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Factors associated with two types of child custody loss among a sample of African American mothers: A novel approach

Kathi L.H. Harp^a and Carrie B. Oser^b

^aUniversity of Kentucky, College of Public Health, Department of Health Management & Policy

^bUniversity of Kentucky, Department of Sociology, Center on Drug and Alcohol Research

Abstract

African American families are overrepresented in the Child Welfare System; however, extant research on this phenomenon has (1) focused mostly on Caucasian or mixed-race samples and (2) has not examined informal custody arrangements alongside official child custody loss. This research addresses these gaps in the literature by examining factors associated with both official and informal child custody loss among a sample of African American mothers. Multinomial regression results show that having ever been incarcerated following a conviction increases the odds of experiencing both types of custody loss relative to no loss. Additionally, mother's experiences of childhood victimization increase the likelihood of informal custody loss relative to no loss, while being older, past year homelessness, number of minor children, being lesbian or bisexual, crack/cocaine use, and more family social support increase the odds of official loss versus no loss. Finally, increases in social support from friends decrease the odds of official loss. Implications are discussed.

Keywords

custody loss; African American; motherhood; substance use; kinship care; child maltreatment

1. Introduction

African American women and their children have long been overrepresented in the child welfare system (CWS). Dorothy Roberts (2008) has referred to the CWS as having a “racial geography.” While African American children represent 15% of the nation's children, they account for 45% of the foster care population and are four times as likely as white children to be in foster care (Child Welfare League of America, 2000; United States Department of Health and Human Services, 2006). Although research has examined factors contributing to CWS involvement with multi-race samples, the disproportionate involvement of African American women merits a closer look at this population. Our current knowledge regarding precursors to child custody loss is limited to mothers who lost custody via an official court/CWS mandate. Very little, however, is known about factors associated with custody loss that occurs outside official channels, despite research showing these types of informal

arrangements are quite common, particularly among African Americans (The Urban Institute, 2003).

Researchers have established that the overrepresentation of African American women and children in the CWS is due in part to structural inequalities (Hill, 2001, 2007; Roberts, 2002), prejudices within the system itself (Ards, Chung, & Myers, 1998; Barth, 2005; Morton, 1999; see Derezotes & Poertner, 2005, for a review), and policy wording that lends itself to differential enforcement based on class and race (Vesneski, 2011). It is, however, necessary to look at specific life events and behaviors that put economically disadvantaged African American women at risk of losing custody of their children in order to design and implement pragmatic interventions that address the needs of these women, children, and families. To address these gaps, the aims of this study are to (1) compare the sociodemographic and other characteristics of predominantly low-income African American mothers who experienced no custody loss, informal custody loss, or official custody loss in the past year, and (2) examine correlates of both official and informal custody loss among this sample.

2. Literature Review

An important first step is reviewing the general prevalence of child maltreatment in the U.S. and examining the characteristics of mothers involved with the CWS. While this study concerns itself with not only mothers who have lost official custody, but also those who have lost custody via informal channels, there is no other available data on the background characteristics of this latter group of women. Further, nearly all of the existing studies sampled white women or women from a variety of racial categories. While race has been examined as an independent variable, researchers have yet to look at within-group differences among African American mothers despite calls for more within-group research (Knight, Roosa, & Umaña-Taylor, 2009). For these reasons, this section draws from the available research on mostly white samples of women with official CWS involvement.

2.1. Child maltreatment in the U.S.

In their review of the prevalence of maltreatment in high income countries, Gilbert and colleagues (2009) found 4.78% of children in the U.S. had been investigated for a maltreatment claim in 2006 and only 1.21% of those claims were substantiated. Official reports, however, seldom demonstrate actual prevalence and in their Adverse Childhood Experiences study of over 17,000 children, the Centers for Disease Control and Prevention (CDC) found that 28.3% of children had experienced physical abuse, 20.7% sexual abuse, 10.6% emotional abuse, 9.9% physical neglect, and 14.8% emotional neglect (CDC, 2016). Additionally, 26.9% reported living in a household where substance abuse occurred (CDC, 2016). Concerning risk of foster care placement, up to 5.91% of U.S. children are ever placed in foster care between birth and age 18. However, it is noteworthy that rates are much higher for African American children at 11.53% (Wildeman & Emanuel, 2014) even though research has established rates of child maltreatment are the same across races (Sedlak & Schultz, 2005).

2.2. Established precursors to child welfare system involvement

One common precursor to child welfare system involvement is low socioeconomic status, as this system is disproportionately comprised of poor families (Grella, Hser, & Huang, 2006; Lindsey, 1994; Pelton, 1989; Shireman, 2003). Specifically, housing problems caused by poverty place these families at an increased risk of CWS involvement (Culhane, Webb, Grim, Metraux, & Culhane, 2003; Park, Metraux, Brodbar, & Culhane, 2004; Pelton, 2008; Roberts & Nuru-Jeter, 2012; Slack, Holl, McDaniel, Yoo, & Bulger, 2004; Steinbock, 1995). In one study of substance-using parents involved with the CWS, 81% reported experiencing housing difficulties (Marsh, Ryan, Choi, & Testa, 2006). Another study of (mostly white) CWS-involved female primary caregivers found more than half of those whose children had been placed out of home had annual household earnings of less than \$10,000 and 38% of them had been homeless (Marcenko, Lyons, & Courtney, 2011). African Americans are four times more likely to live in poverty than other Americans, with a poverty rate of 25.8% (second only to American Indians and Alaska Natives) (Macartney, Bishaw, & Fontenot, 2013). The rate of poverty among single mothers, at 47% (Legal Momentum, 2010), is higher than the general population at 14.5% (U.S. Census Bureau, 2014). Given 73% of African American children are born to unmarried mothers (Wildsmith, Steward-Streng, & Manlove, 2011), there is reason to expect that economic disadvantage may be an even more salient precursor to CWS involvement among this population.

A second correlate of CWS involvement and custody loss is mental health problems. Research indicates the incidence of prior and/or current mental health problems/psychiatric disorders among CWS-involved mothers ranges from 40 to 72% (Burns et al., 2010; Famularo, Kinscherff, & Fenton, 1992; Larrieu, Heller, Smyke, & Zeanah, 2008; Marcenko et al., 2011; Marsh et al., 2006; National Survey of Child & Adolescent Well-Being, 2007; for a review, see Wells & Marcenko, 2011). These may be conservative estimates, given the lack of data on mothers who have informally lost custody. Women with a diagnosis of severe mental illness are at increased risk of losing custody and even having their parental rights permanently terminated (Ackerson, 2003; Jacobsen & Miller, 1998; Nicholson, Biebel, Hinden, Henry, & Stier, 2001) as maternal mental illness may affect parenting ability and often acts as one of many catalysts to child custody issues (Hollingsworth, 2004; Kohl, Jonson-Reid, & Drake, 2011).

Substance use is also associated with CWS involvement and has been extensively examined in prior research. While 5.5% of all women living with a minor child have a history of alcohol or drug abuse (Substance Abuse and Mental Health Services Administration, 2003), this rate jumps to between 50 and 80% among parents involved in the CWS (Curtis & McCullough, 1993; Larrieu et al., 2008; Semidei, Radel, & Nolan, 2001). In fact, the Center on Addiction and Substance Abuse has declared substance use the “chief culprit” in child welfare spending (1999). Substance-using, CWS-involved parents suffer from more severe, and a greater number of, social problems than similarly situated non-using parents and are perhaps the most in need of comprehensive assistance to address these issues. A study of African American children in CWS care found that families with a substance-using parent were significantly more likely to experience poverty, welfare dependence, single parent

status, and housing difficulties, and to experience several of these concomitantly (Walker, Zangrillo, & Smith, 1991).

A lifetime history of victimization is another oft-studied correlate of CWS involvement. This includes ever being physically or sexually abused, as well as being involved in a past/present domestic violence situation. In a study by Grella and colleagues (2006), 71.3% of CWS-involved mothers reported having ever been physically abused and 50.6% reported sexual abuse. Women with childhood sexual abuse histories are more likely to be involved in the CWS (Marcenko et al., 2011; Noll et al., 2009). Concerning domestic violence, rates among CWS-involved families typically range between 30 and 60% (Edleson & Eisikovits, 1996; Findlater & Kelly, 1999; Marsh et al., 2006); however, when focusing on just mothers, this rate jumps to 80% (Larrieu et al., 2008). The unusually high rate of both childhood and adult victimization among women involved with the CWS is a major public health concern that needs addressing.

Lastly, criminal justice system involvement is also strongly associated with CWS involvement, and maternal incarceration is a key reason for CWS intervention (Ross, Khashu, & Wamsley, 2004). The likelihood that the CWS will remove a child from the mother's home is also much greater when the mother is a single parent because there is no partner left to take care of children (Marcenko et al., 2011). Thus, because rates of single motherhood (Wildsmith et al., 2011) and incarceration (Harrison & Beck, 2005) are disproportionately high for African American women, criminal justice system involvement is an important factor in CWS intervention (Christian, 2009; Lincroft & Borelli, 2011).

Researchers have repeatedly found issues surrounding poverty, mental health, substance use, victimization, and criminal involvement are strongly correlated with CWS involvement and custody loss among white and multi-race samples of women. But how applicable is this model for African American mothers who have lost custody? African American women are a historically (and currently) disadvantaged group and are especially likely to undergo stressful life events compared to women of other races, and to men (Brown & Keith, 2003; Whitley & Green, 2008). Thus it is important to evaluate if these various marginalized statuses are equally important among African American mothers who experience custody issues.

2.3. Potential precursors to child custody issues

Other factors that have not been adequately studied but may contribute to a mother losing custody are the number of minor children she has, her sexual orientation, and her available social support. While intuitively we might expect custody loss to be more common among women with more children in their care, there are no known studies that have directly examined this relationship. Suchman and colleagues (2006) reported that additional children increase demands on financial and emotional resources; thus, it is expected that custody loss will be more common among mothers with a greater number of children.

While several court cases have established that sexual orientation alone cannot be used to deny custody to a parent who is gay, lesbian, or bisexual, no prior studies have examined if being gay/lesbian or bisexual has an independent effect on the odds of losing custody of a

child (Cordova, 2012; American Psychological Association, 2014). Because members of the LGBTQ community continue to experience discrimination both on a personal and structural level, sexual orientation will be included in these analyses.

A final variable of interest is social support. There is a tremendous literature demonstrating the positive impact social support can have on mental and physical health (see Cohen, Underwood, & Gottlieb, 2000, ch. 1 for a review; Paranjape & Kaslow, 2010). Research has also shown that social support may be particularly important for women, especially women with substance use problems as this increased stress occurs in areas such as “responsibility for children, living alone, low income, low level of education, lack of financial resources, partners who use drugs, more dysfunction and pathology in the family of origin, higher levels of depression and anxiety, and lower levels of self-esteem” (Mondanaro, 1989, p. 76; Reed, 1981). Because the majority of women in this sample are economically disadvantaged, the presence of these stressors is likely a reality for many. This analysis aims to explore if higher levels of social support from family members, friends, and significant others will decrease the odds of child custody loss.

2.4. Informal Custody Loss

Throughout this study, we use the term “informal custody loss” to refer to situations in which a child is living with someone other than the mother – usually a relative – but was not ordered to do so by the CWS. Others have referred to this as *private kinship care*, meaning that the family made the arrangement without CWS involvement (The Urban Institute, 2003). An estimated 1,760,000 children were living in *private* or informal kinship care as of 2003 (The Urban Institute, 2003), and African American children are almost twice as likely as white children to be in kinship care (Hill, 2004). While one in eleven children reside in kinship care at some point during their childhood, the rate is one in five for African American children (The Annie E. Casey Foundation, 2012). Concerning where children live when placed in foster care, more than one in four children live with relatives (Kids Count Data Center, 2010). Furthermore, the U.S. Census (2010) found that among African American females in the U.S. over 29 years of age, 47.6% reported they were responsible for the care of their grandchildren. While they remain overrepresented in both official and informal custody arrangements, the number of African American children in foster care has been on a gradual decline in recent years (U.S. Department of Health & Human Services, 2013; Wildeman & Emanuel, 2014). One potential explanation for this decline is an increasing number of informal custody arrangements in the African American community (Ehrle, Geen, & Clark, 2001), especially among African Americans.

Given the above statistics and the importance that family and community support networks have historically had for African American mothers (for a review, see Harris & Skyles, 2008), it is not surprising that informal kinship custody arrangements are more common among African Americans than other racial groups. The social support network of an African American mother is often tasked with assisting her in child-rearing responsibilities, demonstrated, for example, by the importance of “othermothering” and “kin-work,” whereby relatives and friends routinely help one another with basic needs like childcare (Collins, 2000; James, 1993; Stack & Burton, 1994). Because familial and friend support

play a critical role in African American communities, particularly those characterized by poverty and single motherhood (Collins, 1994, 2000; hooks, 2000; Stack & Burton, 1994), it is likely that informal kinship care arrangements are more common than even the highest estimates, yet they have not been previously studied. The major contributions of the current study are two-fold. First, this study examines the previously un-studied phenomenon of informal custody loss among a sample of predominantly low-income African American mothers. Second, this study contributes to the extant literature by determining if there are substantive differences in the characteristics and experiences of African American mothers who experience informal custody loss compared to those who undergo official custody loss.

3. Methods

3.1. Sample and Data Collection

This analysis used data collected as part of the Black Women in the Study of Epidemics (B-WISE) research project, funded by the National Institute on Drug Abuse. The goal of the B-WISE project was to understand how drug use and criminality were related to health disparities among African American women across criminal justice status and drug use status. Data were collected from 643 African American women who were in prison (n=240), on probation (n=197), or not currently involved with the criminal justice system (n=206). B-WISE staff attempted to recruit 200 African American women from each of the three venues and ultimately came very close, although the probation sample was slightly smaller than planned and women in prison were oversampled. Recruitment varied by venue. Based on a list of African American women eligible for release within the next 60 days provided by prison staff, women were invited to an information session held by BWISE interviewers. Eligible and interested individuals were scheduled for an interview at the three women's prisons in the state. For the probation sample, BWISE interviewers approached African American women on report days in seven Probation Offices with the highest rates of supervision of African Americans to screen for interest and eligibility. The community sample was recruited via newspaper advertisements and flyers posted in zip codes with the largest percentage of African American residents in a southern city. Interested individuals could call the toll-free number for screening. Probationers and community participants were interviewed in private rooms in public settings (e.g., library, university, service agency).

Of the 643 women in the BWISE project, 339 are mothers to at least one biological child under 18 years of age. The analyses in this study were conducted using these 339 women, of which 139 were in prison, 117 were on probation, and 83 were from the community. After obtaining informed consent, data were collected by trained African American female interviewers using laptops outfitted with Computer Assisted Personal Interviewing (CAPI) software. The CAPI collected data were transferred from an SPSS database to Stata, version 12 for analysis. Participants were provided with a \$20 incentive for their participation in the 1.5–2 hour interview. To be eligible for participation, women had to (1) self-identify as African American; (2) be at least 18 years old; and (3) be willing to participate in the study. Various recruitment strategies were designed to elicit participation from women in prison, on probation, and those in the community not currently under any type of criminal justice supervision. Study methods are described in greater detail elsewhere (Stevens-Watkins,

Knighton, Michell, Oser, & Leukefeld, 2013). Procedures were approved by the University's Institutional Review Board and participants were protected by a federal Certificate of Confidentiality.

3.2. Specific Measures

3.2.1. Dependent Variable: Custody Loss—To measure custody loss history, participants were asked where/with whom each child under the age of 18 was living and if the mother had lost official custody of any child in the past year (or year prior to incarceration for the women recruited from prison). It should be noted that 100% of women in the prison sample experienced past year custody loss upon entering prison. A three-category custody loss variable was created. Women who indicated at least one biological child was living with someone other than herself at the time of interview were coded as having lost custody informally. Participants who said they had lost official custody of any minor biological child in the past year were coded as official custody loss (=1). Participants who had experienced both informal and official custody loss were categorized based on the most severe custody issue they reported, conceived of here as a continuum where official custody loss is considered more severe than informal custody loss. For the analyses, informal custody loss and official custody loss formed a multinomial variable using women who had not experienced custody loss as the reference group.

3.2.2. Independent Variables—Age and number of biological children under the age of 18 were continuous variables. Marital status was coded into two categories: married or living as married (=1) and other (single, divorced, widowed=0). Four variables were used to measure socioeconomic status. Both employment in the past six-months and homelessness in the past-year were dichotomous (1=yes; 0=no). Number of years of education completed was coded continuously. Participants were asked to pick from eight income brackets (e.g. "\$0 - \$4,999", "20,000-\$29,999") the one that was closest to their personal income in the past year. Then, to get a better approximation of differences in income, income brackets were coded to the midpoint. Final response categories included: \$2,500, \$7,500, \$12,500, \$17,500, \$25,000, \$35,000, \$45,000, \$57,500, and \$87,500. It should be noted that for the women recruited from prison, time-anchored questions refer to the time prior to their current incarceration.

Sexual orientation was a dichotomous variable based on participant's self-identification (1=gay/lesbian or bisexual; 0=heterosexual). Concerning illicit drug use, participants were asked if they had used a number of drugs at all in the past year or in the year prior to incarceration. After examining the frequency distributions, rates of use for nearly all drug categories were very low (< 8%), with the exception of marijuana, crack, and cocaine. For this reason, the analyses were limited to these drugs. A dichotomous variable was computed combining crack and cocaine use, where any past year crack or cocaine use was coded as "1" (0=none). Past year marijuana use was also dichotomous. To assess criminal involvement, women were asked if they had ever been incarcerated following a conviction after eighteen years of age (1=yes; 0=no).¹

The lifetime psychological symptoms scale – modified from the eleven-item version of the Addiction Severity Index *Lite* – CF (McLellan, Cacciola, Carise, & Coyne 1999) – measures common symptoms of mental illness. Participants were asked if they had ever experienced any significant period of psychiatric problems (i.e., lifetime prevalence). Symptoms measured include serious depression, serious anxiety or tension, hallucinations, trouble understanding/concentrating/remembering, trouble controlling violent behavior, serious thoughts of suicide, attempted suicide, and having taken prescribed medication for any psychological/emotional problem. These eight items were coded as a 1 if yes and 0 if no. The scale is calculated by adding the dummy variables and then dividing the sum by the number of non-missing items. The scale has a potential range of 0–1, with higher values indicating a greater number of lifetime psychological symptoms.

To assess symptoms consistent with post-traumatic stress disorder (PTSD) we used the PTSD-MINI, which contains the same criteria as the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR) (American Psychiatric Association, 2000). Participants were asked “Have you ever experienced or witnessed or had to deal with an extremely traumatic event that included actual or threatened death or serious injury to you or someone else?” Individuals who indicated “yes” were asked additional questions surrounding the event(s). Scores were computed using the DSM-IV-TR criteria (for more detailed scoring information, see Sheehan et al., 1998). Individuals who endorsed all the criteria for PTSD were coded as a “1” and all others were coded as zeroes.

Childhood and adult victimization were measured using a modified version of the *Traumatic Life Events Questionnaire* (Kubany et al., 2000; Perry, Harp, & Oser, 2013). Participants were asked the number of times in their childhood they experienced events such as being physically abused, witnessing domestic violence, and having non-consensual sexual contact. Each item was answered using a scale of 0 (never happened) to 6 (happened more than five times). Responses for all three items were summed and scores could range from zero to eighteen. Participants were asked the number of times in adulthood they experienced six events including being a victim of a mugging or robbery involving a weapon, severe physical assault by acquaintance or stranger, intimate partner violence, and non-consensual sexual contact. Each item was answered using a scale of 0 (never happened) to 6 (happened more than five times). Answers for all six items were summed and scores ranged from zero to thirty-six, with higher scores indicating more instances of adult victimization.

Social support was measured using the 12-item, 7-point Likert-type Multidimensional Scale of Perceived Social Support (MSPSS) (Zimet et al., 1988). Scores for the family, friends, and significant other subscales were determined by summing all responses and dividing by the number of items in that subscale to calculate the mean score. Items are worded such that they assess the availability (i.e., presence or absence) of supportive family, friends, and significant other so even individuals with, for example, no significant other, still completed

¹The authors made the decision to control for criminal involvement based on incarceration following a conviction rather than based on whether the participant was recruited from prison, probation, or the community. The rationale is that being incarcerated at the time of interview perfectly predicts experiencing a custody issue because physical custody of one's children is not possible while incarcerated in this State's Department of Corrections. However, based on the literature it was important to include a measure of criminal activity. This is noted in the study limitations.

these items. Mean scores ranged from 1 (indicating a low level of support) to 7 (indicating a high level of support). Sample items include “I can talk about my problems with my friends,” “My family really tries to help me,” and “There is a special person who is around when I am in need.” The internal consistency for each subscale was high: family ($\alpha = 0.95$), friends ($\alpha = 0.96$), and significant other ($\alpha = 0.91$).

Multicollinearity diagnostics were run on all of the variables using the “collin” command in Stata to detect relationships between the independent and control variables. All of the variable inflation values (VIF) were less than two, indicating no multicollinearity among the variables in these analyses.

4. Results

Table 1 displays descriptive statistics for all of the women in this study. Of the 339 African American mothers in this sample, the average participant was about 32 two years old with 12 years of education. Fewer than half of the women in our sample (47.4%) were employed full or part-time in the year before the study. This compares with 62.7% of U.S. African American females sixteen and over (U.S. Census Bureau, 2011). Median annual income for women in the sample was approximately \$9,900, a quite low value, especially considering these are women with minor children. Over a fifth of women in this study had been homeless sometime in the past year. Overall the women reported having an average of 2.4 biological children under the age of eighteen

Concerning the independent variables of interest, 21.3% of the women in this sample reported being bisexual or gay/lesbian. About 48.6% reported any marijuana use and 32.2% reported any crack/cocaine use in the past year. Over two-thirds of women in this sample (70.8%) reported having ever been incarcerated as an adult following a conviction.

Of the remaining mental health, victimization, and support variables, African American women reported having ever experienced an average of 2.65 ($2.65 / 8 = 0.3$) out of eight psychological symptoms listed and over 10% endorsed criteria consistent with a diagnosis of PTSD. Participants reported an average of 4.8 traumatic events during childhood, and 7.7 as an adult. Finally, the women in this sample reported relatively high levels of perceived social support from all three sources, with the highest levels of support coming from their significant other (mean=5.9), followed by family (mean=5.2) and friends (mean=4.9), where 5 is mildly agree the support is there.

4.1. Bivariate Analyses

Table 2 shows chi-square analyses and ANOVAs for the three subgroups. Tukey’s Honestly Significant Difference Test was conducted post-hoc to test to determine which groups were significantly different from one another. Rates of marriage, marijuana use and perceived social support from a significant other were similar across women in all three custody groups. On the contrary, the only variable on which each group of women *differed* from both of the others was crack/cocaine use, with 12.2% of women in the no loss group, 30.4% of those who lost informal custody, and 51.0% of those who lost official custody reporting any past year use.

Women who lost official custody stand out on several other variables. Compared to both women in the no loss and informal loss groups, those who lost official custody had significantly less education, lower rates of employment, less annual personal income, higher rates of past year homelessness, a greater number of minor children, and a greater number of lifetime psychological symptoms (all $p < .001$). More specifically, while median annual personal income for the other two groups was around \$12,000, women who lost official custody reported a median category of \$6,600 in past year personal earnings. Concerning homelessness, 36.6% of women who lost official custody were homeless at all in the past year, while the other two groups reported rates of homelessness below 10%, and employment rates among this group of women were more nearly half that of the other groups. The percentage of women endorsing PTSD symptoms for PTSD criteria were more than double for women who lost official custody compared to the other two groups, although this was not statistically significant. Women in the official custody loss group reported the highest rates of homelessness, unemployment, and past year crack/cocaine use, as well as the most lifetime psychological symptoms ($p < .001$). Women who experienced official loss were also significantly more likely to be bisexual or lesbian compared to those who did not lose custody (31% vs. 8.7%, respectively).

For women who lost custody informally, we see that they differ in several ways from the official loss group - more educated, more likely to be employed, much higher annual income, less likely to be homeless, fewer children, less likely to use crack/cocaine, and fewer psychological symptoms. The informal loss group is similar to those who lost official custody in terms of the rate of incarceration and more experiences of childhood and adulthood victimization than the no loss group. Aside from having higher incarceration, victimization, crack/cocaine use rates, the informal loss group is similar to the no loss group.

In general, women who did not experience any custody loss in the past year differed greatly from those who had experienced either informal or official custody loss. Women in the no loss group were less likely to have ever been incarcerated after a conviction and reported significantly fewer traumatic victimization events in both childhood and adulthood in comparison to women who experienced any type of custody loss (all $p < .001$).

Lastly, there were a few key variables in which women who experienced official loss differed significantly from women who experienced no loss, but not those in the informal loss group. Women who experienced official custody loss were significantly older, had less available social support from friends, and were over three times more likely to identify as bisexual or lesbian than women who experienced no custody loss (all $p < .001$).

A correlation matrix was used to examine relationships between all of the study variables (See Table 3). Marital status was subsequently omitted from the multivariate models because it was not significantly associated with either informal or official custody loss.

4.2. Results of Multivariate Analysis

Table 4 presents results of the multinomial logistic regression which was used to calculate the effect of several independent variables on the relative risk of experiencing one of three custody loss outcomes (i.e., no custody loss, informal custody loss, and official custody

loss). The no custody loss category was chosen as the reference category. Thus, the model first estimated the likelihood of experiencing informal custody loss relative to no custody loss and then estimated the likelihood of experiencing official custody loss as compared to no custody loss. Relative risk ratios are reported. Only two variables reached significance when examining informal loss – criminal involvement and childhood victimization. Specifically, a mother who has a history of incarceration is over eight times as likely to lose informal custody rather than not lose custody, as compared to women with no history of incarceration ($p < .001$). Additionally, for each additional instance of childhood victimization, the risk of experiencing informal loss compared to no loss increases by 11% ($p < .05$).

When looking at official custody loss, several independent variables were significantly associated with official custody loss, when compared to no custody loss. Being older ($p < .01$), having been homeless in the past year ($p < .05$), and having more children ($p < .001$) all significantly increase the risk of experiencing official custody loss relative to no custody loss. Women in our sample who reported being lesbian or bisexual were 4.19 times as likely to lose official custody rather than have no custody loss in comparison to their heterosexual counterparts ($p < .001$). Substance use, criminal involvement, and social support were also significant. Specifically, women who had used crack/cocaine in the past year and had an incarceration history had higher odds of losing official custody rather than not losing custody when compared to women who did not use crack/cocaine and had no incarceration history ($p < .05$ and $p < .001$, respectively). Each unit increase in perceived social support from family members increased the odds of losing official custody versus no custody loss by 26% ($p < .05$), while each unit increase in perceived social support from friends *decreased* the log odds of losing official custody by 22% relative to no custody loss ($p < .05$).

5. Discussion

This study made a novel contribution to the existing literature by describing the prevalence of both informal and official custody loss experienced by understudied predominantly low-income African American mothers, as well as examining the relationship between a variety of independent variables and the likelihood of experiencing informal and official custody loss in the past year. At the bivariate level, women who experienced no loss and those who experienced informal loss were more alike than different on some measures. For example, in comparison to those who lost official custody, women whose children were living with someone else or who didn't experience loss of custody were more educated, less socioeconomically disadvantaged, had fewer children under 18, and fewer lifetime psychological symptoms. This supports the authors' conceptualization of official loss as more severe than informal loss in terms of its correlates and consequences. However, on other measures the informal and official loss groups were similar to each other while being much different from women who did not lose custody in the past year. Women who experienced either type of custody loss were much more likely to have ever been incarcerated following a conviction, and had significantly more traumatic experiences in both childhood and adulthood. These findings are consistent with those of other researchers who have found a number of negative life circumstances to be associated with child welfare system involvement (Burns et al., 2010; Culhane et al., 2003; Grella et al., 2006; Hollingsworth, 2004, 2005; Larrieu et al., 2008; Ross et al., 2004).

The bivariate findings demonstrate the nuanced nature of a previously unstudied phenomenon. By lumping women together who have experienced *any* type of custody loss, scholars obscure the differences between the custody loss groups as well as the unique paths that lead to each type of loss. Similarly, combining those who have not lost custody with those who have lost custody informally – the justification being that neither has experienced a custody loss that is “on the record” – omits the experiences and very presence of the many mothers who have experienced the blow of being physically separated from their children. Additional research is needed to unravel the unique context in which informal custody loss occurs for African American mothers (e.g., it is temporary, voluntary, frequency of contact with children, etc.).

5.1. Criminal Involvement is Significant for Both Types of Loss

In this analysis, mothers who had ever been incarcerated as an adult following a conviction had increased odds of losing custody both informally and officially. Past research has established criminal involvement as a risk factor for child custody issues (Christian, 2009; Lincroft & Borelli, 2011; Ross, Khashu, & Wamsley, 2004), and for women who are incarcerated for any prolonged length of time (such as many of the women in this sample), some form of custody loss is imminent. Advocates of family reunification should continue to lobby for changes to the Adoption and Safe Families Act of 1997 that incentivizes states for each child adopted out of foster care and shortened the amount of time parents have to fulfill case plans and regain custody before their parental rights are terminated. These time limits disproportionately impact those behind bars, which include a disproportionate number of African American women as compared to women of other racial groups (Mumola, 2000), and make reunification next to impossible.

5.2. The Role of Childhood Victimization in Informal Custody Loss

The only unique variable that increased the odds of informal loss relative to no loss among African American women was having more childhood victimization experiences. This was unexpected given that in many, if not most cases, informal custody arrangements among African Americans involve children going to live with the mother’s parents or other relatives (Harris & Skyles, 2008), the same people who are most likely to have abused the mother as a child (Gilbert et al., 2009). One explanation is that the individuals who mistreated the mother as a child are not the same individuals providing care for her children via some informal arrangement. On the other hand, it is possible that mothers facing a number of problems - such as many of the women in this study - are incredibly vulnerable and feel their children are better cared for by the mother’s parents and relatives even if there is a history of abuse from these family members.

5.3 Substance Use and the Nuanced Nature of Social Support

The larger national trend in which substance use is one of the leading causes of CWS involvement (CASA, 1999; Larrieu et al., 2008) is supported here as it is significantly associated with official loss but not with informal loss. The finding that less social support from friends is a significant correlate of losing official custody is somewhat surprising. While more detailed information was not available regarding the specific type of social support these women were receiving from friends, perhaps the help these friends are offering

in the form of financial assistance or emotional support plays an instrumental role in helping these women to maintain custody of their children.

While increases in African American mother's social support from friends was protective against official custody loss, increased familial social support was a risk factor. Researchers have written at length about the importance of supportive community networks for African American mothers throughout history (for a review, see Harris & Skyles, 2008), and the women in this sample provide some evidence of a positive association of social support in the context of child custody issues via the findings regarding friends' social support. Perhaps this is an issue of who has more resources. It's possible that friends of the women in our sample were able to help them with the care of their children either financially or in some other way and thus they were less likely to garner the attention of official CWS authorities. Another explanation is that women whose families supported them during the period when they lost custody officially were likely to rate their family as more supportive. Thus this finding may be due to the inability to establish temporal ordering of social support perceptions in relation to when they lost custody. Because African American women in this study were asked if they had lost official custody at any point in the past year, their perceptions of available social support could be referring to the time frame after they lost custody. Future research should try to establish temporal ordering of these variables to better explain this relationship.

5.4. The Importance of Socioeconomic Status in Official Custody Loss

In this study, women who were older were at a greater risk of losing custody officially. This may be because these women have exhausted all the resources at their disposal for caring for their children, including informal kinship care arrangements. Or, a systematic bias by the CWS may be experienced by these women due to multiple disadvantaged statuses based on their race, gender, class, and age. Also, each additional child under the age of 18 increased the odds of a woman losing official custody. Because the parental and financial burdens increase with each additional child (Suchman et al, 2006), perhaps family members of the women in this sample were also economically disadvantaged and unable to help mothers by caring for their children. This would explain why those with more children were more likely to lose custody via official channels. Concerning crack/cocaine use, this study found that mothers who reported use were more likely to lose custody officially. As discussed earlier, this was anticipated based on prior research demonstrating substance use is the key precursor to CWS involvement.

As expected based on previous research about factors associated with child custody loss via the CWS (Grella et al., 2006; Lindsey, 1994; Marcenko et al., 2011; Marsh et al., 2006; Pelton, 1989; Shireman, 2003), socioeconomic conditions were again significant in this study, but only when severe. Specifically, women who were homeless in the past year were more likely to experience official custody loss than no loss. Several inferences can be made from the finding that women from a lower socioeconomic background are more likely to lose official custody. First, it suggests that the family members/friends of these mothers may be similarly economically disadvantaged and were unable to afford the financial and housing burden associated with caring for the mother's children that might make an informal

arrangement possible. In contrast, these socioeconomic conditions are not significantly associated with informal loss, perhaps because informal loss is more tenable for women whose supportive network has more economic resources at their disposal. The takeaway from this finding, however, is that removing children from their mother's care for reasons related to income/status is not an appropriate solution to the larger problems plaguing an overburdened child welfare system, nor the problems being faced by children and mothers who are struggling in myriad ways.

5.5. The Importance of Sexual Orientation: An Innovative Contribution to What We Know

A particularly interesting finding in this research was that women who reported being lesbian or bisexual were more likely to lose official custody than heterosexual women. Why might this be? Perhaps there are other factors related to being a sexual minority that explain the increased odds of official custody loss (e.g. socioeconomic factors, criminal justice system involvement, having to care for a higher combined number of children under 18 if both women have primary custody of their kids, etc.). An alternative explanation is that there is a bias at the systems-level that is more likely to label mothers with a non-traditional family unit "unfit." Future research should examine the root causes of why being lesbian or bisexual is predictive of official loss for African American women, specifically. Intersectional frameworks (Collins, 1990; Crenshaw, 1991) assert that making generalizations about an entire group's experiences based on a single feature – for example, race or sexual orientation – conflates the various ways in which an individual's other identities intersect to shape his/her experiences. Researchers agree that the CWS has a history of differential treatment of parents on the basis of race and class. Is there evidence to add sexual orientation to this list? Certainly not based on these results alone, but this significant and intriguing result deserves additional attention and investigation.

5.6. Implications

The results of these analyses demonstrate the need for further research with low income, African American women to determine predictors of different types of custody loss so that appropriate interventions can be designed and implemented. Interventions that target at-risk areas in minority communities have been shown to be effective in reducing the disproportionate number of African American children in the CWS (Kirk & Griffith, 2008; USDHHS, 2011). Low socioeconomic status poses significant challenges for the African American mothers in this sample, and especially for those who have experienced an official child custody issue. While the median annual income category for women who had experienced no loss or informal loss was around \$12,000 (still well below the national poverty line), those who lost official custody reported a median personal income of only \$6,600 a year. This is an important factor to consider when thinking about this population, as we know that economic difficulties create barriers to a parent's ability to provide adequate housing, healthcare, child care, and food and clothing – all things that are subsequently likely to result in custody issues and placement of the child outside the mother's home (Pelton, 1994). Once a child is no longer with his/her parents, parents face extreme challenges in improving these conditions and fulfilling case plan requirements. Although there is a need for more research on the effectiveness of programs that provide material assistance to families in crisis, extant research suggests that the provision of material,

economic services to these families can delay removing the child from the home, or prevent it altogether (Chaffin, Bonner & Hill, 2001; Littell & Scheurman, 2002; Pelton, 1994). This type of assistance also shortens the time to parent-child reunification.

Some states have initiated innovative programs to assist families in crisis in substantive ways. For instance, the “Norman Program” (now called “Norman Services”) in Illinois provides eligible families with services such as a Cash Assistance Program and Housing Advocacy Program (Shook & Testa, 1997). Families are eligible to receive this funding for up to twelve months and to use it to purchase food, clothing, furniture, and housing. A cost analysis of this program found that it not only improved unification and reunification of families in crisis, but it saved the Illinois Department of Child and Family services between \$1455 and \$1798 per family. This is just one example of an alternative to further disenfranchising poor, African American families in the U.S. via the disproportionate involvement of the CWS in their lives.

5.7. Limitations

In addition to the limitations discussed in the previous section, another limitation of this study pertains to the measurement of custody issues. Some women experienced more than one custody issue in the year before the interview. Given the legal ramifications associated with official loss, it was perceived as more severe and thus women who experienced both types of loss were included in the official custody loss group. In addition, mothers who lost informal custody were not asked if this happened of her own volition, or if her child(ren) were removed by a friend or family member under the threat of contacting authorities if the mother refused this arrangement. Future studies should examine the correlates of forceful informal custody arrangements in comparison to those in which the mother is a willing and perhaps even eager participant.

Another limitation was the inability to statistically control for recruitment venue (prison, probation, or community) because being incarcerated perfectly predicts custody loss as women in prison cannot retain physical custody. However, a variable examining incarceration history was included to approximate the effect of criminal involvement on custody loss and the findings offer insight to Knight and colleagues (2009) call for more within-group research.

Finally, the recruitment of African American women from one southern state limits generalizability. However, this study’s strengths offset this limitation. Because this is an understudied population, any research findings that accurately describe the characteristics of African American mothers who experience child custody issues enhance our repository of knowledge about this population.

6. Conclusions

This is the first known study to examine unique correlates of two different types of custody loss, and is especially innovative in its examination of African American mothers who set up informal custody arrangements with their family/friends outside of the CWS. Results of the multinomial logistic regression showed that while a history of adulthood incarceration

increased the odds of both custody events, there were unique relationships as well. Namely, more childhood victimization increased the odds of informal loss, while being older, having been homeless, having more children, crack/cocaine use, more support from family, and being lesbian or bisexual increased the log odds of official loss. Additionally, more perceived social support from friends decreased the odds of official loss.

These findings suggest the mechanisms that protect against child custody loss may vary based on the type of loss being studied. Mothers experiencing either type of loss are in need of socioeconomic resources to reduce the frequency of homelessness and improve a mother's ability to financially provide for her children. Because of the small sample size and limitations of this research, future efforts should be made to examine predictors of different custody loss events with a much larger, probability based sample of demographically similar women. Interventions aimed at improving reunification rates among African American mothers and their children involved in informal custody arrangements should focus on ensuring that those providing care for a mother's children do not have a history of abusing others; while interventions aimed at mothers who have lost official custody should work to provide substance abuse treatment, education, and job skills training to increase their earning potential and protect against homelessness. Continued research is needed to understand why sexual orientation might independently affect official custody loss. And all advocates for family reunification should work towards improving policies that have a disproportionate negative impact women who are incarcerated. In an overburdened system where African American children have the worst outcomes, priority should be given to intervention strategies aimed at improving parent/child reunification rates, especially within the African American community.

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Highlights

- This study examines predictors of both official and informal child custody loss
- Past incarceration and childhood victimization increase informal custody loss risk
- Factors such as being lesbian/bisexual and crack/cocaine use increase official loss risk

Table 1

Descriptive Statistics for Full Sample at Baseline (BWISE Mother Sample, n=339)

	Mean / Percent (SD)	Range
Sociodemographics		
Age (years)	32.3 (7.4)	19.0 – 54.0
Education (years)	12.0 (2.1)	5.0 – 20.0
Married [/]	16.1%	
Employed full/part-time	47.4%	
Median personal income (thousands)	9.9 (11.4)	2.5 – 87.5
Homeless	20.4%	
Number of children <18	2.4 (1.4)	1.0 – 8.0
Sexual Orientation		
Bisexual or Lesbian	21.3%	
Illicit Substance Use (past year)		
Marijuana	48.6%	
Crack/Cocaine	32.2%	
Criminal Involvement		
Ever incarcerated after a conviction (as an adult)	70.8%	
Mental Health		
Lifetime psychological symptoms	0.3 (0.3)	0.0 – 1.0
Meets PTSD criteria	10.6%	
Victimization History		
Victimization – childhood	4.8 (5.2)	0.0 – 18.0
Victimization – adulthood	7.7 (7.8)	0.0 – 33.0
Perceived Social Support		
Family	5.2 (1.8)	1.0 – 7.0
Friends	4.9 (1.8)	1.0 – 7.0
Significant Other	5.9 (1.4)	1.0 – 7.0
Custody Loss Events		
Informal Loss	23.3%	
Official Loss	42.8%	

[/]Omitted category is “not currently married (legal or common-law)”

Table 2

Chi-square Analyses and ANOVAs for Descriptive Statistics Based on Most Severe Custody Issue Experienced at Baseline (n=339)

	No Custody Loss (n=115)	Informal Custody Loss (n=79)	Official Custody Loss (n=145)	Test Statistic (χ^2 /F- score)
	Mean/% (SD)	Mean/% (SD)	Mean/% (SD)	
Sociodemographics				
Age (years) ^c	30.4 (7.8)	32.4 (6.8)	33.7 (7.3)	6.6 ***
Education (years) ^a	12.5 (2.1)	12.3 (2.2)	11.4 (1.8)	11.0 ***
Married	18.3%	15.2%	15.2%	0.3
Employed full/part-time ^a	60.0%	60.8%	32.4%	13.9 ***
Median personal income ^a	11.8 (10.8)	12.5 (15.7)	6.6 (7.4)	10.5 ***
Homeless ^a	7.8%	8.9%	36.6%	23.1 ***
Number of children <18 ^a	2.0 (1.1)	2.2 (1.4)	2.8 (1.6)	11.0 ***
Sexual Orientation				
Bisexual or Lesbian ^c	8.7%	20.3%	31.0%	10.2 ***
Illicit Substance Use (past year)				
Marijuana	40.9%	53.2%	53.8%	2.5
Crack/Cocaine ^d	12.2%	30.4%	51.0%	29.2 ***
Criminal Involvement				
Ever incarcerated after a conviction (as an adult) ^b	38.3%	87.3%	87.6%	59.9 ***
Mental Health				
Lifetime psychological symptoms ^a	0.2 (0.2)	0.3 (0.3)	0.4 (0.3)	18.8 ***
Meets PTSD criteria	7.0%	6.3%	15.9%	3.7
Victimization History				
Victimization – childhood ^b	3.3 (4.0)	5.0 (4.8)	5.7 (5.9)	7.8 ***
Victimization – adulthood ^b	4.4 (5.3)	7.9 (8.3)	10.1 (8.4)	19.0 ***
Perceived Social Support				
Family	5.4 (1.7)	5.5 (1.8)	4.9 (2.0)	3.1
Friends ^c	5.5 (1.4)	5.0 (1.9)	4.5 (2.0)	10.8 ***
Significant Other	6.0 (1.1)	5.9 (1.3)	5.7 (1.5)	2.4

* p < 0.05;

** p < 0.01;

*** p < 0.001

Note: Superscripts a-d denote Tukey's Honestly Significant Differences test results

^a Official Loss group significantly differs from both No Loss and Informal Loss group

^b No Loss group significantly differs from both Custody Loss groups

^c No Custody Loss and Official Custody Loss groups significantly differ

^d All three groups significantly differ from one another

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Table 3

Correlation Matrix of All Variables

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1. Informal Loss	1.00																			
2. Official Loss	−0.48 [*]	1.00																		
3. Age	0.01	0.17 [*]	1.00																	
4. Education	0.10	−0.25 [*]	0.16 [*]	1.00																
5. Married	−0.02	−0.03	0.03	0.10	1.00															
6. Employed	0.14 [*]	−0.28 [*]	−0.11 [*]	0.30 [*]	0.04	1.00														
7. Income	0.13 [*]	−0.24 [*]	0.08	0.46 [*]	0.05	0.34 [*]	1.00													
8. Homeless	−0.16 [*]	0.35 [*]	0.17 [*]	−0.12 [*]	−0.12 [*]	−0.17 [*]	−0.18 [*]	1.00												
9. Children <18	−0.08	0.24 [*]	−0.14 [*]	−0.10	0.06	−0.06	−0.01	0.05	1.00											
10. Bisexual/ Lesbian	−0.01	0.21 [*]	−0.07	−0.09	−0.03	0.02	−0.06	0.10	0.05	1.00										
11. Marijuana	0.04	0.08 [*]	−0.08	−0.01	−0.02	−0.03	−0.09	0.06	0.06	0.17 [*]	1.00									
12. Crack/Cocaine	−0.01	0.34 [*]	0.35 [*]	−0.20 [*]	−0.05	−0.19 [*]	−0.16 [*]	0.26 [*]	0.03	0.15 [*]	0.18 [*]	1.00								
13. Incarcerated	0.20 [*]	0.32 [*]	0.14 [*]	−0.14 [*]	−0.05	−0.11	−0.07	0.16 [*]	0.10	0.20 [*]	0.15 [*]	0.34 [*]	1.00							
14. Psychological symptoms	−0.06	0.30 [*]	0.10	−0.05	0.01	−0.20	−0.14 [*]	0.25 [*]	0.11 [*]	0.14 [*]	0.13 [*]	0.30 [*]	0.24 [*]	1.00						
15. PTSD criteria	−0.08	0.15 [*]	0.04	−0.00	−0.07	−0.01	−0.00	0.14 [*]	0.06	0.08	0.01	0.01	0.14 [*]	0.26 [*]	1.00					
16. Victimization – childhood	0.03	0.17 [*]	−0.04	−0.05	−0.00	−0.12 [*]	−0.09	0.24 [*]	0.05	0.11 [*]	0.07	0.18 [*]	0.09	0.40 [*]	0.25 [*]	1.00				
17. Victimization – adulthood	0.02	0.27 [*]	0.03	0.00	−0.02	−0.12 [*]	−0.14 [*]	0.29 [*]	0.15 [*]	0.13 [*]	0.13 [*]	0.22 [*]	0.25 [*]	0.37 [*]	0.30 [*]	0.50 [*]	1.00			
18. Family SS	0.08	−0.13 [*]	−0.03	0.09 [*]	0.06	0.14 [*]	0.09	−0.19 [*]	−0.07	−0.15 [*]	0.02	−0.10	−0.03	−0.27 [*]	−0.22 [*]	−0.41 [*]	−0.26 [*]	1.00		
19. Friends SS	0.01	−0.22 [*]	−0.03	0.05	0.08	0.11 [*]	−0.12 [*]	−0.13 [*]	−0.02	−0.09	−0.16 [*]	−0.17 [*]	−0.31 [*]	−0.14 [*]	−0.21 [*]	−0.21 [*]	0.38 [*]	0.38 [*]	1.00	
20. Significant Other SS	0.03	−0.11 [*]	−0.08	0.09	0.16 [*]	0.08	0.07	−0.09	0.04	0.00	−0.01	−0.09	−0.04	−0.22 [*]	−0.23 [*]	−0.19 [*]	−0.19 [*]	0.46 [*]	0.41 [*]	1.00

^{*} p < 0.05

Table 4

Multinomial Logistic Regression Model Estimating the Likelihood of Experiencing Informal and Official Custody Loss

Independent Variable	Type of Custody Loss ^a	
	Informal	Official
Sociodemographics		
Age (years)	1.03 (0.03)	1.06 (0.03)**
Education (years)	0.97 (0.10)	0.84 (0.09)
Employed full/part-time	1.17 (0.44)	0.56 (0.21)
Annual personal income	1.01 (0.02)	0.98 (0.02)
Homeless	0.68 (0.41)	2.86 (1.45) *
Number of children <18	1.17 (0.17)	1.70 (0.24) ***
Sexual Orientation		
Bisexual or Lesbian	2.02 (1.03)	4.19 (2.07) ***
Illicit Substance Use		
Marijuana	1.02 (0.37)	0.89 (0.32)
Crack/Cocaine	3.76 (2.67)	5.13 (3.56) *
Criminal Involvement		
Ever incarcerated after a conviction	8.20 (3.46) ***	4.58 (1.82) ***
Mental Health		
Lifetime psychological symptoms	0.99 (0.73)	1.87 (1.36)
Meets PTSD criteria	0.27 (0.19)	0.65 (0.40)
Victimization History		
Victimization – childhood	1.11 (0.05) *	1.06 (0.05)
Victimization – adulthood	1.04 (0.03)	1.04 (0.03)
Perceived Social Support		
Family	1.24 (0.16)	1.26 (0.15) *
Friends	0.84 (0.10)	0.78 (0.09) *
Significant Other	0.94 (0.16)	0.92 (0.15)
Intercept	0.03 (0.05) *	0.11 (0.18)
Model fit	222.50 ***	
Pseudo R ²	0.31	

^aNo Custody Loss is the reference category

Note:

* p < 0.05;

*** p < 0.001.

Relative risk ratios are presented. Numbers in parentheses are standard errors.