

Race and Patriarchy: How Families of Color are Impacted

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Understanding the Communities We Represent.



What this next hour will and won't be

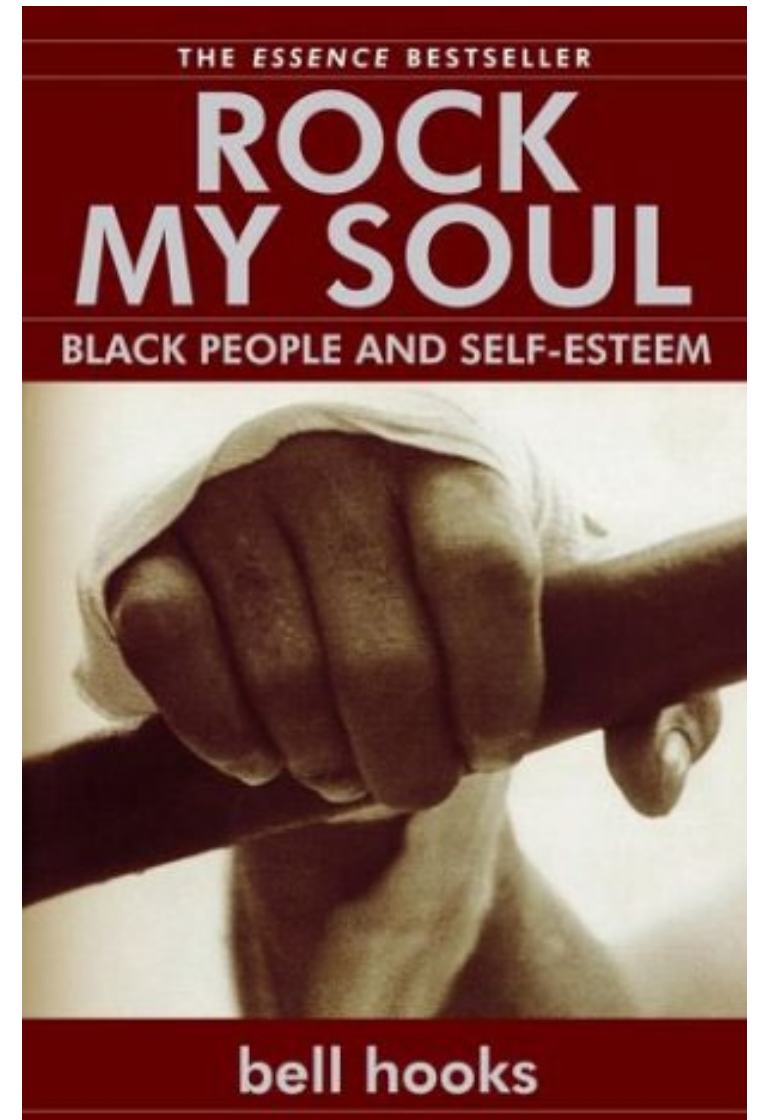
WILL:

- An exploration of racism and patriarchy, through the lens of bell hooks
- A discussion of how these themes present themselves in the child welfare system
- Lessons learned in litigating racism in child welfare cases

WON'T

- An expert presentation on race, patriarchy, implicit bias, etc.
- A lecture
- Give you the tools to permanently fix the effects of racism and patriarchy.

Inspiration



In re Q.S. 22 Wn. App. 2d 586 (2022)

- Department's concerns that Black father was aggressive, erratic, and uncooperative catered to stereotypical perception of a loud, Black man.
- Trial court's failure to confront possible racial bias in child dependency system was error.
- Responsibility of every member of legal community to work together to eradicate racism.

From bell hooks

“In many ways like abused children in a family system, African-American slaves became hypervigilant, obsessively monitoring the movements and behavior of their masters and mistresses so as to exercise whatever control they could within a structure that was out of control. As long as brutal racial apartheid existed and white people could dominate black people at will, critical vigilance was constantly needed to ensure black survival.”

bell hooks, *Rock My Soul: Black People and Self-Esteem* 70-71 (2003).

What are symptoms of hypervigilance?

- A need to investigate circumstances that seem out of the ordinary;
- Feeling overwhelmed or uncomfortable when you can't be aware of everything;
- Feeling something bad will happen if you're not always alert.

(Source: <https://www.berkeleywellbeing.com/hypervigilance.html>)

Discussion

- How does hypervigilance show up in our clients?
- How does their hypervigilance make us feel? What is our part in it?

From bell hooks

“Living consciously, black folks today must search for ways to talk about the impact of racism on our lives that do not lead to any perpetuation of the notion that we are always and only victims.”

bell hooks, *Rock My Soul: Black People and Self-Esteem* 76 (2003).

Discussion

- How does victimization show up in our clients?
- How does the notion of being a victim affect our ability to argue that our clients are affected by racism and patriarchy?
- What affects our ability to recognize that recognize that hypervigilance impacts our client's ability to engage with social workers? CASAs? Attorneys?

From bell hooks

“There were many folks in all-black schools who used white bourgeois culture as their standard to structure manners and etiquette, thus creating a culture of assimilation where “whiteness” was deemed better even though no whites were around.”

bell hooks, *Rock My Soul: Black People and Self-Esteem* 84 (2003).

Discussion

Is there a correlation between needing to assimilate to whiteness and Black and brown parents needing to submit themselves to the constructs of the child welfare system?

How are they related (or not)?

How does assimilation present itself as a barrier to reunification?

From bell hooks

“Overall black males and females have collectively refused to face the fact that the black family, in all its diversity, will never become a healthy functional context for bonding until patriarchy is critiqued, challenged, and changed.”

bell hooks, *Rock My Soul: Black People and Self-Esteem* 133 (2003).

Critiquing racism and patriarchy in child welfare cases

- EXPERTS
 - Ensuring they have access to all discovery and that they have reviewed all of it
 - A balanced report
 - Use of independent sources
 - Having them render an appropriate opinion
- YOUR OWN KNOWLEDGE
 - What do you know about the community your client comes from?
 - What do you know about the social worker? CASA? Their attorneys?

Epilogue

“Black folks need love in the house. And the presence of love will serve to stabilize and sustain bonds.”

bell hooks, *Rock My Soul: Black People and Self-Esteem* 133 (2003).