



Review

# Policing Is Reproductive Oppression: How Policing and Carceral Systems Criminalize Parenting and Maintain Reproductive Oppression

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**Abstract:** Since the era of chattel slavery, the state has used institutionalized abuse and violence as a tool for reproductive control. Today, public institutions and social services have been established by the state to police and surveil the behavior of poor communities and parents to maintain the reproductive violence and oppression that began centuries ago. This paper uses a reproductive justice framework to explore how the history of criminalizing pregnancy, surveilling Black and Indigenous communities, and denying reproductive autonomy are connected to and maintained by the present-day family policing system. In doing so, this paper expands on existing literature to create a stronger link and build solidarity between the movements against family policing and reproductive oppression.

**Keywords:** family policing; child welfare; policing; reproductive justice; criminalization; abolition



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## 1. Introduction

On 25 July 2021, Terisa arrived at a Brooklyn, New York hospital to give birth and was drug tested without her consent, sparking a child protective services investigation. On the day she and her partner brought their newborn baby home, the New York City Administration for Children's Services monitored her interactions with her newborn baby and inspected her home (Carmon 2023). On 17 February 2023, the state of Tennessee took Bianca Clayborne and Deonte Williams' five children from them, including a breastfeeding baby, after a traffic stop because of "dark tint" (Wadhwani 2023). In April 2023, the Texas Department of Family and Protective Services forcibly removed Temecia and Rodney Jackson's 4-day-old baby because their pediatrician disagreed with the Jacksons' decision to use a midwife to provide for their baby's care (Breen 2023).

While these instances are discrete situations, occurring in separate areas of the United States with different circumstances, they share a common thread: intrusive and harmful interference in the lives of families sanctioned by the state through the so-called "child welfare" system. Although this system operates in the U.S. context under the premise of ensuring "safety" for vulnerable children (Copeland 2022; Roberts 2022), actions such as drug testing an expecting parent without consent, overriding parental decisions about their children's health, and separating infants and children from their parents can all be better understood as the state's efforts to maintain reproductive oppression through policing, surveillance, punishment, and criminalization.

While the state's efforts to maintain reproductive oppression have garnered significant attention in recent years, the role of the child welfare system in perpetuating this oppression has remained largely hidden. This is due to the widespread perception that this system protects vulnerable children from harm and supports vulnerable families in need. However, a closer examination reveals that the child welfare system functions as a vast mechanism of reproductive control, wielding significant power to police, surveil, and punish families,

including the authority to forcibly separate children from parents under the guise of “protection” (Copeland et al. 2022; Copeland and Pendleton 2022). Consequently, this system has been increasingly referred to as the “family policing system”, highlighting its coercive powers to regulate parenting and undermine reproductive autonomy (Copeland 2022; Dettlaff 2023; Roberts 2022).

The mechanisms of policing, surveilling, and punishing families employed by today’s family policing system are deeply rooted in the origins of social work, which has been intertwined with coercion and social control since its inception. The origins of the social work profession date back to the “child-saving” movement led by Jane Addams and others in the mid-to-late nineteenth century. These efforts were broadly framed as efforts to “save” children from poverty through the provision of education and training (Platt 1969; Ward 2012). In his seminal book, *The Child Savers: The Invention of Delinquency*, Anthony M. Platt (1969) said of the movement, “The child savers viewed themselves as altruists and humanitarians dedicated to rescuing those who were less fortunately placed in the social order” (p. 3). However, in reality, the efforts of the child savers were more focused on correcting and controlling the behaviors of poor children while ignoring the conditions that caused their poverty. The child-saving movement did not address the root causes of poverty, but rather perpetuated the perspective that individuals could be saved from their circumstances with proper assistance. This perspective shifted the focus of the cause of poverty from systemic issues to the individuals themselves, labeling them as the problem rather than their circumstances. This perspective is maintained today by systems such as “child welfare”, which evolved from this movement.

Today, much of social work, including the family policing system, functions under a logic derived from this premise that families experiencing poverty are individually responsible for their circumstances and require “treatment” through government interventions. This individualization of blame serves as a distraction, diverting attention from the broader societal issues that create poverty and the government’s role in perpetuating it. Instead, the responsibility for societal problems is shifted onto individuals and groups—often those who are historically oppressed—making them bear the burden of relieving their poverty. Although this individualization of blame is not stated by the family policing system, it is demonstrated in its provision of services, which focus on self-correction and behavioral modification through various social services. Within this framework, which is a facet of the broader carceral logic under which social work functions, poor families are inherently viewed through a deficit lens. This perspective pathologizes families for their poverty and questions not only their ability to provide for their children but also whether they should have children at all, given their presumed inability to adequately care for them. This logic both allows for and condones the policing, surveillance, and punishment of poor families by the family policing system as a means of correcting and controlling behaviors deemed a threat to the social order, further undermining reproductive autonomy—a threat that dates back to the era of chattel slavery. Using reproductive justice as a framework, this paper explores how the history of criminalizing pregnancy, surveilling Black and Indigenous communities, and denying reproductive autonomy are connected to and maintained by the present-day family policing system. In doing so, this paper expands on existing literature to create a stronger link and build solidarity between the movements against family policing and reproductive oppression.

## 2. Reproductive Justice

Reproductive justice as a framework was conceptualized in 1994 by a group of Black women in Chicago, referring to themselves as Women of African Descent for Reproductive Justice (Ross 2006). Reproductive justice developed as a response to more mainstream pro-choice activism. This section traces the history and development of reproductive justice and explores the tension between reproductive justice’s use of human rights frameworks and Black subjectivity.

In response to the “binaried and under-theorized pro-choice/pro-life frameworks among both women of color and predominately white organizations”, reproductive justice activists created new definitions that better served efforts to end Black women’s reproductive oppression (Ross and Solinger 2017, p. 40). In *Radical Reproductive Justice: Foundation, Theory, Practice, Critique* (2017), Ross et al. (2017) defines reproductive oppression as a type of genocide or “reprocide” through which women of color experience continuous state-sanctioned efforts of population control employed through ideologies based on eugenics. Fighting solely for the right to have an abortion failed to meet the needs of Black women who were also poor because it ignored the context in which poor communities experience reproductive oppression. Not only did many Black women lack access to legal abortion services, but the long legacy of forced sterilization, coercive contraception practices, and incarceration made abortion a much more nuanced, complicated issue. Reproductive justice organizers contended with the ways in which anti-Blackness and white supremacy create conditions that endanger Black communities. At its inception, reproductive justice expanded beyond the narrow scope of pro-choice activism and called attention to how the state creates harm and violence for Black communities, which severely curtailed Black communities’ abilities to be autonomous and to parent their children safely (Ross 2006). Reproductive justice combined what was traditionally thought of as women’s health with a more expansive view by including social justice issues like intimate partner violence in the framework. Reproductive justice is therefore a combination of the concepts of reproductive rights and social justice spliced together (Ross and Solinger 2017).

Reproductive justice necessarily includes three interconnected tenets: the right to have a child under conditions of one’s choosing; the right to not have a child using birth control, abortion, or abstinence; and the right to parent children in safe and healthy environments free from violence by individuals or the state (Ross and Solinger 2017).

The framework is also meant to bring language to the ways that Black women experience intersecting forms of oppression, resulting in a denial of bodily autonomy (Ross and Solinger 2017). Because Black women experience systemic oppression, their decision-making and experiences around bearing children and parenting are shaped by external, institutional forces such as racism, colonialism, and poverty (Ross and Solinger 2017). Immigration and disability status, sexual orientation, age, and gender presentation and identity also impact whether Black women get appropriate care (Ross and Solinger 2017). Because reproductive justice emphasizes bodily autonomy, the framework is not limited to a singular focus on women; trans and intersex people are often unable to get the care they need because of their gender identity and presentation, and trans and intersex people experience coercive medical practices that can result in involuntary sterilization (Ross and Solinger 2017). Reproductive justice attempts to address and critique public policies at large for the way they produce reproductive restraints that impact childbearing and parenting. This means that the prison industrial complex, food insecurity, gender binaries, environmental racism, access to health insurance, welfare and public assistance, and restrictions on civil liberties are all scrutinized by a reproductive justice framework (Ross and Solinger 2017). Reproductive justice is an expansive framework that seeks to end the social injustices that restrict reproductive freedom.

Black freedom and self-determination are crucial components of ending reproductive oppression, and securing Black freedom and self-determination necessitates rebelling against carceral institutions that render Black freedom impossible. Reproductive justice seeks to create a world where Black children are safe, where Black self-determination is actualized, and where material conditions are radically transformed in ways that support Black life (Ross and Solinger 2017).

#### *Reproductive Justice and Human Rights*

Beyond a sharp analysis of public policy and systemic oppression, reproductive justice is also heavily influenced by human rights frameworks and undertakes a human rights analysis. Ross et al. (2017) explains that reproductive justice is a platform through which

Black women are able to articulate a demand for the recognition of “full reproductive and sexual human rights” (Ross et al. 2017, p. 287). In 1994, reproductive justice activists attended the Cairo International Conference on Population and Development and incorporated a human rights framework into their analysis (Ross et al. 2017). Incorporating a human rights framework used by women in the Global South situated reproductive justice within eight key categories of human rights: civil, political, economic, social, cultural, environmental, developmental, and sexual (Ross et al. 2017). Loretta Ross, a key thinker in reproductive justice, explains that reproductive justice must be both intersectional, to account for what everyone needs individually, and human rights oriented so that everyone’s rights are protected and respected (Ross et al. 2017). Securing human rights is the goal of reproductive justice and intersectionality is how human rights are secured (Ross et al. 2017).

Human rights have a muddled relationality to Black subjectivity. That is to say that the way human rights are understood and applied does not necessarily apply to the experiences or social and political understandings of Blackness. Sylvia Wynter (1994) opens *“No Humans Involved. An Open Letter to My Colleagues”* with a discussion of a radio news report regarding the acquittal of the police officers involved in the violent beating of Rodney King. Wynter notes public officials in Los Angeles frequently used an “acronym, N.H.I., to refer to any case involving a breach of rights of young Black males who belong to the jobless category of the inner city ghettos” (p. 42). In this context, N.H.I. stands for no humans involved. Police officers treated Rodney King with a sort of violence that can only be employed by an impunity that Blackness produces because of Blackness’ lack of humanness within white structures. In other words, there are no human rights to violate in the first place for Black people.

The tension between human rights and Blackness has been articulated throughout the history of the United States. Take the Dred Scott decision, for example. Arguing for his emancipation from slavery, Dred Scott claimed that his time traveling to the Northwest Territory where slavery had ended made him a free man; he could not return to slavery after being free. Articulating for the majority of the Supreme Court who determined Scott’s freedom, Chief Justice Robert Taney rebutted that Scott did not have the right to seek his rights through the courts in the first place, saying Black people were “of an inferior order and altogether unfit to associate with the white race, either in social or political relations, and so far inferior that they had no rights which the white man was bound to respect” (Taney and Supreme Court of the United States 1856, p. 407). Human rights did not apply to Scott or King. In this vein, Black scholars, like Wynter, have long interrogated Black people’s relationship to humanness. For example, Saidiya Hartman, writing about the refusal of the courts to recognize consent on behalf of an enslaved 10-year-old Black girl, writes that “the sexual arrangements of the captive community were so different from those of the dominant order that they were beyond the reach of the law” (Hartman 1997, p. 96). Consent, or lack thereof, was not afforded to the enslaved because their humanity did not exist and therefore could not be recognized by the law.

In *In the Wake: On Blackness and Being*, Christina Sharpe (2016) asks “what will happen then if instead of demanding justice we recognize (or at least consider) that the very notion of justice. . . produces and requires Black exclusion and death?” (p. 7). This again asks us to consider that asking for justice and rights from the state (which also ensures that justice and rights are not realized) will not ultimately produce freedom for Black people. Inquiring about the relationship or (un)relationship between Blackness and humanity is important because it provides clarity in what demands we should be making and what type of world we should be fighting for in the fight to end reproductive oppression.

Reproductive justice thus distinguishes itself from reproductive rights in its repudiation of the idea that securing abortion rights or the right to make a choice to have an abortion are sufficient bases of a movement that recognizes the unique perspectives and struggles of Black women. Yet still, reproductive justice does not fully contend with the fact that Black women, especially poor Black women, do not experience the benefit of human

rights in the first place. How does one secure the right to have or not have a child in a world where the rights of Black women are all but intelligible? To answer this question, this paper uses reproductive justice as an analytical framework to understand how the current family policing system enacts reproductive oppression on Black women.

### 3. A History of State-Sanctioned Violence

The United States has maintained reproductive oppression through state-sanctioned violence since the country's inception. State-sanctioned violence refers to violent acts that are committed by the state and are deemed legitimate only because they are carried out or authorized by the government through legal means (Bridges 2008, p. 86). Violence that would otherwise seem impermissible becomes acceptable because it is sanctioned by the state. This section explores key mechanisms through which state-sanctioned violence is carried out to enact reproductive oppression on Black and Indigenous communities. Efforts to control reproduction—both by incentivizing and curtailing reproduction—and efforts to forcibly separate children from their parents are mechanisms of state-sanctioned violence that produce and maintain reproductive oppression.

#### 3.1. Incentivizing and Controlling Reproduction

Perhaps some of the most obvious examples of incentivizing and controlling reproduction arise from American chattel slavery. In *Killing the Black Body*, Dorothy Roberts (1997) traces Black enslaved parents' experiences of reproduction under chattel slavery. Because Black reproduction was essential to maintaining slavery, controlling Black women's reproduction was an economic necessity for the state. Black women both maintained the enslaved labor force by bearing children and producing property for white slave owners. Black women in particular were valuable to slave owners not only for their labor but also for their ability to produce the labor force through bearing children (Roberts 1997). Slave owners maintained several tactics to coercively incentivize female slaves to have children, including punishing slaves who did not bear children, rewarding slaves who had children with less work in the field and more food and clothing, and forcing slaves to breed (Roberts 1997).

Following the abolition of slavery, the eugenics movement marked another mechanism of state-sanctioned violence through which the state attempted to control who was allowed to reproduce. Beginning in the early 20th century, ensuring the "right" people had children was the central preoccupation of the eugenics movement (Murray 2022). Studied by scientists, eugenicists sought to rid society of people who were perceived to be burdensome or impure; they believed that "undesirable" character traits were inherited. Consequently, people who were white, married, able-bodied, and met other acceptable conditions were encouraged to have children. Eugenics efforts were fully upheld by existing law. Upholding eugenics through law is exemplified by the case of Carrie Buck and the forced sterilization she experienced. In 1927, Carrie Buck was classified as "feeble-minded" and committed to a mental institution where Virginia law allowed the forced sterilization of inmates to promote the health of society. Carrie's sterilization was challenged by her court-appointed guardian as a means of creating a test case against forced sterilizations, which made its way to the United States Supreme Court. In *Buck v. Bell* (1927), the Supreme Court ruled in favor of forced sterilization, stating "it was better for all the world, if instead of waiting to execute degenerate offspring, for crime, or let them start for their imbecility, society can prevent those who are manifestly unfit from continuing their kind." As poor, "feeble-minded" women were sterilized, the eugenics movement sought to limit middle and upper class women's access to abortion and contraception, because it was necessary for them to reproduce for the betterment of the race (Murray 2022).

The eugenics movement was highly influential on the early origins of the social work profession (A. C. Kennedy 2008). In particular, the eugenics movement had a significant influence on how emerging social workers came to understand their approaches to social problems (e.g., Bruno 1957; Kunzel 1993; Tice 1998). During these early years, social workers



were concerned with developing their professional identities by embracing “scientific” practices, which included embracing eugenics’ ideas and solutions to social problems, as these were viewed as having scientific respectability (A. C. Kennedy 2008). Many prominent social workers supported state-sanctioned sterilization, institutionalization, and marriage laws to control reproduction. This is evidenced by Jane Addams being the vice president of the American Social Hygiene Association and many of the views written in her book, *A New Conscience and an Ancient Evil* (Addams 1912).

These views about reproduction, specifically the need to control reproduction of those deemed unfit, also extended to early social workers’ views on poverty, where early ideas about the individualization and pathologization of poverty began to emerge. In her highly influential text, *Social Diagnosis*, Mary Richmond (1917) recommended that social workers assessing immigrant families should ask, “What prospect does there seem to be that this family will retain or regain economic independence? . . . If these prospects are slight, would it be possible and desirable to deport them?” In their text, *The Delinquent Child and the Home*, Breckinridge and Abbott (1912) said of “delinquent” children, “More unfortunate even than the orphan child is the child from the degraded home—the home where there is brutality, drunkenness, immorality, or crime, paralysis and insanity following vice, imbecile and weak-minded children, and the misery of filthy and overcrowded rooms” (p. 105). In what would foreshadow the profession’s views toward “child protection”, they went on to say that social workers’ primary function in working with children was to “distinguish between the conditions resulting from poverty and misfortune and those which are the outcome of degraded and immoral living” (p. 19).

Although the early eugenics movement focused mostly on white reproduction, the movement’s goals can be seen as a racialized project, specifically because of eugenicists’ interest in purifying the population (Roberts 1997). This became more obvious as the movement’s agenda became increasingly fueled by the drive to purify the white race, fueled by white people’s growing social anxieties about reconstruction in the South and a growing poor, immigrant population. While the formal eugenics movement dissipated by the 1950s, the logic of eugenics continued to influence social welfare programs. For example, as the Civil Rights Movement began to expand welfare benefits to Black communities, states also began to target Black women for sterilization (Kessler 2015). This follows the eugenics-based logic that attempts to limit people who were perceived as morally lax, overly promiscuous, or dependent on government benefits from having children and passing down their negative habits. Similarly, eugenics-based logic objects to social programs designed to address conditions of poverty and instead argues that improving working conditions, providing medical care, and raising minimum wages unduly burdened society by encouraging people with inferior heredity to produce more children and damage society (Roberts 1993).

The idea that certain racialized populations should not have children at all is also evident through the practices of forced sterilization. The sterilization of Black and Indigenous women was not only prevalent through at least the 1960s, but also fully sanctioned and facilitated by the state. An illustrative example of this is the case of Nial Cox, whose experience highlights the coercive nature of state-sponsored sterilization. In the U.S. District Court case *Cox v. Stanton* (1975), Nial Cox, a Black woman from North Carolina, sought damages for being forcibly sterilized as a teenager in the 1960s. At the time Nial became pregnant in 1964 when she was 17 years old, her family was already under surveillance by the state, as Nial’s mother was unable to work and received welfare assistance. Upon learning of the birth of Nial’s baby, the family’s social worker with the Washington County Department of Social Services threatened to take the family off welfare if Nial did not undergo sterilization. According to the complaint filed on Nial’s behalf in *Cox v. Stanton*, the family’s social worker “repeatedly threatened both plaintiff and her mother that the family would be denied future welfare benefits because of plaintiff’s immorality, unless plaintiff’s mother agreed to an operation of sterilization upon plaintiff” (Complaint on Behalf of Plaintiff 1975, p. 7). Under threat of removal of their welfare benefits, Nial’s

mother agreed to the sterilization, which they were falsely led to believe was reversible. Years later, upon learning her sterilization was in fact irreversible, the ACLU filed a lawsuit on Nial's behalf, requesting both damages for Nial and that the state's sterilization program be deemed unconstitutional. Both requests were denied by the federal district court.

### 3.2. Forced Separation

Forced separation of children from their families is yet another mechanism the state employs to maintain reproductive oppression. Slavery, for example, facilitated forced separation of children from their parents. Enslaved parents had no legal claims to their children (Roberts 1997). According to "slave codes" that were in place from the early years of the seventeenth century, Black children were considered the property of white slave owners "from the moment of their conception" (Roberts 1997, p. 37). Thus, the individual economic interests of white slave owners required Black women to experience reproductive oppression. That is, legal, state-sanctioned violence allowed the reproductive oppression of Black women by writing reproductive violence into law. For example, by 1662, Virginia had formalized a law that children fathered by white slave owners but born to Black women were still slaves, ensuring that any children of Black women were the property of white enslavers (Morris 1996). Many enslaved children were already written into their master's wills by the time of their births, further illustrating how enslaved parents lacked any legal claim to their children. Because enslaved parents lacked legal claim to their children, enslaved families were often fractured by white slave owners. A South Carolina law allowed for slave children to be sold away from their mothers regardless of how young they were (Roberts 1997). At slave auctions, for example, which were typically government-sanctioned events taking place on courthouse steps, enslaved children were routinely separated from their families with "parents and children being sold to different buyers" (Roberts 1997, p. 37).

Indigenous communities also experienced state-sanctioned violence through forced separation as early as the nineteenth century. State and federal policy allowed organizations—both public and private—to institutionalize the separation of Indigenous children from their families and communities (Roemer 2023). Removing Indigenous children from their families was an act of cultural genocide, with clear intentions to assimilate Indigenous children into white culture. Indigenous children were forcibly separated from their families and communities to be sent to Indian boarding schools, often abusive institutions meant to "civilize" Indigenous children (Lajimodiere 2021). Federal law established partnerships with religious institutions to maintain and operate Indian boarding schools. More than 408 boarding schools operated across the United States from 1819 to 1969 (Newland 2022). The U.S. government incentivized the removal and kidnapping of Indigenous children from their families by paying boarding schools for each child in their custody while simultaneously using policing and surveillance tactics to coerce or force Indigenous communities to relinquish custody of their children (Roemer 2023). While Indigenous people resisted the government's efforts to shatter their communities, the government also enacted tactics to punish those who resisted the kidnapping of their children. As a consequence of settler colonialism, Indigenous tribes lacked basic resources and often relied on government assistance. To further exacerbate this lack of resources, congress punished people who resisted sending their children to boarding schools by withholding supplies, rations, and other supports (Roemer 2023).

These and many other examples demonstrate that throughout the history of the United States, reproductive oppression has been used to control and oppress communities deemed by the state as inferior or unfit. Reproductive oppression has also existed to maintain existing social and economic orders. From slavery to eugenics to forced separation of children from their parents, the state has enacted extreme violence on communities as a tool of reproductive control. Because reproductive oppression has been institutionalized through laws and state actors throughout this country's history, today, public institutions and social services that have been established by the state work in concert to police and

surveil the behavior of poor communities and parents—expecting and otherwise—to maintain the reproductive violence and oppression that began centuries ago.

#### 4. Reproductive Oppression Is Maintained through Surveillance and Punishment

Building on this legacy of institutionalized violence and oppression aimed at policing and surveilling poor communities, being poor and racialized in the United States today means being criminalized in the eyes of the state ([Gustafson 2011](#)). Subsequently, within a carceral society, to be criminal is to be deserving of punishment; state actors must intervene to prevent so-called criminals from enacting harm and to punish those who have caused harm ([Copeland and Pendleton 2022](#)). Simone [Browne \(2015\)](#) conceptualizes the process by which those who are poor and racialized are systematically targeted as “racializing surveillance”, whereby surveillance is “a technology of social control where surveillance practices, policies, and performances concern the production of norms pertaining to race and exercise a power to define what is in or out of place” (p. 17). This process of racializing surveillance does not solely suggest the maintenance of a racial order; rather, it suggests that society is ordered racially by way of surveillance. As such, racializing surveillance infiltrates communities differentially. This section discusses the way that surveillance becomes one of the primary technologies through which poor, racialized women experience reproductive oppression. Poor expectant mothers seeking assistance from social welfare programs experience dehumanizing programs meant to problematize poor women’s pregnancies and punish poor women for having children in the first place. We can then understand poor women as having no right to privacy, as these programs require invasive engagement with poor women in order to participate in them.

The surveillance of poor women, especially poor Black women seeking social assistance, can be found in numerous examples throughout history. Perhaps one of the clearest examples arises in the first welfare case heard by the Supreme Court, [King vs. Smith \(1968\)](#) ([Solinger et al. 2010](#)). Sylvester Smith, a Black woman from Selma, Alabama was subject to degrading experiences while attempting to claim welfare benefits ([Solinger et al. 2010](#)). Most notably, the state welfare office required sexual chastity in order to receive cash benefits, and Smith was notified that her welfare benefits would end after she disclosed to her social worker that she was having a sexual relationship with a man who was not her husband ([Solinger et al. 2010](#)). Commonly referred to as “man in the house” or “substitute father” laws, social workers routinely punished Black women for “loose” sexual behavior by denying them welfare benefits. *King vs. Smith* underscores the way that Black mothers have been forced to experience state surveillance in exchange for social services as well as the ways in which the state problematizes Black women and, in turn, Black motherhood. Although “man in the house” laws no longer exist, the state still enacts surveillance and punishment on poor Black women seeking social assistance, even if the mechanisms for surveillance and punishment are now more contemporary.

In her ethnographic study (2011) of pregnant women in New York seeking care at Alpha Hospital, Khaira Bridges documents the arduous process expectant mothers are required to undergo in order to get Medicaid coverage for their pregnancies. Alpha Hospital, serving many poor women of color, claims state dollars through its Prenatal Care Assistance Program (PCAP). The program requires women to meet with a board of professionals, including a nutritionist, social worker, financial officer, nurse, and health educator ([Bridges 2011](#)). Most of the women Bridges writes about begrudgingly engage with the fleet of professionals; they do not find the “counseling” exceptionally useful. Bridges argues that in exchange for services, or more specifically, in exchange for being dependent on the government to provide care they cannot otherwise afford, poor women are required to submit themselves to surveillance, and prenatal care becomes a mechanism through which poor women are disciplined “about their status within society and the behavior expected of those who occupy that station” ([Bridges 2011](#), p. 92). In addition to the PCAP program procedures, expectant mothers are tested for sexually transmitted infections throughout the duration of the pregnancy and when they give birth ([Bridges](#)



2011). Their wealthier counterparts are not tested in this way. Bridges describes this process as one that follows the logics of eugenics, where poor women are pathologized and seen as uniquely risky (Bridges 2011). Through this frequent testing, the state hopes to “improve the health of the nation by problematizing the reproduction of the poor” (Bridges 2011, p. 165). In this way, poor, expectant mothers are surveilled by the state and also punished for being poor and dependent.

Similarly, in the *Poverty of Privacy Rights*, Khaira M. Bridges (2017) asks, “Why is the state convinced that the children born (or to be born) to poor women are in need of protection? Why is the state so persuaded of this fact that it has erected an elaborate bureaucratic apparatus that meticulously and methodically audits the pregnant poor?” (p. 7). In this later study, Bridges traces how California’s Medicaid offices question poor pregnant women when seeking assistance for prenatal care, which in most cases includes being interrogated about their past romantic situations, their ability to earn income, and their history with substance use among other deeply personal details about their lives. Bridges calls this line of questioning a violation of privacy rights, initiated solely because the expectant mother was poor and asking for help. Bridges asserts that wealthier, privately insured women avoid these types of “personally painful” conversations.

As these and many other examples demonstrate, privacy rights for poor and racialized parents often do not exist. As such, the privacy rights framework that was established in *Roe v. Wade*—which maintained that the right to privacy implied in the 14th amendment protected abortion as a fundamental right—is inherently limited when applied to poor and racialized parents. Black motherhood in particular is often met with contempt and distrust by the state. This understanding of what surveillance is and why it is deployed can be used to understand why the state is interested in the “protection” of children born to poor parents. Today, surveillance exists as a compounding and insidious white gaze, one that enacts violence and inflicts harm on Black communities (Copeland and Pendleton 2022).

Throughout history, state institutions have worked congruously to ensure that reproductive oppression is maintained by surveilling and punishing poor and racialized communities. Importantly, requiring government assistance is often an entry point for state surveillance and punishment. As Bridges says, “[the state] will pay your bills in exchange for state surveillance of your pregnant body and the private arena in which it exists together with the possibility of a sustained, regulatory relationship” (Bridges 2011, p. 66). Additionally, understanding the symbiotic relationships between the different sites of reproductive oppression also illuminates what institutions must end in order for reproductive liberation to be fully realized. Sites where the primary mode of service delivery requires surveillance and punishment in exchange for services cannot exist if reproductive oppression is to end. Reproductive oppression occurs at hospitals, in social services offices, and at other sites where poor women are met with scrutiny and admonishment. More specifically, the family policing system is a primary site where the state exercises dominion over families and communities to control children under the guise of “protection” in exchange for “services.” This system problematizes Black motherhood and has vast and nearly limitless power to control and oppress families through mechanisms of surveillance, regulation, and punishment.

## 5. The Family Policing System as a Site of Reproductive Oppression

The family policing system uses surveillance, punishment, and policing to separate Black and Indigenous children from their families. Much like other social service programs, families often come into contact with the family policing system because of the ways that societal failings cause social and economic vulnerabilities. They are then punished, making family policing a primary site of reproductive oppression for Black and Indigenous parents.

For decades, studies have shown the prevalence of racism and surveillance within the family policing system (Fong 2020; Merritt 2020, 2021; Palusci and Botash 2021; Roberts 2008). Children in Black and Indigenous families are significantly more likely than children of other races to be investigated by the family police (Putnam-Hornstein et al. 2021;

Yi et al. 2023). Once investigated, Black and Indigenous children are forcibly separated from their families and placed in foster care at a rate nearly double that of white children (Yi et al. 2020). In some states, such as California, Black and Indigenous children experience family separation at rates exceeding three times that of white children (Putnam-Hornstein et al. 2021). As a result of these disparities, Black and Indigenous children are significantly overrepresented among children in foster care compared to their proportion of the general child population (Puzzanchera et al. 2023). This phenomenon, often referred to as racial disproportionality, has been consistently documented since the earliest origins of this system (Association on American Indian Affairs 1974; Billingsley and Giovannoni 1972). Families who find themselves entrapped in this system often lack financial resources, safe and healthy housing, and are generally less educated in comparison to families who do not experience family policing (Merritt 2020, 2021). In fact, there is a type of geography of surveillance where people living in poverty-dense communities experience policing and family policing at increased frequencies (Marco et al. 2020; Roberts 2008). In communities where intense policing and family policing occur, reproductive oppression is also ever prevalent. Families are not able to raise their children in safety. This is in direct violation of a core principle of reproductive justice: the right to parent children in safe and healthy environments.

The family policing system functions as a key mechanism through which the carceral logic of the social work profession is employed to deny reproductive autonomy among families experiencing poverty. Although this system operates under the assertion of protecting children from harm, the reality of this system is that nearly 70% of children who are forcibly separated from their parents and placed into foster care are taken due to what the state categorizes as “neglect” (U.S. Department of Health and Human Services 2023). This broad and ambiguous category is defined by most states as a failure to provide for basic needs such as food, clothing, and shelter—conditions frequently rooted in poverty, which disproportionately affects Black and Indigenous families. Instead of providing families with resources to meet these needs, the carceral logic of this system establishes that families who are experiencing poverty are individually responsible for their circumstances and must be “treated” through punitive state interventions (Lash 2017; Roberts 2022). This focus on individualized blame is further reinforced by the mandatory services imposed by the family policing system, such as anger management, parenting classes, and other skill classes that parents must complete to maintain the rights to their children. Failure to comply with these services or to show satisfactory progress results in increasingly severe punishments, including the potential removal of their children.

This logic of individualizing blame serves the purpose of distracting from the larger societal and structural problems that create and maintain poverty and from the racism that allows poverty to exist disproportionately among Black and Indigenous families. An analysis of the socioeconomic conditions in the United States grounded in these larger societal and structural problems understands that individuals are not the cause of the poverty they experience, nor are they the cause of the systemic violence and oppression that are inflicted on their communities. Rather, these communities have been structured to be unhealthy and unsafe.

Numerous studies find that people who live in neighborhoods with high rates of policing and surveillance experience adverse consequences. Their physical and mental health decline, sleep quality and quantity fall, and neighborhood violence and interpersonal violence increase (e.g., McLeod et al. 2020; Sewell and Jefferson 2016; Theall et al. 2022). In the same way, people who experience family policing suffer. Families who experience a family policing investigation, whether substantiated or not, report feelings of fear, stress, and powerlessness (Fong 2020; Merritt 2020). Families who report experiences of racism in their interactions with the family police report feelings of shame, judgment, and disrespect (Merritt 2021). Most communities that experience family policing specifically are also experiencing policing generally (Williams 2024); these communities are constantly experiencing intentional harm at the hands of the state.

Within the context in which poor Black and Indigenous communities live, family separation is best understood as a continuum of state-sanctioned violence and reproductive oppression inflicted upon families. Although reproductive oppression begins far before family separation and harms families in numerous ways, family separation is one of the most catastrophic forms of harm that is inflicted on hundreds of thousands of families every year in the United States—families who are disproportionately Black and Indigenous (Edwards et al. 2021; Yi et al. 2023). Again, family separation is in tension with another core principle of reproductive justice: the right to have a child.

The state uses many tactics to separate children from their families. Parents who are giving birth are often drug tested without their consent. Yet this does not happen to all parents. Rather, “drug testing pregnant and postnatal people and their infants without the patient’s informed consent is a common practice in the United States—but only among certain demographics” (Brico 2021). Several studies show that Black women are more likely to be drug tested than parents of other races, further proving the asymmetrical way that surveillance and punishment are applied by the state (Jarlenski et al. 2023; Olaniyan et al. 2023; Schoneich et al. 2023). If a toxicology result is positive, it may become grounds for a family policing investigation and in some cases, may lead to the separation of a newborn from their parent during critical bonding time. Moreover, parents who struggle with substance use and seek assistance for substance use treatment during their pregnancy are often afraid to seek the help they need for fear of being reported to the family police and having their children taken away (Wolfson et al. 2021). Parents cannot safely parent their children if seeking help comes with the threat of punishment.

Incarceration is another key way the state separates children from their families. Black and Indigenous people are more likely to be incarcerated compared to those of other races and ethnicities (Carson 2022; Robey et al. 2023). This is not surprising given that they are also more likely to experience state policing, surveillance, and punishment. Moreover, incarceration “by its very nature, compromises and undermines bodily autonomy and the capacity for incarcerated people to make decisions about their reproductive well-being and bodies; this is done through institutionalized racism” (Hayes et al. 2020, p. S21).

Incarceration often triggers family policing involvement in multiple ways that undermine reproductive autonomy. When parents are incarcerated, children are at significantly increased risk of entering foster care, as these parents often lack material resources and are without relatives who can care for their children (Phillips et al. 2004; Swann and Sylvester 2006). Once children are placed in foster care, parents who are incarcerated face multiple barriers that can significantly impact their ability to retain their rights to their children (Greenway 2004). Primary among these is an inability to comply with services required by the state (Raimon et al. 2009). Further, incarceration often significantly limits visitation opportunities for parents and children (Digard et al. 2016; Margolies and Kraft-Stolar 2006), a situation which can be used by the state to demonstrate a lack of bonding or attachment as a reason to pursue termination of parental rights, particularly when children are very young and placed in adoption-motivated foster homes.

Incarceration also presents a particular barrier to maintaining parental rights and reproductive autonomy due to strict timelines to achieve “permanency” for children, timelines that are mandated by the Adoption and Safe Families Act (Greenway 2004). Passed in 1997 out of growing concerns over the rapidly growing population of children in foster care, ASFA significantly limited requirements for family preservation, focusing instead on perceived child safety and permanency. As the title suggests, adoption was viewed as the primary method to ensure children’s safety and permanency through termination of parental rights (Trivedi 2023). Specifically, ASFA requires states to seek termination of parental rights when children have been in foster care for 15 of the previous 22 months. For parents who are incarcerated, this can create a nearly impossible situation for retaining custody of their children (D. A. Kennedy 2012; White 2006).

The termination of parental rights is a key way that the family policing system maintains reproductive oppression. Over 1 in 3 children (37%) who are adopted in the United

States are adopted out of foster care (Vandivere and Malm 2009). Although a less obvious form of reproductive oppression, adoption, especially out of foster care, can be understood as a form of family separation. Historically, adoption at a mass scale began in the United States after World War II and has always been coercive. Prior to the legalization of abortion through *Roe v. Wade* in 1973, it was common for students, teenagers, and other single white mothers to quietly carry their children to term and then surrender, often under coercion, their children for adoption (Heinemann 2019). And, as abortion became legalized, the push for and support of adoption also grew. Notably, President Ronald Reagan was a strong proponent of adoption. In 1987, he created National Adoption Week to celebrate single mothers who put their children up for adoption rather than seek abortions (Heinemann 2019). With a disproportionate number of Black children entering foster care, a disproportionate number of Black children are also adopted by white parents. Often, Black parents' rights are severed to encourage their children to be adopted from foster care (McKee 2018). Adoption of Black children into white homes became such an issue that the National Association of Black Social Workers (NABSW) issued a position statement in 1972 against transracial adoptions (NABSW 1972). As early sections note, being in poverty and lacking resources and support cause children to enter foster care in the first place, and Black parents are often forced to give up their parental rights through policies like ASFA and other coercive practices. Adoption can only exist because of the harm, surveillance, and punishment that parents experience through state-sanctioned violence.

These examples demonstrate that both policing at large and family policing are broadly interconnected, working in concert to ensure that certain communities not only experience surveillance and punishment, but also reproductive oppression. It is important to understand that policing, family policing, and prisons each structure and maintain a carceral state where communities experience intense violence and harm. These institutions cannot do their work alone, they need one another to function as they are intended. This understanding of how all carceral systems are connected is critical to developing a deeper consciousness of how to end reproductive oppression.

## 6. On the Abolition of Family Policing and the Carceral State

The state and state actors, including many government officials and elected politicians, provide no answers to the reproductive oppression that poor racialized communities experience. On 22 January 2023, President Joe Biden released a statement claiming that he and his administration will “continue to fight to protect a woman’s right to choose. Congress must restore the protections of *Roe v. Wade* in federal law—it’s the only way we can fully secure a woman’s right to choose in every state” (Biden 2023). Similarly, many politicians speak about the need to protect the right to abortion, and the repeal of *Roe v. Wade* is the most historic move to curtail the right to abortion in recent history.

Yet while state actors claim to protect the right to abortion, the state continues to engage in reproductive oppression on a daily basis through policing, surveillance, and punishment. Although some elected officials have attempted to address specific aspects of reproductive oppression, such as non-consensual drug testing (e.g., Watson 2024), the broader functions of reproductive oppression caused by policing, surveillance, and punishment remain unaddressed. The same state actors who claim to protect the right to abortion also advocate for increased investments in the police. In fact, “President Biden’s fiscal year 2023 budget requests a fully paid-for new investment of approximately \$35 billion to support law enforcement and crime prevention—in addition to the President’s \$2 billion discretionary request for these same programs” (The White House 2022). If policing and surveillance make communities unsafe, how can one claim to support abortion rights and police investments at the same time? If abortion rights are being curtailed and positioned as illegal, the same investments in policing solidify a commitment to criminalizing people who seek abortions.

Similarly, the profession of social work, as represented by its membership organization, the National Association of Social Workers (NASW), provides no answers to the reproductive



oppression it maintains through the family policing system and instead, has consistently advocated for increased resources to expand the scope of this system (e.g., NASW 2016, 2019). As the movement to abolish this system due to the harm and oppression it causes has grown in recent years, the profession, including many social work education programs, has been wholly resistant to this. In fact, through social work education programs across the country, the profession has made it an obligation to increase the number of social workers in the family policing system. Through federally funded programs, over 200 schools of social work in 47 states have committed to preparing social workers to enter the family policing workforce (Cheung 2024). This is fully supported by the NASW, whose policy platform maintains that the entire family policing workforce should be comprised of social workers (NASW 2021a).

While maintaining its full support of this system, the profession has also acknowledged it is fully aware of the oppression this system causes, yet still offers no solutions. In NASW's 2021b report, *"Undoing Racism Through Social Work: NASW Report to the Profession on Racial Justice Priorities and Action"*, they include an "Apology Statement", wherein they detail a series of harmful actions the profession has participated in over its history, as well as in its current practices, including this acknowledgment: "One of the most persistent challenges to anti-racist practice within social work is the disproportionate impact of the child welfare system on families of color" (NASW 2021b). In acknowledging this harm, the report asserts, "This is unacceptable, and we need to make amends." Yet these amends are never described. Instead, the report lists various statements, webinars, and reform-oriented policy actions supported by the association as a path forward.

Notably absent from this report to the profession is any commitment to cease the harm and violence it is currently perpetuating through disproportionate family separations. Although NASW's "Framework for Achieving Anti-Racist Social Work", included as part of this report, states the association must "hold ourselves accountable to addressing systemic racism and the root causes of inequity" (p. 35), the association offers no path to engage in this process of accountability. Processes of accountability must include an acknowledgment of harm and the consequences of that harm, which NASW offers. However, for social work to even begin engaging in a process of accountability, it must first cease the immediate harm it is causing through its complicity with the family policing system. Acknowledging harm and offering apologies while continuing the actions that cause harm renders the exercise futile, epitomizing a performative response.

Thus, for social work to truly move toward a position of advocating for reproductive justice, it must first end its complicity in the reproductive oppression it maintains through its complicity with the family policing system. Beyond this, given that the focus of much of the current efforts related to reproductive justice emphasizes *Roe v. Wade*, the profession must acknowledge that the privacy rights framework of *Roe v. Wade* never solidified reproductive care for poor, racialized communities. As outlined in this paper, poor, racialized communities do not enjoy privacy rights in the first place. Additionally, *Roe v. Wade* does nothing to address the fact that abortion is prohibitively expensive. As reproductive justice activists have long pointed out, *Roe v. Wade* and other abortion-focused efforts do not come close to addressing the full breadth of reproductive oppression faced by Black and Indigenous communities. In other words, *Roe v. Wade* is and remains inadequate and should not be the basis of work that seeks to ensure communities do not experience reproductive oppression.

More broadly, rights frameworks do not adequately understand the situation that poor, racialized communities find themselves in. Certain communities' rights are violated repeatedly and iteratively. To be clear, this also questions the invocation of rights found in reproductive justice as the framework, even if it only rhetorically invokes human rights in its key, foundational tenets. While the reproductive justice framework provides a substantial basis for understanding what an end to reproductive oppression might look like and what parents and communities should have in order to experience reproductive liberation, Black people in this country do not have rights, as their relationship with the state is one that denies rights. And, using a rights framework ignores the fact that rights can be taken and



granted by the state (e.g., the Supreme Court). Rights and justice are not a stable basis on which movements can advocate for liberation. What might it look like for reproductive justice to push toward a more explicitly abolitionist analysis?

Other, more radical formations can push us closer to ending reproductive oppression. These radical formations can be found in the work of those who have worked for decades toward abolition of the carceral state and its mechanisms of surveillance and punishment (e.g., Davis 2003; Gilmore 2007; Purnell 2021), and more recently, in those who have expanded this work to include abolition of the family policing system (e.g., Dettlaff 2023; Roberts 2022). Although the work of abolition is often misunderstood to solely involve dismantling or destroying an institution or system, the true focus of abolition is building a new liberated society. It is not an outlandish utopian vision, but rather, abolition is a process that critiques all forms of oppression and ultimately builds new and better relationships for one another, free of surveillance, punishment, and oppression. The work of abolition inherently builds on the work of reproductive justice, which centers bodily autonomy and asserts that parents should live in a society where they have the power to make decisions about how and when they will parent and the ability to raise their families in conditions that are free of oppression. In other words, the work of abolition seeks to build a world where the care, support, and well-being of children, families, and communities are fully realized.

True reproductive freedom necessitates the abolition of policing in all its forms. In order for communities to have true reproductive freedom, other oppressive structures that require violence to exist, including the family policing system, prisons, immigration detention, and other systems that make it dangerous to be a racialized parent, must end. Reproductive freedom means developing a world where it is safe for Black and Indigenous people to have and raise their children. This means that children and their parents should have the supports they need to thrive; they must be free from the threat of state violence in all its forms. Abolitionist alternatives that seek to build entirely new formations push us closer to ending reproductive oppression.

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## References

- Addams, Jane. 1912. *A New Conscience and an Ancient Evil*. New York: The MacMillan Company.
- Association on American Indian Affairs. 1974. The destruction of Indian families. *Indian Family Defense* 1: 1–2.
- Buck v. Bell. 1927. 274 U.S. 200. Tempe: Arizona State University.
- Biden, Joe. 2023. Statement from President Joe Biden on the 50th anniversary of the Roe v. Wade decision. *The White House*, January 22. Available online: <https://www.whitehouse.gov/briefing-room/statements-releases/2023/01/22/statement-from-president-joe-biden-on-the-50th-anniversary-of-the-ro-v-wade-decision/> (accessed on 1 May 2024).
- Billingsley, Andrew, and Jeanne M. Giovannoni. 1972. *Children of the Storm: Black Children and American Child Welfare*. New York: Harcourt Brace Jovanovich, Inc.
- Breckinridge, Sophonisba P., and Edith Abbott. 1912. *The Delinquent Child and the Home*. New York: Russell Sage Foundation.
- Breen, Kerry. 2023. Texas couple who had home birth say their child was wrongfully taken by Department of Family and Protective Services. *CBS News*, April 8. Available online: <https://www.cbsnews.com/news/mila-temecia-rodney-jackson-texas-home-birth-taken-department-family-protective-services/> (accessed on 1 May 2024).
- Brico, Elizabeth. 2021. Doctors drug test Black and poor families at higher rates, risking family separation. *Talk Poverty*, December 1. Available online: <https://talkpoverty.org/2021/12/01/doctors-can-drug-test-new-parents-without-consent-pick-depends-race-class/index.html> (accessed on 1 May 2024).
- Bridges, Khiara M. 2008. Pregnancy, Medicaid, state regulation, and the production of unruly bodies. *Northwestern Journal of Law and Social Policy* 3: 62–102.
- Bridges, Khiara M. 2011. *Reproducing Race: An Ethnography of Pregnancy as a Site of Racialization*. Berkeley: University of California Press.
- Bridges, Khiara M. 2017. *The Poverty of Privacy Rights*. Stanford: Stanford University Press.
- Browne, Simone. 2015. *Dark Matters: On the Surveillance of Blackness*. Durham: Duke University Press.

- Bruno, Frank J. 1957. *Trends in Social Work, 1874–1956: A History Based on the Proceedings of the National Conference of Social Work*, 2nd ed. New York: Columbia University Press.
- Carmon, Irin. 2023. ‘They really wanted to see my baby get taken away’: A woman is suing a Brooklyn hospital for secretly drug testing her during labor. *Intelligencer*, March 21. Available online: <https://nymag.com/intelligencer/2023/03/brookdale-hospital-lawsuit-brooklyn-pregnancy-drug-testing.html> (accessed on 1 May 2024).
- Carson, E Ann. 2022. Prisoners in 2021—Statistical Tables. Bureau of Justice Statistics, December. Available online: <https://bjs.ojp.gov/library/publications/prisoners-2021-statistical-tables> (accessed on 1 May 2024).
- Cheung, Monit. 2024. *National Survey of IV-E Stipends & Paybacks*. Houston: University of Houston. Available online: <https://uh.edu/socialwork/academics/cwep/title-iv-e/Stipends-Paybacks/> (accessed on 1 May 2024).
- Complaint on Behalf of Plaintiff. 1975. *Cox v. Stanton*, 529 F2d 47. 4th Cir.
- Copeland, Victoria. 2022. Dismantling the Carceral Ecosystem: Investigating the Role of “Child Protection” and Family Policing in Los Angeles. Doctoral Dissertation, University of California, Los Angeles, USA. Available online: <https://escholarship.org/uc/item/3rc7z257> (accessed on 1 May 2024).
- Copeland, Victoria, and Maya Pendleton. 2022. Surveillance of Black families in the family policing system. In *Help Is Not On the Way: How Family Policing Perpetuates State Directed Terror*. Edited by Alan J. Dettlaff and Kristen Weber. Houston: upEND Movement, pp. 15–27. Available online: <https://upendmovement.org/help-is-not-on-the-way/> (accessed on 1 May 2024).
- Copeland, Victoria, Brianna Harvey, and Joyce McMillan. 2022. Unlearning punishment: Family policing abolition as liberatory praxis. In *Help Is NOT On the Way: How Family Policing Perpetuates State Directed Terror*. Edited by Alan J. Dettlaff and Kristen Weber. Houston: upEND Movement, pp. 50–60. Available online: <https://upendmovement.org/help-is-not-on-the-way/> (accessed on 1 May 2024).
- Cox v. Stanton*, 1975. 529 F2d 47. 4th Cir.
- Davis, Angela Y. 2003. *Are Prisons Obsolete?* New York: Seven Stories Press.
- Dettlaff, Alan J. 2023. *Confronting the Racist Legacy of the American Child Welfare System: The Case for Abolition*. New York: Oxford University Press.
- Digard, León, Margaret diZerega, Allon Yaroni, and Joshua Rinaldi. 2016. A New Role for Technology? Implementing Video Visitation in Prison. VERA Institute of Justice, February. Available online: <https://www.vera.org/publications/video-visitation-in-prison> (accessed on 1 May 2024).
- Edwards, Frank, Sara Wakefield, Kieran Healy, and Christopher Wildeman. 2021. Contact with Child Protective Services is pervasive but unequally distributed by race and ethnicity in large US counties. *Proceedings of the National Academy of Sciences* 118: e2106272118. [CrossRef] [PubMed]
- Fong, Kelly. 2020. Getting eyes in the home: Child protective services investigations and state surveillance of family life. *American Sociological Review* 85: 610–38. [CrossRef]
- Gilmore, Ruth Wilson. 2007. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*. Berkeley: University of California Press.
- Greenway, Antoinette. 2004. When neutral policies aren’t so neutral: Increasing incarceration rates and the effect of the Adoption and Safe Families Act of 1997 on the parental rights of African-American women. *National Black Law Journal* 17: 247–55.
- Gustafson, Kaaryn S. 2011. *Cheating Welfare: Public Assistance and the Criminalization of Poverty*. New York: New York University Press.
- Hartman, Saidiya V. 1997. *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America*. New York: Oxford University Press.
- Hayes, Crystal M., Carolyn Sufrin, and Jamila B. Perritt. 2020. Reproductive justice disrupted: Mass incarceration as a driver of reproductive oppression. *American Journal of Public Health* 110: S21–S24. [CrossRef]
- Heinemann, Isabel. 2019. Abortion and adoption as two poles of reproductive decision-making in the United States during the 1980s. *Journal of Modern European History* 17: 280–96. [CrossRef]
- Jarlenski, Marian, Jay Shroff, and Mishka Terplan. 2023. Association of race with urine toxicology testing among pregnant patients during labor and delivery. *JAMA Health Forum* 4: e230441. [CrossRef]
- Kennedy, Angie C. 2008. Eugenics, “degenerate girls”, and social workers during the progressive era. *Affilia* 23: 22–37. [CrossRef]
- Kennedy, Deseriee A. 2012. “The good mother”: Mothering, feminism, and incarceration. *William and Mary Journal of Race, Gender, and Social Justice* 18: 161–200.
- Kessler, Laura T. 2015. “A sordid case”: *Stump v. Sparkman*, judicial immunity, and the other side of reproductive rights. *Maryland Law Review* 74: 833–920. [CrossRef]
- King vs. Smith*, 1968. 392 U.S. 309.
- Kunzel, Regina G. 1993. *Fallen Women, Problem Girls: Unmarried Mothers and the Professionalization of Social Work, 1890–1945*. New Haven: Yale University Press.
- Lajimodiere, Denise K. 2021. *Stringing Rosaries: The History, the Unforgivable, and the Healing of Northern Plains American Indian Boarding School Survivors*. Fargo: North Dakota State University Press.
- Lash, Don. 2017. *“When the Welfare People Come”: Race and Class in the US Child Protection System*. Chicago: Haymarket Books.
- Marco, Miriam, Kathryn Maguire-Jack, Enrique Gracia, and Antonio López-Quílez. 2020. Disadvantaged neighborhoods and the spatial overlap of substantiated and unsubstantiated child maltreatment referrals. *Child Abuse & Neglect* 104: 104477.

- Margolies, Julie K., and Tamar Kraft-Stolar. 2006. When Free Means Losing Your Mother: The Collision of Child Welfare and the Incarceration of Women in New York State. U.S. Department of Justice, Office of Justice Programs, February. Available online: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/when-free-means-losing-your-mother-collision-child-welfare-and> (accessed on 1 May 2024).
- McKee, Kimberly. 2018. Adoption as a reproductive justice issue. *Adoption & Culture* 6: 74–93.
- McLeod, Melissa N., Daliah Heller, Meredith G. Manze, and Sandra E. Echeverria. 2020. Police interactions and the mental health of Black Americans: A systematic review. *Journal of Racial and Ethnic Health Disparities* 7: 10–27. [CrossRef]
- Merritt, Darcey H. 2020. How do families experience and interact with CPS? *The Annals of the American Academy of Political and Social Science* 692: 203–26. [CrossRef]
- Merritt, Darcey H. 2021. Lived experiences of racism among child welfare-involved parents. *Race and Social Problems* 13: 63–72. [CrossRef]
- Morris, Thomas D. 1996. *Southern Slavery and the Law: 1619–1860*. Chapel Hill: University of North Carolina Press.
- Murray, Melissa. 2022. Abortion, sterilization, and the universe of reproductive rights. *William and Mary Law Review* 63: 1599–638.
- National Association of Black Social Workers. 1972. Position Statement on Trans-Racial Adoptions. September. Available online: [https://cdn.ymaws.com/www.nabsw.org/resource/collection/E1582D77-E4CD-4104-996A-D42D08F9CA7D/NABSW\\_Trans-Racial\\_Adoption\\_1972\\_Position\\_\(b\).pdf](https://cdn.ymaws.com/www.nabsw.org/resource/collection/E1582D77-E4CD-4104-996A-D42D08F9CA7D/NABSW_Trans-Racial_Adoption_1972_Position_(b).pdf) (accessed on 1 May 2024).
- National Association of Social Workers. 2016. Policy Issue: Child Welfare. National Association of Social Workers, April. Available online: <https://www.socialworkers.org/Advocacy/Policy-Issues/Policy-Issue-Child-Welfare> (accessed on 1 May 2024).
- National Association of Social Workers. 2019. Sen. Kaine Introduces Bills to Strengthen Child Welfare Workforce, Prevent Mistreatment of LGBTQ Youth. *Social Work Blog*. April 9. Available online: <http://www.socialworkblog.org/advocacy/2019/04/sen-kaine-introduces-bills-to-strengthen-child-welfare-workforce-prevent-mistreatment-of-lgbtq-youth/> (accessed on 1 May 2024).
- National Association of Social Workers. 2021a. *Social Work Speaks: National Association of Social Workers Policy Statements 2021–2023*, 12th ed. Washington: NASW Press.
- National Association of Social Workers. 2021b. *Undoing Racism through Social Work: NASW Report to the Profession on Racial Justice Priorities and Action*. Washington: National Association of Social Workers. Available online: <https://www.socialworkers.org/LinkClick.aspx?fileticket=29AYH9qAdXc=&portalid=0> (accessed on 1 May 2024).
- Newland, Bryan. 2022. *Federal Boarding School Initiative Investigative Report*; Washington: U.S. Department of the Interior, Indian Affairs. Available online: [https://www.bia.gov/sites/default/files/dup/inline-files/bsi\\_investigative\\_report\\_may\\_2022\\_508.pdf](https://www.bia.gov/sites/default/files/dup/inline-files/bsi_investigative_report_may_2022_508.pdf) (accessed on 1 May 2024).
- Olaniyan, Abisola, Mary Hawk, Dara D. Mendez, Steven M. Albert, Marian Jarlenski, and Judy C. Chang. 2023. Racial inequities in drug tests ordered by clinicians for pregnant people who disclose prenatal substance use. *Obstetrics & Gynecology* 142: 1169–78.
- Palusci, Vincent J., and Ann S. Botash. 2021. Race and bias in child maltreatment diagnosis and reporting. *Pediatrics* 148: e2020049625. [CrossRef]
- Phillips, Susan D., Barbara J. Burns, H. Ryan Wagner, and Richard P. Barth. 2004. Parental arrest and children in child welfare services agencies. *American Journal of Orthopsychiatry* 2: 174–86. [CrossRef]
- Platt, Anthony M. 1969. *The Child Savers: The Invention of Delinquency*. Chicago: University of Chicago Press.
- Purnell, Derecka. 2021. *Becoming Abolitionists: Police, Protests, and the Pursuit of Freedom*. New York: Astra House.
- Putnam-Hornstein, Emily, Eunhye Ahn, John Prindle, Joseph Magruder, Daniel Webster, and Christopher Wildeman. 2021. Cumulative rates of child protection involvement and terminations of parental rights in a California birth cohort, 1999–2017. *American Journal of Public Health* 111: 1157–63. [CrossRef] [PubMed]
- Puzzanchera, Charles, Marly Zeigler, Moriah Taylor, Wei Kang, and Jason Smith. 2023. *Disproportionality Rates for Children of Color in Foster Care Dashboard*. Washington: National Council of Juvenile and Family Court Judges. Available online: [https://ncjj.org/AFCARS/Disproportionality\\_Dashboard.asp](https://ncjj.org/AFCARS/Disproportionality_Dashboard.asp) (accessed on 1 May 2024).
- Raimon, Martha L., Arlene F. Lee, and Philip Gentry. 2009. Sometimes good intentions yield bad results: ASFA's effect on incarcerated parents and their children. In *Intentions and Results: A Look Back at the Adoption and Safe Families Act*. Edited by Susan Notkin, Kristen Weber, Olivia Golden and Jennifer Macomber. Washington: Center for the Study of Social Policy, pp. 121–29.
- Richmond, Mary E. 1917. *Social Diagnosis*. New York: Russell Sage Foundation.
- Roberts, Dorothy. 1993. Crime, race, and reproduction. *Tulane Law Review* 67: 1945–77. [PubMed]
- Roberts, Dorothy. 1997. *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty*. New York: Penguin Random House.
- Roberts, Dorothy. 2008. The racial geography of child welfare: Toward a new research paradigm. *Child Welfare* 87: 125–50.
- Roberts, Dorothy. 2022. *Torn Apart: How the Child Welfare System Destroys Black Families—And How Abolition Can Build a Safer World*. New York: Basic Books.
- Robey, Jason P., Michael Massoglia, and Michael T. Light. 2023. A generational shift: Race and declining lifetime risk of imprisonment. *Demography* 60: 977–1003. [CrossRef] [PubMed]
- Roemer, Neoshia. 2023. The Indian Child Welfare Act as reproductive justice. *Boston University Law Review* 103: 101–62. [CrossRef]
- Ross, Loretta. 2006. Understanding Reproductive Justice. SisterSong Women of Color Reproductive Health Collective. Available online: [https://d3n8a8pro7vhmx.cloudfront.net/rrfp/pages/33/attachments/original/1456425809/Understanding\\_RJ\\_Sistersong.pdf?1456425809](https://d3n8a8pro7vhmx.cloudfront.net/rrfp/pages/33/attachments/original/1456425809/Understanding_RJ_Sistersong.pdf?1456425809) (accessed on 1 May 2024).
- Ross, Loretta, and Rickie Solinger. 2017. *Reproductive Justice: An Introduction*. Berkeley: University of California Press.

- Ross, Loretta, Lynn Roberts, Erika Derkas, Whitney Peoples, and Pamela Bridgewater Toure. 2017. *Radical Reproductive Justice: Foundation, Theory, Practice, Critique*. New York: The Feminist Press.
- Schoneich, Sebastian, Melissa Plague, Victoria Waidley, Katharine McCabe, Justine Wu, P. Paul Chandanabhumma, Carol Shetty, Christopher J. Frank, and Lauren Oshman. 2023. Incidence of newborn drug testing and variations by birthing parent race and ethnicity before and after recreational cannabis legalization. *JAMA Network Open* 6: e232058. [CrossRef]
- Sewell, Abigail A., and Kevin A. Jefferson. 2016. Collateral damage: The health effects of invasive police encounters in New York City. *Journal of Urban Health* 93: S42–S67. [CrossRef]
- Sharpe, Christina. 2016. *In the Wake: On Blackness and Being*. Durham: Duke University Press.
- Solinger, Rickie, Paula C. Johnson, Martha L. Raimon, Tina Reynolds, and Ruby Tapia. 2010. *Interrupted Life: Experiences of Incarcerated Women in the United States*. Berkeley: University of California Press.
- Swann, Christopher A., and Michelle S. Sylvester. 2006. The foster care crisis: What caused caseloads to grow? *Demography* 43: 309–35. [CrossRef]
- Taney, Roger Brooke, and Supreme Court of the United States. 1856. *U.S. Reports: Dred Scott v. Sandford*, 60 U.S. 19 How. 393. Available online: <https://www.loc.gov/item/usrep060393a/> (accessed on 1 May 2024).
- The White House. 2022. Fact sheet: President Biden's Safer America Plan. *The White House*, August 1. Available online: <https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/01/fact-sheet-president-bidens-safer-america-plan-2/> (accessed on 1 May 2024).
- Theall, Katherine P., Samantha Francois, Caryn N. Bell, Andrew Anderson, David Chae, and Thomas A. LaVeist. 2022. Neighborhood police encounters, health, and violence in a Southern city. *Health Affairs* 41: 228–36. [CrossRef]
- Tice, Karen W. 1998. *Tales of Wayward Girls and Immoral Women: Case Records and the Professionalization of Social Work*. Champaign: University of Illinois Press.
- Trivedi, Shanta. 2023. The Adoption and Safe Families Act is not worth saving: The case for repeal. *Family Court Review* 61: 315–40. [CrossRef]
- U.S. Department of Health and Human Services. 2023. The AFCARS Report: Preliminary Estimates of FY2022 as of 9 May 2023. Available online: <https://www.acf.hhs.gov/cb/report/afcars-report-30> (accessed on 1 May 2024).
- Vandivere, Sharon, and Karin Malm. 2009. *Adoption USA. A Chartbook Based on the 2007 National Survey of Adoptive Parents*. Washington: U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, October 31. Available online: <https://aspe.hhs.gov/reports/adoption-usa-chartbook-based-2007-national-survey-adoptive-parents-0> (accessed on 1 May 2024).
- Wadhwani, Anita. 2023. A Black Family Fights to Get Their Kids Back from Tennessee Department of Children's Services. *Tennessee Lookout*, March 16. Available online: <https://tennesseelookout.com/2023/03/16/a-black-family-fights-to-get-their-kids-back-from-tennessee-department-of-childrens-services/> (accessed on 1 May 2024).
- Ward, Geoff K. 2012. *The Black Child-Savers: Racial Democracy and Juvenile Justice*. Chicago: University of Chicago Press.
- Watson, Adilia. 2024. NY Attorney General Investigates Drug-Testing Pregnant and New Moms, as Legal Challenges over the Practice Grow. *The Imprint*. June 5. Available online: <https://imprintnews.org/top-stories/ny-attorney-general-investigates-drug-testing-pregnant-and-new-moms-as-legal-challenges-over-the-practice-grow/249689> (accessed on 1 May 2024).
- White, Christina. 2006. Federally mandated destruction of the Black family: The Adoption and Safe Families Act. *Northwestern Journal of Law and Social Policy* 1: 303–37.
- Williams, Emma P. 2024. Force Multipliers: How the Criminal Legal and Child Welfare Systems Cooperate to Punish Families. *Prison Policy Initiative*. January 8. Available online: <https://www.prisonpolicy.org/blog/2024/01/08/punishingfamilies/> (accessed on 1 May 2024).
- Wolfson, Lindsay, Rosa A. Schmidt, Julie Stinson, and Nancy Poole. 2021. Examining barriers to harm reduction and child welfare services for pregnant women and mothers who use substances using a stigma action framework. *Health & Social Care in the Community* 29: 589–601.
- Wynter, Sylvia. 1994. "No Humans Involved": An Open Letter to My Colleagues. *Forum N.H.I.: Knowledge for the 21st Century*. Stanford: Institute N.H.I., vol. 1, pp. 42–73.
- Yi, Youngmin, Frank Edwards, and Christopher Wildeman. 2020. Cumulative prevalence of confirmed maltreatment and foster care placement for US children by race/ethnicity, 2011–2016. *American Journal of Public Health* 110: 704–9. [CrossRef] [PubMed]
- Yi, Youngmin, Frank Edwards, Natalia Emanuel, Hedwig Lee, John M. Levanthal, Jane Waldfogel, and Christopher Wildeman. 2023. State-level variation in the cumulative prevalence of child welfare system contact, 2015–2019. *Children and Youth Services Review* 147: 106832. [CrossRef] [PubMed]

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