctioned TPR would influence every aspect of families’ experience with the family policing system; it would require the front end of the family policing system to react in an unusual way, infusing an obligation to provide support, not punish families. This would entail no more checklists of meaningless referrals to “services,” all the while running out the ASFA clock to reach the “concurrent plan” of TPR and adoption. Without the escape hatch of creating fictitious families, there would be no choice but to reorient toward justice-centered and liberatory approaches to keeping families together and connected. We recognize that TPR and adoption are so entrenched in the functioning of the family policing system and the public mind, that short of finding a magic wand to wave, such a vision will require an orientation toward freedom and ongoing justice-seeking to become a reality.

And while that vision would represent a significant non-reformist reform, we are not content with such a myopic forecast to let the imagination stop there. Further, we are wary of any

future vision which entails keeping the existing mechanics of family policing intact, or which simply redistributes the existing resources, carceral logics, and abusive power to a reimagined system. We share the collective belief that government systems cannot provide care and humanity, particularly a system so steeped in meting out pain, punishment, and anti-Blackness. We remain committed to a much larger abolitionist vision of freedom and liberation, which encompasses not just ending harmful systems of punishment and surveillance which reinforce and perpetuate structures of oppression and white supremacy such as family policing but visioning and building a liberatory future. Laying out that full future vision of freedom is not only beyond the scope of this piece, as it must be done in a larger community with co-strugglers for freedom. Yet we believe that core components of the practice of abolitionism are the path forward, both to realize our vision of a world without TPR, and without family policing. These practices center radical love, empathy, and care for the families most impacted by family policing, create accountability structures for the harm family policing has caused, and frame future imaginations and practice. The key practices we envision are described below.

1) Building Critical Connections. We are convinced that any future vision requires that the “professions” affiliated with the family policing system be in right relationship with the families most impacted by the family policing system, prioritizing organizing efforts that are led by Black parents and youth. This means that lawyers, social workers, policy makers and other family policing “professional stakeholders” must build critical connections with the families most impacted by the family policing system, and co-struggle in solidarity with them to excavate, believe and act on true narratives and leverage the visibility of the true racialized costs and impacts of TPR and family policing as a whole. These critical connections are the only way “professional stakeholders” can be held responsible and accountable to prevent the reproduction of controlling

false narratives. “Professional stakeholders” must continue to be confronted by and reckon with generations of Black families who have experienced family policing and hear them say ‘get your boot off our necks.’ When this happens, it is simply unacceptable to respond with ‘but you deserve it,’ or ‘but it’s not a boot it’s a sneaker,’ or ‘but my intent was to help you’ or ‘stop lying.’ It is past time that “professional stakeholders” stop gaslighting families and leverage their advantages to create space and opportunity for families to take the lead in crafting a liberatory future for themselves. This requires self-awareness and self-reflection on the part of “professional stakeholders,” along with a willingness to cede power, control, and ownership of “expertise.” In short, a reckoning.

2) **Excavating True Narratives.** As our own collaboration has demonstrated, critical connections with the most impacted families, it is possible to excavate true narratives about the many costs of TPR and adoption, and family policing as a whole. Just as the Kerner Commission Report unearthed what Black communities already knew intuitively, the communal experiences of the families most impacted by family policing hold the true narrative regarding what has happened, why it happened, and how to prevent it from happening again. The many tentacles of the family policing system must orient themselves and commit to a truth-seeking process which uncovers the realities for millions of families against whom the pain and punishment of family policing, and specifically, TPR and adoption, have been wielded. We envision a truth and reconciliation process, whereby not only are the harms and costs catalogued, but families themselves envision their own liberatory future.

3) **Funding Reparations.** We believe that the only way to begin to repair the untold costs and harms of TPR and adoption on Black families, includes financial and emotional reparations, which will utilize a clear assessment of the harms directly from the families who have been most

impacted. Reparations are owed, in a form and manner that is determined by families who have been most impacted. Reparations must take as many forms as necessary to address the many forms of harm. The institution responsible, that has profited from the harm they have inflicted on Black families — from surveillance, to control, lifelong trauma, and decimation — must acknowledge, begin cessation, and ultimately, repair the harms. This will require systematic accounting, acknowledgement, and reconstructing methods to provide monetary compensation. This will allow for resources to flow to disinvested and neglected communities that will support families to rebuild and would begin to steady Black communities from the legacies of generational assault caused by family policing intrusion.

4) **Re-envisioning Safety.** While financial reparations will provide a platform for Black communities to rebuild, the vision of true safety for families must push further than that. Any vision for true safety of families must incorporate a future where family policing is no longer needed and relied upon to “keep children safe.” True safety only comes when families have adequate resources and support, where it is possible to ask for help without being subjected to reporting, surveillance, and punishment. This should not be the individual responsibility of families, but rather a societal responsibility. While a full policy platform is not the scope of this essay, we envision this can start with adequate financial recompense for raising children and families, through universal basic income and other economic justice measures which put resources directly in the hands of families. Societal infrastructure such as universal childcare, universal health care which encompasses mental health and substance use treatment, and well-resourced public schools, will give communities the resources they need to robustly function. Only with that infrastructure in place, can we build a culture of mutual aid and care.

5) **Practicing Solidarity.** Finally, while infrastructure is needed to realize our vision for true safety for families, that vision cannot be realized without a consistent commitment to the ongoing practice of solidarity. Families will continue to experience crises; the realities of life are that it is hard and messy. We cannot abide by a vision for the future which recreates oppressive modes of operating. Our vision of mutual care and responsibility requires the commitment of solidarity. By practicing solidarity can we meaningfully stand with those who have been historically marginalized or disadvantaged, and actively and collectively support a liberatory future. Solidarity is a verb, an action, and a strategy. Solidarity is building and sustaining our capacity at the individual, organizational, and movement levels to deal with conflict and tension, and we do this work together in the long walk to freedom.

Conclusion

Before freedom, we can liberate our minds by critically examining why power hoarders are controlling the narrative. By design, we have been taught that family policing aims to produce positive outcomes by providing services to families. In many cases, the services are the civil death penalty. If we honored familial connections and actively loved Black families, doing whatever it takes to eradicate TPR would be the goal and would result in successful outcomes that are in fact serviceable to the families. There's another aspect of the true narrative that is being hidden from the public: the insidiousness of financially capitalizing the extraction and ultimate exploitation of Black children being overwhelmingly "freed" for strangers, many of whom experience physical and emotional wounds in the custody of the state and/or at the hands of their state-selected stranger parents. All of which reduces Black families, young people and children to a new form of chattel. When we close our eyes to the pain of others, we do ourselves a disservice by removing any chance of leveraging our power to prevent and interrupt the pains associated with the civil death penalty.

Continuing to denounce and hide true narratives will leave us in everlasting ignorance and cement active complicity with the ongoing annihilation of Black families.

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