Let's Talk About the True Meaning of Resilience and Preventing Child Abuse in the Era of Black Lives Matter

29th Colloquium Keynote Address

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Abstract

In the wake of the killings of George Floyd, Ahmaud Arbery, Breonna Taylor, and others, there have been many calls to "defund the police" and abolish the child welfare system, including the courts, as part of a strategy to eliminate longstanding racial disparities. Meanwhile, Black children continue to suffer disproportionately higher rates of maltreatment and fatalities than their peers as some professionals "screen out" calls of suspected abuse, excuse physical punishment as intrinsic to Black parenting culture, and opponents continue to push back against prevention efforts such as "No Hit Zones," public health education on Adverse Childhood Experiences (ACES), and campaigns to eliminate corporal punishment in homes and schools. Those advocating on behalf of maltreated children often ask, "How do we foster resilience in youth so they can rebound from trauma and grow in the face of adversity?" But while resilience, grit, and the ability to bounce back are understandably seductive, it is a misguided approach to child abuse prevention. The real resilience must come from advocates and professionals who need to shift the responsibility off child victims and work to ensure that holistic, culturally responsive systems and protective factors are in place for families and communities so that children do not have to shoulder the burden of adapting to intergenerational traumas.

Introduction

Good morning, Beautiful People. It's good to be sharing this space with you.

I want you to turn to your neighbor and say, "Neighbor, you are the real resilience." Now turn to another neighbor and say, "Neighbor, I am the real resilience."

Now I'd like for you to give yourselves a warm applause for your dedication and all the hard, lifesaving work you do each day to protect children across this country.

Because we all know that childhood is about surviving adults.

Thank you for inviting me to be your speaker for this year's colloquium. It's an honor to be here, especially in these precarious times when we need to be having serious and difficult and honest conversations about race and about protecting our most vulnerable.

I am case number KC 114343 from New Jersey's child welfare system. I am an adoptee. A child abuse survivor. I still have the scars on my face from an extension cord whupping. They're my fleshy Braille that narrate the story of pain, trauma, and an ongoing journey of healing. As a child advocate, they are a constant reminder that I must continue to weather all storms, to weather all the pushback, and do my part to fight against the maltreatment of children.

And so must APSAC. With great urgency, now more than ever, APSAC needs to call for an end to ALL violence against children — this is what is most equitable and humane. Eliminating corporal

True Meaning of Resilience

punishment is the best way to do that, no matter the race of the child.

This morning I'd like to talk with you about this year's theme: resilience. The many sides of resilience.

I'd like to start with a story. If you'd like to hear a story let me hear you say, "Talk to us, Stace."

It was April 26, 2017. Dane County, Wisconsin. Dane County is often called "the worst place in America to raise a Black child." The county has some of the widest and persistent racial disparities in the country.

Picture an 11-year-old African American girl. She showed up to her middle school that morning with red marks and purple bruising stretching from her eyebrow down to her cheekbone. Her eye was swollen and there was a defense bruise on her right arm in the shape and size of the rounded end of a belt. School officials, who are mandated to report suspicion of child abuse, called the Madison Police Department and Dane County Department of Human Services to interview the child who disclosed that her 44-year-old stepfather had beaten her the night before while her mother was at work.

The victim reported that her stepfather, who lived in the home with her mother and three brothers, ordered her to watch her youngest brother as they played outside. The stepdad was anxious about the presence of a police patrol car in the vicinity of their block. At some point during their play, the boy pulled away from his sister and ran down the street. The angry stepdad yanked and dragged the girl into the house by her arm and threw her inside the living room closet where she hit her head on a basket of clothes. Her little brother cried as he bore witness to his father ordering her to get a belt from a different closet. The victim later reported that her stepfather answered her pleas for mercy by calling her a "liar" and "the b-word."

She tried to hold in her cries as she was repeatedly struck in the arms and face with a thick leather belt that "had a picture of a girl and a skull on it," she said during forensic interviews. After her stepdad released her, he ordered her to take a cold shower so the marks would disappear. "I told him I already took a shower," but he swung the belt again. "Don't talk back to me," he yelled as the belt slapped the back of her legs.

After officials interviewed the victim, the stepdad was arrested and charged with felony child abuse. The children were temporarily removed from the home to the shock of their mother who told police that she was unaware that her husband had been physically punishing her daughter.

"The perception is that I snapped. I wanted her to watch her brother while the police were out there. I didn't want her to detour from watching him," the stepdad explained to officers during his interrogation.

When officers showed him photographs of the child's injuries he said, "I admit I did hit her. I am embarrassed that in the process of hitting her I hurt her. I didn't do it with intent to hurt. I did not know you couldn't use a belt in Wisconsin. I know I hurt her. It's not right but all her life she has had no consistency nothing like that."

He cried and told the officers, "I am a great guy. I am a great guy."

In the next phase of the investigative process, Ishmael Ozanne, Dane County's only Black district attorney and the first in Wisconsin's history, reviewed the criminal complaint, photographic evidence, and the recorded interviews with the victim and her siblings. Ozanne decided to pursue a felony conviction. The stepdad's White female attorney characterized the defendant as a caring Black father who would never intentionally harm any of his children. This was a case of a stressed dad who wanted the best for his kids and held legitimate racialized fears about their safety in a community where the perception of police mistreatment of Black bodies across the age spectrum is pervasive.

In other words, the cultural context in which this child's beating was administered should be considered "reasonable discipline" and a legal justification for dismissal of the charges.

But this ideological argument suggests that if

there is an otherwise good Black father present in the home, Black children should be allowed to live with violence, as long as the parent does not intentionally harm them. This is a morally abhorrent argument by an attorney obligated to provide a vigorous defense for her client, but it should not be an acceptable consideration for any child. Had this beating occurred when this young person was an adult woman instead of an 11-year-old girl, this case would be a cut-and-dried instance of felony assault regardless of the perpetrator's fears, motivations, or cultural context.

Of more importance, from the vulnerable child's perspective, the physiological pain and injuries, along with the trauma of fear and lost trust for an adult responsible for her care and protection, should trump her stepfather's intent, embarrassment, and tears. At the time of the incident, this child's developmental age made her cognitively ill-equipped to attach deeper meanings to the experience of being beaten by an adult man. Nor was she able to grasp the cultural logic that whuppings are considered a legitimate disciplinary strategy that far too many Black parents use to achieve the best outcomes for their children. Such feelings and understandings about physical punishment are retroactively applied upon entry into adulthood when narratives about the merits of physical punishment have been effectively internalized and reframed as love and protection.

In April 2018, nearly one year to the day after the original charges were filed, District Attorney Ozanne asked me to serve as an expert witness in this case, which was scheduled for jury trial in Wisconsin Circuit Court. The first order of business was to review the written summary of the anticipated expert witness testimony from an African American female psychology professor from Western Michigan University who specializes in African American child rearing practices. My mission was to counter her use of the cultural normativeness thesis. I also wanted to write a summary that could effectively serve as a template for all professionals involved in future child abuse cases where the culture argument is invoked.

In her summary, the expert witness invoked resilience to justify the stepfather's abuse. She argued that child discipline in African American homes is defined as a teaching process, which socializes children to make meaningful life choices and to "thrive in an environment that has historically been hostile toward African Americans." Adolescence, she continued, is often marked as a dangerous time for Black youth who are often victims of racial harassment and profiling in a society that has "historically viewed African American youth as animals or a menace to society."

She drew on a few studies that found that the normal increased need for independence often associated with early adolescent development "may lead to greater concern for African American parents to extinguish inappropriate behavior." She also relied on now debunked psychological studies from child development scholars who found that physical discipline does not appear to be correlated with negative outcomes for African American children, as is the case for their White counterparts (studies whose conclusions have been scientifically challenged). In fact, she wrote "when physical discipline is a normative part of a child discipline continuum it is often associated with nurturance and warmth."

Ladies and gentlemen, each time I was hit as a child, I did not feel nurture, warmth, safety, protection, or love. I saw rage and hate. I feared for my life. During all that hitting I always had one thought: I cannot survive this.

In the opinion section of her summary, the expert claimed that the offender appeared to be utilizing a "protective parenting practice due to the police presence at his home." Although the stepdad assigned an adult task to an adolescent, and even though he could have kept the children inside the home to calm his worries about potential negative police interaction, the expert appeared to blame the child for her injuries and did not acknowledge that the stepdad coerced the child into helping him conceal her bruises with a cold shower. When the

child demanded that her stepdad stop hitting her, she said this was considered "an act of defiance," which triggered him to "match her level of defiance." Talking back or demanding that a parent stop hurting a child during a whupping is "interpreted by African American parents as defiant behavior," she wrote.

The defense's expert also suggested that school officials, police officers, officials from the Department of Health, forensic interviewers and even the Black District Attorney might have had a biased perspective on the incident. Black communities are "under surveillance" by helping professionals and the judicial system, which often "perceives (when compared to White American norms) Black child-rearing practices as strict, harsh, and in some cases abusive." Although some research has not found overwhelming evidence of racial bias in reporting, the expert argued that such scrutiny and racist attitudes that Black individuals are devoid of basic human parenting capabilities to nurture children has resulted in Black children being disproportionately represented in the foster care system.

It is unclear whether the expert reviewed the full complaint and visual evidence of the child's injuries, because it is not uncommon for attorneys to withhold certain information from expert witnesses when soliciting their services. Nevertheless, she concluded her testimony by stating that the 11-year-old's injuries that occurred from being repeatedly struck in the face with a belt were an "accident" and the force used by the stepdad was "reasonable discipline."

Before receiving this case file I was fully aware that advocates of corporal punishment, defense attorneys, and expert witnesses had been using old research to argue that spanking is not harmful to Black children when administered in a positive family setting. They were also using the cultural normativeness thesis in legal cases to promote the idea that physical punishment among African Americans is not presumed to be detrimental to Black children's long-term adjustments because it is a widely accepted practice in their communities, in communities that consider Black children to be strong and resilient against harsh punishment. Where hurting their bodies is considered normal and necessary to protect them from other kinds of harms in the world.

But many professionals mistakenly believe that Black people hit their children at significantly higher rates than do White people and that Black children experience fewer negative effects. Anyone who uses these arguments is not a reliable expert witness and their testimony should not be admissible because such opinions are not grounded in reliable up-to-date science. Moreover, it is deeply disturbing that such flawed and debunked science has been so trusted within Black families themselves.

While whuppings are often viewed by Black parents as a strategy of protection against racism in the afterlife of slavery and Jim Crow, it does not excuse child abuse. In fact, corporal punishment has perpetuated cycles of generational violence and trauma and extended the slave master's lash.

Meanwhile, with increased attention to reducing racial disparities across the criminal justice and child welfare systems, professionals across the country are grappling with how to keep children safe while respecting parents' cultural values. The law and public policies and cultural arguments define and influence child welfare professionals' actions at every stage of a child abuse case, from assessment and investigation to prosecution and disposition. At every stage, human beings use discretion and biases that may take over and stifle the responsibility to act in the best interests of vulnerable children.

Moreover, we have not yet reached the point in our society where the overwhelmingly White child protection services understands and can frankly say to Black parents, "We are removing your children for their safety, but we also recognize that what has endangered them is hundreds of years of structural racism and White supremacist violence that perpetuates the societal myth that corporal punishment is uniquely important for building resilient Black families."

Professionals in the business of keeping children safe have not become competent at understanding how internalized oppression has left generations of

Black children at risk for family violence. Nor have professionals learned to contextualize pathological discipline in Black communities as the kind of learned behavior borrowed from systemic and structural racism.

What this defense witness's summary in the Dane County case signaled to me is that the legal and investigative communities do not always keep up with scientific research on the effects of child maltreatment on the brain and child development. Professionals are also generally not competent enough to decide whether culture should be considered in substantiated cases of child abuse. Professionals sometimes make their assumptions based on public opinion, unscientific theories about culture, or fear of being accused of racial bias.

Understanding public opinions as they relate to the cultural context of corporal punishment has incredible importance in the work of abuse prevention, public health education, and responding to families in a culturally responsible manner, but it has absolutely no scientific basis in terms of criminally defending child brutality. We certainly need to understand cultural explanations for physical punishment of children, but we must not convince ourselves that laws do not apply to certain groups because of their beliefs. Child abuse professionals who shy away from challenging cultural defenses of child abuse out of fear of being labeled racist, or for other reasons, are actually discriminating based on the race of child victims.

Let me hear you say, "WE MUST BE RESILIENT."

When an expert witness supports ideas about cultural normativity, it is easy for professionals involved in the various life stages of a child abuse investigation to fall into the trap of making misguided decisions that can leave children at risk for even more harm. Police officers may be persuaded to not make an arrest or forward charges to the district attorney's office. Human services professionals might decide to "screen out" a report of abuse. A district attorney might decide to drop charges without providing therapeutic resources or parenting classes. A jury may decide to acquit. Another child might end up dead.

Frequency and usage of physical punishment of children may indeed be a culture-specific behavior. Although it may be true that African American parents hit their children slightly more and more publicly than other groups, there are no differences in the way in which spanking is related to child behavioral and mental health problems unless one believes that Black children's brains are different and that their bodies can tolerate higher levels of pain.

Yet to suggest that Black children do not experience the harmful effects of hitting, or the negative effects can be moderated with "maternal warmth," [makes the exception that] Black children are "resilient" or "biologically different." This is the same old pseudoscientific White supremacist argument that Black bodies are insensate, do not feel pain. This theory was used to justify brutal whippings on plantations and the inhumane medical treatment that physicians subjected Black people to during slavery and the Jim Crow period.

Empirical research illustrates that this idea still exists, for example, in emergency rooms, Black children are less likely to receive adequate medications for pain. It is quite disturbing that a Black expert witness would deploy the same grammar of White supremacy to defend the abuse of a Black child. Indeed, the variance in Black children's responses to the trauma of physical punishment may be culturally influenced, but the resulting neurological changes in the brain and immune system have nothing to do with race.

In my written summary for the case, I highlighted the latest neurological research to show how corporal punishment can alter brain chemistry, irrespective of a child's race or culture. Physical punishment is a form of "toxic stress" that triggers chemical reactions and inflammation in the body which can alter the architecture of a child's developing brain. Toxic stress during childhood is also associated with distinct genomic and epigenetic changes that are linked to adverse health outcomes in adulthood. Exposure to physical punishment during childhood has been linked not only to an increased

susceptibility for several psychiatric disorders, but also to cardiovascular disease, diabetes, obesity, chronic lung disease, and other long-term influences on the immune system.

Research has also found that toxic stress accelerates epigenetic aging, heightened disease risk, and even negative birth outcomes in African American females. Contrary to the cultural normativeness perspective, these results show that hitting produces similar detrimental outcomes for children across race and ethnicity.

Simply put, child outcomes associated with physical punishment do not depend on the cultural setting in which the hitting takes place. Family or religious beliefs or racial group or maternal warmth do not offset the potential health risks of physical punishment. Spanking is no less harmful to Black children than White children and this type of punishment is not associated with positive outcomes for children of any racial or ethnic group. The latest research has found similarities, rather than differences, across racial and ethnic groups in the extent to which spanking is associated with adverse child outcomes.

A few hours after District Attorney Ozanne filed my summary with the Circuit Court, the defendant entered a plea deal. My summary thwarted the effort to introduce the defense expert's cultural defense testimony at trial. The stepdad returned home to the family, receiving no prison time.

That 11-year-old girl is now 15 years old. I think of her often. I don't know what happened to her, but I have questions: Did she receive therapy for her trauma? Has the entire family had therapy or parenting classes or other resources? Was she hit again? How did the stress and trauma of that beating change her — change her body and her brain, impact her genes, white blood cells, heart, gut, lungs, her thinking, her feelings, behavior, ability to learn, and form relationships? Did she adapt to her confusing, threatening home life by retreating into her inner world, by building up an emotional wall, becoming an emotional ghost, like many abused children do? Or did she learn to bury her emotions and accept the violence and domination she endured as normal? Is she effectively primed to repeat this kind of domestic violence in the future? Thousands of children across this country share her story.

Flash forward to more recent years.

In the wake of the killings of George Floyd, Ahmaud Arbery, Breonna Taylor, and others, there have been many calls to "defund the police" and abolish the child welfare system, including the courts, as part of a strategy to eliminate longstanding racial disparities. In some counties, there's been a pushback on mandated reporting to protect communities of color. There's an uptick in screen out calls for abuse. Callers are sometimes interrogated about their intentions of making the calls. So its about making the numbers look better.

Organizations like APSAC have been proposing resolutions against corporal punishment and facing pushback from opponents who demand that we distinguish corporal punishment from child abuse. But every state already has in law or in practice a distinction between appropriate physical punishment and unacceptable physical abuse—such distinctions clearly do not prevent racial disparities in child removals or other interventions.

We need to stop privileging race over childhood as a category of oppression. Could you imagine someone calling for policies that say we need to distinguish between spousal abuse and spousal hitting to protect the innocent? When it became illegal to beat and rape wives in America, it was mostly poor men who got arrested. Police turned a blind eye to rich men. Does this mean we shouldn't have implemented laws against spousal abuse and rape?

APSAC needs to be forward-thinking and make a global statement about the direction the profession should move in. Not taking a solid stand against corporal punishment, which is a risk factor for physical injuries and fatalities especially among Black children who consistently suffer higher rates of abuse and maltreatment deaths, is a form of complicity in perpetuating systemic racism and cycles of intrafamilial and community violence.

The solution to racism in intervention is not to continue to allow children to be beaten. There must be a standard that NO child, regardless of race, economic status, ethnicity, or anything else can be hurt by anybody.

Let me hear you say, "This is the real resilience."

Professionals need to adopt a preventive approach to child protection and to serve the best interests of the child and the family. This is a key role for APSAC, is it not? To expand knowledge, change systems, and devise interventions that support, rather than punish, families. The answer to systemic racism is not to permit the harm; it's to change the system. As long as the message is that somehow there is a difference between "good" violence and "bad" violence, nothing will change, including the system. We need to be absolutely clear in our condemnation of all corporal punishment, no matter how light.

Screening out calls, not investigating, not opening cases — this is simply an extension of systemic racism. Prioritizing your ego and comfort over the welfare and safety of children is complicity in the perpetuation of systemic racism.

Black children continue to suffer disproportionately higher rates of maltreatment and fatalities than their peers as some professionals "screen out" calls of suspected abuse, excuse physical punishment as intrinsic to Black parenting culture, and opponents continue to push back against prevention efforts such as "No Hit Zones," public health education on Adverse Childhood Experiences (ACES), and campaigns to eliminate corporal punishment in homes and schools.

It is true that research shows that Black children are more likely to be removed from their homes than all other races of children. But there are questions we need to ask: Do those removals reflect actual higher rates of abuse among Black families? Look at the increases in Black child fatalities from maltreatment. Or could it be that White child abuse is being underreported and the other groups are being accurately reported? We need answers to those questions.

Regardless, the goal should always be to prevent harm to children, and reducing corporal punishment is the best way to do that, no matter the race of the child. The United States needs to join 63 countries, including 8 African countries and 9 South American countries, which agreed when they banned all corporal punishment.

We continue to be up against a toxic culture of childism and an entire ecosystem that perpetuates, normalizes, and even laughs at the abuse of children.

Addressing the widespread acceptance or tolerance of corporal punishment of children and eliminating it, in the family, schools and other settings, is a key strategy for reducing and preventing

all forms of violence in societies. The future health of our nation is dependent upon our ability to safeguard the healthy development of children's brains.

AND let me close by saying a few words about resilience. As we talk about resilience in our conversations here, let us be clear: Are we talking about the resilience of child victims and survivors, or are we talking about the resilience of systems?

Those advocating on behalf of maltreated children often ask, "How do we foster resilience in youth so they can rebound from trauma and grow in the face of adversity?" But while resilience, grit, and the ability to bounce back are understandably seductive, it is a misguided approach to child abuse prevention.

When I was in foster care, people often told me how strong and resilient I was. But those words often erased my pain and fear and lack of emotional literacy. My trauma hadn't faded away. They couldn't recognize that I had become hyper-vigilant and emotionally withdrawn. Failure wasn't an option for me, in any aspect of my life, because I didn't want to be beaten again. Like other child abuse victims, I had to adapt to the instability of my environment. I needed these compensatory skills to survive.

I kept wondering, why do I need to be resilient? What do I have to be resilient against? More abuse? More pain? More failed relationships? More systemic traps? Was my definition of success supposed to be based

on my ability to endure stress and abuse? A focus on resilience often led me to blame myself when I was failing to grow stronger through adversity.

I often cringe when I hear this question about fostering resilience because at the institutional levels folks get overly focused on coping and adapting, on "strengthening" or "reforming" or "fixing" the vulnerable who've suffered victimization rather than the larger systemic problems and forces that place children in harm's way. Resilience, like the trope of strength, then becomes a weapon that gets used against children. It sends the message that children can be abused, neglected, divested from, serially traumatized, denied innocence and emotional lives, and even killed because they are so resilient that they'll keep on bouncing back.

Survival and resilience are not the same. Pushing through and being tough in the face of traumas that would have made others give up is not a hallmark of resilience. It is emotionally and physically taxing.

Our resiliency implies that we are constantly operating from a place of trauma. The message to the world becomes "do whatever you like to us because we will survive."

What they're really saying is, "Let's find a magical formula that draws on young people's innate ability to endure suffering while taking the burden of fixing systemic problems off of us."

We need to shift the responsibility off the victims. We don't need to ask children to do our work. Parents need to be taught alternate methods to physical punishment in a culturally appropriate context. We need to shift people out of their old mindset and decolonize their parenting. We need to change the circumstances that caused problem.

The real resilience must come from advocates and professionals who need to shift the responsibility off child victims and work to ensure that holistic, culturally responsive systems and protective factors are in place for families and communities so that children do not have to shoulder the burden of adapting to intergenerational traumas.

Don't get me wrong -- I do believe in resilience. It is a good goal. But the problem is that folks often encourage young people to do it alone. To find some inner resource. That's futile, especially when their resources are already depleted by trauma or toxic stress that has accumulated in their body. The structural barriers to strong communities (racism, material insufficiency, and precarity) should be among the FIRST TARGETS to provide reasonable prospects for resilience, and ideally to reduce or eliminate the trauma upstream so resilience is not so crucial, nor such an uphill battle.

We are not resilient on our own.

Resilience is about transforming the systems that children live in. It is about developing an explicit understanding that resilience is not merely vulnerable people's ability to adapt to worsening circumstances. Fostering resilience is about making developmental investments for strengthening marginalized communities so they become equipped with the skills, infrastructure and resources that allow them to proactively address adversities in ways that can reduce the future vulnerability of their young people.

I am alive today because of people like you who spoke up, who didn't screen out, who investigated, who were not bullied into silence, who did not let your policies and actions be guided by cultural myths. I am the product of the resilience of an entire village of people who nurtured me back to health by creating a natural healing environment.

So, the real resilience is not the responsibility of children. It is us. Let me here you say: WE ARE THE REAL RESILIENCE.

About the Author



Dr. Stacey Patton *is an adoptee, child abuse survivor, and former foster youth turned award-winning journalist, author, nationally recognized child advocate, and college professor. Her writings on race, higher education, culture and politics, and child welfare issues have appeared in* The New York Times, Washington Post, BBC News, Al Jazeera *and other outlets. She has appeared on* MSNBC, CNN, ABC News, Democracy NOW, FOX News, *and other outlets. Dr. Patton has won numerous journalism awards and in 2015 she received APSAC's award for Outstanding Service and Advancement of Cultural Competency in Child Maltreatment Prevention and Intervention. She is the creator of www.sparethekids.com, an online portal designed to teach parents about the harms of hitting children. Dr. Patton is also the creator of the interactive 3D medical animation app called "When You Hit Me," released in 2023. She is also a research associate professor at Morgan State University's Institute for Urban Research, and teaches digital journalism at Howard University. Dr. Patton is the author of* That Mean Old Yesterday, Spare the Kids: Why Whupping Children Won't Save Black America, *and the forthcoming* Strung Up: The Lynching of Black Children in Jim Crow America.

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