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# Welfare Queens to Childcare Queens: The Political Economy of State Subsidized Childcare in Milwaukee, Wisconsin (2009-2012)

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**WELFARE QUEENS TO CHILDCARE QUEENS: THE POLITICAL  
ECONOMY OF STATE SUBSIDIZED CHILDCARE IN  
MILWAUKEE, WISCONSIN (2009-2012)**

By

Anika Yetunde Jones

A Dissertation Submitted in  
Partial Fulfillment of the  
Requirements for the Degree of

Doctor of Philosophy  
in Anthropology

at

The University of Wisconsin-Milwaukee

August 2015



ABSTRACT  
Welfare Queens to Childcare Queens:  
The Political Economy of State Subsidized Childcare in Milwaukee,  
Wisconsin (2009-2012)  
By  
Anika Y. Jones  
The University of Wisconsin-Milwaukee, 2015  
Under the Supervision of Professor Dr. Erica Bornstein

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Through the privatization of childcare in Wisconsin, thousands of impoverished, under-educated and low skilled African-American women became micro-enterprising entrepreneurs. In 2006 through the instituting of Wisconsin Shares (Shares), Wisconsin's low-income childcare program, the average family daycare provider in Milwaukee County earned over \$50,000 a year (Pawasarat and Quinn 2006). Drawing on neoliberal ideas of micro-enterprising entrepreneurship, these women were successful, but this success appeared to not align with the architects of Shares. Loic Wacquant (2009, 2012) argues that neoliberalism should not be viewed as market strategies or exercises, but rather, it should be viewed as a *quintessential* political project that thrives off of the marginalization and stigmatization of impoverished communities. According to Wacquant, we must view the post-Welfare Reform legislation such as workfare and prisonfare as "Two strands of government action toward the poor" that have adopted ideas of behaviorism that rely on: "Deterrence, surveillance, stigma, and graduated sanctions to modify conduct (288). Due to Wisconsin's leadership in workfare and prisonfare, perhaps no other state offers a better case where one can witness "Institutional machinery and symbolic frames through which neoliberal tenets are being actualized" (Wacquant 2010). The *Milwaukee Journal Sentinel's* reportage on post-Welfare Reform

was intended to reveal childcare fraud, but it promoted a policy narrative that appeared to align with the state's (in the form of Wisconsin Department of Children and Families (DCF) and the state legislature) expedited policy shifts which had unintended consequences for many hardworking and law-abiding low-income childcare providers. In this dissertation, I argue that the manner in which the DCF and the state legislators dismantled one of the only viable industries in Milwaukee County's poorest areas during the states' crackdown on childcare fraud has had devastating effects on childcare providers in Milwaukee. While the initial years of the Shares program may align with the progressive potential of neoliberalism to assist impoverished communities, the consequences and effects of the program as it was restructured—also using neoliberal logic, compels me to draw on Loic Wacquant's theories of neoliberalism to analyze the experiences of childcare providers in Milwaukee's post-Welfare Reform landscape. This dissertation explores a group of business-savvy, highly-educated entrepreneurs who either lost their businesses and/or weathered the storm of Wisconsin's crackdown on fraud. I interviewed people from all walks of life, who entered into the childcare profession for many different reasons. Through their testimonies and insights into the \$350 million childcare industry which they helped to build, and during the hostile climate that erupted during Wisconsin's crackdown of fraud campaign, I found five recurring themes that were important to my participants, which were as follows: (1) They believed that race was a significant representational factor in the *Milwaukee Journal Sentinel's* coverage, the DCF's protocols, and the passage of Act 76 and 77; (2) They had their own evaluations of YoungStar (Wisconsin's childcare quality rating system) and (3) there were problematic aspects of the DCF's attempts to quantify care; (4) There is a need for

culturally sensitive childcare governance that takes into consideration cultural norms in socializing children and (5) There is a need and their desire for African-American childcare providers to have a more prominent participatory voice in the childcare discourse produced by all levels of government. This study constitutes 28 months of ethnographic research, which began in August 2011 and ended January 2014 and was conducted in Milwaukee, Wisconsin. In total, I conducted 47 interviews.

## **Dedication**

To: My heart and soul-Satori

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## Abbreviations

<b>PRWORA</b>	Personal Responsibility and Work Opportunity Reconciliation Act
<b>TANF</b>	Temporary Assistance to Need Families
<b>AFDC</b>	Aid to Families with Dependent Children
<b>DCF</b>	Department of Children and Families
<b>U.S.</b>	United States
<b>W-2</b>	Wisconsin Works
<b>PIC</b>	Prison Industrial Complex
<b>CCDF</b>	Child Care Development Fund

## Key Legislation

- **1995 Wisconsin Act 28 (local welfare bill)**
- **Wisconsin Works (W-2), Mar. 1996**
- **Personal Responsibility Work Opportunity and Reconciliation Act, Aug. 1996**
- **Temporary Assistance to Needy Families, Aug. 1996**
- **Wisconsin Shares, Jan. 1997**
- **2009 Wisconsin Act 76 (Criminal Background Check Law)**
- **2009 Wisconsin Act 77 (Subsidies Suspension Law)**
- **2009 Wisconsin Act 28 (YoungStar)**
- **2009 Assembly Bill 887 Criminal Background Wavier**
- **2009 Senate Bill 642 Criminal Background Wavier**

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## Introduction:

### **Narrative Analysis of Post-Welfare Reform in Milwaukee, Voices from the Field**

Nine years after the *Milwaukee Journal Sentinel* published the first article on Latisha Johnson<sup>1</sup> the infamous childcare fraud, the *Milwaukee Journal Sentinel's* narrative lives on in Wisconsin. Latisha was eventually cleared of any wrongdoing by a Legislative Judge, but was still condemned by the media, and through Wisconsin's Department of Children and Families (DCF) denunciation,<sup>2</sup> Johnson unwillingly became the personification of a childcare fraud. In a recent conversation about my research with a coworker as soon as I mentioned the "Low-income childcare industry," he asked if I was "Going to talk about that woman from Brookfield who embezzled all that money and went crazy and burnt down her home?" I replied that Latisha actually won her case against the DCF, in front of an impartial judge, and the DCF had overridden his decision.<sup>3</sup> I continued to explain that during the period when childcare discussions were "front and center in Wisconsin" and the newspaper was running headline, after headline about state subsidized providers, the legislator passed 2009 Wisconsin Act 77 that allowed the DCF to override any impartial judge's "ruling" in these cases. I gave an example of a discrepancy between the state's findings and those of the judge, such as, how during the state's investigation, it was claimed Latisha had received close to \$400,000 in overpayments; though, the judge's estimation of overpayments was closer to \$400.<sup>4</sup> My coworker looked at me with disbelief and said "Come on, she went to jail for 400 dollars."<sup>5</sup> I thought of allowing the conversation to taper off, but I felt compelled to inform him of further discrepancies between the state's investigations and the judge's findings. For instance, the large overpayments that were reported in the *Milwaukee*

*Journal Sentinel* and discussed by politicians were more the result of a peculiar policy instituted by the DCF than any fraudulent behavior.

In my candid conversation with my coworker, we covered the pillars of my project. We discussed the pervasiveness of the *Milwaukee Journal Sentinel*'s Pulitzer Prize winning and policy shaping series *Cashing in on Kids*, the state's consolidation of power through the DCF and the legislature, and most importantly, the impact they both had on African-American childcare providers who serviced the poorest sections of the Wisconsin and in the Nation.<sup>6</sup> In addition, Wisconsin's low-income childcare industry was a matter of debate among politicians and community advocates across the state. The popularity of my research topic meant I was engulfed in a setting where it appeared everyone in the community either knew a provider or had an opinion about one. These opinions ranged from legislators' public concerns about fraud to providers being scandalized by stories in the media to urban legends—about providers' success.

In *A Thrice Told Tale* Margery Wolf (1992) situates three distinct narratives in the debates on ethnography, in relation to feminism, positionality and post-modernism in anthropology during the early 1990s. The book is made up of three separate texts written by Wolf - a piece of fiction, anthropological field notes and a social science article, however, what was significant to my project was these three texts each portrayed the same set of events derived from Wolf's research in a Taiwanese village. She states "But what surprised me as I read and re-read the various written records was that the field notes, the journals, and the short story represented quite different versions of what had happened (2). It was like they were three narratives about the same set of events in the same village. She states, "Each text takes a different perspective and had different

outcomes, yet all three involve the same set of events” (7). As will be discussed in chapter two of this dissertation, my project includes a triangular relationship between the media’s narratives of African-American providers, policy narratives and the narratives that emerged from the effects of the policy and media narratives on the “lived experience” of childcare providers in Milwaukee County. I analyze media narratives by examining the most repeated frames of the *Milwaukee Journal Sentinel* series *Cashing in on Kids*. I analyze state bureaucratic narratives through personal interviews, their public statements and their voices in the legislature. Next, I explore the effects of the *Milwaukee Journal Sentinel*’s policy narrative in the lives of childcare providers, specifically how it looked on the ground level and how my participants weathered legislative reform. Similar to the structuring of *A Thrice Told Tale*, I considered these three distinct narrative opinions on Wisconsin’s crackdown on childcare fraud. My project is not intended to contest fraud allegations, denounce legislation or to discern guilt of accused providers, but rather to research the effects of post-Welfare Reform legislation on African-American childcare providers in Milwaukee County. My project is a situated historical analysis of public representations of African-American women as a group in Milwaukee, in the United States (U.S.). I conclude with the testimonies of predominately African-American Milwaukee County childcare providers, offering a platform to “speak for themselves and in their own terms,” in conversation with my own anthropological and analytical interpretation. Thus the voices I analyze in my narrative registers are consistent and include: the media, policy makers, and childcare providers.

When I initially began this project I was solely interested in the fundamentals and practices of low-income childcare providers, but my attention quickly shifted to the

impact Wisconsin's childcare fraud crackdown was having on the participants in my study. I began to think about the reading I had done on the anthropology of neoliberalism and how these theoretical frameworks applied to my project. I was embedded in a community experiencing the effects of the neoliberal governance of the poor. At one end, I was witnessing the after effects of welfare reform, the criminalization of poverty, the consolidation of the states' power as well as reading about laissez-fair economic policies (deregulation, free trade, and privatization) at the other.

Although neoliberal restructuring and the economic liberation of America's wealthiest constituents is beyond the scope of this project, I provide a theoretical narrative that examines several core neoliberal tenets such as privatization and relying on market strategies as a possible relief to some of the social stressors associated with poverty. I discuss how Shares, the governmental entity that supervises and administers childcare subsidies in the state, contained several aspects of a vision for progressive social programs. But ultimately this dissertation concludes that neoliberal policies are a political project that thrives off of the marginalization and stigmatization of impoverished communities (Wacquant 2009; 2012; Harvey 2007a; 2007b). I argue that the manner in which the DCF and the state legislators dismantled one of the only viable industries in Milwaukee County's impoverished areas during the state's crackdown on childcare fraud compelled me to draw on Wacquant to analyze the experiences of childcare providers in Milwaukee in the post-Welfare Reform landscape.

In chapter four, I discuss how the restructuring of the welfare state through the passage of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 and the instituting of Temporary Assistance to Needy Families

(TANF) in the U.S. was the primary force that helped to create the new low-income childcare industry in Wisconsin. In the early 1990's, during the frequent national debates about welfare reform, the well-being of children got lost in the shuffle. Policymakers were determined to get welfare recipients to enter into wage labor and remove all barriers to employment. One of those barriers was the shortage of affordable providers (the care gap) in the low-income childcare industry, so therefore PRWORA granted individual states more liberty to utilize federal funds at their discretion, but a portion of those funds had to be allocated to the expansion of low-income childcare programs. In Wisconsin, legislators' answer to the "care gap" was to quickly generate a pool of childcare providers. The state achieved this objective by lowering the qualifications to become a provider and eliminating waiting lists for families that qualified for subsidies.<sup>7</sup> This expansion served a dual purpose for the state: it provided childcare provisions for poor working moms and it served as a means of employment for low-skilled and undereducated women who were being forced off welfare and into the job market. As a result, Wisconsin's low-income childcare industry quadrupled in the poorest sections of Milwaukee.<sup>8</sup> In poverty stricken Milwaukee County, already over saturated with liquor stores, overpriced and nutritionally deficient corner stores and Christian churches, daycare businesses blossomed.

But by 2009, several things had changed since the initial inception of Shares. For one, the economy had entered a deep recession, and Wisconsin's state government began to view Shares as a wasteful and fraudulent program due to ballooning annual expenditures.<sup>9</sup> Along with many states, Wisconsin was facing a huge deficit and vowed to take austerity measures. The state began to search for ways to save money and balance



the budget. At the same time, the *Milwaukee Journal Sentinel* began to vilify central-city African-American childcare providers, which served as a sort of contextual justification for the state to unleash a systematic attack on low-income childcare providers in the name of cracking down on fraud.

In chapter five, I discuss the historical narrative behind race, class and gender in the welfare state. This lays the foundation for me to discuss how the public representation of African-American childcare providers echoed a persistent narrative in America. From this perspective, there was a similarity between the mythical *welfare queen* caricature, which helped to usher in welfare reform both nationally and locally, and the usage of this caricature by the *Milwaukee Journal Sentinel* to promote local childcare reform, close to twenty years later. I have termed this 40-year social trajectory, which reached back as far as the 1970's "from *welfare queens* to *childcare queens*." Both of these public representations depicted poor African-American women as (a) having unusually high fecundity and using their children for financial incentives; (b) being the undeserving members of the poor due to possessing a latent element of (c) questionable moral character; and (d) often being seen as the epitome of governmental waste.

Building on this narrative, in chapter six I examine the *Milwaukee Journal Sentinel*'s policy narrative in relation to the framing of 2009 Wisconsin Act 76 and 77. In chapter seven, I discussed the DCF's and the legislature's systematic reduction of low-income childcare businesses. In chapter eight, I present the counter narrative of African-American providers. I interviewed a group of business-savvy, highly-educated entrepreneurs who either lost their businesses due to Wisconsin's fraud discourse and/or weathered the storm of Wisconsin's crackdown on fraud. I was able to talk with people

from all walks of life, who entered into the childcare profession for many different reasons. Through their testimonies and insights into the \$350 million childcare industry which they helped to build and during the hostile climate that erupted during Wisconsin's crackdown of fraud campaign, I found five recurring themes that were important to my participants: (1) were their belief that race was significant in the *Milwaukee Journal Sentinel's* coverage, the DCF's protocols, and the passage of Act 76 and 77; (2) their evaluations of YoungStar (Wisconsin's childcare quality rating system) and (3) the problematic aspects of the DCF's attempts to quantify care; (4) the necessity for culturally sensitive childcare governance that takes into consideration cultural norms in socializing children and (5) the need for, and their desire to have a more prominent voice in the childcare discourse at all levels of government.

Several quantitative and qualitative studies have been conducted on the low-income childcare industry in Milwaukee (Moore and Arora 2009; Pawasarat and Quinn 1999; 2002; 2014; Vogt 2003). The findings of one such case study was reported in the article "You have to push it—who's gonna raise your kids?" This article situated childcare subsidy usage within the daily routines of low-income families. These researchers conducted a multi-year study of low-income families who participated in an anti-poverty program called New Hope. They concluded that childcare subsidies must be more flexible and affordable in order to fit into the daily routines of poor families and that policymakers need to be more interested in the populations they serve (Lowe and Weisner 2004). In the study "Low-income childcare in Milwaukee County," Vogt compared 31 governmental and independent childcare programs. He examined them in order to "Determine if low-income families have the childcare services they needed to

maintain employment and provide care for their children in Milwaukee, Wisconsin” (Vogt 2003, 12). Similar to the New Hope study, he concluded that Milwaukee lacked affordable, available and flexible childcare services. None of these previous works integrated the perspectives of low-income childcare providers, which is the focus and contribution of this dissertation.

### Native Anthropology in Urban Milwaukee

For this dissertation, I interviewed providers who were part of the quadrupling of childcare facilities in the central city of Milwaukee County.<sup>10</sup> In 2008, driving through Milwaukee’s impoverished neighborhoods; on any given day, one could see distinct signs of the city’s thriving childcare businesses. In fact, it was the flourishing of these small businesses that inspired this study. My inquiries led me into an ethnographic examination of the political economy of state subsidized childcare in Milwaukee. In retrospect, the answer to my inquiry about the proliferation of childcare providers in these areas could have simply been that these daycares represented—“jobs.” But as I began my research, the unraveling of state subsidized childcare moved my project into exploring a triangular relationship between media narratives of African-American women and post-Welfare Reform legislation, and the effects of policy and media narratives on the “lived experiences” of low-income childcare providers in Milwaukee. I chose to study African-American childcare providers specifically and low-income childcare providers in general because I felt their voices were marginalized and missing from the depictions of post-Welfare Reform in the media. Policymakers and researchers produce the bulk of information that is disclosed to the public about impoverish and marginalized groups (Morgen et al. 2010), and though the former groups’ voices are important, it was those of the providers themselves that I focused on in this ethnography.

### Native Anthropology in Urban Milwaukee

“The politics of black feminist anthropology can be found in our self-conscious positing of ourselves as black women (first) who do anthropology second” (McClaurin

2001). I was fortunate to be conducting ethnographic research in Milwaukee, a city where I, as an African-American woman have lived all my life. In the chapter “Negotiating Identity and Black Feminist Politics in Caribbean Research,” Karla Slocum (2001) explains that “Native anthropology represents an approach to and perspective on anthropological inquires in which questions of self-identity, politics, and research methods are central.” My social networks proved invaluable to this project. Due to my extensive background working with children, I even considered becoming a low-income childcare provider myself. I identified with the majority of my participants as an African-American woman, who lives in the same communities that they serviced and shared many of their socio-political views. In the dated but still important article “Native Anthropologists,” Emiko Ohnuki-Tierney (1984) wrote “Native anthropologists are in a far more advantageous position in understanding the emotive dimensions of behavior—psychological dimensions of behavior are hard for outsiders to understand” (584). I interviewed the participants in this study during an intense climate due to the DCF, the *Milwaukee Journal Sentinel* and the state legislators’ campaign to eliminate childcare fraud. I also personally knew some women who had lost their businesses due to Wisconsin’s childcare fraud discourse. They had been my friends before I began this research. Because of the tensions surrounding the crackdown on fraud, I would not have been able to gain access to this community had I not had these personal relations. Ohnuki-Tierney continues to explain that “Native anthropologists have easy access to not only the intellectual dimension but also to the emotive and the sensory dimensions of these behaviors” and “If native anthropologists can gain enough distance between their personal selves and their collective selves—their cultures—they can make an important

contributions to anthropology because of their access to intimate knowledge of their own culture” (585). I feel that being a native anthropologist was invaluable to this project in gaining access and building rapport, however the fact that I am an African-American woman and a mother did not guarantee access. I still had to build trust because of the hostile discourse that emerged during Wisconsin’s crackdown on childcare fraud. Many of the providers I interviewed felt like they did not know who they could trust. Fortunately, I had friends and family members who recommended participants, and then I often asked participants to recommend other providers as participants (snowball sampling) once I built rapport.

### **Research Model**

This study constitutes 28 months of ethnographic research, which began in August 2011 and ended January 2014 and was conducted in Milwaukee, Wisconsin. In total, I conducted 47 interviews.<sup>11</sup> My subjects ranged from childcare providers of group and family daycares, childcare and community advocates, community citizens, policy advisors, early childhood workers, politicians and reporters, lawyers, authors, state workers, teachers, and professors. I used in-depth interviews (semi-structured and open-ended) that touched on life and work histories of providers at different YoungStar ratings and classifications. I conducted participant observation in three family daycares located inside of single-family homes in order to observe who performed the labor and what it entailed though the bulk of my data was gathered through qualitative interviews. I was able to land interviews with state bureaucrats, advocates and educators through more formal methods such as emails and telephone calls.

Due to the public representation of African-American childcare providers being so heavily influenced by the *Milwaukee Journal Sentinel*, I utilized the newspaper's Pulitzer Prize winning series *Cashing in on Kids* to capture the media's narrative. Thanks to the *Milwaukee Journal Sentinel*, Wisconsin's single largest media outlet making childcare "front and center" in the public sphere, I was able to enter into a very rich and active ethnographic site. I also engaged in informal conversations with community members at work, schools, restaurants, gas stations, and other social settings, as I moved through my community, and, at times, it seemed everyone had an opinion about childcare. All of the providers I interviewed owned private childcare businesses where at least 80% of their clients were subsidized by the state.<sup>12</sup> This was in comparison to bigger more corporate daycares such as Ebenezer and KinderCare, which received the majority of their funding from private sources.<sup>13</sup>

I utilized qualitative forms of sampling such as snowballing, strategic and stratified sampling (Bernard 2011), which are used by anthropologists interested in specific populations. These sampling methods were conducive to the population of this study because it flourished on social networks (Bernard 2011) and due to increasing public and state scrutiny most providers were skeptical of talking to "strangers." I was not able to consistently obtain participants through formal or impersonal means. My initial methods consisted of doing "walk ins" (walking into daycare businesses and handing out business cards and flyers) and solicitation via telephone, but this also produced few results. I advertised the study by placing flyers in neighborhood businesses and churches also to no avail. I felt this method did not work because providers were

suspicious of anyone who was “asking questions” about childcare due to the excessive surveillance they underwent from the media and the state, and I was stranger.

For example, one summer afternoon in 2012, I heard young children playing outside my window at the park in front of my house situated in the city neighborhoods that also constituted my research field. I noticed that two African-American women wearing “scrubs” (similar to nurses’ uniforms but usually made out of bright colorful cloth) were supervising the children. I grabbed my flyers and business cards and approached the women who were sitting on a wooden bench facing the “tot lot” or jungle gym. I inquired about their daycare and they replied formally, as if I was a perspective customer. They asked me if “I lived over here” and I said “yes.” I made casual conversation about children, we began to discuss “how babies know a lot” and they shared several examples from their work. I had learned from previous experiences that using the word “research” did not fare well in these types of situations. I told them that I was a student doing a “paper” on childcare and if I could pose a couple questions to them. The mood of the conversation quickly changed and one woman inquired “You trying to open up a daycare?” I said “no.” She asked “Then why you going to school for daycare?” I explained that my paper was on childcare, but I was not interested in starting a daycare. The second woman ignored my request entirely, got up from the bench and began to engage with the children. I gave the first woman a card and flyer and told her I would really appreciate her participation. When I returned back to my house, I could see that she had thrown the card and flyer on the ground. Once these women realized that I was not interested in childcare services and was conducting research the tone of the conversation became inherently suspicious which I believe was due to the heavy surveillance and



scrutiny that was being placed on the industry, and African-American providers specifically from the media and the DCF.

For analysis of media narratives, I conducted content analysis on the *Milwaukee Journal Sentinel* for the Pulitzer Prize winning series “*Cashing in on Kids*” and other related articles. I analyzed the series as an empirical “case” in itself and attempted to extract a series of media narratives about policy by isolating repetitive frames. I compared the framing and policy narratives put forth by the *Milwaukee Journal Sentinel* to legislation, specifically specifications of 2009 Wisconsin Act 76 and 77 which were two laws passed during Wisconsin’s crackdown on fraud. I accumulated 98 articles from the *Milwaukee Journal Sentinel* alone on childcare fraud, as well as many articles from smaller news outlets, websites and governmental agencies. Many aspects of the industry played out in the public eye and on the internet. Furthermore, this phenomenon allowed me to analyze blogs, chat rooms, and postings. I was able to “listen in” on readers’ opinions about “daycare” on the newspaper’s feeds and blogs. Often these feeds were not limited to community citizens and providers, but also included advocates, bureaucrats, legislators and politicians who participated in these cyber discussions.

These newspaper articles and public discourse were invaluable to my project. In this process, the field became a media scape (Appadurai 1990) where I was familiar with the names of providers, childcare advocates, and state bureaucrats mentioned in the articles, on the DCF’s website, and in the community. I kept corresponding photos to accompany most publically mentioned providers. I tracked childcare providers mentioned in the articles. I frequently went to the DCF’s websites and followed links and information about being a provider, history of compliance reports, and “write ups.” I

made note of the providers mentioned in the *Milwaukee Journal Sentinel*, and frequently crossed referenced the list with the DCF's public suspension list.

### **Historical Context for Media and Welfare Reform Narratives**

In order to place the *Milwaukee Journal Sentinel* series in a political and historical context, I was interested in the framing of the “*Cashing in on Kids*” series. In my attempts to draw a relationship between the national public representation of poor African-American women engaged with welfare during the debates leading to welfare reform in 1996 and the contemporary retooling of this narrative in the *Milwaukee Journal Sentinel*, I conducted textual analysis of secondary sources that follows three pivotal time periods. I begin with the social trajectory of the late 1970s to the mid-1980s because this was where the rhetoric of welfare reform sprouted and built momentum and the birth of the *welfare queen* myth. Next, I examined these representational practices during the early 1990s with respect to the passing of the PRWORA and the instituting of Temporary Assistance to Needy Families (TANF). My contribution to the discussion in this dissertation is the examination of the third pivotal time period from 2009 to 2012 when the bulk of the *Milwaukee Journal Sentinel*'s articles were published and the *childcare queen* caricature emerged in the news media. This time period also corresponds with important years for childcare legislation in Wisconsin. I demonstrate how historical concepts in the pre and post-welfare landscape continue in narrative depictions of poor African-American women as (a) having unusually high fecundity and using their children for financial incentives; (b) being the undeserving members of the poor due to possessing a latent element of (c) questionable moral character; and (d) often being seen as the epitome of governmental waste. Most importantly, I explore how African-American

women childcare providers interpret and respond to these narratives in their professional and personal lives. In no way am I legitimizing either of these caricatures or approaching this representational narrative as a reality, but due to their real impact on the nation's poorest families, they must be treated as points of analysis.

### **Research Setting: Milwaukee**

Milwaukee has experienced significant economic decline over the last 45 years (Erickson et al 2008). In 2004, census reports and economic data for the nation's largest cities revealed that none of their urban centers fell further and more severely as Milwaukee (Erickson et al. 2008). Milwaukee ranks at the bottom of nearly every index of social distress, and these metrics are even direr among Milwaukee's African-American population (Erickson et al. 2008). Milwaukee was first settled by German immigrants who started many of the breweries and manufacturing industries that made the city famous. High paying jobs that only required low skill sets attracted large numbers of African-American families from southern states after WWII. Today, most of these manufacturing industries have either left or been eroded and have been replaced with low-wage service jobs. This in combination with the fact that most better paying jobs have been relocated to the suburbs are contributing factors that have led to the bleak reality that 50 percent of working age African-American males in Milwaukee County are unemployed (Pawasarat and Quinn 2013). In 2000, nearly half (48%) of Milwaukee County's population was living in poverty in comparison to 18% in 1970 (Erickson et al. 2008). In combination with exaggerated racial segregation<sup>14</sup> (Milwaukee is one of the most segregated metropolitan areas in the U.S.), the city has a high rate of single female-

headed households; and single parents comprise 90% of the utilizers of childcare subsidies in Milwaukee County, which made this a prime location for my research.

Prior to conducting research, I received approval from the IRB at the University of Wisconsin-Milwaukee to ensure that my research methodology was in accordance with state, federal, and institutional regulations. I used pseudonyms and obtained verbal consent from all participants or potential participants. My research will contribute to other studies on the low-income childcare industry in Milwaukee County (Collins and Mayer 2010; Lowe and Weisner 2014; Pawasarat and Quinn 1998; 1999; 2002a; 2002b; 2006; Pawasarat, 2003; Vogt 2003).

### **Conclusion**

This dissertation analyses different narrative depictions of the crackdown on childcare fraud in Milwaukee County and the low-income childcare industry more generally during 2009-2012. My main research objective was to capture the voices of low-income providers who were predominately African-American and resided in the urban areas of Milwaukee County. I felt their voices were missing from the public and legislative childcare debates; and sought to engage them in a peripheral discussion with the most pronounced voices on childcare—the media, politicians and welfare bureaucrats. The impetus for this research was the fact that African-American women became the negative public example of low-income childcare fraud in Wisconsin. Milwaukee’s poor are basically confined to a small geographic location and so the “rash and hasty” childcare restructuring had disproportionate effects on African-American providers. As I will explain, most of the participants in this study were not recipients but was subjected to the same stigma and protocols attributed to welfare recipients in the U.S.

In the chapters that follow, I capture the media’s perspective by analyzing the most repeated frames of the *Milwaukee Journal Sentinel*’s series *Cashing in on Kids*, and I analyze state bureaucrats’ opinions through personal interviews, sound bites in the *Milwaukee Journal Sentinel* and their voices in the legislature. Next, I explore the influence of the *Milwaukee Journal Sentinel*’s policy narratives on local childcare reform and examined how it looked on the ground as well as explored how my participants weathered the legal reform. I situate my project in a historical analysis of public representations of African-American women as a group in the U.S. I conclude with the testimonies of predominately African-American Milwaukee County childcare providers and gave them a platform to “speak for themselves and in their own terms.”

### Chapter Three—Theoretical Narrative

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In many ways the early years of the Shares program was extremely progressive. Through the privatization of childcare, thousands of poor and under-educated African-American women in Milwaukee became micro-enterprise entrepreneurs in a classic neoliberal fashion.<sup>15</sup> This should have been considered a “win-win” situation for the government and local providers, a success story. However, I argue that the manner in which the DCF and the state legislators dismantled one of the only viable industries in Milwaukee County’s impoverished areas during the low-income childcare crackdown on fraud had devastating effects. Hence while the early years of the Shares may align with the progressive potential of neoliberalism, the consequences and effects of the program as it was restructured—compels me to draw on the work of Loic Wacquant (2009; 2010a; 2010b; 2012) to analyze the experiences of childcare providers in Milwaukee in the post-Welfare Reform landscape.

#### **Is Neoliberalism a Political Project?**

In the article, "Crafting the neoliberal state: workfare, prisonfare, and social insecurity," Loic Wacquant (2010a) claims America’s workfare and prisonfare<sup>16</sup> are both examples of neoliberal ideas embedded in policies that affect the poor in the U.S. If Wacquant is correct, then Wisconsin becomes even more important in this discussion, as Wisconsin is ground zero for welfare reform and has the highest incarceration rates of African-American males in the nation.<sup>17</sup> Wacquant argues that state orchestrated processes of neoliberalism are “Not the spawn of some broad societal trend whether it be the ascent of bio power or the advent of late modernity but, at the bottom, an exercise in state crafting” (210). Wacquant views most discussions on neoliberalism to be polarized

between hegemonic economic conception of market rule, on the one hand, and Foucaultian governmentality on the other. But, Wacquant finds this polarization problematic:

These two conceptions have spawned rich and productive research agendas but they suffer from mirror defects: the one is exceedingly narrow, shorn of institutions and verges on the apologetic when it takes the discourse of neoliberalism at face value, the other is overly broad and promiscuous, overpopulated with proliferating institutions all seemingly infected by the neoliberal virus, and veers towards critical solipsism. (Wacquant 2012, 68)

Wacquant (2012) believes this polarization obscures ‘What is neo about neoliberalism, namely, the remaking and redeployment of the state as the core agency that actively fabricates the subjectivities, social relations and collective representations suited to making the fiction of markets real and consequential’ (68). Wacquant, in his criticism of neoliberal discourse emphasizes the need to reach beyond this “Economic nucleus and elaborate a thicker notion that identifies the institutional machinery and symbolic frames through which neoliberal tenets are being actualized” (215). Wacquant believes that researchers need to see beyond the economic smoke screen and realize that neoliberalism is a “quintessentially a political project,” intended to implement neoliberal sentiments into the social. In this dissertation, I take Wacquant’s lead to explore the effects of neoliberal reform policies on African-American childcare providers in Milwaukee, Wisconsin. Wacquant’s theories are particularly pertinent to my ethnographic research as his own research concerned African Americans in the Midwest of the U.S.

In “Three steps to a historical anthropology of actually existing neoliberalism,” Wacquant (2012) discusses what is “neo or new” about neoliberal politics in the U.S. and how he believes that it is the “Revamping of the state as stratification and classification machine driving the neoliberal revolution from above” (66). He discusses this in his book

*Punishing the Poor* (2009), and uses the two examples of prisonfare and workfare, which are at the bottom of the “stratified machine,” and driven by neoliberal assumptions but more importantly thrives on the contemporary criminalization of race and poverty. The first section of *Punishing the Poor* (2009) illustrates the accelerating decline of the retrenchment of the state through the replacement of protective welfare with disciplinary workfare. In the second half of the book, Wacquant (2009) highlights the modalities of the growth and implementation of the penal state and demonstrates that this was not due to a rise in criminality but the “Class and racial backlash against the social advances of the 1960s” (198). According to Wacquant, we must view these aspects of neoliberalism as “Two strands of government action toward the poor” that have adopted ideas of behaviorism that rely on: “Deterrence, surveillance, stigma, and graduated sanctions to modify conduct. Welfare revamped as workfare and prisons stripped of their rehabilitative pretension now form a single organizational mesh flung at the same clientele mired in the fissures and ditches of the dualizing metropolis” (288).

In the article, “The limits of paternalism: A case study of welfare in Wisconsin,” Moore and Arora (2009) studied the “Effects of welfare reform upon the employment, earnings, income and poverty trends” (107) of poor families in Wisconsin and many of their findings support Wacquant’s theories. Along with their finding that after welfare reform “The number of extremely poor families has increased more rapidly in Wisconsin than in the country as whole” (107), they found that most ex-recipients were removed off of welfare due to sanctions rather than employment. Moore and Arora go on to describe Wisconsin’s welfare reform “As a form of governmental paternalism because it uses work requirements to set behavioral standards” (128). They specify that “The initial



premise of paternalistic policies is that the poor are poor primarily because of their own behavioral failings” (128) but more importantly local welfare reformist had a preoccupation with reducing the rolls due to deterrence rather than gainful employment.

In the article, “Class, race & Hyperincarceration in revanchist America,” Wacquant (2010) speaks directly to racialized aspects of workfare and prisonfare in America. He states “The single greatest political transformation of the post-civil rights era in America is the joint rolling back of the stingy social state and rolling out the gargantuan penal state that have remade the country’s stratification, cities, and civic culture, and recasting the very character of blackness” (74). Wacquant suggest the stigmatization of poverty and race played a significant role in the crafting of prisonfare and workfare, in fact “The concomitant downsizing of the welfare wing and upsizing of the criminal justice wing of the American state has not been driven by raw trends in poverty and crime, but fueled by a politics of resentment toward categories deemed underserving and unruly” (74). He continues “Chief among those stigmatized populations is the public-aid recipients and the street criminals framed as the two demonic figureheads of the “Black underclass that came to dominate the journalistic, scholarly, and policy debate on the plight of urban America (74).

Wacquant often refers to these state crafting processes as the neoliberal Leviathan. According to Wacquant (2012), this tilting has three main aspects. One is that “Neoliberalism is not an economic but a political project; it entails not the dismantling but the reengineering of the state” (71); another is how “Neoliberalism entails a rightward tilting of the bureaucratic and spawns a Centaur-state” (73). In reference to this rightwing tilting, he argues that it consists of:

Uplifting and liberating at the top, where it acts to leverage the resources and expand the life options of the holders of economic and cultural capital; but it is castigatory and restrictive at the bottom, when it comes to managing the populations destabilized by the deepening of inequality and the diffusion of works insecurity and ethnic anxiety. Actually existing neoliberalism extolls ‘laissez faire et laissez-passer,’ but it turns out to be paternalist and intrusive for the subaltern. (74)

And three, “The growth and glorification of the penal wing of the state are an integral component of the neoliberal Leviathan” (74).

In “Neoliberalism as big Leviathan, or...?: A response to Wacquant and Hilgers,” Collier (2012) speaks directly to Wacquant’s claims. Collier is disturbed by Wacquant’s attempts to grasp neoliberalism. He writes “I worry that the theoretical gymnastics involved in such accommodation may obscure the methodological choices—and the critical stakes of those choices—that anthropology of neoliberalism must confront” (186). Collier admits that he is in debt to Foucault’s lectures on neoliberalism and uses these lectures as a backdrop when he reflects on Wacquant’s work. Collier ultimately hopes to “Suggest a more differentiated picture of non-structural approaches, and to reflect on the range of contributions a Foucaultian perspective might make to the anthropology of neoliberalism” (187). For instance, he sees Wacquant’s analogy of neoliberalism to a “Leviathan” as problematic, due to its tautological ascription and Wacquant’s structural functionalist model, exerts a “Connection between market rule and punishment after the close of the Keynesian-Fordist era that constitutes the institutional core of neoliberalism” (187) deems more scrutiny. In particular, Collier poses a question to Wacquant: “How do we make sense of cases—such as neoliberal reform in African states—in which economic liberalization is not paired with social welfare retrenchment or with a rapidly expanding penal apparatus” (187)?

Collier draws on the work of anthropologist James Ferguson to illustrate a non-determinist take on neoliberalism and utilizes Ferguson's (2009) work in South Africa, which "Combine neoliberal and redistributive pro-poor features" (194). Collier calls upon "Structurally-oriented scholars" to take a macro-structure" approach to the "crisis of neoliberalism." He goes on to say that Ferguson "Is proposing, I think, a different kind of critical reflection on neoliberalism" (Collier 2012, 194). In order to strengthen Wacquant's argument that neoliberalism is a political project, and before I speak to my project specifically, I will examine the notion of can neoliberal "market rules" have any redemptive qualities for the poor and marginalized populations, in particular the core aspect that views the individual as a micro-enterprising entrepreneur. In the next section, I discuss how, although African American childcare providers in Milwaukee have embraced the entrepreneurial tenets of neoliberalism, however, Wacquant's notions of neoliberalism as a political project is a more useful tool for analyzing the effects of post-Welfare Reform legislation on African-American childcare providers in Milwaukee.

### **Welfare Queens to Childcare Queens in the Neoliberal Economic Policy**

Shares in many respects was indicative of the type of progressive ideas potentially embedded in the neoliberalism market rationale which was discussed above. The Shares programs relied on privatization and market logic to address poverty and to govern the poor. In this study, I focus on the effects of this program on a particular population: African-American childcare providers in Milwaukee, most of who were women. While, in this study I cannot be certain of the intentions of the Shares program's architects, the implementation and initial success of the program seems to meet the criteria for "progressive aid." Through the privatization of low-income childcare, thousands of

impoverished, under-educated and low skilled African-American women in Milwaukee County became micro-enterprising entrepreneurs in a classic neoliberal fashion. In fact in 2006, the average family daycare provider in Milwaukee County earned over \$50,000 a year (Pawasarat and Quinn 2006) only servicing up to 8 children, however owners and operators of daycare centers had the potential to make substantially more. Drawing on neoliberal notions of micro-enterprising entrepreneurship, these women were successful in the lines of neoliberal economic logic. However, the effects of this program are more in line with Wacquant's analysis of neoliberalism as a political project. Initially, through the Shares program thousands of women escaped the debilitating poverty that thousands of their peers who found themselves in deeper poverty in the post-Welfare Reform landscape and virtually without any safety nets.<sup>18</sup> Yet, these successful entrepreneurs became trapped in an anti-fraud crackdown. They became criminalized, and punished, and suffered alongside the poor welfare recipients that state-subsidized childcare provisions set out to assist. Many of them lost their businesses, and their homes. Some even went to prison.

### **Conclusion**

In many ways the early years of the Shares program was extremely progressive. It administered governmental subsidies with very little regulations. In comparison to the so-called degenerative welfare programs of the past, which allegedly bred dependency and pathological behaviors amongst recipients, childcare providers through the Shares program, were gainfully employed, and provided a vital service to the community. They occupied a key role in making welfare reform a success in Wisconsin. Due to concurrent programs in workfare and prisonfare also examined in chapters six, which I discuss later,

perhaps no other state offers a better case to examine the “Institutional machinery and symbolic frames through which neoliberal tenets are being actualized” (Wacquant 2010a). I argue that the manner in which the DCF and the state legislators dismantled one of the only viable industries in Milwaukee County’s impoverished areas during the low-income childcare crackdown had devastating effects. Hence while the initial years of the program may align with the progressive potential of neoliberalism, the consequences and effects of the program as it was restructured—also using neoliberal logic compels me to draw on Wacquant to analyze the experiences of childcare providers in Milwaukee in the post-Welfare Reform landscape.

Thousands of Milwaukee residents had become childcare providers and were providing jobs for thousands of employees but this growth exceeded what the designers of Shares had anticipated far as expenditures<sup>19</sup> for the program. From the perspective of my participants it seems that this population was envisioned as a “means to an end” to insure welfare reform was a success locally. Once the Shares program eliminated the dearth of childcare and was, for a time, hailed a success, the state government changed its policy in order to reduce this trend.<sup>20</sup> The DCF and the legislature instituted punitive policies that had adverse effects on the low-income childcare industry in Milwaukee County and drastically reduced the number of daycare businesses. This study reinforces many of Wacquant’s notions and gives a glimpse into the tragic consequences of neoliberal policies on African Americans in Milwaukee. Following Wacquant, I emphasize the racialized political and economic consequences of neoliberal policies. I argue that the neoliberal policies governing the poor criminalize African American populations through punitive paternalistic policies with an emphasis on behaviorisms,

which relies on intensive surveillance, deterrence to prevent aid and programs that are stripped of rehabilitative components. I hope that by adding the voices of childcare providers I contribute to a concrete empirical case to more theoretical discussions of the effects of neoliberal political projects on African-American populations.

## Chapter Four

### Policy Narratives: Post-Welfare Reform in a Childcare Mecca

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#### The Child Care Mecca: Shifting Terrains

##### The Emergence of Low-income Childcare Industry, Nationally

By the mid-1990s, the desire to overhaul Aid to Families with Dependent Children (AFDC) had achieved support among liberals and conservatives alike. The 1996 PRWORA which instituted the TANF legislation has been described as the capstone of neoliberal policies in the U.S. (Rozen 2003; Lein et al. 2007; Wacquant 2012). TANF forced millions of poor women with dependent children to exit the welfare rolls, and ushered them into the low-wage job sector and this transitioning is known as workfare. There is a direct correlation between the emergence of the low-income childcare industry and the instituting of TANF because historically, welfare recipients with very young-dependent children were the most difficult population to engage in employment and work-related activities. So, childcare advocates petitioned on behalf of children that the disparity between needs and services in the low-income childcare industry needed to be addressed by legislators.

Studies leading up to the instituting of TANF revealed that a major barrier to poor welfare mothers securing and maintaining employment was the dual responsibility of being the primary breadwinner and caregiver for dependent children (Oliker 2000; Pawasarat and Quinn 1998). This reality prompted the creation of a policy mandate within TANF requiring all states to allocate monies toward the low-income childcare industry. This posed further challenges because while states were starting to allocate millions of dollars toward the low-income childcare industry, the industry was not equipped to deal with this increased demand (Chase-Lansdale et al. 2003; Vogt 2003).

The authors of *Child Care and Inequality: Rethinking Care Work for Children and Youth* referred to this as the public “care gap” between demands and resources (Cancian et al. 2002). The federal government granted states the discretion to tackle the “care gap” based on local needs through the distribution of the Child Care and Development Fund (CCDF).<sup>21</sup> About two-thirds of the money spent on Shares comes from the CCDF and TANF.

### **Emergence of the Low-income Industry, Wisconsin**

Wisconsin has been one of the nation's leaders in experimentation with welfare recipients for the last 30 years. Interest in welfare reform's impact on Milwaukee's poor residents can be attributed at least in part to the role that Wisconsin has played in framing national welfare policy—it was “ground zero” for welfare reform. For example, in 1987, Tommy Thompson became the first governor to use federal waivers that permitted states to override federal welfare requirements with policies of their own. By the mid-1990s, Wisconsin was operating more welfare experiments than any other state and eventually instituted into law Wisconsin Works (W-2) as 1995 Wisconsin Act 28.

With TANF granting more discretion to the states, Wisconsin led the way in the movement to privatize social programs. For example, Governor Thompson gave much of the control of the new W-2 program over to a company called Maximus which “Provided program management and consulting services to the three rings of state, county, and local government health and human services agencies including child support enforcement, managed care enrollment, and welfare-to-work initiatives” (Berkowitz 2001, 5). In the book *Prospecting Among the Poor: Welfare Privatization*, Berkowitz states that welfare reform “Gave states unprecedented latitude to determine how the new TANF and related



programs would be handled” (5). He continues saying “Individual states were “liberated” and free to set up their own delivery systems within broad federal requirements” (3).

Berkowitz discusses Wisconsin’s privatization of social services as a specific example: “The early contracts in Wisconsin were particularly egregious in that they set perverse incentives aimed at reducing caseloads and making huge profits” (3).

### **Three Policies Analyzed: Wisconsin Shares: Privatizing Care**

Wisconsin became one of the leading states to replace AFDC with a childcare subsidy program. Shares is the governmental agency that governs the administration of childcare subsidies in Wisconsin. It was launched in 1997, in order to offer childcare assistance to eligible low-wage working parents and it is responsible for authorizing childcare services for eligible families, certifying non-licensed childcare providers, paying subsidies to providers, and setting childcare payment rates based on county surveys of market rates. Subsidy payments are made to various types of facilities and arrangements, including licensed childcare facilities (centers), licensed family childcare (family daycares), and certified family childcare homes. Shares only provide subsidies for children who received childcare in regulated facilities (i.e., the DCF approved).

Wisconsin was where some of the most radical “all work-based aid” stipulations were first implemented and this contributed to the immediate demand for childcare services. Wisconsin has now had over 17 years of experience utilizing TANF and CCDF monies for childcare support of W-2 participants and other working poor families. Many daycare centers opened as a result, especially in under-served areas in Milwaukee, and the program grew by leaps and bounds. Since the passage of the legislation, there has been a “boom” in the childcare industry in terms of wages, rates, usage and facilities,

especially in Milwaukee's poorest neighborhoods (Collins and Mayer 2010; Pawasarat 2003; Pawasarat and Quinn 1999).

In one of their dozen quantitative studies on childcare in Milwaukee, Pawasarat and Quinn found that “Milwaukee neighborhoods saw a doubling of state-licensed group care and quadrupling of state-licensed family daycare capacity building” (Pawasarat and Quinn 2006, 1). By 2006, there were over 1500 daycare businesses (489 group licensed centers and 1,041 licensed family centers) within the 5 poorest zip codes of Milwaukee County. In the early to mid-2000s, on any given central city block one could find 3 or 4 daycare businesses. Tyshon Wilkinson, owner and operator of two childcare businesses spoke about the “booming” childcare industry on Milwaukee’s north side: “When I came here I did not even know about the North side. Then when I started going to the North side—I was like seeing centers right next door to each other—like 3 of them on the block. It’s done changed a lot.” Until the major reforms of 2009-2012, Shares continued to grow becoming a \$350 million yearly expenditure statewide with \$210 million being allocated to Milwaukee alone.<sup>22</sup> Most of those funds are distributed within the poorest zip codes of the state. The state’s privatization of care resulted in a research site that had an economic boom in an economically depressed community that helped to foster a childcare mecca and supports my claim that it could have been viewed as a progressive aid program.

### **Wisconsin Forfeits**

The success of W-2 was hinged on the state’s ability to rapidly get people into employment. In order to do so, two things had to fall into place: 1) barriers to employment, such as the shortage of childcare, had to be eliminated; and 2) jobs had to

be available. The fast-track implementation of an expanded childcare subsidy program helped to satisfy both of these needs. The childcare subsidy program created more available workers, and a growing demand for childcare created jobs in the childcare industry. However the need for quick job creation meant the new jobs were mostly entry-level and did not require advanced skills such as those necessary to provide higher-quality care. Shawn Reynolds, a high-ranking DCF bureaucrat explained:

You mention the difference in childcare before and after W-2. Childcare was a significant barrier for people who was going to move off of AFDC into the work force and so you had this certain type of political pressure on both the left and right in my view. On the right they wanted welfare reform to work at all costs, so they put money into childcare subsidies, so that you could move people successfully off AFDC and get to them to work. You had a similar pressure from the left. So, if they were going to accept that AFDC was going to go away there had to be a place for low-income poorly educated people to be able to work and one of the ways they thought this was possible was to move people into the childcare setting. And so from '96 till the mid-2000s the childcare system blossomed from 30 million to 400 million just about the time we took it over by the DCF. And what happened was that the childcare system was developed with very little and loose controls and a whole lot of money because everyone wanted their aspect of W-2 to be successful.

W-2's architects created a new class of minimally regulated childcare providers, who they later criticized for providing "low quality care." I interviewed a former financial planner for the W-2 program and she spoke about how Shares ended up ushering so many African-American women into daycare. Lakeisha Simms was part of the state's early implementation of Shares and she recalled:

At first I worked as a financial employment planner with the W2 program and that was right around the time the AFDC program was changing to W-2. I had a lot of women on my caseload that would "Ask what about my kids? I can't get a job because of my kids and I got to put them in daycare and I do not have any work experience.

Lakeisha was trained to go over their life experiences with them and see what skills emerged: "So, most women were like all I have ever really done was stay home and take

care of my children.” Lakeisha would then convert this skill set into a fit for childcare. She explained that she would often tell these women “Okay you have 26 years or 36 years of experience in childcare and so we enrolled those women into childcare classes. And for them it was a natural fit because they had been doing that for so long.”

At the time, policymakers were less concerned about the quality of the new childcare providers and more concerned about creating jobs, filling the “care gap,” and keeping costs in check. In the end, two of these three objectives were achieved: jobs were created and parents enjoyed greater choices among providers (Dickman, Kovach, and Smith 2010). This focus on work support was the main priority for policymakers, but not necessarily in the best interest of children according to critics (Dickman, Kovach, and Smith 2010; Rutledge 2009; 2010). Reynolds explained that most states viewed childcare as either work support or educational:

That’s exactly right for childcare across the country—it’s not unique to Wisconsin—they either see childcare as work support for working parents as its roots and those who see particularly high quality care as an educational strategy. My philosophy is it ought to be both. It [childcare] should be a good affordable work support strategy for working parents but while those kids are in those settings we ought to make sure providers are giving them the educational and early—learning knowledge—readiness for kindergarten.

In “Moving goal post: The shift from child care supply to child care quality” (Dickman et al. 2010), a study on the current low-income childcare industry in Wisconsin, the authors discuss how policies designed to fund childcare as a work support fundamentally differ from policies designed to fund high-quality early childhood care and education. According to the study, Shares implemented three specific policies that fueled the growth of the low-income childcare industry: (1) it relaxed provider regulations to ease the entry of new providers into the market; (2) it serviced low-income families across the state, not just former AFDC recipients; and (3) it ensured equal access to the

private market by subsidizing recipients. Initially, Wisconsin “bought daycare slots” to insure that consumers had a multitude of choices. Providers were reimbursed for how many students were enrolled not on those students’ attendance per se and this policy provided many providers with an economic safety net.

However, according to critics, Shares quickly became very expensive and resulted in a program with both high costs and low quality (Dickman et al.; Rutledge 2009; 2010). Some researchers speculate that Wisconsin’s policymakers were not concerned with quality during the designing phase of Shares because Wisconsin ranked very high in quality when compared with the rest of the nation. In “Moving goal posts” the researchers explained this assumption:

A legislative working group on welfare reform held public hearings throughout the summer of 1994, but the administration’s proposal was not released until August 1995. Many of those who testified at the public hearings were concerned about childcare issues, particularly issues of access and affordability. At the time, Wisconsin had among the most stringent child care regulations in the country, which may be one reason why quality of care was not addressed frequently at these hearings. (Dickman et al. 2010, 9)

In addition, the architects of Shares felt that the component of the law that relied on parental choice would be a ‘check and balance’ to ensure childcare would be of sufficient quality. The designers of Shares assumed that parents would naturally choose the best care for their children. As one state official stated, “We do a disservice to moms ... by saying these moms don’t care about quality child care. We’ve gone too far in treating the AFDC population as victims unable to make good choices” (Dickman et al. 2010, 19).

In 2008, then Governor Jim Doyle created a new department called the Department of Children and Families (DCF) to investigate why the Shares program budget had increased from \$100 million to a \$350 million annually over the previous decade. The DCF made a decision to switch from the Share program’s original plan of

expanding the childcare industry to reinstating several policies that were in place prior to 1996, such as raising qualifications and establishing waiting lists. The DCF's policy shifts from the Shares program's aggressive recruitment and enfranchising policies to policies that deter and reduced Shares participation has caused me to draw on Wacquant's theory that post-welfare policies relied more on deterrence and sanctions which were both present in the newly instituted childcare quality rating system YoungStar.

### **YoungStar: The Last Nail in the Casket**

In 2009, surrounded by officials from the DCF and the Bureau of Milwaukee Child Welfare, lawmakers, leaders from the child welfare community and dozens of parents and children, Gov. Doyle signed four bills at the Educare center in Milwaukee, (Rutledge 2009).<sup>23</sup> One of those bills was YoungStar, a Wisconsin quality rating system operated and enforced by the DCF, which classifies and reimburses childcare providers based on a five star scale. Providers who earn higher ratings are rewarded with pay increases and the opposite is true for lower ratings. There had been previous talks of quality rating systems as early as 2005, but the state policymakers lagged in making it a law. According to the DCF's YoungStar website<sup>24</sup> as of July 1, 2012, all providers who accept Shares subsidy payments are required to participate in the rating system, though participation in YoungStar is voluntary for providers who don't receive subsidies. YoungStar rates all childcare centers that received public funding according to the "quality of care," based on four categories: educational qualifications and training, learning environment and curriculum, professional and business practices, and child health and well-being practices.

Shares subsidy reimbursement levels are based on the childcare provider's star rating within the following criteria: five-star providers (which tend to be corporate/and or nonprofit owned daycares) meet the highest quality standards and receive a 25% pay increase; four-star providers meet elevated quality standards and receive a 10% pay increase; three-star providers meet proficient quality standards and do not receive an increase in pay; two-star providers meet only health and safety standards and receive a 5% decrease in pay; and one-star providers are not eligible for Shares subsidy reimbursement. In fact, during this study, all one-star providers' childcare licenses or certifications were revoked, denied or suspended, or their Shares payments terminated due to fraud or suspected fraud. The majority of childcare providers in Milwaukee County were one and two-star providers at the time of this study and some zip codes in Milwaukee did not contain a single five or four-star daycare.

Senator, Lena Taylor was quoted in the *Milwaukee Journal Sentinel's* expressing concern about the state's new policy of eliminating one-star providers and financially penalizing two-star providers from the Shares program because so many one and two-star providers resided within Milwaukee County. She believes that "It could disproportionately hurt small and minority-owned business at a time where black unemployment already is alarmingly high" (Tolan 2012). Many providers and community advocates I interviewed agreed with Taylor and felt this new policy would disproportionately displace African-American providers who serviced the state's poorest communities.

YoungStar was also implemented to deter fraud. According to the DCF's website the major goals of YoungStar were to deter fraud, improve the quality of childcare and

reward high quality providers. The instituting of the Shares program and the policies that allowed fast track implementation of the program had a positive impact on Milwaukee's most impoverished communities through the enfranchising of a viable low-income childcare industry. Unfortunately, once the industry became a financial burden for the state the policy shifts that were enacted had an adverse impact on low-income childcare providers and the communities they service.

### **African-American Women and Privatizing Care in Wisconsin: A Mecca**

The majority of Shares recipients are racial minorities who reside in Milwaukee County and opt for childcare services within their communities. African-American women in U.S. have a long history of watching the children of affluent and middle class Anglo-Americans from their time serving as domestic servants during and after the end of legalized enslavement (Gray -White 1999). In *Care Work: Gender, Class and the Welfare State*, Meyer notes that "Poor and women of color were often not allowed to care for the people they loved (formally)" (Meyer 2000, 6) and with whom they shared the same status due to structural inequalities in the home and market (Tuominen 2003). Despite their extensive history of serving as caregivers in the U.S., African-American women have never previously provided paid childcare for other African-American women at current rates.<sup>25</sup>

In the groundbreaking ethnography *We are not Babysitters: Family Childcare Providers Redefine Work and Care*, Tuominen (2003) illustrates how race, class and gender influences impoverished minority women's decisions to sell their labor to the state. Tuominen (2003) finds that most women enter the childcare industry due to the high cost of childcare, gender ideologies (women being associated with caring for



children), and economic need. She writes “Family childcare supplied these mothers with a stable source of income when the cost of childcare exceeded the take-home-wages available to them in low-waged jobs in sex-race-segregated occupations” (Tuominen 2003, 31). In this study, Tuominen explains the ways in which “Government policies exploit women child-care workers through their employment as low-waged, non-benefit, contingent workers” (53).

She writes about a participant in her ethnography who depends solely on state subsidies due to living in an impoverished neighborhood: “Sharon explains how she depends almost entirely on the state as a source of child-care clients” (Tuominen 2003, 53). Tuominen explains that as with the majority of family daycare services, the market for Sharon’s childcare services exists within the community where she lives. This is an example of how structural realities influence the concentration of women of color in the childcare markets. Because Sharon resides in a low-income African-American neighborhood with a poverty rate of over 22%, the vast majority of clients come from poor African-American families who qualify for government supported education and job training (Tuominen 1994). Similarly, the majority of Milwaukee central city daycares depend heavily on children whose care is subsidized through the state.

Tuominen (2003) demonstrates that childcare practices are explicitly segregated by race, class, and ethnicity due to residential segregation, reliance on informal references, market discrimination, and exploitation on the behalf of the state. For instance, Washington State’s subsidized childcare rates are based on surveys of local market trends and the state consistently pays less than what private providers in middle and upper income Anglo-American communities charged for care. Washington State

thereby reinforces racial and class-partitions by providing subsidies for poor children at a lower rate than their suburban counterparts (Tuominen 1999; 2003). Patrons in affluent and middle class Anglo-American neighborhoods tend to have more stable incomes; this leads to Anglo-American middle class childcare providers to prefer children whose care is not state subsidized because they receive less income for them. This is the inverse for providers in poor minority communities, where the providers interviewed for this study preferred state subsidized children due to the “dependability” of their payments since they disproportionately serviced parents who have to negotiate childcare costs and other expenses.<sup>26</sup> While many of these same providers expressed a desire for access to private markets, they did not think it was feasible in their neighborhoods. In Washington State, Tuominen observes that, “By paying low rates for care in lower-income communities, government funded programs reinforce structures of race ethnicity and social class within and between communities” (Tuominen 2010, 129).

In Wisconsin, similar structural markers organized the low-income childcare industry. Wisconsin is currently the 7th most racially segregated state (Realize the Dream 2015) and Milwaukee County was recently rated the most racially segregated city in the U.S. (Chicago Tribune 2011). Milwaukee low-income childcare providers tend to service children in the poorest neighborhoods, which results in very little diversity in these daycares. Wisconsin also reimburses low-income childcare providers at rates below those of local private market places. In a prepared response to my questionnaire, a YoungStar representative explained:

Subsidy rate calculations are based on the cost of care-they are calculated at 75% of the market value. Market value calculations have been done annually, but the rates have not been adjusted. So presently, providers’ base pay through Wisconsin Shares is still 75% of the 2006 market value.

By 2008 Shares had grown to a \$350 million industry, with close to \$200 million concentrated in Milwaukee's poorest and most economically depressed communities. This childcare "mecca" was a thriving business until the DCF and the legislature decided to systematically reduce the amount of low-income daycare businesses, and African-American providers in Milwaukee were disproportionately disenfranchised and displaced.

### **Conclusion**

The restructuring of the welfare state nationally and locally had a direct impact on Wisconsin's childcare industry. Early childcare advocates were concerned with who was going to provide childcare for the children whose mothers were being forced into the workforce, and current studies had indicated that at the time the childcare industry was too expensive and lacked accessibility. Wisconsin's answer to the care gap was to privatize childcare by entering into contractual agreements with new providers that were disproportionately poor African-American women. Wisconsin's capacity building investments and policy changes eliminated much of the financial risks in servicing poor children and resulted in a doubling of state licensed group childcare centers and quadrupling of licensed family daycares in Milwaukee's poorest neighborhoods. Work support was implemented by providing working parents with multiple childcare choices which helped increase job stability and made childcare affordable for the working poor. These daycare businesses served as an economic pipeline into these economically depressed communities by providing work support for parents, jobs for W-2 recipients and other community members. Shares might have been considered a success story for welfare reformists for several reasons; (a) AFDC was eliminated and poor women with

small children were working in the market; (b) the program was providing jobs and work support, which contributed to economic stability; and (c) Shares, was a vital economic boost to an economically disadvantaged communities. On the other hand, Reynolds believed that childcare can either be viewed as work support or as an educational strategy, and subsidies could serve both purposes and the DCF was created with this vision in mind. However, the combination of Wisconsin's crackdown on fraud and the shifting from work support to focus on high quality resulted in the instituting of the YoungStar rating system, which had a counter effect of the initial vision of Shares by decreasing the number of childcare businesses.

## Chapter Five Narratives of Childcare Queens in History and the Media

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This chapter draws out the relationship between the public *welfare queen* rhetoric that helped usher in national welfare reform in 1996 and the framing of the *Milwaukee Journal Sentinel's* “*Cashing in on Kids*” series, which provided the impetus for local childcare reform. After a year’s worth of investigative journalistic reporting, Raquel Rutledge, who was a reporter for the *Milwaukee Journal Sentinel*, claimed that the news series *Cashing in on Kids* provoked indictments and new laws that reformed the childcare system. In the politically-charged discourse that emerged in Milwaukee’s low-income childcare industry from 2009 to 2012, the media’s public representation of local childcare providers was pervasive. Through historical analysis, I find that these kinds of public representations have a long and durable history in the U.S., and, in fact, serve as a kind of repeated narrative.

In my explanation of this phenomenon, I borrow the term “master narrative” from Peterson’s chapter (2010) “Getting News in New Delhi,” where he uses it to describe a narrative that is comprehensive and thus accounts for both collective and individual dissemination of a particular report. A master narrative has the potential to become more pervasive if it is promoted by powerful social actors, such as the media and the state. To harness the master narrative put forth by the *Milwaukee Journal Sentinel*, I attempt to isolate several reoccurring themes and frames in the coverage and compare them to the time line of the *welfare queen* discourse. I examine this narrative, which I refer to as a master narrative, at the location of the eve of the passage of PROWRA and TANF through contemporary times. In this chapter, I illustrate how this master narrative emerges, and how welfare becomes racialized and gendered in the public sphere. I

explore this master narrative's historical origins and analyze problematic aspects of the public representation of Milwaukee's low-income childcare providers.

Through content analysis and secondary sources, I demonstrate how this master narrative has followed poor African-American women for over a 40 year social trajectory, specifically in relation to welfare policies. I update these findings by identifying their continuation in the *Milwaukee Journal Sentinel's* exploitation of the narrative. The four recurring themes of this master narrative that are important in the pre and post-Welfare Reform landscapes were impoverished African-American women as (a) having unusually high fecundity and using their children for financial incentives; (b) being the undeserving members of the poor due to possessing a latent element of (c) questionable moral character; and (d) often being seen as the epitome of governmental waste.

In this chapter, I argue that African-American women have been painted as “*welfare queens*” and “*childcare queens*”— a narrative that is often included in neoliberal narratives about poor racial populations. The narrative vilifies impoverished African-American women in the public and more importantly in the name of reform. Though impoverished women who were thought to have been made dependent by the welfare state, and were supposed to have been liberated by the market and were transformed from “freeloaders” to entrepreneurs, they were still vilified in the media and in policy-making forums. In comparison to the so-called “*welfare queen*” of previous decades, the “*childcare queen*” was not at home collecting a check; she was gainfully employed, providing a vital service to her community and occupying a key role in making welfare reform a success in Wisconsin.

In his book, *Punishing the Poor* Wacquant (2009) allocates dozens of pages to the “stigma of race” in neoliberal narratives about the poor in the U.S. I am providing a historical analysis of the media’s denigration of African-American women over the past 40 years and building “Upon an extensive body of scholarship dedicated to explicating both the existence of the racialized frames of welfare in terms of news media coverage, as well as its effect on the public” (Ernst 2008, 183; Armstrong, 1995; Handcock 2004; Handler 2007). Lastly, I demonstrate how this master narrative is a structurally mediated cultural object that: (a) is constructed and disseminated through public discourse during two distinct periods 1970-1996 and 2009-2012 which (b) transcended the individual experiences of childcare providers (discussed in chapters six and seven), and (c) emerged from structures of social stratification and inequality.

## **Historical Narratives of African-American Women on Welfare 1970-2009**

### **How the Poor Became Black and Undeserving**

In the U.S., African Americans continue to be disproportionately poorer in comparison to European ethnic groups due to institutionalized discrimination and racism in society (Feagin and Feagin 2011; Neubeck and Cazenave 2010; Wilson 1996). African Americans were often discouraged and denied from participating in America’s early state and federal welfare programs. For example, at the turn of the 20th Century, when welfare was a pensioners program, African-American women were turned away because they were believed to be more able to find work than poor Anglo-American women. In the 1930s, federal-state policies allowed southern states to deny benefits to African-American women so that they could be used as cheap domestic and agricultural labor (Neubeck and Cazenave 2010; Wilson 1996).

Related to these developments, the emergence of the concept of the undeserving poor in America seems to parallel the darkening of the public representations of America's poor. Wacquant (2009) writes "Right after the Watts uprising and the wave of ghetto upheavals it ushered, however, poverty came to be consistently painted with a black face in the mass media. As the poor grew darker in the mass media, cast in an increasingly unsympathetic and lurid light, as irresponsible profligate and dissolute (83). He continues "In news magazines for instance, the share of Blacks in major stories on poverty between 1967 and 1995 came to 62 percent, double their share in stories of the 1950's" (83). Although impoverished African-American women emerged as the public representation of the undeserving poor, the social impact that this myth spawned affected all impoverished citizens. Wacquant (2009; 2012) speaks to the use of race to mobilize welfare reform and how eventually it affects all poor people who receive government aid. He writes "These draconian measures are popular with the core electorates—of the white working and middle classes—because 'welfare' is perceived as essentially benefiting lower-class Blacks, that is, coddling a population of shady civic standing owing to its alleged flaws in the twofold register of the work ethic and family values. In [America] it matters little that a plurality of public aid beneficiaries at any one time (and the majority over time) are actually European decent" (82). For example, if the negative public representation of African-American childcare providers inspired local childcare legislation then that would affect all providers who serviced poor children in Wisconsin.

In *Race and Politics of Welfare Reform* in the chapter "How the poor became black," Schram and Soss (2003) provide a historical analysis of the "Darkening of the visual representation of the poor in America" (101). These researchers analyzed over



forty years of news media coverage on poverty and explains how several shifts in society during the 1960's contributed to the changing face of poverty; these include the Civil Rights Movement, African-American migrations to Northern cities, and a gradual accompanying shift in the moral tone of public representations of the poor with a lack of empathy toward them. They state, "As news stories about the poor became less sympathetic, the images of poor Blacks in the news swelled, we as a nation created the "undeserving poor" (102). In addition, as more African Americans migrated to northern cities more of them started to receive AFDC benefits and increasingly became the public face of AFDC beneficiaries. Schram and Soss state that in America's imagination "The white, widowed, AFDC mothers have been largely replaced by divorced, separated, deserted, and unmarried mothers, a large proportion of whom are black" (11). In "Gender, race, class and welfare reform" the authors provide a social trajectory illustrating the continued marginalization of impoverished African-American women:

In the 1960s, the focus of many welfare officials turned to the "deteriorating" family, the absent father and "illegitimate" children. In the 1970s and 1980s, the "*welfare queen*" and the "*Cadillac queen*" became encoded references to black women. During the 1980s the underclass became the latest way of encoding stereotypes of black women, and proponents of the concept claimed that it was the aberrant behavior of Blacks that kept them poor. (Stafford, Salas and Mendez 2003, 12)

Wacquant (2009) concludes "Indeed, as the image of poverty got blacker on television and in the press, white hostility toward welfare surged" (83). The changing public face of the poor was accompanied by a lack of acknowledgement of the structural inequalities they faced but with increased emphasis on behaviorisms. One of these behaviorisms was the idea that poor people were impoverished because of their dysfunctional family structures, which I address in the following section.

## Issues of Fecundity

In the welfare discourse in the U.S. representational practices that include undertones of poor African-American women as possessing high fecundity have a long and extensive history. In order to better understand this stereotype we must examine several historical origins of this image. Many critical race theorists and other race scholars (Gilman 1996; White-Gray 1999) draw parallels between the current stereotypical ideas about African Americans and enslavement, for example, recent scholarship that compares the Prison Industrial Complex (PIC) (U.S. mass incarceration movement since the 1970s) with enslavement (Davis 1998; Wacquant 2009). Likewise, African-American women's bodies and their reproductive capacities have a peculiar relationship to the public and the state (Campbell 1984; Clinton 1982; Finkleman 1989). African-American discourse suggests that the jezebel stereotype was often the background for Americans' views of African-American women as being "loose, immoral and oversexed" (White-Gray 1999) and as a contributor to the "illegitimate children" crisis. Gray-White (1999) expounds on this point: "The female slave's chattel status (in terms of both) sex and race combined to create a complicated set of myths about black womanhood" (28). The jezebel image has its roots in America's enslavement folklore and one historical justification for the perpetuation of this stereotype is that Anglo-American slave-masters forced a culture of rape onto enslaved African-American women. Though it was not a crime to rape an enslaved woman, many Southern slave owners were Christians and harbored moral conflicts about having sex with slaves and so, they transferred this moral burden on to African-American women by claiming they had an insatiable desire for sex and therefore invited sexual exploitation (White-Gray 1999). Hancock (2004)

states, “White males’ sexual abuse of black women, included rape, forced prostitution, and forced reproduction of the slave population” (31).

Additionally, White-Gray (1999) suggests that the mythical jezebel was a function for the public and private attention that was given to the procreative capacity of the enslaved women, hence her fecundity. Because of tariffs on slave sales and the abolishment of the trans-Atlantic slave trade in the nineteenth-century, American enslavement was dependent on the natural increase of the enslaved population, so therefore enslavers ensured that enslaved women were prolific breeders (Simms 2001). In the early stages of enslavement, planters were slow to realize the potential for domestic fecundity. However, once they realized that the reproductive functions of enslaved females could yield a profit, the manipulation of their reproductive capabilities took center stage (Dunn 1977).

Major periodicals carried articles detailing optimal conditions under which bonded women were known to reproduce, and the merits of a particular "breeder" were often the topic of parlor or dinner table conversations. Once reproduction became a topic of public conversation, so did the slave woman's sexual activities. (White-Gray 1999, 31)

The long-standing image of African-American women as possessing hyper fertility and having an unusual fecundity remained firmly entrenched before, during, and after the Great Depression. So, naturally if African-American women were being “Portrayed as having strong sexual appetites, then increased fertility should be the expected outcome” (Collins 1990, 22).

These misconceptions stand in staunch contrast with what actually took place in enslaved people’s communities (Gutman 1976; Cancian and Olikier 2000). In order to increase the enslaved population, enslavers often encouraged, and sometimes mandated, sexual promiscuity among the enslaved, and yet, most enslaved people sought long-term,

monogamous relationships. Enslaved people "married" when allowed and adultery was frowned upon and discouraged in most enslaved communities. During Reconstruction enslaved people eagerly legitimated their unions, holding mass-marriage ceremonies and individual weddings (Gutman 1977). Scholarship attests that the public discussions about poor African-American women's fecundity and their children have a long public history in America. America's enslavement period is often a reference point for African Americans' experiences in this country, and more recent discussions such as African-American welfare recipients using their children for financial incentives to continue to receive aid continues to place these women's fecundity in public discussions.

### **Financial Incentives**

After the implementation of the large-scale welfare program, this emphasis on poor African-American women fecundity in relation to their children appeared to morph into a discourse on their children being a financial incentive. The accepted narrative behind this stereotype was that since a major qualification for receiving AFDC was being a parent of dependent children there was an incentive to have more children in order to continually qualify for aid. This stereotype influenced legislation that stipulated that TANF recipients would not receive monetary aid increases for additional children, whereas additional children had been one criterion that would allow for slight increases in aid monies under the former AFDC. In "Race, gender and welfare reform: the Antinatalist response" Susan Thomas (1998) explains the negative connotations associated with the fertility of impoverished women:

To be a woman, poor and fertile, in the United States in the 1990s is to be blamed by politicians and social reformers for an increase in poverty and alleged immorality in society. Poor women it is said or implied are bearing children for the purpose of obtaining or supplementing a welfare check. They are sexually out

of control and are the cause of their own poverty. The proof of their degeneracy and immorality is evidenced by their entrapment in a spreading "culture of single motherhood" excessive sexuality expressed in non-marital pregnancy and childbirth; changing family patterns, represented by woman-headed families; and welfare" dependence," incorrectly believed to encourage non-marital births and family break-down. (419)

In reality, currently African-American women do not have the highest birth rates in America<sup>27</sup> but they do lead in out-of-wedlock births and, as a result are overrepresented among America's severely impoverished population. These high out-of-wedlock births also contribute to the moral discourse that surrounded African-American women in the welfare state. Thomas (1989) writes:

For single women childbearing should be altogether delayed until marriage. Non-marital childbearing among the poor is thought to produce troubled children who will likely rebound to the public ill, either as criminals, school dropouts, or as budgetary liabilities such as welfare dependents. (419)

Welfare reformists tend to place impoverished, African-American families and other poor minorities under the microscope and conclude that their economic hardships are due to poor life decisions, rather than structural inequalities<sup>28</sup> Wacquant (2009) writes in response to this social stigma of poor single mothers "The answer to this query is found in the moral individualism that undergirds the national ethos and the tenacious ideology of gender and the family that makes poor unwed mothers and fatherless children into abnormal, truncated, suspect beings who threaten the moral order and who the state must therefore place under harsh tutelage" (81). The view of these choices is often accompanied by a latent questioning of their moral fabric, and subsequently their wellbeing is seen as being their own responsibility not the governments'.

### **Questionable and Moral Character: The Epitome of Governmental Waste**

*In The New Poverty Studies: The Ethnography of Power, Politics, and*

*Impoverished People in the United States*, anthropologists Morgen and Maskovsky

(2003), argue that within the context of the neoliberal narrative the poor are seen as lacking any entitlement because of their personal failings: “Under neoliberalism the poor are portrayed as individually to blame for their lack of funds, and there seems little in the media or the public eye to contradict this perspective” (2). Most conservative platforms began with the notion that poverty rises from the functioning problems of the poor, especially in terms of their failure to complete high school, obtain and maintain employment, and keep their families together, as well as their dependence on welfare. A major supporter of these views is conservative policy analyst Lawrence Mead (1986; 1992; 1997; 1999; 2001a; 2001b; 2004) who believes that poverty results from personal failings, and more importantly, that none of these personal failings are the result of structural inequalities in society and market. Mead (1992) suggests that the failure of the poor to work cannot be explained by any barrier outside the poor themselves, and this is one of the main tenets behind workfare. Wacquant (2009) explains the welfare reformist narrative:

The primary justification for the steep cuts in public aid and proffered by PRWORA was that welfare support is too generous, that it saps the will to work out of its beneficiaries, and sustains a “culture of dependency” as harmful to them as it is to the country, and that this culture in turn explains the rise of out of wedlock births and the string of pathologies that allegedly come with them. (84)

An opposite viewpoint can be drawn from the structural poverty perspective captured in *When Work Disappears: The World of the New Urban Poor* by Julius Wilson (1996). Wilson’s discussion, though somewhat dated, is still applicable due to the failures of welfare reformists and neoliberal constituents to address inherited structural inequalities in society and the market. Wilson focuses on the role of culture and the social structure in his study of race and urban poverty and he attributes poverty to an assortment

of economic, political, cultural and social factors outside the immediate control of impoverished individuals. These include but not limited to the shortage of jobs that pay a living wage, the persistence of discrimination, residential segregation and social isolation for racial minorities. Though, Wilson is speaking to the bleak realities of over twenty years ago, they have reached epidemic levels for African Americans in Milwaukee County. According to recent studies by Pawasarat and Quinn (2014) in comparison to neighboring, affluent, largely Anglo-American communities, there was a 12-to-1-income gap for African-Americans with children in Milwaukee County.

These factors are interwoven in public discussions of the undeserving poor, which usually results in the conclusion that they are not worthy of government assistance, and this makes them symbolic of government waste. From the beginning of his presidential campaign, Ronald Reagan used anecdotes about *welfare queens* to exemplify what he and his supporters believed was wrong with government aid programs and Bill Clinton would later use this same caricature to gain public approval to reform welfare. Both political parties employed this image to highlight excessive spending on domestic programs and the misuse of government money. Feminist scholar Barbara Ehrenreich (2003) concludes in the lead up to welfare reform, the rhetoric of its supporters were embedded with the “Rehashing of stereotypes that had been around for centuries” (504). Unfortunately, these stereotypes were given new legs in the post-Welfare Reform landscape through the *Milwaukee Journal Sentinel’s* series *Cashing in on Kids*.

### **Media Narratives**

In the anthology *Media Anthropology* edited by Eric W. Rothenbuhler and Mihai Coman (2005) about a half of dozen of the chapters are dedicated to the usage of myths

in media production and several spoke directly to the use of myths in news media. They state “Another concept that has enjoyed much use in the study of media is myth and the ways in which myths appears in media studies unveils the contrast between the anthropological approach and the media studies applications” (6). They continue that mythological dimensions of mass culture have focused on “Narrative patterns and figures considered to represent modern “mythologies” in movies, TV programs, advertising, music, sports and other entertainments; and this research has centered on the cultural industries, focusing on those products meant for entertainment, which have aesthetic status and non-referential content” (6). In preparation for further discussions in relation to myths and news media they explained that

The studies in this volume unveil two major approaches to the relation between myth and media. One consists in placing narration as the common element and identifying mythical attributes in journalistic discourse and the second approach focuses on cultural processes as the intersection between news stories and myth. (7)

In the chapter “News as Myth: Daily News and Eternal Stories” by Jack Lule, he begins his discussion with the basic characteristics of a myth. He explains “Myth is understood as a societal story that expresses prevailing ideals, ideologies, values and beliefs” (102). He continues “The definition emphasizes archetypal figures and forms and exemplary models” (103). He explains that archetypal figures in myths often are “Fundamental figures and forces, such as heroes, floods, villains, plagues, patriarchs, pariahs, great mothers and tricksters” (103). Lule moves his discussion to news media, he states “Modern society calls the fundamental stories told by the BBC or the *New York Times* “news” (101). He forecast that he ‘Will trace how archetypal myths take form in the news and argue that myths can be found everyday within national reports,



international correspondence, sports columns, human interest features, editorials and obituaries. I suggest that any discussion of journalism that does not account for storytelling and myth misses a vital part of news” (102) and I agree. In his comparison of myth and news stories, Lule explains that they both are repetitive, contain archetypes, claim to be reality, and are publically embraced narratives.

In many ways the negative stereotypes of African-American women that were presented in the *Milwaukee Journal Sentinel* articles share many of the mythological aspects discussed in the above mentioned anthology. The newspaper drew on an older narrative that depicts African-American women as the underserving poor which seemed to parallel the darkening of public representations of America’s poor. African-American discourse suggests that the jezebel myth is often the historical context for Americans’ views of African-American women as being “loose, immoral and oversexed” (White-Gray 1999). White (1999) explains that the mythical jezebel was a function for the public and private attention that was given to the procreative capacity of the bonded women, hence her fecundity. After the implementation of large-scale welfare program, this emphasis on poor African-American women fecundity appeared to morph into a discourse on their children being a financial incentive and as a contributor to the “illegitimate children” crisis. The accepted narrative behind this myth was that since a major requirement for receiving AFDC was being a parent of dependent children there was an incentive to have more children in order to continually qualify for aid. These factors are interwoven in a sort of public mythical archetype of impoverished African-American women as being the undeserving poor, which usually results in the conclusion

that they are not worthy of government assistance, and this makes them symbolic of government waste.

Because my analysis relies so heavily on the *Cashing in on Kids* series, I utilized a key aspect of the budding field of anthropology of news media, which places an emphasis on the “truth element” of the news and its public representations. The news media provides an interesting point of analysis because there is a sense of “truth” in its formatting and presentation. In the pioneering volume, *The Anthropology of News and Journalism: Global Perspectives*, Bird (2010) writes, “We need to explore the many ways in which “truth” is negotiated through news” (1). Furthermore, because the news claims to describe reality and draws on narrative conventions, it is clearly a crucial force in representing and shaping public culture: “News is unique among media forms in that it purports to be (and is often received as) an accurate reflection of reality, even though we know that news is a cultural construction” (5). During an interview with Lynnise Parker a childcare provider, she proclaimed “To some people the newspaper is law to them.” Lynnise is referring to the *Milwaukee Journal Sentinel*, Wisconsin’s largest and oldest newspaper which was largely responsible for the very public and negative representation of Milwaukee County childcare providers. I was disturbed by the widely accepted negative framing of predominately African-American providers by the *Milwaukee Journal Sentinel*, which led me to investigate possible justifications for this portrayal and to consider why it went virtually uncontested.

### **Technological Advances?**

In *The Will to Empower: Democratic Citizens and Other Subjects*, Barbara Cruikshank, (1999) argues that the public representation of the *welfare queen* was due

more to technological advances in government agencies than a racist cultural formation. The main premise of chapter five in the book is that *welfare queens* became visible through the consolidation of information and the use of new computing technologies that were available in the 1970s, and not necessarily due to the stigma of race, class and gender. Karen Gustafson (2009) speaks to this notion as well, stating “This (period) marked the first use of an extensive data exchange using Social Security numbers among government agencies, and the beginning of computer data tracking of the poor” (654). Cruikshank believes that ending our critique of the *welfare queen* myth by simply claiming that poor women of color are excluded “From democratic politics, racially stereotyped in the media, and scapegoated by politicians, we would fail to see that the appearance of this mythical queen was premised upon her accountability, not her race, class, gender, or kinship ties”(107). Cruikshank believes that technological advances in record keeping made the *welfare queen* accountable and writes, “Yet the *welfare queen* was *accountable* in a very strange way ... She was the subject of numbers and the innovations in auditing techniques applied to welfare cases” (104) which started in the 1970s and thus “The *welfare queen*’s condition of appearance was established long before Reagan made her guilty for the overgrown welfare state. It was the Carter administration’s new auditing techniques and case evaluation standards that became the condition for the appearance of the *welfare queen*” (106).

In order to understand what Cruikshank (1999) means by accountability, you must understand the concept of technologies of citizenship, which she sees as a process where subjects are transformed into citizens; in the chapter “Policing Democracy,” she explains

that a welfare recipient trades certain democratic freedoms in exchange for government assistance. She writes this recipient:

Was a subject of welfare—of eligibility criteria in a means-tested program—rather than a subject of the liberal state, a subject of administrative procedure rather than constitutional due process, a subject of error rates rather than civil rights. (123)

She continues:

The “voluntary” subjection of the welfare applicant to administrative rules in return for money, vouchers, and services, made her immediately subject to a whole series of double-binds that circumscribed her choices, not the least of which was trading her constitutional rights for a welfare check. (124)

Cruikshank (1999) believes that “It is numbers that constitute the body of the mythical queen. Unlike citizens generally, a recipient’s freedom was not the condition of her subjection; it was her eligibility to receive AFDC, which was quantified and calculable” (107). This phenomenon consists of “Programs, discourses, and other tactics aimed at making individuals politically active and capable of self-government” (2).

There are four major concerns with Cruikshank’s analysis. Firstly, I would draw attention to inequalities in society and the market place, which contribute to impoverished minority women’s need for social services. Therefore, poor minority women are more likely to fall under the jurisdiction of Cruikshank’s “technologies of citizenship.” She accounts for this reality when she refers to this as voluntary compliance or voluntary coercion, and thus states don’t have to rely on “Organized violence or state power but [rather] on securing the voluntary compliance of citizens” (4). Secondly, welfare fraud has remained a minor concern statistically but an enormous concern publically—why is there a mismatch? In 2001, the U.S. Department of Labor reported that 1.9% of total UI payments for 2001 were due to fraud within the system<sup>29</sup> which speaks to the symbolic role of welfare fraud, since welfare fraud remains so low. Thirdly,

it is crucial to study the numerical terms of welfare fraud, but it should not be at the expense of devaluing the public representation of this caricature and the impact it has on society and policy. Cruikshank (1999) minimalizes these social ills in efforts to develop her argument: for example, she claims that the notion that the “black *welfare queen* was used to legitimize the excessive and punitive practices of the welfare state by mobilizing public prejudice against welfare recipients and black women” (105) was simply a myth. This research responds to Cruikshank by demonstrating the use of this myth to mobilize “public prejudices” and ignite policy debates 20 years after the dethroning of the *welfare queen*. Finally, Cruikshank (1999) poses a question that I researched in my project: “If eligibility criteria produced welfare recipients as a group and more Anglo-Americans receive aid, what is the explanation for the fact that welfare recipients and especially welfare “cheats” were so often stereotyped as female, poor and African-American” (110)? Cruikshank attempts to answer this question by claiming that it was simply a myth, and any investigation into this fictive caricature was in some ways validating the image as if it is real. However, she concedes that welfare reform legislation had the “imprint” of a stereotypical *welfare queen*, which attests to her acknowledgment to the consequences of the formation. More specifically, with regards to this study, she might be forced to answer why African-American women continue to embody this image long after the end of welfare as we know it<sup>30</sup> which seems to speak to the durability of this stereotype in the post-Welfare Reform landscape.

### **Welfare Queens to Childcare Queens: Social Trajectory**

In this ethnography, I argue that one of the major reasons for the continuation of this master narrative was the public and political deployment of a representational

narrative to mobilize reform. This is illustrated by a narrative that we can see in two different time periods regardless of the shift in the social and political climates. Unlike the stereotypes that accompanied the fictional *welfare queen*, the equally fictitious *childcare queen* is not a welfare recipient but provides services to recipients. One would have hoped that the myth of the *welfare queen* would have died after the passage of PRWORA and TANF, but I argue it was revived in the nationally acclaimed and Pulitzer Prize winning series *Cashing in on Kids*. Edward Sterling, a respected community activist spoke about how “shocked” he was that this series was so celebrated during our interview: “It was totally irresponsible. The *Milwaukee Journal Sentinel* did not focus reporting on why and how these parents and children were left out in the cold. They [journalists] just wanted to get their Pulitzer Prize. I will see the Pulitzer Prize a lot differently.”

Previously, I explored the historical justifications for this continued myth and hence this master representational narrative. In this section, I narrow my analysis and examine the actual social trajectory of the myth of the *welfare queen* and extend my analysis into the low-income childcare discourse. I examine the late 1970s to the mid-1980s because this was the period when the rhetoric of welfare reform sprouted and built momentum, which subsequently gave birth to the myth of “the *welfare queen*.” I highlight two key moments in which presidential candidates used this myth in efforts to gain public support for welfare reform. These two candidates were from different political parties, which speak to the bi-partisan nature of this idea:

If politicians of the Right invented the formula, it was employed and refined by their centrist and even “progressive” rivals. Indeed, the president who oversaw by far the biggest increase in incarceration (and the ushering in of welfare reform) in

U.S. history is not Ronald Reagan but William Jefferson Clinton” (Wacquant 2010, 209).

Next, I examine the development of these representational practices from the early 1990s up to the culmination of welfare reform in 1996, when the PRWORA was passed and the instituting of TANF. This analysis has been substantiated by previous theorists, to whom I am indebted to (Armstrong 1995; Blalock, Tiller and Monroe 2004; Collins and Mayer 2010; Curtis 1999; Ernst 2008; Goode 2001; Handler and Yeheskel 2007; Morgen 2003; 2010; Neubeck and Cazenave 2001; Orloff 2010; Schram 2003). I end the discussion with an examination of the periods from 2009 through 2012, when the image of the *childcare queen* is created in the newspaper. The bulk of my examination during this time period focuses on *Milwaukee Journal Sentinel's Cashing in on Kids* series for several reasons: (1) it is a medium for exploring the neoliberal logic invading the social; (2) the fact that the investigative journalist received national recognition for her coverage speaks to a wide acceptance of this caricature; (3) it was one of the main sources of public information about low-income providers in Wisconsin; and (4) most importantly its had a relationship to 2009 Wisconsin Act 76 and 77.

### **1970-1996: The Emergence of the Welfare Queen**

The alleged *welfare queen*, has been blamed for many of the ills that plague American society, from drug addiction, to crime, and even the perpetual cycle of poverty itself, but in reality, this is fueled by misconceptions of poor African-American mothers (Armstrong 1995; Gustafson 2009; Handcock 2004; Neubeck and Cazenave 2001). From the Great Depression to the Great Society, the concerns about the negative impacts of social services and ballooning expenditures allocated to America's social programs have persisted, especially with regards to the AFDC. Critics felt social services made people

“lazy and complacent” and in many respects these programs have been undergoing consistent reform at the state and federal levels in the U.S. since their inceptions. Former President Ronald Reagan has been credited with coining the term *welfare queen* and often referred to this fictional caricature during his time in office:

Reagan apparently merged the identities of two well-known women convicted of welfare fraud—Linda Taylor, the Chicago ‘welfare queen’ and Barbara-Jean Williams the ‘Cadillac driving queen’ of welfare from Compton into a single persona who starred in an often-used anecdote. Reagan regularly exaggerated the number of aliases used by these women, so that his welfare queen had 100s of them. (Gustafson 2009, 645)

In spite of the lack of substantiation, the nation was astonished and outraged at these allegations. Reagan promised to roll back welfare expenditures, and ever since, the image of the *welfare queen* driving her "welfare Cadillac" has become lodged in American’s public imagination and political and social folklore.

But, Reagan's caricature of the *welfare queen* was apocryphal and only succeeded because it tapped into an already existing perception of poor African-American women. This caricature was later exploited by a Democratic presidential candidate. Bill Clinton used welfare reform as one of his political platforms and promises to the American public. On the eve of the passage of the PRWORA he proclaimed:

When I ran for President four years ago, I pledged to end welfare as we know it. I have worked very hard for four years to do just that. Today Congress will vote on legislation that gives us a chance to live up to that promise, to transform a broken system that traps too many people in a cycle of dependence to one that emphasizes work and independence... I challenge every state to adopt the reforms that Wisconsin, Oregon, Missouri, and other states are proposing to do, to take the money that use to be available for welfare checks and offer it to the private sector as wage subsidies to begin to hire these people, to give them a chance to build their families and build their lives.

-Bill Clinton (New York Times, 1996)<sup>31</sup>



Clinton does not mention the caricature directly but he references it by listing accepted characteristics of a *welfare queen*. Clinton in later parts of the speech included descriptions of welfare mothers as “trapped,” in a “cycle of dependency,” possessing a “lack of work ethic and independence,” and lacking stable and “legitimate families.” This kind of political speech is constructed to inspire and mobilize constituents around political issues, often at the expense of the truth. While Reagan had given a neo-liberal spin to an older, fundamental (in fact, pre-capitalist) discourse about African-American women, Clinton somewhat “de-racialized” the argument about dependency by not explicitly referring to *welfare queens*, but simultaneously strengthened the neo-liberal agenda that attempts to quietly marginalize race and gender as socio-economic contributors to poverty.

In her book, *The Politics of Disgust: The Public Identity of the Welfare Queen*, Hancock (2004) convincingly argues that the public depiction of the so-called *welfare queen*—the poor, unemployed, African-American single mother—was at the core of the welfare reform debate. She demonstrates how stereotypes and politically charged misconceptions about race, class and gender resulted in countless men, women, and children being denied much needed support and assistance (2004). This myth was referenced so heavily that in the book, *The Myth of the Welfare Queen* that Zucchino (1994) sought to locate an actual “Cadillac-driving, champagne-sipping, penthouse – living” *welfare queen*, who Reagan claimed dominated the welfare rolls in the ghettos of Philadelphia" (10). Instead he found "A thriving subculture of destitute women, abandoned by their men and left to fend for themselves and their children with welfare and food stamps as their only reliable source of income" (10). Hancock (2004) examines

148 newspaper articles and concludes that a problematic, public *deseccration* of poor unwed mothers becomes a “filter” through which the public views and judges welfare recipients. In reference to this public *deseccration*, she states that the public has given “Them an identity that acts from that point forward as an interpretive filter” (2).

### **Reporting on Care 2009-2012: Cashing in on Stereotypes**

The *Milwaukee Journal Sentinel* is a daily newspaper owned by Journal Communications, which is a publicly traded media company based in Milwaukee. The *Milwaukee Journal Sentinel* ran several stories about “phantom children,” criminals receiving Shares monies and questionable governance of the Shares program on behalf of the state. The approximately 100 articles I analyzed for this section were published between January 2009 and April 2013 and all were published under the series heading *Cashing in on Kids*. The coverage was intense and relentless, often with more than 2 or 3 articles being published per week. In order to create this representational narrative and series, the *Milwaukee Journal Sentinel* collected about 2,500 pages of public records, conducted spot checks, and obtained thousands of additional pages of state and county documents that state bureaucrats refused to release (Diedrich 2009). The investigative reporting team behind the series is called Watch Dogs and consisted of about a half dozen reporters of whom the lead reporter for this series was Raquel Rutledge.

Rutledge’s reporting was widely celebrated and in addition to the prestigious Pulitzer Prize for Journalism, she also won the Polk Award, the Goldsmith Prize from Harvard’s John F. Kennedy School of Government, and several other awards and cash prizes. She received extensive praise from the Niemen Foundation for Journalism at Harvard, Judge James Asher rejoiced:

Raquel Rutledge's reporting on Wisconsin's subsidized childcare program is flat-out brilliant. Singlehandedly, she identified the parents, drug dealers and assorted ne'er-do-wells who bilked taxpayers of millions of dollars, stealing precious funds from hard-working parents who truly needed help paying for daycare as they labored to pull themselves out of poverty. What she found was shocking. Yet state and local officials overlooked the malfeasance. Prosecutors were unaware. After a year's worth of reporting, Rutledge's journalism provoked indictments and new laws that reformed the system. And as a result, those who actually needed a lift are getting it. Bravo to her and to the *Milwaukee Journal Sentinel*. (Nieman Foundation News 2010)

The first diagnostic event that propelled the *Milwaukee Journal Sentinel's* investigation was the tragic death of 4-month-old infant, Seiaires McHenry Jr., who suffocated in an unattended van in front of a daycare center on a hot day in July 2008. A "whistleblower" informed the newspaper that Seiaires should not have been attending daycare because his mother was not gainfully employed. The second diagnostic event was the famous childcare fraud case of Latisha Johnson who was the first and most frequently featured provider to be "vilified" by the *Milwaukee Journal Sentinel's* investigations; and consequently she unwillingly became the personification of childcare fraud in Wisconsin. The *Milwaukee Journal Sentinel* ran this representational narrative about Johnson in about half of the articles:

A Jaguar convertible sits in the driveway of Latisha Johnson's million-dollar mansion in Menomonee Falls. Built on a hill with a sprawling back deck overlooking a pond, the 7,600-square-foot home features an indoor swimming pool and indoor basketball court. Johnson is not an Olympic swimmer, a professional basketball player or a celebrity of any sort. She is a daycare provider in the city of Milwaukee. She built her fortune with taxpayer funding from the Wisconsin Shares program. (Rutledge 2009a)

In the above quote, Rutledge is questioning if a state subsidize childcare provider deserves an affluent lifestyle. Johnson was condemned in the *Milwaukee Journal Sentinel*, by the head of the DCF, and on right-wing talk radio. The reporters accumulated over 1800 documents related to Johnson alone (Diedrich 2012). After a lengthy

investigation that verged on harassment by the *Milwaukee Journal Sentinel* and the DCF, Johnson was vindicated of any wrong doing by a Legislative Judge, but the DCF dismissed the Legislative Judge's ruling and continued to attack Johnson (Kaiser 2010a). Latonya Hapgood, an ex-childcare provider, made reference to Johnson during our interview:

She wasn't cashing in on kids she was a businesswomen—a good businesswomen [I think she went to court and won]. She did win but the damage was done. They didn't go back and say they gotta recant. They didn't get anything on Tisha because she was a great businesswoman. She was a millionaire—all those women were great businesswomen. Yea some are going to fall through the cracks—that's with any business in America every single business on this globe has some type of fault or some type of tarnish.

Edward, the community advocate spoke about this famous childcare case as well:

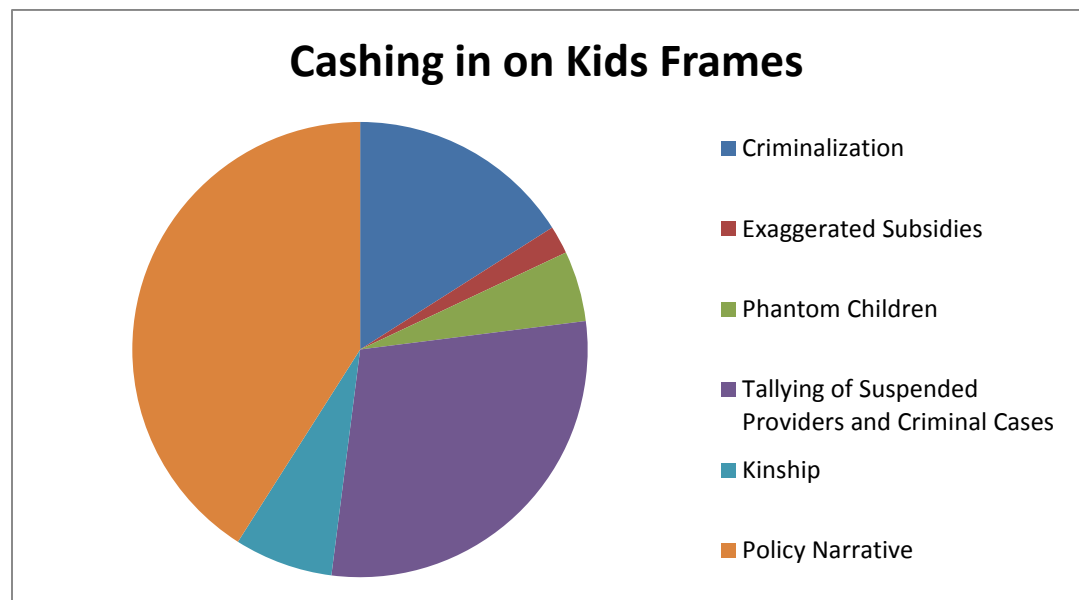
The first case of Latisha Johnson—she was innocent and was acquitted first go around. After a while there becomes an issue--you cannot afford the defense. The state's attorneys are there—if they are going to get you they don't have worry about the clock running from a legal standpoint but you do—after she won and the state decided to go after her again by then she had no further resources.

Here, Hapgood and Edward are speaking to what they felt was the unfair treatment of Johnson on behalf of the media and the DCF.

### **Main Frames and Narratives**

I have grouped the bulk of the articles around 6 main frames deployed by the *Milwaukee Journal Sentinel*: (a) 16% of the articles criminalized the African-American community at large and African-American providers in particular; (b) 2 % of the articles focused on exaggerated subsidies payments to suspected fraudulent providers (these figures also appear in over 50% of the articles), (c) 5% of the articles focus on phantom children and fake employment schemes, (d) 29% consist of the “tallying” of the providers that were suspended and facing criminal charges due to coverage, (e) 7% of the articles

attempted to expose kinship ties within the industry and reveal how providers and parents were exploiting these relationships, and (f) the remaining 41% of the articles criticizes the reluctance of the DCF and legislators to fix these problems and eventually the policy changes that resulted from the coverage.<sup>32</sup>



***They all are Criminals: “Lock them up and Throw Away the Key”***

Interviewing a community activist, I was told that my ethnography would be “Incomplete without the story of Que’Shay Smith.” I discuss Que’Shay and I’s conversation in detail in chapter seven, but she was very vocal about how she felt the media, the DCF and the legislature felt about African Americans residing in Milwaukee’s inner city. “*They all are criminals—lock them up and throw away the key*” is what Que’Shay Smith, an ex-provider, had to say in reference to her peers who had been convicted or were facing jail time. In his book, *Punishing the Poor*, Wacquant (2009) seems to share Que’Shay sentiments. He writes in reference to the society’s posture toward the “black proletariat” trapped in American’s ghettos “Lock’ em up and throw

away the key became the leitmotif of modish politicians, official criminologists, and media eager to exploit the fear of violent crime and the loathing of the (black) criminal” (152). Given the high rate of unemployment among African-Americans in Milwaukee, it might be expected that many of them would look for subsistence in informal economies; I suspect the reporters applied this logic to their efforts to criminalize the African-American community and childcare providers within that community. Several articles either exposed the childcare provider’s criminal past or drew casual correlations between convicted criminals in the community and childcare providers. In their efforts to create a criminal discourse surrounding the series, Rutledge and the Watch Dog Team began to run listed childcare providers’ names through criminal record data bases, despite the fact that the DCF had previously conducted minimal criminal background checks for licensing and certifications. The reporters published that close to 500 providers had a criminal past that ranged from serious crimes to misdemeanors. Rutledge states:

The *Journal Sentinel* found that child abusers [the one featured spanked a foster child with a belt] and people who have committed other serious crimes are becoming licensed child-care providers and are earning hundreds of thousands of dollars through the Wisconsin Shares system. Nearly 500 (criminal) childcare providers have received funding from the state in the first half of 2009 alone. (2009b).

To reinforce this criminal discourse, the reporters also ran a series of articles that drew casual correlations between convicted or suspected drug dealers and providers in the community. For example, in the article “Drug ties to daycare centers” Rutledge (2009c) writes, “A *Journal Sentinel* investigation has identified at least 16 cases where childcare centers receiving state subsidies have had ties to drug operations.” The investigative team cross-referenced addresses of convicted criminals with listed childcare providers businesses and began to foster possible scenarios. For instance, in one poorly

substantiated story that was published claimed that: daycare owner “Taylor” was the longtime live-in girlfriend of “Ray.” The article alleges that she gave him \$10,000 one day in 2007 and the next day he was busted buying 2 kilos of cocaine from an undercover detective. In a later article, Rutledge recanted, writing “It is unclear whether the money used for the drug purchase came from Wisconsin Shares” (Rutledge 2009c) though, she quickly returns to her criminal frame and states that the “Woman was paid \$32,621 that year by the state through the program” (Rutledge 2009c).

Another example of a correlation that was drawn through these articles was a connection between a daycare provider and her adult son who was singled out as a “crime boss” and allegedly planted a gun in the provider’s backyard where the daycare children played. The article initially identifies the provider as the “mother of a crime boss” and does not reveal her name until much later. According to the article, the gun was discovered when the accused son’s estranged wife provided a tip to the authorities, and the provider’s license was revoked because the daycare was deemed an unsafe environment for children. The provider appealed to an impartial judge based on the fact that she did not have any prior knowledge of the gun on her premises and later an Administrative Law Judge ruled that there was no longer any threat at the center because the gun had been removed and recommended that her license be reinstated by the DCF. Instead of establishing that these cases are exceptions to the rule, Rutledge assumed that there is an element of innate criminality among all the providers in these communities. For example, Rutledge writes “The newspaper identified 16 childcare centers with recent connections to drug operations, and the number is likely much higher” (Rutledge 2009c).

After publishing several articles on “criminals” in the low-income childcare industry, Rutledge criticizes the state for allowing convicted criminals to continue to partake in the Shares program and furthermore Rutledge condemns the states license rehabilitation polices and urges the state to become stricter with their current policies and ban some criminals for life (the legislature eventually passed Act 76 which added additional offenses and banned many crimes for life): Rutledge writes:

Nothing in the regulations prohibits people convicted of crimes from getting into the childcare business. There is no permanent ban, no matter what crime has been committed. If the crimes are directly related to children or are considered serious, the childcare providers only need to prove to regulators that they have been rehabilitated before they are eligible. Even those convicted of homicide or sexual assault can qualify, as long as they can convince a three or four member panel that they are fit to operate a center. (Rutledge 2009b)

These embedded prejudices are what Angela Davis (1998) refers to as “camouflaged racism” and they speak to the association of race with latent criminality. Laura King, a lawyer who defended several providers and offered free legal advice to dozens of other providers spoke to the criminalization of the African-American community in Milwaukee by the DCF and the *Milwaukee Journal Sentinel*. She states “They label the black community as a criminal as a whole and it includes those girls in the daycares.” The majority of accused providers by the *Milwaukee Journal Sentinel* reside in the same 6 zip codes as the majority of African-American men who are targeted by the Industrial Prison Complex (PIC) in Milwaukee County. In the comprehensive article “Wisconsin’s mass incarceration of African-American males: Workforce challenges for 2013,” Pawasarat and Quinn (2013) revealed the horrific treatment African-American men endure in Wisconsin’s penal and judicial system. Pawasarat and Quinn establishes that Wisconsin leads the nation in terms of the incarceration rates of African-American men and the majority of these males are from a small geographical



area in Milwaukee. Pawasarat and Quinn reveal that the 2010 U.S. Census reported that “Wisconsin had the highest black male incarceration rate in the nation. In Milwaukee County over half of African American men in their 30s have served time in state prison” (1).

In their article “The Anthropology of Crime and Criminalization,” Schneider and Schneider (2008) explore the anthropology of criminalization and “How state authorities, media, and citizens’ define particular groups and practices as criminal (351). Their article examines the history of the criminalization of specific groups, while looking at the threatening criminal imaginary evoked in relation to current “crime talks.” One example discussed in the article is the criminalization that has resulted from America’s alleged War on Drugs, which has disproportionately affected young African-American males.

They write:

Criminalizing processes are a familiar theme in literature on the United States, whose "War on Drugs" has exposed pervasive racism. Rather than attempting to understand the crack "epidemic" of the 1980s in the context of economic restructuring and associated collapse of government services, the public and the authorities preferred to blame black crack users and incarcerate them at rates 100 times higher than the more affluent (mostly White) users of powder cocaine? (356)

Likewise the article “Trayvon Marin & the death penalty: criminalization of the black community Hee Lee (2014) criticizes the nation’s criminalization of African-Americans:

The dehumanization of people of color—and black Americans in particular—black Americans are immediately perceived as dangerous, suspicious, and criminal because of their race. And such racial stereotyping has a devastating impact on our criminal justice system, judges, prosecutors, and police officers are just as human as the scores of American’s who instinctively associate race with criminality.

Even the children are susceptible to this criminal discourse. In Wisconsin, the state spent over a million dollars on a pilot program that would have scanned subsidized

toddlers' fingerprints as they entered into childcare facilities. Because a large part of the suspected fraud involved providers being paid for taking care of phantom children, the fingerprinting was seen as a good way to track attendance and help to eliminate fraud. Eventually, the state rescinded that proposal due to public and political outcry.<sup>33</sup> Que'Shay believed that the DCF and the media treated the African-American community as if they all were criminals. She explained "They framed it and packaged it all together—like they all criminals—so do whatever you want to them. Lock them up and throw away the key." Que'Shay's interpretation appears to align with Wacquant's ideas about race and poverty in the neoliberal state.

In *Punishing the Poor*, Wacquant (2009) discusses in great detail the racial element in the U.S.'s incarceration rates. He addresses the disparity rates between African-American males and Anglo-American males. He begins this discussion with highlighting that the rise in U.S. incarceration rates were impacted by the America's War on Drugs legislations. He states "In 1975 one federal inmate in four was behind bars on a narcotics conviction; twenty years later, that figure had reached 61 percent" (62). But in the context of drug convictions, the disparity between Anglo-Americans and African Americans arrest and conviction rates have widened. He states "The ratio of black to white arrest rates for drug related offenses was 2 to 1 in 1975; fifteen years later it had zoomed to 5 to 1, even though the relative propensity of Blacks and whites to use drugs had not changed" (62). He continues:

More shockingly, the arrest rate of white juveniles for drug infractions, which had been dropping steadily from a high of 310 arrest per 100,000 since 1975, continued to sag on the same slope after the launching of the War on Drugs to reach a low of 80 per 100,000 in 1991—meaning that white teenagers were left entirely untouched by that aggressive penal campaign. By contrast, the drug arrest rate for black minors, which had dropped parallel to that of whites from 205 per

100,000 in 1979 to 185 in 1989, made an abrupt U-turn in 1983 and rocketed to past 460 per 100,000 by 1989 at the height of the so called war. (62)

### **Stealing Taxpayers' Money and Bloodthirsty Journalism**

The Watch Dog Team has an official statement on the *Milwaukee Journal Sentinel's* website that vows to protect taxpayers' and consumers' interests. The second way *Cashing in on Kids* framed its coverage of childcare fraud consisted of headlines that emphasized the amount of subsidies providers received throughout their tenure with Shares (legal and illegal appropriations are not differentiated in the articles). For example, in the group of articles linking providers with criminals, along with Rutledge's outlining of "criminal ties," Rutledge (2009) includes captions that reveal providers' gross subsidies. Enormous figures appear in these articles, such as, \$9, 247,445 in total Shares (subsidies), \$385,507 in total Shares and so forth.<sup>34</sup>

In dozens of the articles, the reporters emphasized the amounts of subsidies that the accused providers earned regardless if the amount was relevant to the article or not. Another example can be found in the most infamous Latisha Johnson case where Rutledge (2009) highlights that by 2004, Johnson was making close to \$350,000 a year from the Shares program through her two childcare facilities and by 2006 her income had more than doubled to \$830,000. Rutledge slants the articles to imply that this money was earned illegally, a point, which a State District Attorney spoke to:

Sometimes when the newspaper ran their articles they often would talk about gross billing. So for example if you had a center and their gross billing was a million a year—it does not mean that you committed a million dollars of fraud.

This inflationary reporting of Shares income by the *Milwaukee Journal Sentinel* was used to alarm the public about how much money was being "wasted" on these allegedly fraudulent providers. Rutledge and other *Milwaukee Journal Sentinel* reporters admitted

that it was impossible to know the exact amounts that were legally earned or from fraud. Rutledge writes, “There is no way to know how much of that money was earned legitimately” (2009b). This framing device was used throughout the series, in spite of the fact that most articles contained a disclaimer at the bottom indicating that these were not typical cases and that most providers were in compliance with the law. However, headlines and stories were continually saturated with the narrative that depicted African Americans as fraudulent providers that were stealing millions of dollars from tax payers.

In addition to the articles discussed above, about 30% of the Watch Dog Team’s articles contained updated information about providers that were suspended from the Shares and possibly facing criminal charges. Many providers and their sympathizers referred to the *Milwaukee Journal Sentinel*’s and the DCF’s hostile posture toward them as a “*witch hunt*,” and these articles which tallied the number of providers who were either displaced or charged criminally, were referred to as a “*head counts*.” Headlines such as “Ninth Milwaukee-area child-care provider charged,” “Funds now cut for 88 child-care providers” and “List of child care providers cut off hits 99” kept the public updated on the number of suspensions, criminal cases and most importantly the impact of the articles. It appears that the Watch Dog Team used the large inflated subsidies payments published in the newspaper to alarm the public and then used the number of providers who were suspended due to coverage to assure the public of their honorable intentions.

### **Phantom Children: Really?**

A fourth frame in the *Cashing in on Kids* series focused on phantom children and fake employment scams. In one of these articles, Rutledge (2009d) provides a pictorial model illustrating the inner workings of the scams:

A mom has 5 kids. Let's call her Jane. Jane tells the county she works 40 hours a week at a minimum wage job. She qualifies for taxpayer-financed childcare. She has a friend who claims to be her employer. He writes her checks, which she shows the County as proof that she has a job. But this is a sham. There is no job. They have a third partner in the scam who becomes a child-care provider. Although she isn't watching Jane's children, she claims she does and gets paid by the state, as much as \$200 per child per week.

Que'Shay Smith spoke to these "phantom children" accusations and the fact that these so-called fraudulent schemes require the state's approval: "How in the heck are they ghost children with Social Security numbers and mothers have actual cases and receiving food stamps and childcare?" Similarly, Laura King spoke to the peculiar notion that these accused providers were out-smarting an advanced computerized system when she said: "Better yet how is this undereducated ghetto chick defrauding a system. How is it that a young lady can defraud a system that is computerized?" She concludes "At the end it was the state's fault and failure—failures of a formable force."

Lakeisha Simms, who has served in many different positions in the childcare industry, explained that the Shares program already had a system in place to detect overpayments prior to the crackdown, but the County frequently would override these safeguards:

The union fought the state for years because there was a mechanism that could have prevented all of this because built into the childcare system there was a detection system that would alert the worker when a provider reaches capacity the system automatically shuts that daycare down and refuses to allow any other children to enroll. The state overrides that system all of the time. If the state had kept that system running you would have not seen all of these fraud cases.

Edward, the community advocate also spoke to the role that the state played in the failures of the Shares program.

Well if we look at the daycare situation it evolved from the brainchild of Tommy Thompson and he set it up with a good monitoring system through the County. When Scott Walker took over the County he shut down the monitoring system and everything went disarray. It wasn't so much that black daycares were cheating anybody it's just that the checks and balance was not there and any mistakes that were happening was over blown. It [the articles] was designed to run headline after headline in order to discredit a working element of black businesses.

### **Undeserving Poor: Why?**

The fifth frame that frequently appeared in the *Milwaukee Journal Sentinel's* reporting consisted of articles that criticized policies that were in compliance with state and federal regulations, but the reporters felt were wasteful of tax payers' monies. For example, headlines for these article included, "Childcare loopholes lead to easy money: Sisters get 540,000 from state mostly for watching each other's kids, and it's perfectly legal" and "Daycares, parents use kids for-profit." Even the earlier mentioned narrative of Latisha Johnson's "celebrity or pro-athlete" life style drew suspicion with little merit. The loopholes that the reporters were referring to were the Shares protocols that did not prohibit childcare providers from enrolling family member's children into their businesses. These rules did plainly stipulate that a provider could not receive subsidies for caring for their own biological children but nothing prohibiting family members. Rutledge manipulated the durable stereotype of poor African-American women using their children for a financial incentive and used it as a frame in these articles. But, in the childcare industry, where—the goal is to increase profits and maximize strategies for doing so, it seems natural that a business that thrives off of informal references would have strong familial ties.

Another policy that the reporters found to be wasteful of taxpayers' money was that many daycare employees were enrolling their children at the same daycares where they worked. In one extreme case were a childcare provider with 10 employees had 32 of these women children were enrolled in her centers. Rutledge writes "Jenkins was running what police and regulators refer to as a child-care ring—adding mothers with many kids to her payroll for the main purpose of enrolling their children in her centers" (Rutledge 2009d). Ultimately, the DCF instituted policies that forced providers to report how many of the children in their care were related to them and such arrangements became a red flag for possible cases of providers and parents scamming the system.<sup>35</sup> These cases were labeled "kinship ties" in the *Milwaukee Journal Sentinel* as if something was questionable about the "kinship" aspect of the arrangements, and more disturbingly these arrangements would increase the likelihood of foul play. This loaded description of childcare-rings made its way into official governmental documents. For example in an interoffice letter on behalf of the Legislative Audit Bureau, to Senator Vinehout and State Representative Barca, Janice Muller a state auditor writes "We also identified a significant problem with program rules that allow providers to care for one another's children, thereby creating childcare rings."<sup>36</sup>

### **Policy Change is the Target**

The *Milwaukee Journal Sentinel* outlined a childcare policy narrative and continued to apply public pressure on the DCF and legislators to respond with policy changes (chapters five and six discuss in details laws and policies that were influenced by the coverage) in approximately half of the articles. The policy narrative tended to develop in this order. First, Rutledge would target a provider for questionable behavior; next she

would point out the “flaw” in the system that allowed for the fraud, and finally she would urge the DCF and legislators to respond and they did in the newspaper and in the legislature. Rutledge wrote extensively about how the DCF bureaucrats and regulators ignored red flags and suspicious behavior by both the providers and parents. She would highlight a provider she had investigated and make the concerns public and inform the public that the DCF continued to pay the provider in spite of these red flags. Rutledge (2009) urged the DCF to immediately cut off suspected providers, and in about a dozen articles, she highlighted the state’s reaction to her reporting: “The state cut off public funding this week after questioning by the *Journal Sentinel*” (Rutledge 2009f).

The Watch Dog Team took credit for helping to usher in 2009 Wisconsin Act 28 which gave rise to the YoungStar rating system and eliminated one-star providers, and reduced subsidies for two-star providers receiving Shares. Tolan (2012) a member of the Watch Dog Team states:

The rating system, voted into law by the legislature in 2010 and modified in the budget approved last summer, is a response to a *Journal Sentinel* investigations that exposed widespread fraud and shoddy oversight in the Wisconsin Shares program, which subsidizes daycare for the poor.”

### **The Representational Narrative: Loud and Clear**

These six frames were used by the *Milwaukee Journal Sentinel* to create a public representation of a figurative *childcare queen*, which I argue is a revamping of the myth of the *welfare queen*. During several of my interviews, the providers would mock the *Milwaukee Journal Sentinel* by rhetorically asking “What actually was cashing in on kids?” Surprisingly the political and social climate has changed, but the stigma remains. The title of the *Milwaukee Journal Sentinel* series “*Cashing in on Kids*” alone contains undertones that suggest these childcare providers as the undeserving poor, and their



fecundity again becomes a matter of public debate. The logo for the series was a childlike paper doll cut-out of dollar bills. Also, the negative framing of “kinship ties,” and ideas of phantom children propelled this narrative of African-American women’s fecundity and representations of their reproductive bodies into the public sphere once again. This was illustrated in the *Milwaukee Journal Sentinel*’s investigation of the “childcare rings” which were perfectly legal but the way the media framed it, the policy appeared to be a disturbing practice to the public, the DCF and state legislators. In addition to their legality, these kinds of arrangements should have been considered convenient arrangements for parents and childcare providers. There are many occupations and companies that have realized the benefits of having daycare services offered at work, often called “on-site care.” For example, many federal and university employees enroll their children in “on-site” daycares during their shifts. But, Rutledge cashed in on stereotypical representation of poor African-American women, depicting them as using their children to gain financial rewards.

The Watch Dog Team fostered a criminal discourse around these providers that questioned their moral character and, more importantly, taxpayers’ investments. These reporters gave the public filters with images of providers scheming and undermining the system and even the title of the series and the phrase “Cashing in” conjured up images of quick and easy money that was not legitimately earned in contrasted to monies earned from hard work and dedication. These reporters continually emphasized the subsidies that were earned by accused providers, and by failing to distinguishing legally-earned income from fraudulent monies they forced the public to rely on the framing of the articles rather than the truth. Instead of being granted the “benefit of the doubt” in these cases, the

providers' latent questionable moral character seemed to guide the public as well as policy-making platforms. Essentially, these providers were portrayed as wasting governmental investments. Finally, the *Milwaukee Journal Sentinel's* relentless pressure on legislators to fix the broken Shares programs is further discussed in the following chapters.

### **Race and Gender: Still Matters?**

Typically, the *Milwaukee Journal Sentinel's* pictorial representation of a common, fraudulent childcare provider was embodied by an African-American woman residing in Milwaukee's central city. The concentration of racially and gender related poverty in the central city of Milwaukee contributed to the sentiments in these communities that the DCF, legislators and the media were singling them out. I asked several DCF representatives and legislators about this and their responses tended to revert to statistics: the fact that African-American providers were disproportionately affected by the state's crackdown on fraud was due to the fact that more than 60% of Shares funds went to these communities. Thus for them, it followed that this was where most of the fraud was taking place, and racial profiling of providers was not the issue. This would be another example of what Angela Davis (1998) refers to as "camouflaged racism."

The *Milwaukee Journal Sentinel's* reporting focused on the five Wisconsin counties with the highest number of subsidized child-care recipients - Milwaukee, Dane, Racine, Kenosha and Brown counties but LeAnn Zablowksi who was a union representative and advocate for family daycare in areas outside of Milwaukee County told me she "Could only recall of three of four childcare fraud cases outside of Milwaukee." Jerod Simmons, a defense lawyer for several providers said during our

telephone interview that “The state basically investigated a 2 mile radius.” He recalled “Literally hearing the secretary of the DCF in a meeting saying that he was targeting this community and referred to it as a *red zone*. State Representative Thompson also spoke about the targeting during our interview when she states “*Cashing in on Kids*” definitely put a laser focus on Milwaukee’s Shares childcare providers and parents and in some ways it was warranted it and some could be labeled as a witch hunt of sorts.” Many childcare advocates and providers did not feel the focus on Milwaukee’s inner-city neighborhoods was “coincidental.” For example, Sharon Hampton a childcare provider said:

I think it was bias and in that context it was racial. How do you close those many centers and they all were ran by minority females and not one white center you were not looking either. It was through that window of time I stopped reading the *Journal Sentinel*.

Edward attest to his disgust at the *Milwaukee Journal Sentinel*’s racialized investigative journalism. He recalled:

Most of my involvement was to set up a rebuttal to the *Journal Sentinel* whom had decided for the state and on the behalf of the state to attack the daycare providers. I wanted to give them [providers] the chance to tell their own story. Why was this happening? What were the misconceptions that were being portrayed and why had the state single out black daycares to shut them down while leaving most of the white daycare open? And had the rest of the state been making the same mistakes or they weren’t over blowing it?

I asked Edward if he thought that these attacks were racially motivated, and he responded, “Facts speak for themselves when you got all- black [daycares] attacked and the daycares in Lacrosse and Madison of a different hue in complexion not—one would certainly draw some conclusions.” In the article “Special report: Childcare Cheaters” channel CBS reporter Mike Strehlow speaks to an ex-provider Betty Martin, who claims that Wisconsin’s crackdown on fraud was “blatant racism.” The article clarifies that

“Williams was one of the first childcare operators suspended from the Wisconsin Shares program when the crackdown began in late 2009.” He continues that “Martin represents 18 African-American owned daycare providers who claimed the state is targeting Milwaukee and letting fraudulent providers who have daycares outside of the city off the hook.” The article concludes with the group of women filing a lawsuit alleging racial profiling.

Lynnlise Parker, a childcare provider, shared Edward’s views that the coverage was biased and she felt it ruined African-American providers’ reputations. She believed that there is a real need to give providers a platform to tell their side of the story. She stated:

Now it ruins the image of the black caregiver—especially because people like that [Rutledge]. The media is negative. We need to be more supportive of black media. We should be putting out alternative images to combat their images. The *Journal Sentinel* is their paper and it’s not our paper. They glorify portraying us in a negative light.

Laura King, a defense lawyer spoke about the larger discourse, which the *Milwaukee Journal Sentinel* focused on, a larger societal concern with dealing with African-American success:

But the paper was fascinated at *nigga* money. During slavery and Jim Crow Blacks were often punished for being uppity. It makes white people uneasy. Most Blacks that were lynched were wealthy and uppity. White people were very upset. Look what they are doing. Racialized white people are bothered by nigga money. I am amazed by the resentment toward black wealth. It’s like we are not entitled to wealth when black but it’s okay when you’re white.

For example, Rutledge was disturbed by the affluent life Latisha Johnson had attained and the way she framed the articles, she alarmed the public too.

Many providers felt that these attacks were part of a larger agenda within the DCF, which wanted to systematically reduce Shares expenditures, but did not want to be

criticized for neglecting children. Thus, the providers felt the DCF and legislators used and exploited racial and gender stereotypes to camouflage austerity measures. Que’Shay Smith captured this sentiment about the manipulation of stereotypes by the media and the state:

They [the DCF and legislators] attacked white women, Hispanic women and all of them. They changed the policy of the entire program but they fault us for doing it. That affects everybody—you will see some articles of white women way up north saying that they do not know how they will keep their doors open with these new rules and policies. But now it’s those “black bitches fault” we all have to suffer because—it was slick it! It was so slick! It was psychological, so now you won’t blame the state but you will blame us. You will blame the black women for abusing the program.

Rutledge and the Watch Dog Team exposed some questionable childcare cases that required the assistance of parents and the approval of a state employee but consequences for these parties were not made very public. Lynnlise spoke to this disproportional coverage:

I have yet to see any one in management positions get in trouble for allowing all of this fraud and people scamming the system but the little people always get caught. What about the licensor? If some of the providers are cashing in on kids? So how did they get away with it?

## Conclusion

The complex history of the Wisconsin Shares childcare program and its haphazard implementation seemed to drop out of sight in portrayals of the fraud crisis. The *Milwaukee Journal Sentinel*’s representation of childcare fraud predominately featured African-American women and resonated with a longstanding narrative that portrays low-income African-American women as members of the undeserving poor, with exaggerated issues of fecundity who are of questionable moral character. In this case, there was a similarity between the “*welfare queen*” rhetoric that helped to usher in

welfare reform on the national level and the framing of the *Milwaukee Journal Sentinel's* award-winning investigative series that helped to usher in childcare reform in Wisconsin. My project attests to the durability of race, gender and class stigmas in public discourse. This is evident by the fact that childcare providers are not welfare recipients, but actually provide a service to welfare recipients. Yet the providers shared the stigmatization. The *welfare queen* and the *childcare queen* shared many of the same public stigmas despite apparent differences in social location. Following, Cruikshank and Gustafson, the visibility of fraud in the welfare system increased with technological advances in data bases and computers, but it fails to explain why African-American women come to embody fraud in the media discourse. I wonder how they would respond to the fact that despite the fact that they are not welfare recipients, childcare providers were subjected to the same vilification in the media as those receiving government aid. Childcare providers were blamed for the faults of the Department of Health and Human Services and the DCF, both of which protected its own bureaucrats, who approved the apparently fraudulent payments, while prosecuting providers. I term this representational narrative from *welfare queens* to *childcare queens*<sup>37</sup> not to demean or trivialize poor African-American women but to criticize the discourse that demonizes African-American women in the name of reform. The durability of this image is pervasive because it (a) is constructed and disseminated through public and political discourse, (b) transcends the experience of individual experiences (see chapter seven and eight), and (c) emerges from structures of social stratification and inequality.

## Chapter Six

### Policy Narratives and the Media: It's a Tango

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My research revealed a relationship between the *Milwaukee Journal Sentinel's* *Cashing in on Kids* policy narrative and local expedited childcare reform. 2009 was a big year for the *Milwaukee Journal Sentinel* and for childcare in the legislature; it was the year the *Milwaukee Journal Sentinel* published the bulk of its nationally-acclaimed investigative journalism on childcare and Governor Doyle signed eight childcare-related bills into law. Also during 2009, there was spike in single-parent unemployment in Milwaukee County, which was directly linked to the loss of jobs in the low-income childcare industry.<sup>38</sup> A major goal of my ethnography was to “recreate” the legislative whirlwind my participants experienced and to offer some insights into their paranoia and suspicion of the state. One of the bills passed during this year was 2009 Wisconsin Act 28 instituting the YoungStar program, which was later modified under 2011 Wisconsin Act 32. I will return to the YoungStar program in chapter seven and eight. I found that the bulk of the *Milwaukee Journal Sentinel's* articles were published in the same year that childcare bills saturated the legislative agenda. Like the YoungStar bill, two of the eight bills passed during this year (2009 Wisconsin Act 76, the Caregiver Background Check Law and 2009 Wisconsin Act 77, the Immediate Suspensions of Subsidies Law) affected childcare providers whose income was heavily dependent on Shares. In several of Wacquant's publications (2009; 2010a; 2010b), he draws parallels between the administering of prisonfare and workfare on poor marginalized populations, in particular African Americans. He writes in relation to the criminalization associated with prisonfare and workfare:

Several features of the overhaul of public aid at the century's close both mirror and complement the workings of the penal institutions: the narrow aiming of state action at the bottom of the class and caste hierarchies; built-in gender slant; the practical presumption that recipients of welfare are "guilty until proven innocent" and their conduct must be closely supervised as well as rectified by restrictive and coercive measures and the deployment of deterrence and stigma to achieve behavioral modification. (79)

This chapter discusses these two laws through Wacquantian lens and suggest that similar to the legislation that criminalizes and targets poor African-American men in urban centers in the U.S., the criminalization of state subsidized African-American childcare providers were part of the framing of Act 76 and 77. In reference to prisonfare and workfare derived laws and who they afflict, Wacquant (2009) writes "For both belong to the same genus of organizations, namely, institutions of forced confinement: the ghetto is a manner of "social prison" ... "a judicial ghetto" (198).

In order to better understand the hostile political and social environment my participants were thrust into, I needed to understand the laws and policies that impacted their lives. This chapter examines Act 76 and Act 77 because these laws had a debilitating impact on the low-income childcare industry, and contributed to thousands of daycare businesses being forced to close. These Acts both had several aspects in common: a) they were introduced by State Senator Jauch; (b) they were companion bills, (c) they were passed unanimously in both houses and only applied to providers that received subsidies, and (d) they were the two laws that my participants found to be the most controversial and unfair, even viewing them as calculated attacks on behalf of the state. This section also takes up specific *Cashing in on Kids*' articles that were published in 2009 that appeared to influence the crafting of Acts 76 and 77.<sup>39</sup>

Chapter four discussed several problematic aspects of the *Milwaukee Journal Sentinel*'s coverage of childcare fraud. The childcare providers in this study considered



the media's portrayal of African-American childcare providers as unfair and one-sided. The *Milwaukee Journal Sentinel* was proud of the impact the “*Cashing in on Kids*” policy narrative had on legislation and the DCF. Less than a month after the series began to run weekly articles the DCF and the legislature went into “frenzy” over how to further regulate the Shares program. This began a kind of “tango,” a back and forth, in which the media would point out what was wrong with the system and then legislators and the DCF would respond both publically as well as through legislation. For example, Senator Jauch was vocal in the pages of the *Milwaukee Journal Sentinel* and was also the sponsor of Act 76 and Act 77. Through close and critical reading of the articles, I was able to discern legislators' opinions and influences, which aided in my analysis of the laws themselves. For instance, shortly after the articles about criminals in the Shares program were published the new criminal background check Act 76 passed unanimously in both houses and was enacted in little over a month after its introduction in the legislature.

Act 77 had a similar speedy legislative history.<sup>40</sup> Around the same time the *Milwaukee Journal Sentinel* began to run articles on providers suspected of fraud continuing to be paid by the state, Act 77 was enacted unanimously which granted the DCF the power to suspend payments at their discretion. The expedition of these laws created an environment of rapidly shifting policy, where providers felt laws and policies were changing overnight. During my interview with Edward Sterling, a childcare advocate, he spoke about how quickly legislation was instituted during this period, and the way that it blindsided many providers. He explained “Unfortunately hundreds of families [children and parents] have been affected negatively by these rash decisions to have emergency meetings, changing policies and laws without advance notice to

providers and parents.” I reviewed Act 76 and 77’s legislative history (movement through the legislative process) and noted that at the public hearings for each bill there were not any attendees who were against the new proposed laws, but this was because the only people who attended these hearings were legislators and organizations that were in favor of both bills. I asked Edward about the impact the *Milwaukee Journal Sentinel* had on the public and more importantly, its impact on these policy changes. He replied:

In order to affect policy changes, you need the support of public opinion and the *Journal Sentinel*’s role in this was to reach a critical point of public opinion. The *Journal Sentinel* targeted the daycare community to allow this change to happen and for the public to feel that it was getting a benefit.

Here, Edward is speaking to the notion that the DCF and the *Milwaukee Journal Sentinel* worked together in a sense, and that the newspaper created the context for this legislation by swaying public opinion. However, according to Reynolds, the DCF had just begun to investigate the Shares program when they received their first inquiry from the *Milwaukee Journal Sentinel* and any synchronization was purely coincidental. I inquired about the frequency of such relationships between the media and the enacting of laws and Edward continued:

Oh yeah goes on all of the time—every article ever written has an agenda. It is framed in a certain manner to support or deny creditability to the folks who are being presented in the article—every reporter knows that. So the Pulitzer Prize winner was slanting her articles against the daycare providers.

Regardless, if the synchronization was deliberate, for providers, having to deal with both the media’s allegations and the public backlash as well as the shift in government policies gave them the sense that the DCF and the media were “ganging up” on African-American providers. It would be hard to “prove” that the DCF and the media were working together, but this is what it felt like it from the standpoint of the providers.

### **Synchronized Attacks?**

From the perspective of the participants of this study, they felt they were defending themselves against the media, the DCF, the public and even their elected officials; and this became a hostile and intimidating environment according to many providers. According to Reynolds, it was purely coincidental that as the DCF began investing money and labor into reducing fraud in the Shares program, the *Milwaukee Journal Sentinel* began a two-year investigation into the program. As I began to map out and track the articles in the series, I saw how they coincided with changes in legislation and policy, and heard the testimonies of my participants' experiences with the state's investigations, I came to understand their paranoia.

Tyshon Wilkinson felt that the race of the providers played a significant role in the state's childcare fraud crackdown and theorized that race was a marker as was jealousy. When I asked him why he thought Milwaukee was hit so hard by the anti-fraud legislation in comparison to the rest of the state, he replied:

I would have to say the color of our skin to be honest with you. You got people making a lot of money with very little education and very little professionalism and they wanted to weed out these people. It's hard for somebody who you know spent a lot of money for school to get a job and did a lot. And for someone to open a daycare and make 2 or 3 times more than them and these are the people who are making the laws—they are going to have a problem with that.

While jealousy toward providers was a reoccurring theme in my interviews, because I was already dealing with anecdotal relationships in my media and state discussions, I felt theoretically trying to isolate a discussion on jealousy would be even more troublesome. Since the nucleus of my analysis is the experiential knowledge of low-income childcare providers, I found it peculiar that Laura King, a defense lawyer for several providers, spoke about Wisconsin being threatened by “nigga money;” this combined with evidence such as Rutledge's writing on Latisha Johnson, which pointed out that she was living

quite well without being a celebrity or professional athlete but was a low-income childcare provider, provoked my interest. While this discussion does bare similarities to the image of a “welfare queen driving her welfare Cadillac,” (Latisha drove a Jaguar in the *Milwaukee Journal Sentinel*’s rendition) but it is a part of a larger discussion that, while falling outside the realm of this study, deserves further investigation.

Another possible explanation for the sudden reduction of providers in the low-income childcare industry is that during the crackdown Wisconsin was experiencing a deficit and the eradication of thousands of daycares and jobs in Milwaukee were, in fact, austerity measures. Most of the providers I interviewed made reference to Wisconsin’s fiscal motives along these lines: they would say how the state wanted to save money or how much money the state was saving, and so forth. Under this logic, as the low-income childcare industry came under public scrutiny, African-American, day-care services in Milwaukee’s inner city became opportunities for the state to save and even recoup monies. Many of the bureaucrats interviewed for this study made a reference to “the state’s savings,” as well and this seemed to align with the view that the crackdown was used as part of a series of austerity measures meant to balance the budget. Within a neoliberal ideology, during periods of fiscal deficits government cuts to development municipalities, welfare, and other social spending programs are usually accompanied with political rhetoric of austerity and belt-tightening. In the previous chapters, I have argued that African-American women were variously painted as *welfare queens* and *childcare queens*—both caricatures, transform African-American women into opportunities for the public performance of austerity, while also vilifying them as a reason for the imposition of these measures.

Many of the providers I interviewed about this discourse spoke of the state's ulterior motives to reduce expenditures by cutting childcare through the smokescreen of deterring fraud. For example, Que'Shay thought that the targeting of daycare workers served state ends beyond fraud control:

When a business is in the red, they have to balance the budget; so in order for our state to balance our budget it has meant putting more people in jail, cutting more of what people really need and that is what they did. I know that is basically what happened to us. [Daycare providers] were the most vulnerable and the weakest.

Edward also spoke about the state's hidden agenda during our discussion:

The state was broke at the time and the state needed the resources they were giving the women and they did not want it to appear that they were putting poor children who deserved daycare on the streets. So they blamed the people who had undertaken the business of daycare and discredited them in front of the public. The recouped money went to balance the budget.

He continued:

So since everybody was scrambling, the state was not going to come out of this with egg on their face. They had the taxpayers' pocketbooks to fund their good image, but they still needed to put these poor children on the street.

Similarly, Lucile Clark, a retired childcare provider, spoke about the money Wisconsin was saving from the closing of daycares: "Where did they put the money they saved?" is my question." In the article "Not in School, Children Pay Price with Lack of Learning," Rutledge (2010a) claimed that the new YoungStar system was primarily funded from monies saved from suspending providers, "The program is expected to cost about \$10 million to launch and will be paid for primarily with money saved from cuts to about 130 providers who were suspected of scamming the system." However, when I inquired about the funding for YoungStar with the DCF, their prepared statement conflicted with the Rutledge's claims; A YoungStar representative replied: "YoungStar is funded through the Federal Childcare and Development Block Grant (CCDBG). The

federal government provides funding to states, through the CCDBG, to support child care subsidies and child care quality initiatives.” The representative did not mention monies saved from suspensions or recoupments being used to fund YoungStar.

### **This Chapter’s Mission**

I sought to explore the presence of the *Milwaukee Journal Sentinel*’s public policy narrative in the legislature. Two major consequences that emerged from this hostile discourse were Wisconsin’s “*witch hunt* for fraud” (Chapter seven) and the *Milwaukee Journal Sentinel*’s policy narrative impact on expedited local childcare reform. In this chapter, I have three main goals: (a) to extract an *Cashing in on Kids* policy narrative, (b) to establish an association between the *Cashing in on Kids*’ policy narrative and Acts 76 and 77; and (c) deconstruct the laws into laymen’s terms and discuss the controversial aspects of the laws from the standpoint of African-American low-income childcare providers.<sup>41</sup>

### **Anthropology of Public Policy**

In the early 1990s, several political anthropologists began to question the “site of policy” and to isolate it as an organizing body in society that represented a large branch of social life (Feldman, 2005; Shanahan, Jones, and McBeth, 2011; Wright, 2006). The authors of *Policy Worlds*, notice how “Western societies and increasingly in Third World, contexts from the cradle to the grave are organized under the rubric of policy” (Shore, Wright and Pero, 2011:197). These anthropologists were beginning to study structural aspects of policy with an emphasis on political legitimacy, authoritative discourse, and contesting policy’s normative claims though these concerns lie outside the scope of this

study which was more concerned with the “public framing” aspects of policy per se. In the article “Toward an Anthropology of Public Policy” the authors discussed how:

A Number of anthropologists are beginning to develop a body of work in the anthropology of public policy that critiques the assumptions of "policy" as a legal-rational way of getting things done. While de-masking the framing of public policy questions, an anthropological approach attempts to uncover the constellations of actors, activities, and influences that shape policy decisions, their implementation, and their results” (Wedel, Shore, Feldman and Lathrop, 2006:124).

The starting point of an anthropological approach to public policy was to examine the assumptions and framing of laws and policy.

### **Narrative Policy Analysis**

In “Government advertising and media coverage of corruption scandals,” Di Tella and Franceschelli (2011) state “The media plays an important role in modern democracies. For example, it provides a large proportion of the information with which policymakers and voters make decisions, as well as analysis and editorial content that may influence the conclusions reached by potential voters” (119). In the article “Narrative Policy Framework: Clear Enough to be Wrong?,” Jones and McBeth (2010) try to understand how policy narratives drive coalitions of elites which “In turn most certainly drive both policy change and outcomes” (345). The empirical models they formulated were called the Narrative Policy Frame Work (NPF) and though I did not use their empirical models, several of their strategies were useful for my argument. First, they begin with their notion that policy narratives should be viewed as possessing basic “Narrative structures: setting (basic assumptions), villains (policy problem), and heroes (policy solution)” (Jones and McBeth, 2010:339). Similarly, in Stone’s (2002) book *Policy Paradox: The Art of Political Decision Making*, she states “Definitions of policy

problems usually have narrative structure; that is, they are stories... They have heroes and villains and innocent victims, and they pit forces of evil against forces of good” (138). In the *Milwaukee Journal Sentinel*'s fraud narrative these components were pronounced throughout the series. In Jones and McBeth's discussion of the “Narrator's Trust and Creditability” they also explain that a policy narrative's narrator's trust and creditability play a role in the accepted policy narrative. The *Milwaukee Journal Sentinel* position as the largest and oldest news media outlet in Wisconsin automatically positions it as a trustworthy and credible news outlet.

In the recent article, “Scandals, lawsuits, and politics: child welfare policy in the U.S.” Gainsborough (2009) attempts to understand what factors drive child welfare policymaking, in particular the effect of scandal on child welfare legislation. Her research analyzes data on spending and legislation in the U.S. over a three-year period as well as tracking public discussions on child welfare in the media. Gainsborough draws comparisons between the treatment of child welfare in the public and TANF recipients. She writes “To the extent that political scientists mention child welfare policy, it tends to be grouped with Temporary Assistance for Needy Families or welfare policy more generally” (326). She continues “On the one hand, child welfare policy does resemble traditional welfare policy in some respects. For example, it lacks powerful interest group support, and negative attitudes about race and poverty might shape perceptions of the policy area” (326). But one big difference is “In the context of TANF, for example, attention-grabbing stories are both much less likely to occur and, to the extent that they do, are less likely to be kinds of stories that generate sympathy for the target of the policy” (326). She concludes, “While states that experience a scandal or a lawsuit do not



increase their spending levels over previous years, they do enact more child welfare legislation” (325) and therefore “This raises the possibility that states engage in symbolic rather than substantive responses” (325). In the case of my project, it appears that the scandals that were published in the newspaper influenced the reduction of spending on the Shares program, but very similar to Gainsborough findings scandals did appear to have influenced legislation.

### **How Laws are Enacted**

Before I begin my discussion, a quick overview of how a law is enacted through the Wisconsin State Legislature is needed. This study examines laws as separate points of analysis because the legislative process is more rigorous than, say, the process of changing or amending a company’s policies, and there are usually more actors and levels involved in law-making procedures. In the U.S., at the state and federal level there are three law-making bodies in government: the executive, the legislative, and the judicial. The laws examined in this chapter are largely discussed in terms of the passage through the legislative branch. Most laws have to be approved by a vote of both houses of the legislature, the House of Representatives and the Senate and though anyone can draft a bill; only members of the legislature can introduce and sponsor a bill. As soon as a bill is introduced, it is assigned to a committee. At this junction, the bill is examined carefully and its chances for passage are determined, and bills are often assigned to a subcommittee for study and hearings. During these hearings, views of the executive branch, experts, public officials, supporters, and opponents of the bill are heard and recorded. If the committee votes for the bill, it is sent to the floor, though the majority of bills die on the committee floor and never reach this stage. According to [wilawlibrary.gov](http://wilawlibrary.gov)

of the 1,500 to 2,000 bills introduced in a given two-year legislative session, approximately one-fourth will become laws. After receiving a subcommittee's report on a bill, the full committee votes on its recommendation to the House of Senate. Which bills get chosen for consideration depends on the legislative priorities of government. The bills that are considered will be scrutinized, strengthened, or weakened and subsequently amended. Uncontested bills may be passed by unanimous consent or by a two-thirds vote. At the state level, the Governor then signs or vetoes the bill. The legislative process from the introduction of a bill to its passage in the legislature and waiting for the Governor's approval can take months and sometimes years.

### **Policy Narrative: All the Right Drama**

The *Milwaukee Journal Sentinel* drove a policy narrative that would deter fraud and rid the Shares program of criminals, in this policy narrative the media appears to be the heroine and many members of the public bought into the idea of the newspaper providing commendable journalism. The policy narrative includes the newspaper constantly reminding the public of the positive intentions behind Shares, which sought to provide poor working parents childcare support, and how the system was being taken advantage of by providers and parents who were abusing it. The *Cashing in on Kids'* policy narrative contains all three major parts of a convincing narrative. As the oldest and most widely disseminated newspaper in the state, the *Milwaukee Journal Sentinel* is a trustworthy and credible narrator. The villain is clearly the accused providers, but, at times, the DCF and the legislature was also portrayed in a negative light, as they were responsible for instituting a poorly-regulated program (though at other times legislators were celebrated for fixing the program). Also, at times the heroes seemed to be the

Watch Dog Team themselves for exposing the state's shoddy oversight and aiding the government by shining a light on the criminals and fraudulent providers that plagued the Shares program and protecting the innocent victims' (tax payers') interests.

### **The Tango: Media Leads**

State Representative Barca who also went on record in favor of Act 76 in the *Milwaukee Journal Sentinel* captured the newspaper's policy narrative quite efficiently when he said, "We will not let bad actors ruin Wisconsin Shares for the working moms and dads who have relied on this program to move off welfare, to go to work every day, and to know that their children are being properly cared for" (Rutledge 2009e). As part of their reporting, Rutledge and the Watch Dog Team would praise or criticize legislators' efforts and through these methods they pushed a policy agenda. In the article, "Not even FBI raid halted state aid to child-care center," Diedrich (2010), reports about a Menomonee Falls (an affluent community) couple who had been under criminal investigation and the DCF had not responded swiftly by freezing their subsidies:

A Menomonee Falls couple whose child-care center has been under criminal investigation for suspected fraud since at least January [2010] continued to collect money from the state's taxpayer-supported Wisconsin Shares program—even getting an \$18,000 check that was issued the day after the FBI raided the center.

According to the story the couple was linked to the infamous, fraudulent childcare provider Latisha Johnson, and supposedly when Latisha's business was shut down, she enrolled most of her children into the couple's centers. The wife, Shannon, had previously lost her license for two years due to the tragic death of a child who was left in a daycare van (much like the diagnostic event that started the *Milwaukee Journal Sentinel's* investigations). Her husband, James opened up another daycare Exceptional Kids and Diedrich (the reporter) was disturbed by this. This is an extreme case were there

actually was a situation where a child was endangered and the reporter was concerned with the safety of children. But, the articles' emphasis on the couple's criminal ties to Latisha, incriminating her husband, the oversights by the state, and the urging for action all aligned with the newspaper's a policy narrative. It appears that each article was a piece of this larger agenda.

The article "Doyle plans child-care reform: changes to state-funded system could include tighter limits, quality ratings" was published less than a month after the series *Cashing in on Kids* ran its first story on the low-income childcare industry. After the newspaper accused several childcare providers of committing fraud and illustrated how the fraud was committed, the state responded by fast-tracking a detailed reform plan that had been stuck in the legislation process since 2007. Many of the key findings from the articles were addressed specifically in Gov. Doyle's public response, and among Doyle's proposed reforms were plans to: institute a quality rating system, limit the percentage of children in care related to the provider, create a statewide fraud hotline, and give greater authority to regulators to suspend child-care providers who falsify paperwork.<sup>42</sup>

This appears to be the result of a dialogue that emerged between the *Milwaukee Journal Sentinel*, legislators, and the DCF bureaucrats. Many of the legislators quoted in the newspaper were sponsors or co-sponsors of the bills and/or part of the legislation process during the crackdown. The newspaper reported that Gov. Doyle had proposed a quality rating system twice in the past, but it failed to get legislative support. Senator Robert Jauch who sponsored Bills 331 and 280 (which became Acts 76 and 77) was the chairman of the committee on Children and Families and Workforce Development (to which both Bills were assigned to) was quoted as saying "I think this time it will be

received very differently” in response to the *Milwaukee Journal Sentinel*’s doubts of significant reform. Sen. Jauch continued saying, "*Cashing in on Kids*" has changed the political dynamics in Madison” (Rutledge 2009e). Here Sen. Jauch is acknowledging the policy narrative that the *Milwaukee Journal Sentinel* helped to create, and its influence on decisions made in the legislature. Jauch also acknowledged that Rutledge help to create the urgency for shelved legislation. Once I mapped out “who said what about whom” examples began to form a dialogue which is where my analogy of a “tango” between the newspaper and the legislature comes from—and, in this dance it appears the media led.

### **Act 76: Criminal Back Ground Check**

The *Milwaukee Journal Sentinel* ran several stories that linked childcare providers with criminals in their communities and claimed to have found nearly 500 providers in the Shares program with criminal records. The legislature responded quickly with the drafting and enacting of Act 76. Since it was enacted in November 2009, Act 76 (or the Caregiver Background Check Law), has been met with mixed reactions and interpretations from the childcare industry in Wisconsin.

### **History of Salient Bills in the Legislature**

Act 76 began as Senate Bill 331 and was introduced by Senator Jauch and 11 other senators, co-sponsored by 24 State Representatives and co-authored by Senator Coggs and Senator Hopper. Bill 331 moved through legislature swiftly: Senator Jauch introduced the bill on October 2, 2009, and he recommended the first senate amendment on October 6, 2009. The bill was opened up to a public hearing on the next day. Present at the hearing were Senators Jauch, Lassa, Vinehout, Kedzie and Hopper. Among the organizations, elected officials, and departments in favor of the bill who were present

were Tamara Grigsby (Rep.), Henry Wilde (Madison DCF), Peter Barca (Rep.) and George Hagenauer (4-C Madison); no one in attendance opposed the bill. Legislators and supporters who were present for information only were Alberta Darling (Sen.), Mark Gundrum (Rep.), and John Grabel (Madison AFSCME). Senator Jauch's first amendment extended the background check until a provider's (and employees and family members in the home over 18) 12<sup>th</sup> birthday. Five sponsors voted in favor of amendment 1, and no one objected. Senate amendments 1-3 went uncontested with unanimous voting and were basically additional offenses and penalties added to the bill, but Senate amendments 4-8 were split down the middle and in each case it was seventeen votes for and fifteen votes against. The contested areas were issues surrounding when to suspend subsidy payments, Federal Bureau of Investigation fingerprinting, and a proposed Shares swipe card system. These amendments addressed different aspects of the bill, such as what crimes should be included and what respective penalties should be applied. The bill was presented to Governor Doyle on November 12, 2009 and was signed into law the next day. This controversial bill was introduced, "marked-up" and enacted in little over a month. The three most controversial aspects of senate Bill 331 that brought the most public outcry from providers were: (1) the new law had an age discrepancy that extended to adolescent years, which seemed excessive; (2) who the law targeted; and (3) the infractions that could get a provider barred for life in comparison to those that could be rectified through rehabilitation.<sup>43</sup>

Act 76 was allegedly created to increase safety and decrease fraud within Shares and it went into effect across Wisconsin on February 1, 2010. Some of the key points of the legislation are that it: (1) required background checks for childcare providers and

their affiliates; (2) barred individuals convicted of certain crimes for life from obtaining a childcare license, working in a child care facility, or living in a family childcare home; (3) the background checks would be conducted four times a year or quarterly; and (4) granted the DCF the discretion to suspend the license of a provider who has been charged with a serious crime and revoke their license if the provider was convicted of the crime. It was peculiar that the new caregiver background check law instituted criminal background checks on already contracted providers (not new providers), household members, and employees. And, surprisingly, the background check could extend back as far as when a provider was 12-years old. Act 76 stated that a “Person may not be licensed or certified as a childcare provider if he or she has been convicted or adjudged delinquent on or after his or her 12th birthday for committing a felony.” So, a 40-year-old provider could be kicked out of the program for a crime she committed when she was 14. In the online article “Childcare provider loses certification, suing county to get it back,” Sloth (2010) reports a case where Act 76 defies the imagination, according to the story, Sonja Blaster, was a 57-year-old childcare provider who successfully ran a Racine County daycare for 12 years. The county revoked her license after the enactment of Act 76 because of a “24-year-old welfare fraud violation, according to her attorney.” Sloth goes on to say “The state law isn’t this strict for those convicted of homicide by intoxicated use of a vehicle or firearm or found guilty of substantial or aggravated battery.”

Prior to Act 76, Wisconsin conducted criminal background checks every two years when providers renewed their licenses, but Act 76 required a more extensive and frequent background checks. Prior to Act 76, the list of crimes that would result in a permanent ban from the industry was small and included but not limited to first or

second-degree reckless or intentional homicide, kidnapping, and armed burglary. During the legislative process, several amendments to Bill 331 were approved and additional crimes were added to the permanent ban for licensees. The added crimes appeared to specifically target low-income childcare providers and included crimes such as, identity theft, felony forgery, felony retail theft, and felony cable theft. As a result, some providers in the field were losing their licenses for nonviolent crimes that they may have committed when they were minors. Act 76 appeared to hone in on low-income childcare providers as a special class of criminal. Tyshon Wilkinson the owner and operator of two daycares, informed me during our interview that many successful providers forfeited their licenses after this legislation because they knew they had a record:

She may have had a record. It was a wave of fraud, but there was a wave of the criminal records too. Like if you had a crime within the last 10 years it came down like two years ago. That wave hit hard. A lot people voluntarily closed because they knew they had something on their record and they voluntarily got out.

Here, Tyshon also speak to the “waves” providers experienced, a reference to the systematic reduction in providers. The Act goes into detail about who it affects:

Relating to: prohibiting a person who has been convicted or adjudicated delinquent for committing certain serious crimes or who is the subject of a pending criminal charge or delinquency petition for committing a serious crime from being licensed, certified, or contracted with to provide child care, from being employed or contracted as a caregiver of a child care provider, or from being permitted to reside at a premises where child care is provided.

The law specified that, not just the providers and their employees, but any family member who lived in the daycares would be subjected to this new criminal background check.

In some cases, I was able to draw a link between stipulations of Bill 331 and actual providers who were featured in the *Milwaukee Journal Sentinel*. For example, in a 2009 article Rutledge wrote about criminals in the industry, featuring LaToya Robinson,



who had been found guilty of a felony for fraudulent use of public-assistance funds in 2004. In the same article, Carmela Carpenter’s criminal history which included arrests and convictions for various crimes such as dealing drugs and writing bad checks was published. Act 76 barred persons who had been found guilty of welfare fraud and writing bad checks from the Shares program for life. The instances featured in the newspaper appeared to be more than just the inspiration for legislation, but became part of the policy-crafting process as well. It was suspicious to childcare advocates that some policies specifically targeted economic crimes and the misuse of public monies for lifetime bans, while more serious offenses such as aggravated battery and child molestation status warranted rehabilitation and reinstatement of license. Such policies appeared to go after African-American childcare providers as a special class of criminal. Tyshon spoke about who he felt that Act 76 was also targeting:

It was crazy like certain crimes on the list that could bar you from being a provider—certain things like stealing cable, [I raised an eyebrow in disbelief]—knew know check it out—shop lifting, writing a bad check. Who is that targeting? If you would steal cable then you would steal from the government?

Act 76 treated all low-income childcare providers as potential criminals, not just the ones the DCF suspected of fraudulent behavior and this indiscriminate legislation was extended to their employees and their family members as well. Wacquant speaks about laws<sup>44</sup> that strip prisons of its “rehabilitative pretension” (Wacquant 2009, 288) and “The colonization of the welfare sector by the panoptic and punitive logic characteristic of the post rehabilitation penal bureaucracy” (290). Act 76 could legally hold an adult accountable for some infraction she may have committed when she was a minor and ban her from the Shares program for life and this was also extended to providers’ employees and family members who resided in their homes with no leniency for rehabilitation.

Que'Shay spoke avidly about feeling betrayed by legislators who were elected in African-American communities. She mentioned State Rep. Tamara Grisby in our discussion: "She was coming to meetings acting like she was going to help us and then going back to Madison and passing laws to hurt us. And she was passing laws saying that if you ever bounced a check you could be revoked." Many providers I spoke with shared Que'Shay's sentiments and thought that because these elected officials were African American and represented African-American constituents they would be more understanding of their perspective. Que'Shay concluded "We had black women coming in here acting like they were coming in to help us—all along setting us up for the state. They all were working with the state and that was wicked—we desperate on our last hope and she [Grisby] came to destroy us..."

Though Rep. Grigsby coauthored senate Bill 331, she admitted that she felt the bill targeted certain populations unfairly. Rep. Tamara Grigsby and Sen. Kathleen Vinehout who were both crafters and supporters of Act 76 and 77, had a change of heart and introduced Assembly Bill 887 and Senate Bill 642 on March 4, 2010, these were companion bills, meant to "soften" some aspects of Act 76. These legislators wanted to change Act 76 in several ways: Grigsby was quoted on Wisconsin Public Television's series *Here and Now* as saying in regards to these bills:

So we're working with the department on that, and the last thing I'll say is that we are — my office is currently working on legislation, waiver legislation that would give the department the ability to waive people based on their, you know, individual circumstances as opposed to just doing this broad sweep of all providers without taking into account their individual circumstances. (Milwaukee Public Television 2010)

In the interview, Rep. Grigsby goes on to explain the purpose of these bills:

They would address the most burdensome impact of Act 76 for those individuals who have loss or surrendered their licenses due to a financial based crime or

public assistance fraud. This bill would allow those individuals whose crimes were committed more than 5 years prior to go through the Department of Children and Families' rehab/review process and request consideration for reinstatement of their license. (Milwaukee Public Television 2010)

When the interviewer asks of what Grigsby meant by waiving people? She replies:

Well, the department would be able to look at individual cases. If someone were revoked or suspended, the department — the person would be able to say, 'I want to apply for a waiver,' and then the department would look at their circumstances and determine whether or not, you know, their circumstances warranted them, you know, having a waiver. Like some of the stories I have seen, clearly someone who made a mistake, 20, 30 years ago and have proven themselves to be a quality provider and have done many of the things that we expected for a quality provider to do—should be given a chance to have a second look, and so this would provide a door, an open door for that to happen. (Milwaukee Public Television 2010)

Here, Grigsby speaks to the indiscriminate and criminalization aspects of Act 76 and was disturbed by its inability to allow for individual circumstances. Both of the bills she introduced failed to even pass on the floor: Assembly Bill 887 died on April 28, 2010 and Senate Bill 642 on the same day. Both saw minimal action in their respective House committees. Had these bills been enacted, persons convicted of property crime, a background check violation, or public assistance fraud would have seen their ban for running a childcare facility reduced from a permanent ban to five years. The bills would have allowed providers to appeal some five-year bans to the DCF for people residing at their homes, if the provider could show that said person residing did not pose a threat to the children in their care they could possess a license. In many ways, the supporters and authors of Assembly Bill 887 and Senate Bill 642 were admitting that Act 76 was unfair and unnecessarily punitive and that the Act needed to be “softened” in many respects.

#### **Ripple Effect: Federal Level**

The *Milwaukee Journal Sentinel*'s policy narrative made its way to the national level with the introduction of the 2009 Childcare Accountability and Responsibility Act,

which was introduced by Wisconsin Senator Gwen Moore as H.R. (House of Representatives) 3287. Moore introduced H.R. 3287 on July 22nd 2009, the pivotal year in this study and the same year that Acts 76 and 77 were enacted. This bill died on the committee floor and was reintroduced as H.R. 3829 two years later as Care for Kids Act of 2012.<sup>45</sup> The Care for Kids Act sought to amend The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.). The proposed legislation shared many controversial components with companion Acts 76, including: (a) comprehensive criminal background checks and FBI finger printing for individuals who were child care staff members, childcare providers, or adults who resided in the home of a family childcare provider; (b) and criminal background checks that extended back to the age of 12. At the writing of this study, the bill had not been passed. Nonetheless, the *Milwaukee Journal Sentinel's* policy narrative made its way to the national level, which lies out of the scope of this project, but speaks to the pervasiveness of their policy narrative.

### **Act 77: Immediate Suspension of Pay**

From my research, I came to the conclusion that Act 77 was the most debilitating and impactful legislation to hit the low-income childcare industry. This legislation pushed hundreds of providers into financial ruins and rendered many of them helpless. I discuss the impact of this law quite extensively in chapter seven. The law specifies that the DCF:

May by rule establish policies and procedures permitting the DCF to impose certain penalties on a child care provider who provides care for children under the Wisconsin Works child care subsidy program and who submits false, misleading, or irregular information to the DCF or who fails to comply with the terms of the program without providing a satisfactory explanation for the failure to comply. The penalties that the DCF may impose include recouping or withholding payments from the child care provider and imposing forfeiture.

The law granted the DCF the power to: (a) recoup payments made to the childcare providers; (b) withhold payments to be made to the child care providers; and (c) impose

forfeiture on the childcare provider at their discretion. In chapter seven, I discuss the paltry evidence that qualified as “reasonable suspicion,” and allowed the DCF to immediately suspend payments, even for work that was previously rendered. In a letter drafted on official letterhead from the Office of Jason M. Fields, he writes to Attorney General J.B. Van Hollen, on the behalf of Que’Shay, an ex-provider who was incapacitated by Act 77. Fields makes a plea for her case specifically, but also contests aspects of the law in a larger context. He addresses possible unforeseen consequences of the legislation, writing:

For most of these providers, a suspension of their services translates into the loss of income and current/potential clients. The absence of these services is also a detriment to the black community and harms the families dependent on these providers to care for their children.

Fields goes on to address the specifics of Que’Shay’s case but continues to question the state’s handling of low-income providers, especially African-American providers.

### **Bill History: Senate Bill 280**

Act 77 began as 2009 Senate Bill 280 and was introduced by Senator Jauch and 4 other senators, including Sen. Lena Taylor. Taylor was at many of the childcare informational meetings that I attended, and she did not appear to be very empathetic toward the concerns of providers. Taylor represents a district that was hit hard by the state’s crackdown on fraud, and many of the providers in her district felt abandoned by her when she chose to support such controversial legislation. The bill was co-sponsored by ten of the same State Representatives that supported Act 76 and Senate Bill 280 moved through legislature just as quickly as its companion, Bill 331. The bill was introduced on August 31, 2009 and enacted November 13, 2009. During the public hearings for Senate Bill 280 there were not any amendments and the bill was passed

unanimously. In reviewing the public hearing notes there was not anyone present who opposed the bill.

### **Conclusion**

Wacquant (2009) writes “The deployment of this state policy of criminalization of the consequences of state-sponsored poverty operates according to one main modality. The least visible one—except to those directly affected by it—consists of the reorganization of social services into an instrument of surveillance and control” (59). It is obvious that Acts 76 and 77 were instituted to increase surveillance and control of childcare providers who serviced poor children in the state, and these laws did not affect providers who were fortunate enough to depend on private payers and corporate support. Some of the most influential childcare organizations in Wisconsin were present at the legislative hearing in favor of these bills. These laws seem to have been introduced and enacted so swiftly, so as to not allow for providers and their advocates to mobilize their resources and protest their passage (due to the fact the laws were introduced and enacted in about a month). In the short article, “What’s in a narrative? In policy, everything or nothing,” Shanahan (2012) submits that it is problematic if a one-sided policy narrative is “Left to roll like a stone down a hill on its own” (1), but this study shows this is exactly what happened with state-subsidized childcare reform in Wisconsin. The *Milwaukee Journal Sentinel*’s policy narrative went virtually uncontested in the public and in the legislature. Cruikshank (1999) and others speak about the disservice it does to society’s marginalized populations to view the state or the media as agents. But who should be held accountable for what happened to African-American childcare providers, the DCF, the media or the providers themselves? Wacquant notes that this form of governance

includes: “Surveillance, supervisor and profiling such as “background checks” by public officials” (Wacquant 2009, 17). In the end, these providers were subjected to the paternalistic governing of the poor and marginalized populations rooted in behaviorisms which rely on surveillance, stigma, sanctions and deterrence. In the case of low-income childcare providers, it involved the surveillance by the DCF and the media. In the remaining two chapters, I present the narratives and voices of African-American low-income childcare providers themselves.

## Chapter Seven Childcare Provider Narratives – Part 1: Witch Hunt

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Que'Shay Smith had not only started a support and advocacy group, but had written letters to local politicians, other community advocates, Pres. Obama, Rev. Al Sharpton, and Jesse Jackson on the behalf of Milwaukee childcare providers. She has spoken out about the “exploitation and maltreatment” of local childcare providers on community talk shows, on talk radio, and in front of legislators. Que'Shay's involvement in these political forums was all part of her fight for her businesses, community, family, and livelihood. When I arrived at her residence, she informed me that she owned the home and that it had formerly been the location of one of her two family daycares in the heart of the inner city. She told me she now she lived in this particular property, and I sensed her disappointment with this fact. Que'Shay's story is illuminative for this study, as her narrative reads like an outline for this ethnography. She was a young, educated entrepreneur who entered the field of childcare out of her love for children and her commitment to her community, who worked and lived in the neighborhood where she was born and raised. She serviced predominately poor families, had six part-time employees, and was the owner and operator of two successful childcare businesses until Act 77 “straight up” destroyed her businesses. During our interview, Que'Shay kept using the word unbelievable to describe her ordeal with the state: “It is unbelievable, but I lived it—so it's believable.”

Que'Shay's story is a testament to the adverse effects that Wisconsin's indiscriminate crackdown on childcare fraud had on hardworking, law-abiding citizens. Que'Shay eventually won her case against the state in court, but in many ways it was



pyrrhic victory. During our interview, Edward Sterling, a childcare advocate spoke about how Act 77 crippled Que’Shay, and, despite her tenacity and endurance, she still lost everything:

She was shut down from her earning capacity. They never gave her businesses back even though she won her case. It wasn’t like, Okay, we are going to compensate you for the time period we shut you down and allow you to continue to run your businesses.

A local alternative weekly, the *Shepard Express*, and the local union were two of the only viable allies for the providers. A reporter for the *Shepard Express* wrote:

Again, the *Shepherd* certainly condemns those who intentionally defraud the state. But we also condemn this Soviet-like witch hunt that doesn’t belong in the America that we learned about in our high-school civics classes. (Kaiser 2010c)

A segment of my ethnography on the political economy of state subsidized childcare in Milwaukee County deals with what appeared to be a systematic eradication of predominately African-American childcare providers by the state. Above, the analogy of a witch hunt is used to describe the state’s crackdown on childcare fraud (which was undertaken by the DCF and legislators) and the related investigations by the *Milwaukee Journal Sentinel*, which left providers and advocates feeling as if the accused were presumed guilty until proven innocent. Jeff Shultz, a union rep. recalled the hostile climate this produced: “In childcare, the difficult times were when the fraud stuff really hit the ground—it was brutal here in Milwaukee.” According to Jeff, in the end over 38 providers faced criminal charges and approximately 2500<sup>46</sup> daycares were forced to close their doors in Milwaukee County.

As I discussed in chapter four, the *Milwaukee Journal Sentinel* ran several stories about “phantom children” whom the Shares was allegedly subsidizing even though they were not physically attending daycares. Until 2007, there was nothing illegal or

fraudulent about this because initially the state bought daycare slots. Providers were reimbursed for the number of students that were enrolled, not on attendance per se, and this allowed daycare providers to financially plan for the future. Laura King, the lawyer who represented some of these providers, spoke about this policy change, which became a confusing discrepancy during appeal hearings:

So the big thing was attendance records. For the most part during these proceedings it was disclosed that it was legal to charge for enrollment base, but they were getting reprimanded for this later—a modern day witch hunt.

During our interview, Que’Shay made continual references to *American Violet*, a movie based on a true story, about the criminalization of a people and a community by the state, the federal government, and the public. Que’Shay drew parallels between *American Violet* and her own experiences. The most pronounced of these was her identification with the young African-American protagonist, who finds herself engulfed in dozens of racially targeted drug sweeps over more than 15 years in Texas; instead of taking a plea bargain, this heroine decides to fight the system. And that is exactly what Que’Shay did—she fought and won, though her victory would prove somewhat hollow.

### **Fraud Discourse: Moving Target**

Before continuing to lay the theoretical groundwork for exploring Wisconsin’s crackdown on fraud, I feel it is necessary to discuss welfare fraud. This study examines fraud accusations in the *Milwaukee Journal Sentinel* and within the DCF that appeared to be a “moving target” for many providers (and their lawyers), who were not sure if they were committing fraud. Even though there were concerns with welfare program expenses and fraud control in the 1960s, it wasn’t until the 1970’s that this fraud discourse intensified and turned to focus on ways to reduce program expenditures (Hutton 1985).

Around the same time Congressional hearings and The U.S. General Accounting Office's reports began to publicize the mismanagement of social programs and their vulnerability to abuse. Inspector Generals were appointed to oversee federal agencies, and the agencies themselves began to emphasize savings as indicators of their accomplishments. Debates over methods to improve social programs were overshadowed by notions of *welfare queens*, Medicaid mills, and poverty pimps (Hutton 1985). In 1978, at the National Conference on Fraud, Abuse and Error, President Carter appeared before 1,200 officials and proclaimed: "This administration has declared war on waste and fraud in government programs... we are concerned with more than saving dollars, crucial as that is today. We must restore and rebuild the trust that must exist in a democracy between a free people and their government" (Hutton 1985, 22). During this era, the objective of cutting waste and fraud was not to locate and identify every fraudulent payment, but to balance fraud and error monitoring, while maintaining confidence in government programs (Gustafson 2009).

As a whole, the concept of fraud is largely dependent upon one's orientation and perspective of what constitutes fraud: "The term fraud is often misunderstood, both in the welfare and general criminal and civil situations, all of which are different" (Hutton 1985, 22-23). Hutton defined fraud as an intentional misrepresentation of facts for the purpose of receiving benefits from a program; for him fraud may involve either providing incorrect information or omitting facts. However, in this understanding, it becomes difficult to prove if fraud was done intentionally or unintentionally, if errors were caused by computers or street-level bureaucrats (government workers who deal with "people processing") and how substantial they are to fraud accusations.

In the book *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services*, Lipsky (1980) acknowledges that often street-level bureaucrats suffer from apathy and their goals can be quite ambiguous. Street-level bureaucrats are frequently overwhelmed and overworked and thus can be partially responsible for decisions that either incorrectly award or incorrectly deny benefits. Rather than undergoing jury trials and jail time for fraud, welfare recipients are usually required to pay back any “overpayments” they received from welfare agencies, perhaps with fines attached—without any proof whatsoever that they intentionally committed fraud. In other words, recipients may pay the price for agency errors just as frequently as they are guilty of fraud (Gustafson, 2009).

In a *Shepard Express* article written by Kaiser (2009) in support of providers, an anonymous ex-County employee admitted that “The County had employed caseworkers that were responsible for authorizing payments, ensuring parents’ eligibility and overseeing providers” (1). But, County employees were overloaded with clients and there were often “Too many cases to check,” and as a result many cases were entered without verification” (1). Tools to identify fraud existed from the inception of the Shares program and instructions on how to recover overpayments appeared in as early as the 2008 version of the Wisconsin Shares Child Care Assistance Manual.<sup>47</sup> As I discussed in chapters five and six this process was amended following the *Cashing in on Kids* series, when Wisconsin Act 77 was passed in 2009 allowing the DCF to immediately suspend payments if it had “reasonable suspicion” of fraud.

In *The Will to Empower: Democratic Citizens and Other Subjects*, Cruikshank (1999) alludes to the smoke screen of fraud allegations. She initially claims that welfare

fraud detection is a strategy to increase accountability and not to discipline recipients per se. She emphasizes how there is no substantial evidence that welfare fraud is a major problem and that allegations of welfare fraud appears to be as exaggerated as Reagan's *welfare queen* caricatures. For instance, in 1991, less than 5% of all welfare benefits were appropriated to persons who were not entitled to them, and this includes errors committed by welfare agencies (Cruikshank 1999). Cruikshank discusses the symbolic aspects of welfare fraud and governmental waste, writing: "Welfare fraud has long been one of the dominant themes expressing the ambivalence, indeed aversion, within modern political culture, to welfare" (105). She goes on to say "Fraud connotes an idea—a negative image of the typical welfare recipient" (105). Cruikshank (1999) claims that the presumption of fraudulent welfare recipients is endemic and that is common knowledge "That families could not survive on AFDC grants alone, since they rarely approached 70% of the federal poverty level and the first premise of welfare-fraud investigations, therefore, was that anyone living in relative stability must be cheating the system" (121). She concludes that welfare fraud detection policies are more indicative of the need to provide a political rationality to govern poor women's citizenship. I asked Tyshon Wilkinson, a successful childcare provider, his opinion about fraud prevention, and he replied:

Nothing deters fraud in life. People will figure out how to fraud anything, but there is just too much highlight on childcares. There are schools that are committing fraud. Different religious organizations are committing fraud. They don't make the news or the front page like childcare. I am all for doing the right thing. I consider myself a Good Samaritan and a law-abiding citizen, but at the same time you can't just put a target on one particular group.

### **Witch Hunt for Fraud**

My own textual analysis uncovered that the *Milwaukee Journal Sentinel's* reporting served as a sort of hit list for the DCF. Over 80%<sup>48</sup> of the providers that were

featured in this series were eventually suspended by the DCF, and during a phone interview, Jerod Simmons, a defense lawyer for several providers said he felt that “The paper seemed to be *blood thirsty*.” He went on to question, “When does investigative journalism turn invasive and malicious?” Many of the providers I interviewed were disturbed by this relationship between the DCF and the *Milwaukee Journal Sentinel*.

Que’Shay spoke to this relationship:

You know that was all a set up and somebody was giving Raquel inside information. “The *Journal Sentinel* knew who they were going to prosecute and shut down before the provider knew. Sometimes the reporters would show up at these people’s houses and [the *Journal Sentinel*] would know about them being closed before the provider did—that’s deep.

Lakeisha Simms, a former provider, remembered, “One time I had a personal conversation and I asked an attorney on the case could you tell me how the news media knows about these cases before the providers do? He smiled and said, ‘That is a good question.’” Providers and their advocates spoke to the intimidating atmosphere that emerged from the tango between the media, the DCF, and legislators. Providers felt they were being attacked simultaneously by all three of these entities and the combination was overwhelming.

### **Systematic Disenfranchisement of Low-Income Childcare Providers**

At one point during our interview, Que’Shay had started discussing state crafting and austerity, and when I attempted to redirect the conversation back to the specifics of her case, she uttered, “Now the horror begins.” The interview with Que’Shay granted me a personal, ground-level view of several of Wisconsin’s newly instituted laws and policies, and she explained how the DCF and Act 77 destroyed her businesses while a narrative that represented low-income childcare providers as guilty of fraud and waste began to saturate public opinion-making platforms. I highlight 8 specific policies that

were enacted during Wisconsin's crackdown on fraud that stemmed from the YoungStar, Wisconsin 2009 Acts 76 and 77, and their unintended consequences.

### **The Power of a Word: Intentional?**

The removal of the word intentional from anti-fraud legislation set the stage for the political upheaval that was unleashed on Milwaukee's low-income childcare providers in particular, and the Shares program in general. Prior to the fraud scandals, legislation had been enacted that would have handled any kind of intentional fraud, but Gov. Jim Doyle removed<sup>49</sup> the word "intentional" out of the legislation. The removal of this word from the language of the law granted the DCF the power to target any daycare provider if they had "reasonable suspicion" that they were violating the program's rules. State Rep. Tamara Grigsby, who often advocated for the childcare providers but also sponsored some of the most damaging legislation, wanted the DCF to differentiate between clerical errors and egregious frauds. In a *Milwaukee Journal Sentinel* article she states, "They now have free reign to just go after anyone who may have made a mistake and, most importantly, label it welfare fraud" (Kaiser 2010c). The DCF had to only prove suspicion of fraud prior to freezing the Shares subsidies of suspected providers and did not have to compensate them for work that had already been performed.

The DCF often began their investigations into fraud cases after they froze provider's earnings and suspended them from the Shares program until further notice. Lisa Kaiser, a local reporter, wrote in the *Shepard Express*, "If there is fraud, it should be prosecuted, but the vast majority of the cases being labeled as fraud simply appear to be reporting errors. It is similar to the person who puts a number on the wrong line of a 1040 income tax form. It is not fraud; it is a reporting error" (Kaiser 2009a).

In fact, instructions on how to recover overpayments appeared in the 2008<sup>50</sup> version of the Wisconsin Shares Child Care Assistance Manual, which specified:

All overpayments made to providers must be collected, whether due to error or fraud. The overpayments—whether they were the errors of the state or county, the day care provider or the parent would just have the overpayment deducted from the provider’s payments until all money was recouped. And, if the agency detected that the overpayment constituted a “program violation,” it would have been referred to a fraud investigator, who had 90 days to review the entire case and determine if the allegations were accurate and the fraud was intentional. If so, the provider could be suspended or referred to the local district attorney for possible prosecution. Providers were allowed to appeal the decision.

This process changed in the summer of 2009, when Wisconsin Act 77 was passed, which granted the DCF the power to immediately suspend payments if it had “reasonable suspicion” of fraud. Instead of allowing the provider to continue doing business while paying off the overpayment, the DCF now could shut down these providers by immediately and indefinitely suspending payments. In a *Milwaukee Journal Sentinel* interview prior to Act 77, Stephanie Hayden, a spokeswoman for the DCF, said the state had been in the practice of paying the providers while their cases were being reviewed and appealed. Hayden went on to explain that the rationale behind the Act 77 were concerns that if they weren’t serving any children the state would have paid them for not doing anything (Rutledge 2010). Here, again, we can see that an assumed element of criminality seemed to be the premise for this reactionary legislation.

Ironically, during a telephone interview, a State District Attorney used the word “intentional” a half a dozen times in reference to the criteria for the state’s pursuit of criminal charges against providers. He explained the state’s criteria for these cases:

In terms of anyone who intentionally makes a false representation to get money can be charged with a crime. We never did anything unless we found systematic abuse. If a person had done this one or twice it would be very difficult for us to conclude or a jury to conclude that they had did something intentional in order to be convicted of a crime you have to have done these things intentionally.



In one sense, the removal of the word intentionally from the legal language granted the DCF discretion to immediately and indefinitely suspend payments, but in another sense the state still had to demonstrate “intentional” fraud in legal proceedings.

I obtained a copy of a high-priority memo from the secretary of the DCF, which stated that the new investigation and suspension policies were to be enforced immediately by the departments that govern childcare.<sup>51</sup> In the memo, reasonable suspicion was defined, the process for conducting investigations was laid out, and, if it warranted, the process for suspending Shares monies was explained. The memo articulated that “Reasonable suspicion is a lower threshold of evidence than probable cause, preponderance of evidence or proof beyond a reasonable doubt.” The memo went on to define reasonable suspicion as requiring suspicion supported by articulable facts that wrongdoing “may be afoot,” even if there was a lack of probable cause or a reference to any kind of reasonable suspicion precedent. The formalities of the investigation had three parts: first the DCF needed to be informed of a suspicious provider (this information might come from complaints from parents, the fraud hotline, which provided the majority of tips according to one District Attorney, newspapers, and/or red flags in the provider’s reportings). Once a provider was brought to the attention of the DCF, an unannounced on-site visit was performed, usually accompanied by the DCF demanding access to the provider’s attendance records and other private records. The investigation concluded with the “interrogation” of parents and employees and these testimonies typically formed the bulk of the prosecution’s evidence.

Many providers were contributors to and members of the local childcare union, DC42. Jeff, a union's representative, explained the impact of 2009 Wisconsin Acts 76 and 77 on the industry:

The *Journal Sentinel* started screaming the fraud thing. The Democrats got just as freaked out as the Republicans did so they passed that law [Act 77] that basically said that the DCF could stop payment to any provider if they had reasonable suspicious of a program violation and it was a super skinny standard of evidence. It gave them tons of power to cut people off from their income and destroy their businesses. It was pretty remarkable. I mean, like, they would never do that to tavern owners, hair cut places, or massage parlors, or any of these people that have state licenses or driver's licenses—can you imagine: We reasonably suspect you drove drunk last week; we are taking your driver's license. They went at Milwaukee like crazy. They really overwhelmed us as a union.

The removal of the word intentional from childcare legislation had a tremendous impact on the low-income childcare industry and rendered their union inoperable. I reviewed the state's methods for determining "suspicious behavior" and found that there were not many criterions that could warranted such severe accusations and consequences. The removal of the word intentional was a pebble that started an avalanche of legal proceedings and the legislative power of the state.

### **The Labeling of Fraud Counts**

The labeling of these cases as fraud instead of as "reporting errors" placed accused providers at a disadvantage. When a case is labeled as fraud by the state, a citizen cannot seek free legal representation from community-based firms (e.g. the American Civil Liberties Union). Labeling these cases fraud disqualified providers from applying for any social services while they were under investigation and, if found guilty, for the rest of their lives. Edward spoke about this tactic when I spoke with him:

Did you talk to the lawyers from Legal Aid—they even cut them off from that. The idea of accusing them of fraud to keep them from going to Legal Aid because you cannot go to Legal Aid and get assistance if you had committed fraud and there

was no proof of fraud in the first place. So the big issue of declaring fraud was to prevent the daycare workers from getting legal assistance.

Suspicion of fraud typically resulted in wage suspensions as well as being prohibited from seeking free legal counsel.<sup>52</sup>

### **Gross-Billing Tactic and Divide and Conquer**

The *Milwaukee Journal Sentinel* also reported that accused providers had stolen amounts of money from taxpayers that ranged from hundreds of thousands to millions of dollars and thus helped to create a public and political frenzy with regards to the severity of this fraud. However, these figures were a far cry from the actual figures. For example, in the article “Administrative law judge clears day care provider Latisha Johnson of fraud,” (Kaiser, 2010a), Judge Schneider made a public statement that he disagreed with the DCF’s claims that Johnson had received \$439,703.99 in fraudulent funds. Instead, Schneider postulated that the overpayment was likely closer to \$400, which represented improper payments for one child over three weeks in February 2009. The judge was quoted as saying “Given the size of the day care center, I cannot conclude that erroneously billing for three weeks for a child mandates revocation of the license.” During my interview with the District Attorney, he also spoke of the arbitrary aspects of the inflated numbers in the *Milwaukee Journal Sentinel*:

We were conservative in our numbers. In my experience doing economic crime cases for 20-plus years, one of the worst things that can happen is that the fraud was x amount and then you are forced to admit that there were calculation errors. I just think that undermines people’s credibility. So, we tried to be conservative as possible in our charging fraud numbers.

These inflated figures were also partially the result of a strategy employed by the DCF. The new legislation that allowed the DCF to freeze payments also allowed the DCF to recoup money for all of the children in their care during the time of over-payment. For

example, if a provider overbilled for the care of one child, but had 18 children in her care during the period of overbilling, the DCF could recoup the subsidies provided for all the children in her care during that time. So, if a provider overbilled for 1 child on 1 day for \$50, but had 18 children in her care during the overbilling, the DCF would charge her \$950. Some larger daycare centers could have 100-200 hundred children enrolled in their businesses. During my interview with Lakeisha, now an elected official informed me that another provider once called her office because she received a bill for overpayments totaling \$5,200 dollars and the DCF had failed to explain the charges. Lakeisha had her legislative aid to conduct a formal inquiry into the overpayments, and before long the provider called back and told her the DCF had discreetly reduced the charges from \$5,200 to \$165.

In addition to labeling all overpayment cases fraud, this policy helped set the precedent for the DCF to pursue these cases as “economic crimes.” During my interview with the District Attorney, I brought this up and he elaborated:

In most economic crimes you follow the money, so if there is one party that has the ability to end up with \$50,000 and another party ends up with \$10,000 in most economic crimes your primary goal is to go after the person who was getting the most money. And that was certainly the case in the daycare cases—where individual parents may get a couple hundred dollars on a weekly or bi-weekly basis, but providers appeared to be getting substantially greater sums of money.

These over-billings justified the state’s decision to target providers instead of parents because providers were allegedly making the most money off the scams, even though the fraud could only take place with the assistance and approval of parents. This rationale worked in favor of the DCF for two reasons: (a) it allowed the state to charge enormous recoupment amounts, which helped set the precedent for allegation of economic crimes, and (b) insured that the provider would be the target in economic cases because they

would have allegedly stolen more money than parents. For example, in Latisha Johnson's case, a judge eventually ruled that she only over-charged \$400 for one student and this amount would not have helped the state to differentiate between fraud on the part of the parent or the provider, which, therefore, would have prevented the state from making economic crime charges. The DCF had created a policy that inflated the way fraudulent payments were calculated.

The state's legal team also knew they were going to need the assistance of parents in order to build their cases and decided to use parents as allies, using the inflated numbers to help justify their decisions. When I asked the District Attorney for the state's rationale for these processes, he explained:

We have not filed any criminal charges against parents. I guess that was due to early on one of the decisions we made was that we was not going to be pursuing parents as target as we began to investigate these things before the taskforce started in 2009. I previously had been involved in the investigation and prosecution of one daycare provider—actually a couple of them, but one large-scale provider and in that case we learned that the investigation and prosecution of these cases was going to be dependent on the cooperation of parents.

Tyshon Wilkinson, the owner and operator of two daycare centers, understood the state's rationale for going after providers instead of parents. During our interview he explained:

They did not go after the parents, which they should of. I mean it's a money thing. How much money did they save? Like \$25 million something? Whatever they did, the savings justified it, regardless of my personal beliefs. I guess [the state] did not care. They did not go after the parents and that was bogus.

Tyshon bought into the state's logic of approaching these cases as economic crimes, but toward the end of his explanation he recanted that sentiment. He understood that the alleged fraud could only take place with the assistance of a parent, but only providers would be taking the fall, which he saw as "bogus." In the article "Millions down the drain, state unable to collect overpayments to providers in child-care subsidy program,"

Rutledge (2009g) reported that parents were to blame “For more than 75% of uncollected overpayments on the books.”

When I asked the District Attorney to speak more about the state’s decision to use parents as allies, he continued:

The way the investigation would go we would interview teachers. Teachers would have a pretty good idea of the children who attended and who did not attend. You would then compare attendance records and sometimes it would turn out that teachers might have informed us that there were four children in a family and two were attending and two was not. And sometimes the attendance records would show that only two of the children were being billed for and other times the attendance records would show four children were being billed for and those instances you would go out and talk to the parents that would often times confirm that some of their children were not attending. And those were kind of the basic building blocks that we used in investigating these cases.

Edward spoke about some of the tactics the state used as incentives for parents to cooperate with investigations of providers:

Well, the state, the way I understood it—compensated parents—they gave them the incentive like, “Yeah, you won’t be prosecuted if you provide us with evidence.” And it was just a number of ways that they put a hook on dragging the providers through the mud. With all of the headlines going on all you had to do is present a humble parent.

Tiffany Hayes, a former provider, also spoke about these “divide and conquer” tactics, which used parents as allies in these cases:

They are turning our parents and employees against us. The time the child came and left, if it doesn’t match up with what the parent says then we committed fraud? And how can we owe overpayment when you only reimburse us for 31 hours when we work 40 to 50 hours a week. So we are being charged with overpayments for hours we were not even reimbursed for. They are holding our paperwork against us. We wanted to file a class action suit. But it is hard to find someone to represent us that we can trust. Our union was useless.

Que’Shay spoke to some of the state’s other mechanisms for getting parents to cooperate:

Basically they did not have cases on us. They were making cases as they were closing us down. They were getting information from us during hearings and interrogations, the newspaper, and our employees. And many times the state was getting information from our employees by extortion. Telling them if they do not

cooperate we will cut your W-2 check, and even intercept your tax refund. What is a mother with 3-5 children going to do? How is she going to feed her children? So even if you were not doing anything the mother is going to make up a lie. The tax refund that she waited all year long to buy a car or some furniture for her and her children or some bed sets or something and you said you going to take it.

Similar to the formulation theorized by race scholars, one provider, Sharon Hampton, compared this divide and conquer tactic to the class divisions established on plantations in the South during enslavement, where enslaved people who worked predominately in the fields were kept separate from those who worked in the plantation houses: “They teach parents like in slavery—they taught the house niggas to watch the field nigga and now they pay the parents to watch the providers—it’s the same context.” Sharon was speaking to the state’s efforts to coerce employees and clients to help build cases against providers. Many providers felt betrayed by their associates, but parents and employees were part of the criminalization discourse and were put in a difficult situation.

### **Due Process?**

A fourth policy that impacted providers was the DCF’s policy of suspending payments first and asking questions later. Many providers felt their constitutional right to due process was being infringed upon for several reasons: for one, with the removal of the word intentional the DCF could charge anyone who they felt was reasonably suspicious. Second, providers felt they were tried in the media and the court of public opinion and were not being given fair trials by the state. Third, providers were being interrogated on their own properties, at their homes, and during legislative hearings without having access to legal representation. Fourth, and lastly, the daycare providers were not given a chance to defend themselves until months after their payments had been suspended and not within the time frame stipulated in the manual. In a letter from Rep. Jason Fields to the Attorney General on behalf of Que’Shay, he shares these concerns,

“In light of recent events surrounding the Wisconsin Shares program, I am increasingly concerned that many of my constituents are not receiving the due process they are entitled to as residents of our state.” He urges the state to “Investigate the lack of due process granted to daycare providers within the context of this... issue.”

These sentiments were substantiated by the fact that several providers took the state to court and won, and many more would likely have filed civil suits if they could have afforded to. Edwards spoke about the fact that many providers would have probably taken the state to court and won, but they lacked the resources and organization: “All that constitutional stuff and due process and all of the rest of it require resources to validate you.” Edward believed the reason Que’Shay had won her case was because she had a legal background and understood the system better than her peers and often better than even the state bureaucrats. He explained, “Que’Shay beat them because she was a paralegal and she understood the system a little bit better. She was able to go at them with her defense—it still took her time though.”

Denise Walker, one of the only other providers to win a legal case against the state, took the state to Civil Court and prevailed. When I spoke with her about her case, she informed me her suit had been successful because she had the money to hire a good attorney. She claimed that most providers were innocent, but lacked the financial resources to see a court case through in Civil Court. Denise felt that all of the actions taken by the DCF and legislators were deliberate and calculated:

They attack you first and took your money—broke you down and made you poor. They waited 6 to 7 months when they knew your money was gone and that’s when they came in with their attack cause they knew you had no way of fighting back. To me that is what a coward does—you kick a person when they are down.



Monica, Edward, and Denise all spoke to how many innocent providers were intimidated and immobilized by the state. Monica explained, “A lot of people took plea bargains because they were afraid and they did not want their faces on the front of the *Journal Sentinel*, these women were terrified.” These providers were fearful that their businesses would come under the unsubstantiated scrutiny of the media and the state. They were seeing their peers being forced to close their doors, and even in some cases going to jail. Tyshon shared his insights about the state’s tactics in their efforts to deter fraud:

Now it’s cool that you are getting people who are doing wrong, but there is a lot of good sound centers that went down with that and that was bogus. I knew a few people on that hit list [the *Journal Sentinel*’s coverage of accused providers] and a lot of their stuff was clerical human errors. I don’t think it was fair that you be on that list and it became notorious. I would say most people stuff was clerical. If you go on that website [the DCF reinstatement list] now and you will see people getting reinstated. But, seriously how many of these businesses could function being suspended for 6-7 months. That’s my problem—they freeze your money. Win or lose, you can’t afford to pay staff. You have to go out of business.

Here, Tyshon was speaking to the debilitating impact the states’ policies had on providers who were cleared of any misappropriation of funds. Rep. Fields addressed this dilemma:

In one particular case, Que’Shay Smith, a childcare provider for more than three years, was suspended from the Shares program last September. Aside from the questionable handlings of her case amongst her accusers, Que’Shay will not be able to open up her business until after her hearing on January 28<sup>th</sup>. If she is found innocent of these charges, Que’Shay will have lost five months of her income.

The letter that this statement appeared in was drafted on January 13, 2010; Que’Shay informed me that she did not receive a hearing until much later that year.

### ***Rigged Legislative Hearings***

The fifth policy that had an adverse impact on accused providers was the so-called *rigged* DCF legislative hearings, which legal representatives, providers, and advocates all spoke to. In a typical court proceeding there is a plaintiff, a defendant, and an independent judge who makes the final decision. This was not the case in the DCF

appeal hearings wherein the final decision was rendered by the DCF itself—which led the participants in this study to draw comparison to a hearing in a dictatorship. In these hearings, an Administrative Law Judge delivers a “proposed decision” to the DCF, and if the DCF rules in favor of the state the provider can appeal in Circuit Court within 30 days of the final decision. However, the DCF was not granting the providers the right to a speedy trial, and many of them waited up to 6 months for their initial hearings. LeAnn Zabrowski, a union representative for areas of the state outside of Milwaukee, complained about the appeal process: “They have an appeal process. But they are rigged; DCF makes the final decision. So you’re not going to win.” Que’Shay felt that this policy was a reaction to the fact that the providers were winning some of their cases.

But really we all were winning, right, because the DCF’s secretary wrote that letter saying that judges could not make final decisions or whatever—so the final decision would be made by the Department of Children and Families. So you got the same person accusing you making the final decision, so guess what their final decision was... you’re guilty.

Laura King, a defense lawyer, felt that the “Entire litigations did not make sense. It was a fiasco. The logic table was confusing.” She repeatedly referred to the “shocking” eugenics<sup>53</sup> framing and the inherited criminalization in a contemporary setting, going as far as to say, “Eugenics was the only thing I can use to describe the harsh tactics.” She felt the treatment was unfair and malicious, and continued, saying, “If this is the way the state handles black women and the black community then they need to watch the hell out.” She said dozens of providers had requested legal services, but that she “Did not see the need for them to have a lawyer because the DCF was prosecuting them without due process and with very little proof. And they lacked money too.” Ultimately, she felt that “There was nothing to defend when you are guilty and lost before you even start.” She also felt that these new childcare policies “Were expeditiously being put in place to lynch

providers.” Laura felt that the new laws and policy shifts were targeting providers and she was taken by the hegemonic and punitive aspects of the legislation. She attended dozens of hearings and recalled that the “Laws started to change under my feet,” and noted that the DCF would “Amend complaints after testimonies and apply them retrospectively.” When she inquired about these bizarre protocols, the DCF’s response was that “...these cases were departmental matters... but how could this be if they were becoming criminal cases?” The DCF’s explanation was not accepted by Laura because though these proceedings were taking place in legislative hearings, as opposed to courts, many of the cases were being referred for criminal charges. She felt the state’s action in these cases was criminal and referred to the entire process as “a joke.” Edward who also attended some of these legislative hearings and spoke about how ill-prepared the DCF and their lawyers initially appeared, when they were developing these cases recalled, “The state did not understand, especially at the beginning, what some of the terminology was, or how they were pressing these charges. And they would go back and clean up their act from the issues we had presented to them and then they would come back and try and hold these girls accountable for something [the state] did not even understand.” Edward concluded, “Unfortunately hundreds of families have been affected negatively by these hasty decisions to have emergency meetings, changing policy and laws without advance notice to providers and parents.”

Previously, I mentioned the gross overpayment miscalculation that was found in Latisha Johnson’s case, where the Legislative Judge, Schneider, also ruled that her license should have never been revoked. In an interview with the *Shepard Express*, Judge Schneider disputed some fundamental flaws within the DCF’s allegations in Latisha’s

case. First, the DCF alleged that Johnson's attendance sheets didn't contain any parental signatures, and therefore were not valid forms of proof of children's attendance, but Schneider noted that there was not any law or policy requiring parents to sign their children in and out. Second, the DCF concluded that there were time discrepancies between the hours recorded on Johnson's attendance sheets and the hours she billed to the DCF; Judge Schneider determined that the discrepancies were insignificant because at that time the state did not reimburse for attendance but for enrollment. Because enrollment was based on a set rate for a predetermined number of hours-per-week and the children only had to attend at least two hours per week, Schneider ruled that small discrepancies between the hours a child attended and the hours billed were insignificant (Kaiser 2010a).

Laura spoke about the policy changes in regards to children's attendance records and how it became a confusing discrepancy during appeal hearings:

So the big thing was the attendance records. For the most part during these proceedings it was disclosed that it was legal to charge for enrollment based but they were getting reprimanded for this later—a modern day witch-hunt. And the state kept ignoring this during proceedings and going on with what they should have done... but never dealing with the fact that the children only had to be watched for 2 hours. In fact, it was such a small technicality, initially providers just kept good attendance records for their own purposes. They were never forced to have sign out sheets and they were encouraged by the county but not enforced... but during the proceedings they were accused of lying and so forth. Then they were told to recall stuff that was not enforced.

During my conversation with Jeff, he confessed that the union began to feel powerless in the legislative hearings and it got to the point where the union felt they could not properly represent childcare providers. He elaborated on the appeal process:

We spent tens of thousands of dollars on the administrative appeals process and represented people who were suspended. Early on, we could get DCF to reinstate, but, later on, we could not even get that and the appeal process was so fixed. Some providers did not even have a chance in the appeal process. [The DCF]

basically made it that the hearing judges could only make a proposed decision and DCF got the right and had the final decision. In some cases providers won their appeals but DCF could override it and so in essence they lost anyways and it was more of a dictatorship situation. We spent a lot of money to represent them. It was like we were swimming against a tide. DCF was so cocky about their ability to stop paying people they would come in the hearing like, “We really don’t have to prove much at all—all we had to show was reasonably suspicious.

Laura ended our interview by discussing her feelings about how these issues should have been handled by the DCF: “We are a polite society—so to accuse and come with a lynch mob was deplorable. They should have been able to fix their mistakes. And the secretary for DCF was the leader of the lynch mob.” Wacquant (2009) speaks about the innate assumption that welfare recipients are “guilty until proven innocent” (79) and this is what Laura is speaking to in the above quote questioning where her client’s right to due process and the assumption innocent until proven guilty.

### **No Need for Family Daycare**

Many family daycare providers felt that the DCF specifically wanted to get rid of small, home-based facilities and force parents to have to send their children to larger daycare centers. Their sentiments were not without warrant due to another policy shift spurred by the *Milwaukee Journal Sentinel’s* reporting. In order to address the alleged “phantom children” and deter fraud, the DCF switched family daycare providers from enrollment to attendance-based reimbursement. This new policy was only enforced on small, family daycares and not on the larger centers. Lakeisha spoke passionately about the immediate and adverse impact the new policy had on her finances:

When they implemented attendance-based pay I was down like \$17,000 in a couple months. By the time I closed my daycare center I was only making \$27,000 and my teacher made \$10 per hour of what I made. I would say that, prior to the year of attendance-based pay, I made more like \$65,000 with the weekends off and not all of my shifts. My first six months, over 10 years ago, I made over \$80,000, and one year I made over \$120,000 and that did not include

my private payers. I made really good money. I had a 24-hour day care. I was working like a Hebrew slave.

Schultz drew the same conclusion regarding the state's posture toward family daycares:

When we started the union in 2007, I think the state was pro-family daycare and now I think that they are not. I think they are trying to push as many kids as possible into group [centers]. At one time we had like 4,000 certified, licensed, in-house providers. And now it is down to 1,500—they reduced it by a bunch.

He explained the situation from the perspective of the state:

They are just killing it as a business. I think the state wants to get rid of it. Some people in the state never liked in-house care. Just think about it from a regulatory and state bureaucratic perspective—it is easier in a group center regardless if it's best for a child. It's easier to just throw 200 kids in one group center.

Several family childcare providers that I interviewed felt this policy did not make much sense because the larger daycare centers had more money available to operate their businesses. Another angle that was discussed briefly in several of my interviews was that the state only enforced attendance-based pay on family daycares because there was a heavier concentration of African-American providers in that sector of the industry.

### ***The Milwaukee Journal Sentinel's Crown Jewel***

In terms of the reporting for its series, *Cashing in on Kids*, the *Milwaukee Journal Sentinel's* crown jewel was the eventual influence it had on the Wisconsin state legislature, leading to the institution of a discriminatory, quality rating system called YoungStar, which was created to raise quality and deter fraud.<sup>54</sup> YoungStar was mandatory for any provider receiving Shares, but voluntarily for private childcare businesses. Combined with the shift to attendance-pay reimbursement, Lakeisha felt that the state's institution of the YoungStar system added “insult to injury.” She felt that they were unfairly targeting two-star providers with a 5% pay cut and that the majority of daycares that were receiving the highest, five-star ratings, were large corporate centers

that did not really rely on Shares: “So basically you only have to prove your “quality” if you’re servicing poor children?” She continued, “More insult to injury—how is a two-star provider going to provide quality care if I qualify for food stamps myself. It’s a vicious cycle—we take these children from poverty-stricken homes, to poverty-stricken daycares and to poverty-stricken schools.” According to Lakeisha, Wisconsin was the only state to tie a quality rating system to its subsidize care programs and make it voluntary for providers that service private payers. Jeff, spoke about how the industry was at first optimistic about YoungStar, until they realized that it had not been instituted to help the industry:

The whole quality incentive—people were like excited about this at first because they thought if they did A-B-C they might make some more money. It turned out to be just the opposite. Most providers opt out of it because when people did the math it wasn’t even worth it trying to be a five star. In the new budgeting, they are cutting the two-star ratings. Between going to attendance based-pay and cutting it another 5%, I don’t know how any person can make it.

Kyle Hawkins, one of the two male childcare providers I interviewed shared this disdain for the YoungStar system:

YoungStar has not helped business at all—it’s a bunch of crap. You don’t have to penalize me for me to buy into your concept. YoungStar says that 50% of your lead teachers should have 6 hours of college courses. YoungStar is going to force staff to go to school and continue education. Why would someone get a higher education and work at a daycare when they can work at MPS [Milwaukee Public Schools]. So I am a two star because my staff is not educated.

Later, in chapter eight, I will return to the differing opinions as to the best way to quantify care and how the state’s attempts have marginalized many providers and their staffs. For the moment, we can see how the state’s implementing punitive measures and sanctions toward those who serviced poor children made providing quality childcare unattainable for most.

Additionally, one unexpected consequence of YoungStar and the shift to attendance-based pay was that it made it a disincentive for private daycares to service the state's most vulnerable children. In the article "Capitol Report: State looks to save millions by cutting child care subsidies," Vanegeren (2011) reports on a female provider in Verona, Wisconsin, who was unable to continue to service low-income children after the institution of YoungStar. The provider is quoted in the article, saying that "There are difficulties in caring for children from low-income families; frequent scheduling changes, parents running behind with their co-payments, and endless mound of required paper work for the state." The provider explained that "The pay cut to family daycare providers had forced her to look out for her "...budget and family, too" (1). The three providers I interviewed who did not depend solely on state subsidized children spoke admittedly about YoungStar and the pay cuts to family daycare as being disincentives to service poor children and this reality was disheartening because they felt these children deserved high quality care too.

### **Task Force for Fraud: Consolidated State Power**

Finally, another factor that had an adverse impact on low-income providers was the intimidating and hostile discourse that the many providers spoke of which developed during the state's crackdown and investigations. Amidst the "click clacking" of dishes, pots and cabinets, Que'Shay told me about the government's raid on her daycares one fall afternoon when she had been preparing breakfast for her ailing father, whom she cared full-time. Que'Shay revisited the process, saying:

The state came and straight up raided both of my daycares. When I say raid—I mean raided. They came one day and demanded all of my paper work and came to get attendance sheets. It just so happened I was gone that day and my stuff was locked up. They were going to take this paperwork without my permission on the



spot. They were interrogating my workers and threatening them that they better tell them about anything that was going on... and so forth.

The task force that was created to catch fraud consisted of 12 agencies working together, and included: the Milwaukee Childcare Anti-Fraud Task Force, the DCF, the Milwaukee County District of Attorney's Office, the Milwaukee Police Department, the FBI, the U.S. Attorney's Office, the Wisconsin Department Justice, the Milwaukee County Sheriff's Department, the Milwaukee County Human Services Department, the Governmental Accountability Office, private surveillance companies, the Wisconsin Department of Revenue, and the IRS. Thus, it might come as no surprise that many of the providers I spoke to describe the search and siege processes with words like "excessive force" and compared them to "the Drug Enforcement Agency's methods during its infamous War on Drugs," which also largely focused on African-American communities.

### **Conclusion**

If there had been frequent accusations of children being abused or neglected, which there were not, then perhaps this would have provided a rationale for the rash, excessive, and punitive conduct of the DCF and legislators during Wisconsin's crackdown on childcare fraud. According to the nonpartisan Legislative Audit Bureau (Rutledge 2009), the vast majority of Shares payments were made properly and hence most of the providers who were investigated and accused shouldn't have had their reputations tarnished or their licenses revoked. Despite all of the headlines and political posturing, the evidence seems to show that the majority of providers who had their payments suspended should have been given the benefit of the doubt until their cases could be brought before an impartial judge. The mapping of these eight DCF and

legislative procedures presents a kind of collective conscious, which demonstrates the moves of the state.

One must to wonder why Gov. Doyle approved the removal of the word intentional from the childcare reform laws—did the DCF feel that it would have a difficult time proving fraud otherwise? This legislation was followed by the DCF being given the discretion and authority to suspend payments at will, which hindered most providers from having the financial resources to fight for their rights and businesses in hearings and in court. The labeling of these cases as fraud instead of as reporting errors also played a major role in disenfranchising the accused providers by disqualifying them from free legal representation. The state’s tactic of charging for overpayments by requiring the refunding of payments for all of the children in the provider’s care helped establish these cases as economic crimes, which also gave the DCF a rationale for enlisting employees and parents as allies. Once providers were finally given a hearing, many did not receive a fair and speedy trial and rather than being given due process many providers felt they were tried and convicted in the media. Wacquant (2009) speaks about the precision and rigor penal laws can be “Delivered very selectively in social spaces” (67). Act 76 and 77, YoungStar and the eight unfolding policies mentioned in this chapter were only subjected to providers, who serviced poor children. Wacquant continues “Class and ethnic selectiveness was achieved primarily by the targeting of certain geographic zones, which guaranteed that the categories composing their residents would be the primary if not exclusive “beneficiaries” of the newfound policing zeal and penal largesse of the state” (67). Due to the exaggerated racial and economic segregation in Wisconsin and Milwaukee County, these Shares attached legislation disproportionately affected African-

American providers residing in a small geographical area. Jerod Simmons, the defense attorney for several providers said that he heard the Secretary of the DCF refer to this geographical area (5-6 Milwaukee County zip codes) as the red zone. In the years since, after the closings of thousands of daycares in Milwaukee County, there still remain dozens of childcare providers that have weathered the storm. In chapter eight, I engage in an insightful discussion with several providers who continue to run successful childcare businesses in the city.

## Chapter Eight Childcare Provider Narratives – Part 2: Weathered the Storm

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On the back cover of *Punishing the Poor*, Wacquant (2009) states “And it reveals that the capitalist revolution from above called neoliberalism entails not the advent of “small government” but the building of an overgrown and intrusive penal state deeply injurious to the ideals of democratic citizenship.”

In his 1996 State of the Union Address, President Clinton trumpeted: “We know big government does not have all the answers. We know there’s not a program for every problem. We have worked to give the American people a smaller, less bureaucratic government in Washington. The era of big government is over.” (Wacquant 2009, 153)

Wacquant counters Clinton’s notion of a retrenched government. Instead he suggest that “The principle of “small government” sacrosanct when it comes to employment and social protection, does not apply to the penal sector—quite the opposite” (153) which was demonstrated through the paternalistic, invasive and deterring measures deployed by the DCF and the legislature which I discussed in chapter six and seven. Wacquant (2009) speaks to the voices of America’s racially marginalized citizens as a “Sphere of citizenship [that] is particularly constricted in the United States, and the ability of subordinate categories to make themselves heard, severely circumscribed” (41). This chapter explores the experiential knowledge of predominately African-American childcare providers who either succumbed or “weathered the storm” of Wisconsin’s crackdown on fraud.

### State’s Justification: The Ends Justified the Means

A State District Attorney justified this crackdown and the subsequent childcare closure by claiming that they continued to service the same number of children in spite of

the thousands of daycares that were forced to close. The fact that the state was able to reduce expenditures while servicing the same amount of children was often pointed to as evidence that the program was saturated with fraud and phantom children. The District Attorney provided data to support these claims:

In Milwaukee County alone, by 2012, [Shares expenditures] had dropped to \$130 million from \$199. So when I calculated that the program ran for 199 million for those four years versus what was actually paid in 2012—the reduction in payments was close to \$160 million. In terms of the number of children being served in 2009, there were just over 44,000 children being served in Milwaukee County. In 2012 it was about 43,200.

He concluded “So again it gets significant from our perspective during this entire process there has never been a single parent who contacted the department saying they could not find daycare for their child.”

During a telephone interview with Rep. Thompson, a local politician from one of the districts hit the hardest by Wisconsin’s crackdown on childcare fraud gave a very different view regarding the impact of the closure of hundreds of daycares in impoverished neighborhoods. She said one harsh reality that the state had failed to address was:

Quite frankly parents don’t have a place to send their children for childcare, especially parents who depend on Wisconsin Shares. Unfortunately, they don’t have very many options anymore, so families are struggling to find a place to put their kids. And it has definitely put our community at a disservice and families are forced to make poor decisions about childcare.

And, indeed, if one were to simply drive around the city, they would see that there are not as many daycare businesses in comparison to before the crackdown. The thriving childcare businesses that were and a major part of Milwaukee’s inner-city economy have fallen out of sight. Gia Cooper, a self-described “Childcare Helper,” spoke about the impact that the forced closures had on the community: “Childcare is the largest employer

of Wisconsin, with over 37,000 people. [The closings led to] a domino effect when they were put out of business. Staffs are unemployed, agencies lose clients, and parents and children are displaced.” Tyshon also spoke about the adverse impact the closings had on the community:

If they got rid of [low-income] childcare this town would go down. They can be under the illusion like it does not impact this town as much as it does but it does. I can tell its impact because most of those daycares that were shut down did not reopen, so now you have vacant or condemned commercial buildings all across this town. That shows the impact right there.

Similarly, Lakeisha, an ex-provider who now is an elected official, spoke about the economic effect from the thousands of childcare businesses that were forced to close:

I have a lot of daycare centers in my district, but nowhere as many as it used to be. In 2010, the field of childcare employed over 36,000 people in Wisconsin. When people look at childcare they refer to those articles and view it as a fraudulent industry instead of looking at it as an industry that employed so many people. Anytime you see a closed daycare—you are seeing the loss of jobs. The loss of jobs hurt; especially family sustaining jobs in communities where they are not readily available in a city like Milwaukee.

These kinds of facts were largely missing from the Watch Dogs Team’s reporting.

During this study, I frequently heard testimonies from providers that contradicted the state’s claims; many of the providers I spoke to who were forced to close their doors had been caring for several children who were unable to enroll in alternative daycare programs, and said that many of their parent-clients were forced to make alternative arrangements outside of the program, often with family and friends. For example, during a telephone interview with former provider Evelyn Wright, she informed me that the state’s punitive power resulted in the “Death of her business.” She told me about the position the abrupt closing of her business had placed her parent-clients in:

They [the DCF] gave me the notification on Friday and I had children. No probationary period. They sent the mail certified. It did not say I was actually closed. The wording was confusing. It said to submit your license on such and

such. I was like oh my God. They are trying to set me up. If I surrendered my license then I would be working and having kids on the facility without a license, which is a direct violation. I had to tell my workers that I was closed and call parents to come get their kids. I told them that they “had to get their kids off my premises and they would have to find arrangements for Monday.” I told them to complain. And they did complain and complain, but they did not get any justice.

Stories like these directly conflicts with the District Attorney’s claims that the DCF never received one complaint from displaced children and families.

Furthermore, there was statistical data that also brought the state’s claims into question. In the article, “12-to-1 income inequality among working families in Milwaukee County: workforce challenges for 2014” Pawasarat and Quinn (2014) provide recent data on employment rates and economic trends in Milwaukee County, which seem to substantiate my participants’ claims that the mass closings of childcare businesses had a negative impact on an already economically-depressed community. Some of the article’s key findings were that single-parent unemployment had been exacerbated by the reductions in Shares payments in Milwaukee County, and they concluded that the resulting decline in jobs for childcare workers was a contributing factor to the drop of employed single parents in Milwaukee County.

### **Causalities of Circumstances: Caught in the Ambush**

Commonly, women come to the field of childcare from other low-wage industries and with relatively low-levels of education. Although several providers in this study fit this model, through ethnographic research I found that the majority of providers in my study did not fit this description. Most of the providers I interviewed held an Associate degree or higher and did not have young children, so the dual responsibility of home and market was not a major factor. Additionally, most of my participants did not enter into childcare from low-wage jobs and they were not part of the W-2 population who were

forced into workfare. Even though many of them had received aid at some point in their lives, it was not a direct transition from welfare for most of them. Only one of the providers I interview had failed to graduate from the provisional-certified class of providers into the licensed class. The majority of the providers in my study were successful and educated business owners who were subjected to unjustified criminal discourse, sanctions and humiliation.

### **Their Stories: “We Know What is Best”**

#### *Childcare Matriarchs*

I began this section by discussing two of Milwaukee’s most respected and celebrated childcare matriarchs, pioneering African-American women who had led successful professional lives prior to W-2 and the ushering in of the new class of childcare providers. Lucile Clark started and owned one of the most celebrated and successful childcare businesses in Milwaukee’s history and retired on the eve of all of the anti-fraud laws and policies and the institution of the YoungStar system. She is still active in the political debates about the industry and had just taken a part-time job at a nearby childcare center. I interviewed Lucile at the independent living retirement home where she currently resides, and throughout our conversation I remained aware of the irony that a woman who had been responsible for providing care for thousands of children was currently in a nursing home. However, she informed me that she preferred to live in the retirement community and not with any of her nine biological children. When Lucile had first entered the family daycare business in the early 1970’s, she did so precisely because of her dual responsibility to family and the market; although her husband was gainfully employed, they still needed more income, so she initially decided



to open a private family daycare because she did not want to go through all of the paperwork associated with servicing subsidized children:

That was the intent because I felt like dealing with a lot of the political portion would take too long to get started. My focus was primarily getting through the city, which dealt with the building's plumbing, the electrician and those types of things, and probably about 3 years later it started in 1973. I had basically private payers—people who had jobs who could afford to pay the childcare fees and at that time they were a lot cheaper than now but it was something we could live with.

During this time she was raising a family and working on her Bachelors of Science in social work at a local university. She recalled, “During all of this time I was going to school. I started at [UW-Milwaukee] in ‘66 and then I started the program in ‘73. It took me ten whole years to get a B.S. I was working and raising a family and so it took that length of time.” Around 1976, she began to get more requests from people who were subsidized by the County, such as children who were in crisis situations (victims of abuse and neglect) and teenaged mothers. “So it was at this point that I decided that if I really wanted to meet the needs of families—we needed to get involved with the County because most of them qualified for some supplement through the County.”

Lucile was successful in the childcare industry prior to W-2, and at the height of her business she had over 66 employees and 14 childcare sites. She told me, “Between 1978 and 1991 the program grew. We got a lot of referrals and we became known as a program that provided quality care. So we expanded from 1 site to 14 sites between 1978 to 1991.” They were also “...the first Afro-American site to get national accreditation in Wisconsin.” In some ways she resented the growth, and she explained, “The growth was too fast, but I did not realize it then. You can grow too fast and at that time I lost something—whereas before I knew all of the children and parents. It got to where I did not know many of them—it became just a name.” She continued, explaining that in order to

return to her original vision for her company, she began searching for a location big enough to combine all 14 sites:

It was in 1991 that I took a look at all those [14] sites and said, “It’s just getting to be too much.” So we started looking for a place where we could bring everything together. Everywhere we looked would not meet our needs. My daughter was a broker at the time and she said why not look at this huge location. When I went and took a look—I fell in love with it. We did not have any money. We only had operating dollars when I decided that we would try and buy it. The first meeting did not go to well. We told them that we would like to buy it on a land contract. The building was worth \$4 million. The bank turned us down the first time and the second time. Less than a month later the owners had gotten a hold of our brochure and because of our philosophy and dedication to families they entertained a land contract. We moved in—in 1991.

But the operating cost of such a large building was too much of a financial burden and in spite of the owners eventually giving them the building they were forced to close in 2010.

I asked her about her knowledge of YoungStar and she informed me that she was in the process of retiring when the anti-fraud legislation was implemented. She said she was bothered by the number of good centers that were being forced to close due to their low ratings: “You know there were a lot of centers that had a two [star]. Their dollars decreased, and if they had a one [star] they got no dollars. But a lot of them had been in business for a long time.” I asked for her opinion on the quality-rating system, and she responded that “Quality means different things for different people.” She spoke about discrepancies she had noticed in the state’s protocol in Milwaukee in comparison to providers in the rest of the state: “When I look at some violations for... some of the white centers that have a four or five star and they have as many violations as black daycares, but it is not blown up. I would be fighting that tooth and nail if we were still open...”

When I asked her if she thought the educational mandate required by YoungStar would result in high-quality care she replied:

Not necessarily but I do think it does count. We have employed people with a college degree that did not do the job that a person without a college degree, but they had a piece of paper. So it does not just automatically make a program better. That's the reason a lot of people have lost out. I feel strongly about people requiring quality, but I don't think that it should be attached to those ratings and strictly based on education though.

When I asked her to attempt to quantify care she stated:

It is a number of things, the stability of your staff, being financially stable to a degree, good nutrition program, and a safe environment... Having sufficient staff and... paying staff a decent wage cause if you don't—then you got unhappy workers and it's very challenging work.

Finally, when I asked if she considered herself a success she assured me that she had “Lived well off childcare for over 40 years.”

Another participant I was referred to asked me to call her “Ole Skool” in the context of this study in order to maintain her anonymity. The person who recommended I contact Ole Skool had informed me that all of her children, who were now in their late 30s, had attended this daycare, along with countless relatives and the children of friends’ (and, in some cases, even their children’s children). In Ole Skool’s words, “I have raised 5 generations and didn’t even use yellow pages or business cards.” Ole Skool was adamant about not wanting any press or any public attention focused on her and, on several occasions, informed me on that she was only granting me this interview because of the trusted nature of my reference. It took quite a while to gain a telephone interview with her because “She was always busy,” but upon answering the telephone, she immediately told me to hold on. In the background, I could hear her instructing a child on the proper etiquette for when she was on the telephone: “What do you do when Mrs. Ole Skool is on the phone?” A child’s voice replied, “Talk quietly when you’re on the phone,” and she said, “That’s right baby—thank you.”

Throughout the interview, she frequently referenced “God’s grace” as an inspiration for her work and claimed that she was “Filling in the gaps of parents.” On Milwaukee’s North side, she had operated two family daycares, which serviced children ranging from newborns to six-weeks old at one location, and six-weeks old to twelve-years old at the other. She had 12 employees, including one employee who’d stayed with her for 22 years, and had a moderate staff turnover rate, as most of her employees stayed for the long term. Aside from 3 private payers, all 54 children enrolled in her daycares received subsidies. Her daycares were given two-star ratings, but she claimed she was fine with that because she had no desire to go through the process of earning a higher rating, and thus, after the institution of YoungStar, she received a 5% pay cut.

She spoke proudly of the care she’d provided, and during our interview many of the provisions she said she’d provided for the children enrolled in her daycare reminded me of Joan Cleaver—the archetype of the 1950’s stay-at-home mom. However, Ole Skool was selling these services on the market; she informed me that she “Walked kids to busses in the AM and made them hot breakfasts—many things that busy parents neglected to do for their children today.” I was impressed with the quality of care she spoke to and felt it was disturbing that this type of care was not rewarded or recognized by the state. Ole Skool was more concerned with supplementing young parents’ parenting than a high YoungStar rating: “Young people have babies but don’t parent. I have to pick up the pieces. Young parents do not teach respect and rules. For example, ‘cleanliness is next to godliness.’” Despite having been a provider for over 40 years, she did not receive curriculum money, extra funds for accredited education for herself and her staff because of her two-star rating. Ironically, she valued education and insured me that “her children”

all “graduated” from her daycare and were ready for school. I asked her what had changed in the childcare industry since the institution of W-2, and she replied, “Really, for me, nothing, because I was teaching from day one, but the system and parents have changed—parents cannot make co-payments.”

She informed me that most of her parents agreed that she offered high quality care and deserved to be compensated for her performance. She said, “[Parents often told her], ‘Mrs. Ole Skool you should get more money because you are teaching them’—I don’t do it for YoungStar. I do it for the children.” She also provides a more detailed assessment of YoungStar, stating “YoungStar—I don’t think we’re getting our bang for our dollar. God put me up for the task. I just get the basic [two-star] but my kids leave out of here and go straight to k-5. I have an absolute program—and I make sure they get hot breakfast and dinner.”

I have a Librarian come twice a week. I make sure my children get exposed to stuff. Wisconsin Dells, Christmas lights, swimming classes... every trip my kids go on—I go because it’s my name on this daycare. I am very picky about the employees—no visible tattoos or all those different colors in your hair.

She went into more detail about the state’s inability to quantify “good care.” She continued that people who visited her facilities often marveled at what they observed, noting, “The librarians make comments about how YoungStar ratings are not always right because there are some three and four-star daycares that they visit and they are not as nice as mine. They comment on how well-mannered my children are...”

Lucile and Ole Skool represent a long tradition of African-American childcare in Milwaukee. These women both shared a sense of responsibility to the communities that they serviced, which was reflected in their beliefs and practices. But they were also

successful entrepreneurs who employed people in their communities and represents a long and durable tradition of low-income childcare in impoverished communities.

*Sharon Hampton*

I met Sharon Hampton at event called Childcare Advocacy Day where a panel of childcare experts, politicians, and advocates spoke about the current climate in the industry and the changes that were coming down “the pipe line.” Sharon was in pursuits of a Ph.D. in Education and Policy and I interviewed her at a local university; she was inspired to open up a daycare center on the recommendation of her alderman, and also because she and her husband wanted to establish another source of income. They owned a commercial property and their alderman showed up one day and told them they should “Put a childcare center in here.’ And I told him I did not want a childcare center. All I could think about was calls being placed to me at all times of the night.” However, after much contemplation, they decided to enter into the low-income childcare industry in 2004.

Despite the fact that they did not have any children of their own, the couple decided that they could make a positive impact on the community by investing in a daycare business to complement the charter school they already owned and operated. Sharon and her husband started a faith-based childcare center in the inner city of Milwaukee and, like most providers in the area, the majority of their clients were state-subsidized. But she felt it important to clarify, “...at various times I had private payers.” In fact, when we spoke she was in the process of “Repositioning how she was restructuring her daycare,” due to her unhappiness with Shares and the YoungStar system. She dreamed of restructuring her program so that all her clients were private

payers. When I asked if she thought this was feasible in the neighborhood she serviced she said, “Yes, because all it really takes is for me to say is that I refuse to take Shares.”

She spoke about the difficult experiences she had had with the YoungStar system. In addition to the childcare center, the charter school she and her husband operated included a Head Start Program, and, according to her, due to her level of education and the Head Start Program within the daycare inside their school, they should have automatically been rated a four or five-star center. But, initially, the state rated her a two-star:

When YoungStar came out what they told us was if you have a Head Start Program then you should be rated a five. I could not get them to do that. It was just an ugly process. The women came in, and she [had] an African-American woman with her because I had posed the question, ‘Were there any women of color as consultants.’ It did not end well. When I got the notification that I was a two, I did not understand how this had happened—the teachers in that building were [ Department of Public Instruction] certified teachers. There is no way we should have been a two.

When I asked as to the state’s justification she responded:

Well about the time I figured out that something was wrong and who I should talk to. I crafted a letter. People in the upper echelons said, ‘You need to appeal.’ YoungStar responded that you missed the appeal date. They said, ‘Don’t worry because you will be reviewed again.’ So they came back and reviewed us this year. And gave that program a five and paid me accordingly retroactively.

Sharon made a conscientious decision to keep the second, faith-based, daycare facility that her and her husband owned rated as a two. She shared the view of many two and three-star rated providers who possess all the requirements to become a three or higher-rated center (i.e. the education level of director and a high-quality program) but refuse to force their staff to obtain a degree. She explained, “I made a conscious decision not to fire the teachers who worked for me. I knew them. I knew them well. I wanted to encourage them to obtain the necessary education but to keep them working was my main

priority...” This discussion compelled me to ask her about the state’s ability to “quantify care,” and she replied, “I don’t know what makes a provider high quality yet. That is a focal point of my own research. I believe that there are women by nature that are gifted and are tremendous with children. But they don’t have one college credit...” She followed this with a declaration that the industry needed more competent African-American providers:

I think women of color in the field should have a stronger voice. There are voices at the table but they are not our voices. We come from generations of caregivers. We took care of Master’s children. And they come out to be successful people. And all of sudden now we don’t know what we are doing—the other component is these are women that you kicked off of welfare and said go start a daycare business. And they did. And they made this into a multimillion dollar industry and now all of sudden we are incompetent. Our children are cash cows and everyone wants in on it. I chose to keep minority women working and took a pay cut.

Here, Sharon spoke to many of the underlying concerns that African-American providers have with the governance of the low-income childcare industry when she stated that as a group they need to have a stronger voice and impact on the industry. Given the history and legacy of African-American women as childcare providers in America, recent discussions that questioned this ability seem peculiar to say the least.

Though Sharon was reconsidering staying in the industry, she believed that Shares and YoungStar were sources of humiliation for minority women. Sharon questioned the geographical concentration of the forced closings in Milwaukee County, and concluded that they were racially motivated. I inquired if she thought it was fair that so much governance had recently been imposed on Shares, and, surprisingly, she replied yes, and said she felt that it should motivate African-American providers to become more self-sufficient and independent of the Shares program. Wacquant (2009) speaks to the humiliating aspects of workfare policies. He writes:



Witness the waves of reforms adopted between 1988 and 1995 in the wake of the family support act by some three dozen states that have restricted access to the public aid and made it conditional upon holding certain behavioral norms (economic, sexual, familial, educational) and upon performing onerous and humiliating bureaucratic obligations. (59)

Sharon did question the motive behind the surveillance directed toward providers, when, in essence, the state was only subsidizing parents, and providers were providing a service to parents not the state. Low-income childcare providers offered a service to subsidized parents and, as such, should not have been profiled. In her final critique, Sharon returned to her vision of African-American providers becoming financially independent from the state:

I think that it is fair that so much governance is attached to Shares. Providers need to get a vision were they do not rely on state money and start denying Shares, because it is not there for our benefit. The reality is, when we talk about Shares their contract is not with us, it's with the family. And so then why are you in my business. It's a place of humiliation. And we have not learned to celebrate each other. We don't trust each other this goes back to slavery.

#### *Amira Ahmed*

Amira Ahmed was a young entrepreneur who worked at a daycare for seven years prior to opening her own daycare for two years. When I interviewed her in her recently deceased grandmother's living room, she told me about the highs and lows of being a Milwaukee Country childcare provider. She informed me that she had a ten-year old son and was also taking care of her teenaged nephew. She ran a two-shift daycare and with two employees, although at the mention of her former employees she said, "That's a whole 'nother story." She had two binders in which she kept all of her organizational records and informed me, "This is all my stuff from my business." She pulled out a ledger that had her credits and debits on it, saying, "By the end of the second year, I grossed over \$65,000." She was proud of herself because at the time she wasn't even

thirty-years old. She informed me that she wanted to return to college and complete her business degree, clarifying, “I have enough college credits to have a degree but I never finished.” She spoke about some of the seemingly irrational aspects of the code violations that providers were sanctioned for; and, most importantly, she claimed these small violations were not reflective of the quality of care she offered. She began to ramble off some of the “write ups” she received, which ultimately led to the closing of her daycare, explaining:

I stopped my daycare because I could not get my license renewed. I was on probation due to all of the things I had wrong. For example, I had water damage on my bathroom floor or like a signature wasn't on a form. And then someone broke into my house once and one of the pieces on my fence in my yard was broken. So, I called to let [the licenser] know that. She came out the next day and wrote me up for the broken fence. And, oh yeah, my VCR wasn't placed right on the book shelve. I had the wrong extension cords and, yeah, stuff like that, all that stuff added up. So yeah she refused to renew my license.

Amira spoke highly of her previous employer, who also had building violations and other minor non-compliance issues, but otherwise provided a wholesome, nurturing environment and she felt the same way about her program. In reference to her previous employer she declared, “Those kids learned a lot and they ate good, but she had some issues with her facilities just like mines.”

Unfortunately, Amira's hopes of moving from a provisional to a licensed provider came crashing down after her licenser refused to renew her license. Amira was not aware of it at the time, but she was attempting to launch her business during the time the DCF was cracking down on fraud. She spoke about the intimidating and abrasive relationship she had with her licenser: “I had Jacklyn Savage and boy was she tough. I found out she got promoted. I think she was on a mission to close as many small daycares down as

possible because she was nick picking for real.” Amira would have appreciated if her licensor would have been more of a liaison and mentor as opposed to an adversary:

She [the licensor] was not helping us or giving us guidance. I felt I was a young business owner and not only did I have to deal with the business aspect of it, like filing taxes and pay roll and keeping up with the money part. I had to deal with the program making sure they have the proper things to eat, proper education, and putting the right toys in front of them. It was a lot on a young 27-year-old person and so I felt like she should have been more of a resource for me.

Amira summed up how she felt it was the licensor’s job “...To point out what was wrong versus what was right.”

*Lakeisha Simms*

In Amira’s case, many of the “write ups” or out-of-compliance notices she received suggested unattainable standards with her limited amounts of experiences and resources and write-up carried severe consequences. Likewise, during an interview in a northwest neighborhood coffee shop, Lakeisha spoke about several areas of contention within the industry, including the DCF’s unreasonable expectations for staying in compliance:

Some of the things we get written up for are unbelievable. You can get written up for so many things. One time my daughter had brushed her teeth and left the toothpaste with the cap on it on the radiator. They wrote me up and said that I had hazardous materials in the reach of children.

Lakeisha also claimed providers often found themselves caught in double jeopardy:

My daycare was located close to a Family Dollar and sometimes people litter, so it was impossible to keep it 100% debris free. So outside on my playground if she [the licensor] finds a barrette that’s a write up because it’s a choking hazard but if you don’t take the children outside it’s a write up. If you look up on the write-up website and go see what providers are getting written up for—providers are getting written up for urine in the toilet, but if I leave my kids unattended to manage all of these things that is a write up.

Another major concern for many family daycares was that due to centers being located within their homes, providers felt their houses had become 24-hour public spaces.

Lakeisha explained:

And you are bound to home. Your home is no longer your home, for example if my mom or grandma comes and stays for a couple weeks I have to run a background check on her. Some of the stuff on the website is serious and some is like, “Are you joking me.” The licensor can go through the dwelling and if she goes up stairs and you have prescription drugs on your dresser you can get written up for that. If you have a locked door that you don’t have a key readily available for them you can get written up even if the child is never allowed in there. The licensor have checked under mattress, in drawers and under beds, literally.

Lakeisha made it a point to acknowledge that the personality and temperament of licensors varied and that she had also seen some poorly run daycares:

Of course this not all licensors and in some degree you have to sympathized with the licensors because I have been with some licensors conducting inspections and was like how in the hell did you ever get a license? You feel sorry for the kids. But why [is the state] penalizing the whole field of childcare because [they] gave some wrong people licenses. It’s just a catch 22.

Prior to Lakeisha’s career in politics, she had entered the childcare industry because of the dual responsibility she felt to her family (as a single parent) and to the market. Once she got into childcare she discovered that the industry needed more college-educated providers. But she understood that childcare was so poorly compensated and appreciated that it was just not feasible:

Once I got into daycare, I quickly realized that it needed more people in the field that had college degrees and who had a sincere desire to work with kids. The state want more individuals with degrees in the field so that the providers can be more well rounded, but it is one of the least respected fields; so people don’t want to pay for the degrees. And so you find a lot of college-educated people who can make more money in other fields leaving daycare, which is a shame, especially in our communities and the most impoverished communities.

She claimed the state did not anticipate so many women going from employees at daycares to becoming entrepreneurs and opening of their own childcare businesses, and felt that in many ways the DCF was now marginalizing those women:

I think what the system did not anticipate was them branching off and starting their own daycare centers. Some of these women without college degrees became very savvy and smart businesswomen and opened up their own centers. It's ironic we want to make childcare so affluent that there is no place for the individual who has a sincere care for kids or who has done it all of their lives.

She also spoke to the state's role in the class and race disparities in childcare; when I asked her if education made you a better provider she replied:

Education by itself does not make you a good provider if you have no personal skills. You're not going to be a good provider if you don't possess a genuine care for kids especially in our community—you are not just educating our kids—those kids are coming with a whole slew of problems.

She spoke about the necessity of family daycares in the industry, and explained that family daycares have more flexibility in comparison to the larger corporate daycare centers and could work better for families that did not work traditional hours:

If you have a child of a parent who works untraditional hours, they may work from 6 am to 2:30 pm on Monday and tomorrow from 4pm to 11-12 at night, well Kinder Cares cannot accommodate this parent. Or a parent who drops their child off after lunch but before dinner and that child has not eaten well at Kinder Care, that child will not get feed until snack time. But if I am a small family daycare provider and I have sincere care for that kid and I know that child is hungry I am going to go to kitchen and make them something to eat.

Our discussion progressed to her opinions about YoungStar, and she harshly assessed what she felt was wrong with the program:

I hate YoungStar and I will tell you why. I hate it because what they are doing to the two-star providers. Wisconsin has the only quality rating system that is directly linked to Shares. And so you mean to tell me you have a provider who is not of "quality" and you're going to take away 5% of their pay. How are they ever supposed to reach that quality level? Explain that!

It seemed YoungStar was a personal issue with Lakeisha because she was given a two-star rating, despite the fact that she felt she was providing high quality care. She

explained, “I had the same teacher for 10 years. I had a college degree and my daycare was in a middle-class neighborhood and most of my students I had since they were infants. I was a two-star, so I was getting money taken out of my check and then on top of that the state switched family daycare providers to attendance based-pay.” It got so difficult financially that she ultimately “Took out a second job to make my daycare run. I was using my daughter’s child support to support my daycare.”

Lakeisha was very proud of her daycare’s program, but was ultimately forced out of the childcare industry due to the anti-fraud legislation. It has been about three years since she was forced to close her doors and she still gets emotional speaking about it. She ended our discussion by saying, “When I got out of daycare I was so saddened by leaving my kids and it was hard. It is still hard for me to talk about today” [she was noticeably weeping]. She had recently funded and hosted a “free skate night” at a local skating rink, and invited all the families she used to service. “You know I got to check up on my babies.”

*Diane Jackson*

I met Diane Jackson through a mutual friend, though, initially, when I called to schedule an interview she informed me that she worked long hours and might not be able to grant an interview. However, one day after church, she called and informed me that she had about an hour to chat and said could I come to her home. During our discussion she informed me that she had six younger siblings and had worked as a caretaker for her family as far back as she could remember. She had a high school diploma and worked in the childcare industry periodically before opening up her own business. Like many of the

providers I interviewed, though she received welfare at one point in her life she did not transition from W-2 into the childcare industry.

When we spoke, she was residing in public housing, which was also the location of her family daycare. She had previously rented a single-family home, which she had run her daycare business out of, but after the pay cuts to two-star providers and the shift to attendance-based pay she could no longer afford it. She was still very proud of her program; all of her daycare children were state-subsidized and she also had several family members' children enrolled in her program. She confided in me that "Since they have started this YoungStar. I don't know how I am going to make it." These moments are the difficult parts of ethnography, but some of the richest experiences. I could feel Diane's pain and frustration as she struggled to make ends meet.

Diane also questioned the state's ability to measure care and its assumption that educated providers and/or five-star providers are necessarily better:

You have a five-star daycare—what's to say that you can teach my child anything more than my two star. I can teach your child everything they are learning at school. You could have a five star and the children are sitting up watching TV all day and you got a five star and your pay is way more than my pay. And if you have more pay—you can provide a better building and stuff but that does not mean your program is better.

Lakeisha and Diane were both speaking in terms similar to Tuominen's discussion of the role the state plays in establishing class disparities between providers. In Wisconsin, these disparities are heightened by the state's reimbursement of five star providers with a 25% pay increase, which allows them to maintain their highly rated programs. At the other end of the spectrum, YoungStar penalizes the most vulnerable providers with pay decreases, which makes it more difficult for them to provide quality care.

*Lynnlise Baker*

I had the opportunity to interview Lynnise Baker during her hours of operation at her family daycare in the heart of the inner city of Milwaukee. She had worked in the childcare industry since she was 15, but had only been licensed for a year at the time of our interview, and she made a point of saying that she had over 15 years of work experience in the industry. She was 31 years-old and had no children of her own. The entire downstairs of her home was decorated like a preschool, with age-appropriate toys lying about. Like many of the providers I interviewed, she was well educated, holding a Bachelors of Arts in Education, with an emphasis on youth development, and a Masters in Cultural Foundations. She dreamed of teaching childcare classes, where she could place an emphasis on cultural relativism. She wanted a childcare training facility that took into account cultural and ethnical differences in rearing children. She was disturbed by the fact that she had all of these credentials, but YoungStar gave her daycare a three-star rating because her license was less than a year old: “But since I am still under a year they rated me three-star, but I think that is bullshit if I am a four star out the gate then give me my correct rating.” Lynnise was also an active member of the childcare industry, sitting on the board for Children and Youth Care Professionals, and she boasted that “Four Cs–Community Coordinate Care for Children–ain’t got nothing on us” (most providers are trained by Four Cs). One of her goals was to start a culturally-based training facility for providers as an alternative to Four Cs. Like many of her peers in Milwaukee, the majority of her students were state subsidized, though she did have one private client. Speaking of her humble beginnings she simply said, “My mother was on welfare. We grew up poor.” She felt called to action and was inspired to open her own daycare, though she also owned a non-profit called Umoja Inc., which focuses on mentoring



young African Americans to empower them to make positive changes in their communities.

Unlike most of the providers I interviewed, Lynnise approved of YoungStar, but felt there were areas of the system that needed improvement. She said she was a supporter of accountability and, though she had concerns with YoungStar and Four C's, she was basically "Glad that YoungStar was out. Cause it is a lot of teachers out here that should be considering a career swap right now." She began to explain, "A love for children is not enough to qualify you as a provider." She then clarified, "There is a difference—it's bigger than just love. You need to be able to teach kids... I do feel sorry for people who love kids, but don't want to go to school... But if it is your passion then you will go get those classes." Though she was an advocate for compelling providers and directors to pursue an education, she was not sure if the staff should be forced to earn higher degrees: "I don't believe that all of your lead teachers need education." She went on to clarify the different agendas of the state and YoungStar, explaining, "You got the state and you got YoungStar. The state cares about compliance and YoungStar cares about quality. So you have two entities working together—for the state you don't even need a GED." She felt this should suffice for daycare staff members.

Similar to Lakeisha, she was disturbed by the invasiveness nature of DCF's inspections into daycares operated out of the owner's home. For example, when she had a cousin visit from out of town for about a month the DCF ran a background check on her. Also, she spoke of feeling that her house had become a public space, though only part of the space was allocated to the daycare. While the first floor was dedicated to her daycare, she felt the upstairs, which remained lock during business hours, should be off limits:

That is part of the reason why I want to get out of the family daycare business because your home becomes a public place. If a licenser pops up you have to let them in. It's in the handbook, even if a parent pops up. I look forward to getting my house back. I don't feel like being watched all of the time.

Toward the end of our interview, an infant woke up and she began to prepare a bottle wrapping up our conversation. After speaking to the baby in a comforting voice, she placed the child in a rocker, and walked me to the door. Wacquant (2009) speaks about the heavily and invasive surveillance welfare recipients are subjected to by state governments. He states "The new style welfare recipients who, much like (ex) convicts, find themselves the object of extensive record-keeping, constant testing, and close-up surveillance" (107). Family daycare providers often felt their family members and themselves were under 24 hour surveillance.

### **Rural Wisconsin: It Affects the Rest of the State**

*Lisa Schmidt*

During a telephone interview with Lisa Schmidt, a childcare provider from rural Wisconsin who owned and operated two family daycares that serviced approximately 21 children, she shared many of the same sentiments as her peers in Milwaukee. She spoke about the problematic nature of the YoungStar rating system, explaining, "I am currently a three-star. I refuse to play the game with the department [DCF], so I am going to get accredited and bypass all that crap." She also spoke about her educational background and how this should have automatically had her placed in a higher rating level: "I have masters in the field, so as soon as I get accredited I will automatically become a five-star." A provider can automatically earn a five-star rating if they earn accreditation by a nationally recognized childcare organization. She then began to speak to the state's inability to quantify care or determine what makes an effective provider; as with many of

providers I interviewed, she struggled with the idea that education would make you a better provider: “I don’t necessary believe that education will make you a better provider...”

Lisa had served as an advocate for family childcare in areas of the state outside Milwaukee, and was well informed regarding childcare on the local and national levels: “YoungStar is not helpful. YoungStar is ruining childcare. Across the country research has proven that forced quality rating systems destroys the system.” She felt that YoungStar was adversarial to childcare for two reasons:

For one, providers cannot meet the standards due to lack of monetary resources and the rates are so low for subsidized children that it marginalizes the providers who cannot compete—so they leave the system. It hurts the family daycare industry specifically because in order to maintain standards they would have to increase their rates so much that it would drive the price of childcare out the roof. Secondly, subsidies payments do not keep in pace once the quality rating are put in place. So that it puts the grasp of quality care out of the reach of providers that cannot afford it. Subsidy rates have not been keeping pace and subsidy rates have been frozen except for the small amount of providers that are four or five star.

*Sarah Schneider*

Sarah Schneider was an immigrant from Germany, who also owned a family daycare in rural Wisconsin, which, she informed me, was one of the most diverse daycares in the area. She had started her childcare career early, working as a babysitter and nanny in Germany from age twelve. When her daughter was three-years old, she decided she did not want to put her in childcare and opened her own daycare instead. Currently, she has a five-star private pay family daycare; she has been nationally accredited for over two years, which automatically earned her a five-star rating. At the time of this interview, she had eight children enrolled, as well as has a waiting list of interested parents. She herself was a childcare advocate and belonged to several organizations that advocated for childcare providers. The institution of the YoungStar

system and the state's shift from enrollment-based to attendance-based pay forced her to get rid of all of her Shares clients. She said "Getting rid of state subsidized clients was unfortunate because they deserve high quality care too." She continued:

The state has destroyed the family daycare [pay] rate system. I got a nine day notice about the change in enrollment to attendance-pay policy. It basically destroyed any incentive to service Wisconsin Shares clients. It ruins your budget, no sick days or vacation pay... state claims that the parents should pay. But parents cannot afford co-payments most of the time.

Sarah also shared the sentiments of her peers that the mandatory education component of YoungStar was unrealistic and the quality rating system has done a "piss poor" job of quantifying care:

YoungStar's continued education also is a deterrent due to its emphasis on college credits and not any recognition for experience. For example, you can get rated as a two star—make minor adjustments but do not get the education and you remain a two star. Plus with a two-star rating they will take 5% of your pay, which does not leave money to make the upgrades.

She also said she did not believe education made for better providers, and posed a rhetorical question: "Would you prefer someone with four years of college or someone with 15 to 20 years of experience working with children?" This is clear evidence of her belief that experience should have a greater impact on quality ratings, however, she said when she posed similar questions to the state too they were ignored; she also felt parent's evaluations should have an impact on ratings, and went on to say, "Everything YoungStar is about takes you away from the children and your program." She then gave an example: "The portfolios are tedious, cumbersome and time consuming, and takes away time from tending to the children."

Sarah continued, "YoungStar could have been great." In the past, she had met with the designers of YoungStar to help them make it more provider friendly, as she felt YoungStar has created an adversarial relationship with providers from its inception; she

made recommendations for improving relations with providers, but these were largely ignored and she was told they would cost too much. Ultimately, she felt the designers of the newly instituted childcare rules and regulations were not sufficiently sensitive to the nuisances of the industry. For example, “The keeping an infant sleeping in your sight at all times is stupid and not possible. Pop-up beds in every room is impossible.” When asked who designs these policies she replied, “Legislators but they are not to blame because they only go off of policy recommendations from the DCF.”

I spoke earlier about African-American women becoming the state’s representation of public austerity measures, but the laws and policies that emerged during this discourse crippled the entire industry. Unfortunately, Sarah was no longer able to offer her high-quality services to poor families who she felt also deserved quality care. She concluded, “It is impossible to provide quality in these conditions.”

### **Men’s Point of View in a Female Industry**

*Kyle Hawkins*

The two men I interviewed in this female dominated industry both came to childcare from fields outside of education and childcare and entered the field to help strengthen their family businesses. I met Kyle Hawkins at the Childcare Advocacy Day event, and during the opening of the conference, when the moderator asked everyone to introduce themselves and their reason for attending, Kyle felt compelled to talk about the adverse effects the newly instituted YoungStar system was having on his mother’s health during his introduction. I interviewed Kyle at his office on Milwaukee’s East Side after his daycare had closed for the day; he and his mother own a commercial building that houses several spacious, upstairs flats as well. I was waiting for him when he entered the

room and informed me that he had two parents that were late picking up their children and that he had released his staff, so he had to care for the children until their parents arrived. He jokingly informed me that he “Wears many hats in his business.” In addition to being the owner of his childcare facility, he is also the driver for his center because he had been unable to find someone reliable with five years of experience to hire. He informed me that the parents who were late would have to pay a fine and he knew they were going to be upset when it was noted on their bills. He informed me that he was “A no nonsense type of guy who runs a tight ship.” His daycare was located in the East Side, on the border between a predominately impoverished African-American community to the west and a predominately affluent and Anglo-American neighborhood to the east. He had previously been an insurance salesman, but got into daycare to assist his ailing mother’s business.

According to Kyle, his mother’s physical health had deteriorated due to harassment from several DCF licensors. She ran a faith-based daycare, taught Christians principles, was from the “Old South,” and had grown up during Jim Crow. She moved North to Wisconsin to escape the racial segregation of the South and was generally disdainful to authoritarian and disrespectful Caucasians. Kyle contended that his mother was “...not a butt kisser and she was from the Old South–Mississippi in particular, and she was a self-made woman and was not going to bow down to anyone.”

In terms of their relationship with the DCF, Kyle recalled that “It became a very hostile situation.” He continued, explaining that unlike his mother he would modify his behavior and filter his opinions and views to appease the state, and, therefore, he had a better relationship with the licensors: “I will do the dance per se.” This was in contrast

with his mother who “Believes if you respect me—I respect you, but if you disrespect me I will disrespect you.” Often the licensors would exert their power and remind his mother that they would shut down her business. His mother wanted to get rid of their licensors, especially the Caucasians, but Kyle believed she needed to accept that in this situation there was no replacing the state’s representatives. His philosophy was to avoid fostering an adversarial relationship: “To conform and “shuck and jive”— look the state has shut down over 200 daycares. This is serious. So, if I have to be like “Mista Massa” happy to see you boss—then fine because that is the only way to really deal with them.”

All of the children in Kyle daycare were state subsidized; his daycare was licensed for 30 students and he usually stayed full to capacity. He let me know that he preferred state-subsidized children: “W-2 all day [subsidized parents] because private payers try and nickel and dime you.” He also admitted that childcare was expensive and that often private payers in his neighborhood did not pay on time because many could not afford it. After a few moments, he added, “...I would like to service some clients from a nearby a corporation.” He went on to elaborate that, In fact, he would rather have private payers who could afford it and would pay on time. He mentioned that his daycare was just a few blocks away from a large corporation with a large base of employees who could afford private payments; despite this, in six years he has never advertised there or had an employee of the corporation inquire about childcare; he did not explain his lack of outreach but alluded to class differences between the employees at the corporation and the families he serviced.

As our conversation moved on, he began to elaborate on the closings of daycares in his community, saying, “The state is deliberately shutting down daycares.” It was his

belief that these closures were racially motivated, and he pointed out, “Look at where all of the shut downs are located. The state does not want us teaching our own children.... They don’t want us planting things in our kid’s minds, for example like Malcolm X and our history or ameliorating things for themselves.” His disdain for the DCF led me to ask about his opinions of the newly instituted YoungStar, and he said he did not approve of it because the system began to excessively regulate the industry in the “middle of the game.” With the additional requirements and training, he claimed it is “...even more stressful.”

Similar to the other providers in this chapter, Kyle accepted a low YoungStar rating in order to keep his staff, saying he believed “That early childhood education should not go against common sense. Go with your gut.” He went on, “YoungStar says that 50% of your lead teachers should have six college courses. Why would someone get a higher education and work at a daycare when they can work at MPS [Milwaukee Public Schools].” Thus, he has maintained his two-star rating because his staff does not meet the education requirement, though he himself has a Bachelor’s of Science in Business.

He also said that his daycare was about “Learning and not all that YoungStar stuff ‘play-play’ through learning crap.” It was his belief that “There is a time for play and time for ABCs and 123s.” Because Kyle’s daycare was faith-based, the curriculum also included Christian principles and they were “Big on manners.” Kyle said he felt that “time outs” and “redirecting” were impractical and didn’t work for the children in his daycare, but he followed the regulations imposed by YoungStar.

Finally, when asked about his experience working in an industry dominated by women he replied, “In particular black woman dominated—it is hard for these women to



take orders from men.” He elaborated that they “...have a father complex— ‘You will not control me.’” But he quickly asserted that they would eventually have to do “...what I say.” He concluded, “‘Sista’s, you got to love them but they are very argumentative creatures.’” When I asked him if he considered himself a success he replied, “My day care is licensed for 30 and we stay pretty full, but 30 is not an enough for it to be lucrative.” But went on to say he was thinking of expanding the business into the offices next door.

### *Tyshon Wilkinson*

As with Mr. Hawkins, I met Tyshon Wilkinson at the Childcare Advocacy Day, and we agreed to meet at a coffee shop in one of Milwaukee’s art districts. He informed me that he had been a graphic designer by trade and was originally from New York; he spoke candidly about how he could never have imagined himself flourishing in the childcare industry: “If you would have asked any of my friends they would have never thought in a million years I would be doing what I am doing. I am not a dummy and I know this field needs more men—our kids need more men—you know what mean [in a strong New York accent]? I would never think for me though.”

Like Kyle, Tyshon got into the childcare business in order to strengthen a family business. His wife had been running a childcare business for five years prior to their marriage, and she often asked him to fill in when staff would call in sick or otherwise miss work. As this arrangement became more frequent, his wife informed him that he would have to take the three classes required to be a childcare provider and that she would have to run a background check on him. Around this same time he earned a promotion at the company where he was working, Quad Graphics, but when he thought about the extra responsibility and time he would have to allocate to his new position he

decided to invest that same commitment in his wife's business: "If I am going to be grinding like this for that company, if I put this same energy toward the home business we will grow." They have two childcare centers on Milwaukee's South Side, near Bayview, a mostly Anglo-American and Latino neighborhood. They have about 75 students and a staff of 14 employees. The majority of the children enrolled in their daycare are state subsidized.

As we began to discuss the newly instituted YoungStar system, he spoke about how the new program had drastically changed the industry and that he had mixed opinions about the program, much like Lynnise Baker:

YoungStar drastically changed it in my opinion, some good things and some bad. I just think it gives you more accountability. It makes owners more accountable as far as their business goes. I always put money back into my businesses, maybe a \$1000 or \$2000 back into the business, in the form of repairs or new toys or different things. I think YoungStar forces you to do that.

When I inquired if he thought education made for better providers he said that he was a "Stickler for education, especially for my kids, but it's hard for me to say this, but I feel like [YoungStar] puts too much emphasis on education of the teachers." He elaborated:

Book knowledge with its techniques and strategies are important, but I also think there is an element of natural nurturing that you may not have naturally, but you can develop through experience. I feel that there is something wrong with the idea that someone can take 2 college courses and be level 8 or 7 and be considered a better provider from someone who has been doing it for 6-7 years. I'm going to be honest, even though you have the college you still need to have the experience requirement to meet a certain level. I don't believe you should be a level 8 without 3 or 4 years of fieldwork experience or more.

He explained how the YoungStar came to weigh the educational component so heavily:

They took a poll and they felt like the parents and other providers said that the best judge of the facility was based on the education of the teachers and so that is what they are building that strategy on. I just think that is a flaw. I think that it should be an experience component and think there is a year requirement but I think it should be more.

He continued, with another example of the YoungStar system's inability to quantify care:

YoungStar only looks at teachers that are a level six or higher. If you're below that—it's like your invisible to them and I don't like that either cause I got a couple teachers that are level three or level four teachers. And they are real good teachers and I'd rather have [a couple] level four teachers than one level seven and an assistant teacher. I think that they should have some kind of accommodating assessment as far as that but at the same time they only recognize six or better. Assessment is coming from a bird eye's view.

He also spoke about some parents who would rather have good, wholesome care, as opposed to care that is focused on the education of such young children:

I was pondering this the other day—some of these parents just want a babysitter. YoungStar got you presenting all of this development stuff—your kid is at this level. Some of these parents are like “Just... watch my kid. Just make sure he doesn't run in the streets and I am good.” Some of them do want babysitters. They are not interested that Johnny knows all of his alphabets today. It is overwhelming. You have to have a conference with your daycare teachers and a portfolio with them and some parents are like, “I did not want to get all into that until my kid get in school. Can you just watch them and basically potty train them, feed them well, and provide a nurturing environment? I'll let the school handle that stuff.” I do not look down on the kind of person with that perspective, but YoungStar doesn't pay attention to that person.

When I asked him how early the assessments started, he replied:

With babies! With babies it is not as detailed but you need to be able to say... when they are rolling over, when they are following your hand, and when they go to this food—yeah this assessment starts early.

We spoke about his current rating and his desire to move up the tiers and he explained that he faces many of the same dilemmas as his peers in relation to the education of his staff: “My daycare centers are three-star. I want to go to four-stars. I am very close to being a four-star.” When I asked if he would eventually like to receive a five-star rating he said, “...My staff would all have to have bachelor's degrees and in my neighborhood—I just don't think that it is feasible. I think that would be further down the road.” He also said he felt that, ultimately, the state would continue to reduce childcare expenditures:

YoungStar is starting with weaning out anybody who is a two star. Eventually what is three star is going to be two star and what is four star is going to be a 3 star and its going to keep going like that you know what I'm saying... That is their goal. Their goal is to reach a manageable budget. What was bogus is that they did not put the money back into childcare.

I asked if he thought the goal of YoungStar was to force all centers to achieve a five-star rating, he replied: "I was talking to some people the other day and I was like in my South Side neighborhood how many millionaires are there? None—you have to have that type of money circulating in a neighborhood to even have that type of facility here."

When I inquired about his experience with licensors he said, in general, his experiences have been positive, though he felt some were on a "head-hunt." Similar to his peers, he felt that some of the expectations were unattainable and ridiculous. He also spoke about the intimidation and "iron fist" of some of his licensors:

I had good and bad licensors but overall good. I have had incidents were I feel like the licensor came in like a headhunter. I will say, overall, 75% good experiences, but I've gotten some unfair write ups. Technically, I could have disputed, but I don't want my licensor to get a vendetta. I get minor stuff. The food program people are more reasonable and easier to talk to.

He went on to give an example of unrealistic expectations providers had to meet to remain in compliance:

I got these wood chips, you know what I'm saying. The licensor had a pet peeve for litter and not to say your facility shouldn't be cleaned. So, my facility is on the corner, so all the wind blows all the trash around my place. So, it is always a challenge to keep litter down for my place. I have my teachers go outside and pick up and when I see it outside I pick up too. But when you stay on the corner it is almost impossible. And then she wrote me up for a piece of litter. I can understand if it was visible, but she actually moved around some wood chips and found it on there and she wrote me up for that.

He also spoke to how YoungStar had changed his idea of his role in the businesses:

I have learned that it is 100% business. And I don't like it. I envisioned myself as being like a principle or a dean or something like that. Now I am like any other business owner—like any of these shops. My job is closer to a business owner or a manager and that is not what I wanted.

His centers service a diverse population and the majority of his children are not African American. He remarked, “It’s a unique situation for me. I’m not from here. I’m from New York. I celebrate MLK day and I am closed that day and a lot of people in my area don’t even identify with that day. I get flack every time it comes around.” He spoke about how he moved to the South Side of Milwaukee upon his arrival to Wisconsin, candidly saying he thought “...There were very few African Americans until I finally went to the North Side a couple years later.” I asked him if he thought it was possible to make a six-figure income through childcare without committing fraud, and he replied “Oh yeah, oh yeah, without a doubt. I definitely believe it’s possible... Wait you said six figures? I mean I make six figures.” Finally, when I asked if he considered himself a success, he replied, “Yeah I do.”

### **Conclusion**

Amidst the hostile and intimidating discourse that was created by the media’s relentless coverage of the low-income childcare industry, I was able to talk with people from all walks of life who had entered childcare for a variety of reasons. Many of these providers “weathered the storm,” but were still adversely affected by local childcare reform. I ended my discussions with providers learning about low-income childcare from a group of educated, business-savvy entrepreneurs who got caught in the crackdown, including some who were forced to close their businesses, as well as others who managed to survive. This narrative is in staunch opposition to the narrative put forth by the *Milwaukee Journal Sentinel* and the discourse accepted in the legislature. The stories of Mrs. Ole Skool who makes sure her daycare children have hot breakfasts every morning, walks them to their bus stops and who takes pride in her daycare children going straight

to kindergarten were painfully missing from the coverage. A counter-narrative that includes providers who are committed to their communities such as Sharon, Lynnise and Que'Shay or Lakeisha who even continued to worry about her daycare children after the demise of her childcare business and how this weighed heavily on her heart to this day. This counter-narrative includes the other hundreds of daycare providers who could have possibly been wrongly profiled but did not have the resources to fight the DCF to save their businesses. Ultimately, it is a counter-narrative that challenges the accepted and widely disseminated narrative that depicted the low-income childcare industry in particular, Milwaukee's African-American providers as an industry full of criminals and providing low-quality care.

Through their testimonies and insights on the industry they helped to facilitate and build emerged a counter narrative that resounds with competency and honor. The five reoccurring themes that emerged from my interviews were (a) their belief that race was significant in the media's, the DCF's and the legislature's fraud protocols, and they felt they were targeted and racially profiled during Wisconsin's fraud discourse; (b) drawing from experiential knowledge they gave insightful evaluations of the YoungStar and the DCF, particularly the state's inability to qualify care in certain areas such as the over emphasizing of educational requirements and under emphasizing the experiences of their staff; (c) the need for childcare governance that was sensitive to different ethnic group cultural norms in socializing children; and (d) the desire to have a more prominent voice in childcare industry at all levels.

## Conclusion: Significance and Implications for Future Research

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David Harvey (2007b) spoke to the neoliberal market strategies and the tendency for states to create markets where they were not previously. He states “Furthermore, if markets do not exist (in areas such as education, health care, social security, or environmental pollution) then they must be created by the state action if necessary” (23). Through subsidizing private care in Wisconsin, the state created an economic boom in the low-income childcare industry in Milwaukee County. It was believed that poor women would gradually assume all of the costs of the childcare and that eventually the government’s investment would pay for itself. Consequently, when Shares became too costly for the state, punitive protocols, sanctions and deterrence mechanisms were put into place to reduce contracts and expenditures. It appears that the population of women who initially met the demand for childcare after the institution of W-2 was simply a means to an end for the state. These providers were a crucial part of what made W-2 a success, but the state treated them as if they were disposable workers. As I discussed earlier the emphasis on a core neoliberal belief in the individual becoming a micro-enterprising entrepreneur and that possibly state subsidies could be used to empower marginalized and impoverished communities appeared feasible in the Shares early implementation. I believe that the group of people who met Wisconsin’s care gap and who helped to facilitate the \$350 million low-income childcare industry’s success was not the intention or consideration of the architects of Shares. Harvey (2007b) claims that neoliberal aims are vested in a political project and “The principles of neoliberalism are quickly abandoned whenever they conflict with this class project” (29). Wisconsin Shares was created to help minimize barriers to work and to ensure that welfare reform was a

success in Wisconsin. When the functioning of the Shares program did not align with this neoliberal project the reliance on the market was abandoned and the media and policymakers alike drew upon pejorative representations of African-American women to avoid having to acknowledge the failures of the program. (Jones 2014). This reality is my justification for drawing on Wacquant's ideas about neoliberalism being a political project because many of the providers who I interviewed lost their businesses due to the state's fraud discourse and believed that the designers of the Shares program had used them until the state did not need them anymore. These providers often remarked that they would have felt more respected if the state had simply said, "We no longer need your services." Instead, the providers were vilified in the media, and the state unleashed a legislative campaign of policy shifts that—according to my informants—seemed to be part of a larger agenda. In this way, African-American women became a scapegoat for governmental failures.

I sought to capture predominately African-American childcare providers' perspectives on Wisconsin's crackdown on fraud, for several reasons: (1) they became the embodiment of fraudulent childcare providers; (2) they appeared to be disproportionately affected by local childcare reforms; and (3) their voices were absent in the media and the legislature narratives. In contrast to these goals, in the public the most available and pronounced narratives were told from the perspective of the news media and policy makers in the state. The media and state bureaucrats were considered by the public as childcare reform champions for their efforts to eliminate fraud from the Shares program, but that was their perspectives. However, their perspective differed from the view of the childcare providers themselves, who have been featured in this dissertation.



The state's discursive power, which many of the childcare providers encountered in their jobs, was of disempowerment and marginalization. It began with Governor Doyle's removal of the word "intentional" from the legal language, which gave the DCF the power to go after any provider they chose to single out and, more importantly, implement crippling, punitive policies. Accusations of fraudulent behavior did not have to be well substantiated, and the state only had to demonstrate that suspicion was "afoot." My participants' counter-narratives included viewing Raquel Rutledge and the Watch Dog Team as blood thirsty journalist and the combination of the *Milwaukee Journal Sentinel's* coverage and the response of the DCF as a "witch hunt." It appears the state used and exploited the *Milwaukee Journal Sentinel's* racial and gendered stereotypes to camouflage the impetus for austerity measures. The negative framing of kinship ties and the idea of "phantom children" propelled images of African-American women's overly fecund and highly reproductive bodies into the public sphere once again as well revisited the notion of poor women of color using their children for financial incentives. And ultimately these providers' were forced into a familiar moral discourse that publically demonizes poor African-American women in the face of reform and concludes that they are not worthy of government funds.

I concur with Barbara Cruikshank (1999) and Karen Gustafson (2009) that the visibility of fraud in the welfare system emerged with technological advances, but these authors' theoretical frameworks cannot account for why the poor, female African-American embodiment of these fraudulent recipients, which emerged over 20-years ago, persists to this day. I wonder how they would respond to the fact that childcare providers were not themselves recipients of welfare, but were still vilified in the public as *welfare*

*queens*. In a larger sense, I argue that the durability of this cultural myth was so pervasive because: (a) it was constructed and disseminated through public and political discourse; (b) it transcended the experience of individuals; and (c) it emerged from existing structures of social stratification and inequality.

Loic Wacquant (1999, 2010; 2012) alludes to the notion that anthropologists need to see beyond the neoliberal economic smoke screen that neoliberal ideas are simply about market strategies applied to the social, and realize that these principles function to impose neoliberal values on society. If what I witnessed during Wisconsin's crackdown on fraud is any indication of the state's protocols for its poorest citizens, then, as defense attorney Laura King warned, "We better watch out." My project was not concerned with proving if providers were guilty or not, but rather with capturing their side of the story. Edward Sterling, an advocate ended our discussion by saying, after hearing the tone that emerged from the media and the state, that "During that time period it said to me their agenda was to purge black businesses and not to bring justice to the taxpayers." Ultimately, I hope my research has given a glimpse of post-Welfare Reform legislation on poor and racialized communities amongst the ascension of the neoliberal state.

My research on the political economy of state subsidized care in Milwaukee Wisconsin would be of interest to race and gender scholars who are interested in these social markers in a neoliberal America. It brings together analysis of national discourses about African Americans with a study of the local practices and choices of Wisconsin which could conceivably be referred to as a "neoliberal laboratory." I believe this research can be helpful to the governmental agencies, and political organizations dedicated to impoverished communities. I am particularly committed to sharing the

results of my analysis with policy analysts and state bureaucrats who are concerned with the unintended consequences of policy. If resources and time permitted, I feel that a quantitative measure of the *Milwaukee Journal Sentinel*'s policy narrative's impact on public opinion and the legislature would have allowed me to draw causal relationships and would of strengthen my argument.

## Endnotes

1. All the names in this ethnography and most places and locations are pseudonyms.
2. Latisha Jackson became the public representation of a childcare fraud. I obtain several official government documents where her name was mentioned as an example of the extent and abuse that was occurring in the Wisconsin Shares program and she was mentioned in over half of the published articles.
3. The information on Latisha Johnson was taken from the article “Administrative law judge clears day care provider Latish Johnson of Fraud: The woman behind the headlines should not have lost her license, judge says.” In the *Shepherd Express* Newspaper published Feb. 3, 2010 by Lisa Kaiser. <http://expressmilwaukee.com/article-permalink-9727.html>.
4. The state’s protocol and definition of overpayments can be found in the *Wisconsin Department of Children and Families Wisconsin Shares Child Care Assistance Manual* in Chapter 2A: Program Integrity Client Policy Manual. It is referenced in the manual as 2.1.5 “Overpayments” Citations: Statutes and Administrative Codes on p. 15 and also 2.1.5.2 Recovery of Overpayments on p. 20 of the same manual.
5. Found in the article “Former child care provider gets 14 months in prison,” by Raquel Rutledge and John Diedrich of the *Milwaukee Journal Sentinel* published on Aug. 31, 2012. The reporters report that Latisha Johnson pleaded guilty in May (of that year) to wire fraud, conspiracy and theft of public funds. I want to note that plea bargains do not mean a party is necessarily guilty.
6. Wisconsin ranks 50th for black children on a social distress list, 37th for Asian children and 17th for Latino children, according to the study from the Annie E. Casey Foundation titled “Race for Results: Building a Path to Opportunity for All Children.” Rates were taken from the website Child Trends Data Bank. <http://www.childtrends.org>.
7. In the report “Valuable work minimal rewards: a report on the Wisconsin childcare work force by Alice Burton, Marcy Whitebook and Laura Sakai from the National Center for the Early Childhood Work Force with Mary Babula and Peggy Haack from Wisconsin Early Childhood Association conducted a study that was published in 1994. This time period is on the eve of PRWORA and TANF and the instituting of Wisconsin Shares. This study gives a good indication of what the educational expectations were for childcare providers prior to the legislation. On page ii the researchers note that “Childcare teaching staff in Wisconsin is highly educated when compared to Wisconsin’s general population as well as to childcare teachers throughout the United States, but are not rewarded for their educational attainment.” They continue “Child care teachers educational attainment has improved substantially since 1988. Forty-four percent of teachers have a bachelor’s degree or higher, up from 32% in 1988. Also in this study there was no mentioning of the provisional class of providers that ballooned after the instituting of Wisconsin Shares. In the study “Moving Goal Post: The shift from child care supply to child care quality” by Anneliese Dickman, Melissa Kovach, and Annemarie Smith for Public Policy Forum (2010), these researchers discuss how Wisconsin eased regulations and qualifications of childcare providers in order to quickly expand the childcare market; and subsequently funded and approached childcare as a “work support” program rather than as an educational program. “There was some concern among state officials about the “risk” of treating childcare only as a work support, and of not considering its role in the education, health, and welfare of children” (2010, 7). The new class of childcare providers was known as “provisionally certified.” “The reformers’ idea was to “Allow responsible home childcare providers easier entry into the W-2 provider system through the creation of a new, less restrictive category” (2010, 17). “This less formal category of certification” was thus created in an effort to increase the supply of informal and part-time providers” (2010, 22). On a chart depicting (p. 22 of the study) educational and training levels of various classes of providers and provisionally certified providers had no educational requirements and could provide provisions for up to six children. The next level regularly certified required 15 hours of training. I must note that provisionally certified providers began to decrease rapidly in numbers before 2009, which complicates the association with their lack of educational and training attainment and the poor quality discourse that surrounded the low-income childcare in 2009-2012. “The ironic

consequence was that provisionally certified providers – because of their dwindling numbers – may not have had the widespread negative impact on child care quality that many feared, but they also did not help to keep program costs affordable” (2010, 24). For example in 1996 there were 1136 provisionally certified providers by 2008 there were less than 120 (taken for graph on p. 22). In a report conducted by UW-Extension on Public Policy Series on Alternative Policy Options called “Developing a Childcare Quality Rating System: Wisconsin Approach” the researchers (David Edie, Diane Adams, Dave Riley and Mary Roach) published as Report No. 5 March 2005 also speak to the lowering of standards and qualifications of childcare workers. The study finds a “Decline in education credentials” amongst childcare teachers and directors” (p. iii). “The educational credentials of Wisconsin childcare teachers dropped precipitously in two decades, from 44% with B.A.s in 1980 to just 14% in 2001. The percentage of childcare directors with bachelor’s degrees or above dropped from 73% in 1980 to 47% in 2001” (p. iii).

8. Dickman, Anneliese M.; Kovach, Melissa; Smith, Annemarie. 2010. “Moving goal posts: the shift from child care supply to child care quality.” Public Policy Forum. Also, in the quantitative study “The child care costs of engaging the welfare population in work: The Milwaukee experience,” John Pawasarat and Louis Quinn (2001) state “Capacity building investments and policy changes removed much of the financial risk in serving children of welfare recipients and resulted in a doubling of state licensed group care and quadrupling of licensed family day care capacity in lower-income central city neighborhoods” (2002, 1).
9. In a Legislative Audit Bureau Report June 2009 on Wisconsin Shares shows that the expenditures for the program had increased substantially from \$312.3 million in 2004-2005 to \$371.2 million by 2008 (p. 2). In the same report it stated that 58.9 percent of subsidy payments were allocated to Milwaukee County. In the quantitative study “The child care costs of engaging the welfare population in work: The Milwaukee experience,” John Pawasarat and Louis Quinn (2002) explained that Milwaukee makes up only 18% of the Wisconsin’s population but receives 55% of the state’s childcare.
10. See end note 8.
11. Interview Pool. I interviewed 32 childcare providers; 4 childcare advocates; 3 lawyers; 2 educators; 2 politicians; and 4 state bureaucrats. I engaged in dozens of conversations with community members throughout the entire study, which are noted, in my field notes.
12. I was not able to get an exact figure for this finding because of high turnover rates and several of my participants were not sure of exact figures. I used two extreme examples from a group center and family daycare and combined those to get 80%. Tyshon a group center owner said he had about 74 students and only 6 were not state subsidized which meant 92% were subsidized and 8% was not. I took the enrollment from Janice (who was not featured in the paper but was part of the study) she had 8 children and 3 were private as my representation for family daycares. Which meant that 37.5 percent of her clients were private payers and 62.5 was state subsidized. Most other providers fell in the middle of these trends.
13. This study excludes church-based and nonprofit childcare facilities.
14. <http://www.businessinsider.com/most-segregated-cities-in-america-2013-11?op=1>
15. While my project draws primarily on the work of Wacquant other anthropologists such as James Ferguson have also written about neoliberalism (2009). South Africa’s BIG program and the proposal for Zambia’s government to provide monetary stipends instead of food rations to women engaged in childcare for orphans as a neoliberal economic strategy. I concur that providing monetary aid without preconditions is a better option than providing rations or giving money with paternalistic and punitive stipulations. James Ferguson believes a discussion that begins and ends with the notion that neoliberalism is bad for the poor is too simplistic. According to him, the academy is filled with discussions that posit neoliberalism as anti-statism. He states “In a similar way, in anthropology, it can also degenerate into a simplistic anti-statism” (Ferguson 2014, 1) and warns against this tendency.
16. Prisonfare is discussed throughout the entire book *Punishing the Poor* by Loic Wacquant (2009). Prisonfare is a name given to the state, federal and public protocols that have led to the enormous growth of the U.S.’s penal system since the 1970’s.
17. Pawasarat, John, and Lois M. Quinn. 2013. “Wisconsin’s Mass Incarceration of African American Males: Workforce Challenges.” Employment and Training Institute University of Wisconsin-Milwaukee.

18. Wacquant (2009) speaks to the gradual rolling back of the social safety net commenced in the early 1970's as part of the back lash against the progressive movements of the previous decade and culminated in 1996 with the conversion of the right to "welfare" into the obligation of "workfare" designed to dramatize and enforce the work ethic at the bottom of the employment ladder. (43)
19. See endnote 8 and Dickman, Anneliese M.; Kovach, Melissa; Smith, Annemarie.2010. "Moving goal posts: the shift from child care supply to child care quality." Public Policy Forum.
20. During my discussions with Shawn Reynolds the high-ranking bureaucrat in the Wisconsin Department of Children and Families, he spoke about the state taking over the Wisconsin Shares program from the County in order to reduce expenditures.
21. Dickman, Anneliese M.; Kovach, Melissa; Smith, Annemarie.2010. "Moving goal posts: the shift from child care supply to child care quality." Public Policy Forum.
22. Dickman, Anneliese M.; Kovach, Melissa; Smith, Annemarie.2010. "Moving goal posts: the shift from child care supply to child care quality." Public Policy Forum.
23. Raquel Rutledge's citations in the bibliography are articles that were directly quoted in the paper but Appendix A has a comprehensive list of articles used from the *Cashing in on Kids* series.
24. [dcf.wi.gov/youngstar/pdf/evaluation\\_criteria\\_family.pdf](http://dcf.wi.gov/youngstar/pdf/evaluation_criteria_family.pdf).
25. I could not locate a study on paid childcare trends for African-Americans solely. There have been many studies on the extended Black family fictive and blood relatives in the United States, such as: *All Our Kin: Strategies For Survival In A Black Community* by Carol B. Stack Published August 4th 1983 by Basic Books (first published November 30th 1973) and Herbert G. 1977. *The Black Family in Slavery and Freedom, (1750-1925)*. Vintage Books: Random House.
26. Actually most of the providers I interviewed would prefer access to a stable private market and desired an alternative to Wisconsin Shares.
27. [http://www.allcountries.org/us/census/79\\_births\\_and\\_birth\\_rates\\_by\\_race.html](http://www.allcountries.org/us/census/79_births_and_birth_rates_by_race.html).  
<http://www.cdc.gov/mmwr/preview/mmwrhtml/00020726.htm> (Hispanic women have the most children per 100 births).
28. This discussion is rooted in the dated culture of poverty debates. There are two opposing underling perspectives in these poverty debates: the culture of poverty and structural poverty. The conflict between these two perspectives captures a familiar ideological division in the United States, one that goes to the heart of many current controversies. The culture of poverty concept was highly criticized from its introduction. The various anthropological critiques included the lack of placing the participants within a culturally relative context, methodological, and ethical concerns (Rozen 2003). Two diagnostic moments that influenced neoliberal perceptions of the poor emerged during the 1960's: the first was Anthropologist Oscar Lewis's introduction of the term "culture of poverty." Lewis's ground breaking ethnography entitled *Five Families: Mexican Case Studies in the Culture of Poverty* (1959) was an ethnography that was situated in Mexico. His findings revealed dozens adaptations to structural poverty. Though his research was based on poverty in the developing world, his concept "culture of poverty" was adopted by US public policy makers and politicians. Anthropologists Rozen (2003) and Goode and Eames (1996) find it necessary to highlight that the term culture has been construed by researchers, politicians and policy makers. This is one motivation for anthropologists' interest in welfare reform discourse because "Culture has been used inappropriately as a guide in the design of welfare programs" (Rozen 2003, 36). Rozen continues "At the core of welfare reform ideology is the culture of poverty as put forward by Oscar Lewis ... The accusations made by welfare reform advocates, and law enabling TANF, the Personal Responsibility Act of 1996" (2003, 36) contained many key aspects of culture poverty ideas. For example, "The major qualities of Lewis's concept of the culture of poverty are group disintegration, personal disorganization, and lack of purposeful action" (Valentine 1971, 204). an article that was heavily influenced by Lewis's concept culture of poverty is the often cited, "The Moynihan Report: The Negro Family: The Case for National Action" (1965). Moynihan systematically links poverty in the U.S. inner cities to the deterioration of the African-American family. Moynihan argues that economically disadvantaged African Americans were caught in a tangle of pathologies; and thus blamed inner-city poverty on a culture that embraces illegitimacy and intergenerational dependency on welfare (1965). Unlike Moynihan, Lewis acknowledged that structural poverty played a commanding role in his participants' adaptation to poverty. In the article "An anthropological critique of the culture of poverty," Goode and Eames

(1996), profess that poor peoples' ways of life "Are realistic adaptations to bad situations rather than due to personal failings" (405). Lein et al. (2007) suggest that PRWORA's approach was predicated on theoretical assumptions about the culture of poverty. Since PRWORA and neoliberal governance contained many of the culture of poverty views on the poor and poverty, it makes this dated discussion relevant again.

29. <http://www.dol.gov/dol/maps/Data.htm> Retrieved 2013-09-12.
30. <http://www.nytimes.com/1996/08/01/us/text-of-president-clinton-s-announcement-on-welfare-legislation.html>. Text of President Clinton's Announcement on Welfare Legislation Published: August 1, 1996.
31. See endnote 30.
32. A complete listing of the *Cashing in on Kids* articles used in this study is found in the Appendix.
33. Kane, Eugene "Fingerprinting children at child care centers downright criminal" published December. 18, 2010 in the *Milwaukee Journal Sentinel*.  
<http://www.jsonline.com/news/milwaukee/112136374.html>.
34. See Appendix D for partial listing figures.
35. I obtained a ledger for Daily Attendance Record-Certified Child Care issued by the DCF were providers had to stipulate if the child attending the daycare "was related or non-related" on each entry. It gave a statute that related was based on DCF202.02(18).
36. See endnote 14.
37. Although many childcare providers made a transition from being welfare recipients to childcare providers, most of the providers I interviewed did not come directly from the welfare rolls. Most received some type of welfare in their adult lives; however, the providers in this study came from various professions including school teachers, clergy, mortgage lenders, accountants and graphic designers.
38. "12-to-1 Income Inequality among working families in Milwaukee County: Workforce Challenges for 2014" these researchers provided recent data on employment rates and economic trends in Milwaukee County. These researchers substantiated my participants' and sympathizers' claims that the mass closings of childcare business had a tremendously negative impact on an already economically depressed community. Some of the articles key findings were that: (a) Single-parent unemployment has been exacerbated by the reductions in Shares payments in Milwaukee County, and they concluded (b) the resulting decline in jobs for childcare workers was a contributing factor in the drop of employed single parents in the county (Pawasarat and Quinn, 2014).
39. See Appendix C.
40. Wisconsin bill's histories can be viewed on Wisconsin's Legislature website.  
<http://legis.wisconsin.gov/>
41. I interviewed many other people besides low-income childcare providers but I attempted to tell a narrative from the standpoint of African-American low-income childcare providers in Milwaukee County between 2009-2012.
42. Stephenson, Crocker. "Doyle signs bills aimed at protecting children" published Nov. 13 2009 in the *Milwaukee Journal Sentinel*. <http://www.jsonline.com/news/milwaukee/69988437.html>.
43. I reviewed the *Wisconsin Administrative Code Manual. HFS 45 Licensing Rules for Family Child Care Centers* 2005 effective March 1 2005. And the crimes that were added in 2009 were not present in that manual p. 65 nor was it in the 2009 version effective January 1, 2009. I obtained an official document addressed to "Group Child Care licensees, Family Child Care Licensees and Day Camp Licensees from Jill D. Chase Director of Bureau of Early Care Regulation in regards to 2009 Wisconsin Act 76 the Caregiver Background Check Modification dated December 7, 2009. It specified that back ground check would be conducted 4 times a year and it would be extended to household members and employees. It can be found online at  
[http://dcf.wisconsin.gov/childcare/licensed/cbc/crimes\\_table.pdf](http://dcf.wisconsin.gov/childcare/licensed/cbc/crimes_table.pdf).
44. Laws such as Determinate Sentencing, Truth in Sentencing, Mandatory Minimums, and Three Strikes and You're Out are listed in *Punishing the Poor* by Loic Wacquant (2009) are listed as legislation that help to increase America's penal system.
45. <https://www.congress.gov/bill/112th-congress/house-bill/3829>.
46. I was not able to obtain an exact number of closing from the DCF during this study. I tried several times. The *Milwaukee Journal Sentinel* published hundreds of daycares had been closed. I felt that the union rep. would have a good idea how many were actually closed. I printed out a suspension

list for the date 1-9-2013 with was updated through December 2012, which was just a snap shot of suspensions, and it was over 300 suspensions.  
[http://dcf.wisconsin.gov/program\\_integrity/suspended\\_providers/default.htm](http://dcf.wisconsin.gov/program_integrity/suspended_providers/default.htm).

47. Can be found in the online 2008 version of *DCF's Shares Child Care Assistance Manual* Chapter 2: Program Integrity on sections entitled 2.3.0 Overpayments p.7, 2.3.1 Client Overpayments p. 7 and 2.3.2 Provider Overpayments p. 9.
48. I counted 39 daycare businesses that was profiled in the *Milwaukee Journal Sentinel* and of that 39 I was able to locate 31 of those daycare businesses on DCF's public Suspended Providers list which meant 79.4 percent of providers who were featured in the *Milwaukee Journal Sentinel* ended up being suspended.
49. Found in the 2008 *Wisconsin Shares Child Care Assistance Manual* Chapter 2: Program Integrity section 45. 2.2.0 Fraud & Intentional Program Violation (IPV) p.4.
50. Found in the 2008 *Wisconsin Shares Child Care Assistance Manual* Chapter 2: Program Integrity section 42. 2.3.1 Client Overpayments p.7 and section 2.3.2 Provider Overpayments p. 9.
51. See endnote 33.
52. I remember speaking with Que'Shay and she informed me that she and other providers did receive free legal aid from Legal Aid. My attempts to verify this with Legal Aid was at no avail. In the article, "New daycare background check law may not be constitutional: Licenses are being revoked for nonviolent, decades-old misdemeanors *Shepard Express*. March 10. Kaiser (2010) mentions Legal Aid filing law suits on behalf of accused providers.
53. Found in Currell, Susan; Christina Cogdell (2006), *Popular Eugenics: National Efficiency and American Mass Culture in the 1930s*. Athens, OH: Ohio University Press.
54. The harsh evaluation of YoungStar is not my evaluation. It is the evaluations I received from the project's participants.



## Appendix A

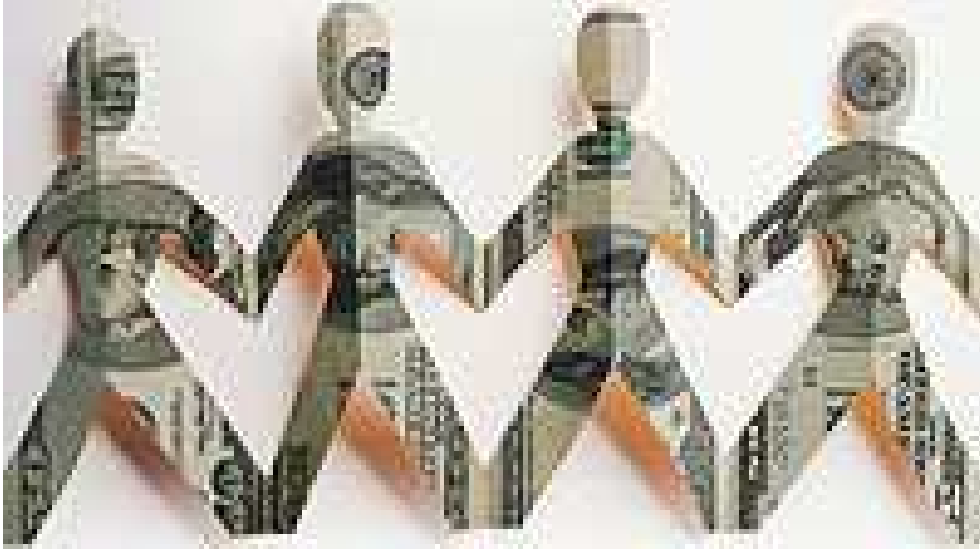
A list of the *Milwaukee Journal Sentinel* Cashing in on Kid's articles that were used in this study:

- 1-25-09 Childcare scams rake in thousands: Phantom caretaking, fake jobs used to defraud taxpayer-funded system
- 1-25-09 Childcare loopholes lead to easy money: Sisters get 540,000 from state mostly for watching each other's kids, and it's perfectly legal.
- 2-4-09 Racine sheriff to check for fraud
- 2-4-09 Charges possible in Racine County child-care cases
- 2-11-09 Doyle unveils day care oversight
- 2-14-09 Millions down the drains: state unable to collect overpayments to providers in child-care subsidy program
- 2-16-09 Doyle plans child-care reform
- 2-20-09 Audit of childcare subsidy program wins backing
- 2-26-09 State vows to fix Milwaukee County broken aid programs
- 3-7-09 Day care incentive absent from Doyle's budget
- 3-11-09 Mother of dead baby is subject of childcare probe: Questions surround daycare center and woman's employment
- 4-13-09 State regulators to hold public hearings on childcare reform
- 5-1-09 Suspect child-care business gets more state cash
- 5-22-09 Crime family reaps child-care cash
- 5-26-09 State caregiver accused in \$100,000 scam
- 6-3-09 Day care provider linked to crime boss loses license
- 6-8-09 Woman gets 5 years for childcare fraud: she bilked state out of 369, 000 through scheme at daughter's day care center
- 6-12-09 State audit finds nearly 20 million in fraud: thousands were paid improperly in 2008
- 6-13-09 Child-care providers with criminal past getting licenses, state funds
- 3287 July 22nd
- 8-31-09 Private fortune, public cash: Regulators ignored red while woman ran lucrative daycare business
- 8-31-09 Government blind to childcare fraud: officials at all levels pass the blame, share the blame
- 9-5-09 Regulators ignored red flags while woman ran lucrative day care business
- 9-5-09 A Watchdog Report Update: State regulators confirm overpayments to child care provider
- 9-10-09 Child-care crackdown vowed
- 9-11-09 Day care operators indicted on federal charges
- 9-15-09 Legislators press for ban on criminal child-care providers
- 9-18-09 State still paying troubled day care provider
- 9-21-09 Funding at 34-day care operation cut
- 9-23-09 Audit matches 4 childcare addresses with sex offenders
- 9-25-09 Division leader removed from post: But Doyle still defends secretary who leads Wisconsin Shares
- 9-29-09 More Wisconsin Shares childcare providers cut off: lawmakers seek ways to hold government workers accountable for fraud
- 10-1-09 Count's child-care funds not all spent
- 10-5-09 Funds now cut for 88 child-care providers
- 10-15-09 List of child care providers cut off hits
- 10-20-09 Action allows recovery of payments to day care scams
- 10-22-09 Counties form task force to reduce child-care fraud
- 11-3-09 Panel backs child-care reforms, public funding of Supreme Court races
- 11-5-09 Legislature passes tougher childcare reforms
- 12-4-09 Feds may demand caregivers' prints
- 12-14-09 Drug dealers use childcare as front
- 12-14-09 Leaders vow more child-care oversight
- 12-17-09 Childcare audit finds 600 overdue inspections, other problems
- 12-24-09 Guilty plea expected in fraud case
- 12-26-09 Childcare investigation stirs reform: Lawmakers, regulators seek progress against fraud
- 12-27-09 2009 stories helped to change policy
- 12-27-09 Fire destroys home of child-care provider
- 1-28-10 Officials, providers at odds over reforms: Audit says gap still exist in system
- 1-29-10 Gun, ammo, drugs found at day care
- 1-6-10 Bill would require child-care regulators to report drug suspicions
- 1-15-10 Daycare provider linked to drug deals
- 1-21-10 Day-care providers to be paid based on quality under Doyle plan
- 1-22-10 Doyle's child-care rating plan gets broad support
- 1-26-10 Day care case leads to guilty plea on false reports

1-29-10 Daycare provider falsified records to get more state funds, documents say  
 2-13-10 Fingerprint scan proposed to fight child-care fraud  
 2-7-10 day cares, parents use kids for profit: Not in school, children pay price with lack of learning  
 2-24-10 Two women charged in day care scams: childcare operators accused of bilking state out of 44,000  
 4-1-10 Bill aims to loosen anti-fraud rules for childcare providers  
 4-16-10 More charges filed in child-care probe: each bilked taxpayer-funded state program out of thousands of dollars, prosecutors say  
 4-27-10 Childcare provider gets 6 months for hiding income from bankruptcy court  
 5-6-10 State upholds earlier decision on revoking day-care provider's license  
 5-8-10 Not even FBI raid halted state aid to child-care center  
 5-20-10 Day care operator gets year in federal prison over false claims in bankruptcy  
 5-21-10 Child-care fraud crackdown saves 45 million: stepped-up enforcement followed by Journal series  
 6-4-10 Despite red flags, childcare provider certified until just last week: State filed civil judgment 2009  
 6-14-10 West Bend woman pleads guilty to defrauding child care program: She may serve up to 10 years in prison for defrauding subsidized program of more than 36,000  
 6-18-10 Witness pose pitfalls in first trial childcare fraud case: one left after lunch; others couldn't be located  
 6-22-10 Wisconsin's efforts to assure childcare quality lacks cash: Committee to consider using some of savings from fraud crackdown  
 6-23-10 Plan to rate providers wins approval: subsidies would be based on performance  
 8-9-10 Funds set to train childcare providers: state allots 1.5 million to help them prepare for quality rating program  
 8-17-10 Ninth Milwaukee-area childcare provider charged: Prosecutors accuse Veronica's Daycare Center owner of falsifying records  
 8-31-10 Judge orders woman convicted of day care fraud released from prison: She has terminal colon cancer  
 9-1-10 Childcare owner gets two years in prison: provider admitted she stole 450,000 from state  
 9-23-10 Gun find shuts childcare center: owner is mother of convicted crime boss Michael Lock  
 9-23-10 States are vulnerable to childcare fraud: four sing off on bogus requests, a U.S report finds  
 9-29-10 Two more day care operators accused of scamming state program: 260,000 alleged to have been wrongfully collected  
 10-14-10 State to hire 31 child care anti-fraud workers: Move is the latest attempt to lower abuse of Wisconsin Shares program  
 10-16-10 Day care centers and fraud allegations can be the family business  
 12-14-10 \$1 million approved for ID scanners in child care facilities  
 1-25-11 child care providers indicted on federal fraud charges  
 3-20-11 State cancels contract to combat day-care fraud  
 5-12-11 Day care operator convicted in scam  
 6-30-11 Childcare fraud trial set  
 7-22-11 Milwaukee man sentenced to three years in prison for day care  
 8-2-11 Judge upholds state's revocation of childcare license: gun found at center ran by mother of crime boss  
 8-23-11 State to tie some child-care subsidies to attendance  
 11-15-11 Day care provider indicted in fraud case  
 12-16-11 Woman, nephew sentenced in day care fraud  
 1-18-12 Day care fraud nets Falls woman 18 months in prison  
 1-29-12 Two-star day cares face funding cuts  
 3-21-12 Woman at center of child-care fraud to plead guilty  
 5-4-12 Latasha Jackson pleads guilty in childcare fraud case  
 6-7-12 Fourth person pleads guilty in federal day care fraud case  
 8-31-12 Former childcare provider sentenced to 14 months in prison  
 10-27-12 Restitution for childcare subsidy fraud slips through cracks: Childcare quality studied  
 12-22-12 Childcare scammers elude full restitution  
 4-4-13 Matriarch sentenced in Wisconsin Shares childcare scam

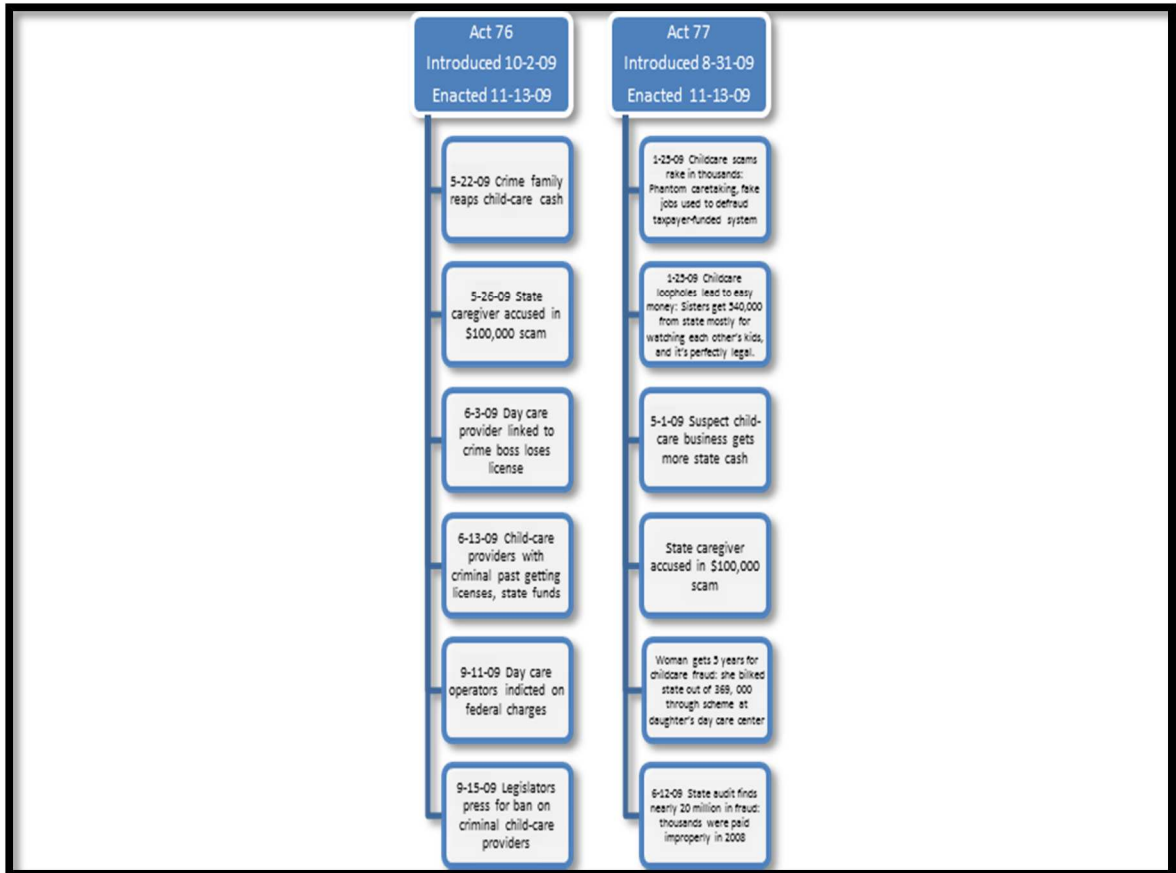
## Appendix B

Cashing in on Kids Logo:



## Appendix C

### Partial List of the *Milwaukee Journal Sentinel's* Policy Narrative Articles



## Appendix D

**Partial list of daycares mentioned in the articles and their amount of received subsidies. These amounts to not equate to the amount of fraud committed but the newspaper does not differentiate:**

1. A step above the rest (46,000)
2. Growing and learning Day Care (275,000)
3. Small Wonders Pre-School (Madison) (23,000)
4. Tender moments daycare 360,000 (850,000) (different figures in different articles)
5. Bessie Kiddie Kollege (2.4 Million)
6. Great Beginnings (Eau Claire) (103,575)
7. Planting Seeds( 430,000)
8. From Up Above (540,000)
9. R Family Child Care Center (1.3 million)
10. Dream Angels and Ne Ne' (134,000)
11. God Bless the Children (10,000)

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## EDUCATION

- PhD Cultural Anthropology, UW-Milwaukee
- Minors: Sociology (18 Grad. Credits) Cultural Sciences (18 Grad. Credits)
  - Research Areas: Social Welfare and Neoliberal States, Policy and Policy Outcomes, Diversity and Ethnicity, Political Economy of Child Care, Critical Race Studies, Gender and Family, Hip-Hop and Research Methods
- Masters Liberal Studies, UW-Milwaukee  
Thesis: Enslaved Mothers: Moral and Ethical Agents
- B.A. Sociology, UW-Milwaukee
- B.A. Africology: Culture and Society, UW-Milwaukee

## ACQUIRED SKILLS SETS

- Grant and Proposal Writer
- Academic Advisor/Coach
- Motivational Speaker
- Qualitative Researcher
- Ethnographer
- Event Planner
- Copy Editor
- Project Management

## PROFESSIONAL EXPERIENCE

### **Owner, Proctor and Founder, K.E.Y.S (Keep Each Year Strong) 2014**

Keep Each Year Strong is a company that provides academic coaching and mentoring. It is an effective service and company that administers strategies and methods that equips High School and College students with the keys to academic success through interactive workshops and personalized counseling. This newly formed company has already secured three contracts with the Trio Programs at UW-Milwaukee, Department of Veteran Affairs and Atlas Preparatory High School in Milwaukee, Wisconsin.

### **Essay Assessor, Center for Excellence in Teaching and Learning at UW-Milwaukee, 2014-15**

I was chosen to partake in an assessment project that compares undergraduate freshmen essay writing with senior essay writing.

The project included both freshmen and senior work for critical thinking and written communication skills using a rubric designed to assess these qualities.

### **Substitute Teacher, Milwaukee Public Schools, 1997-Present**

Substitute teaching is currently a part time position and it is a job that immerses me in a diverse and multicultural atmosphere. Throughout my numerous long-term positions at Milwaukee Public Schools, I am required to instruct, monitor, and assess student's performances as well as provide assessments for continuous improvement.

**Lecturer, University of Wisconsin-Milwaukee, Spring 2014**

I served as lecturer and the designer of an African American Poetry course entitled "Hip Hop is Poetry" in the Department of Africology. This introductory course provided a comprehensive and historical analysis of the African-American innovation of Hip-Hop and the employing of content analysis methodology to decode texts. I was responsible for creating and implementing curriculum, instruction, student evaluations, record maintenance and assess student's performances as well as provide assessments for continuous improvement.

**Lecturer, College of Lake County, Illinois Spring 2013**

I serve as lecturer of cultural anthropology in the Department of Anthropology. I taught Introduction to Cultural Anthropology. I was responsible for creating and implementing curriculum, instruction, student evaluations, record maintenance and assess student's performances as well as provide assessments for continuous improvement. I utilize learner-centered instructional strategies in order to foster an inclusive learning environment.

**Teacher Assistant, University of Wisconsin-Milwaukee, 2010-2013**

For the last three years I have earned a Teaching Assistance appointment in the Department of Anthropology and Biological Sciences. My responsibilities ranged from assisting the professors in implementing curriculum, monitoring, calculating, and posting grades, designing class websites, setting up quizzes and online tests as well as conducting office hours.

**Lecturer, University of Wisconsin-Oshkosh, Spring 2012**

I served as lecturer of cultural anthropology in the Department of Anthropology and Religious Studies. I taught Introduction to American Ethnography and Cultural Anthropology. I was responsible for creating and implementing curriculum, instruction, student evaluations, record maintenance and assess student's performances as well as provide assessments for continuous improvement.

**Lecturer, University of Wisconsin-Milwaukee, 2009-2010**

I served as lecturer of Black Reality in the Department of Africology. This introductory course provided a comprehensive and historical analysis of African Americans' collective experiences in the United States. I was responsible for creating and implementing curriculum, instruction, student evaluations, record maintenance and assess student's performances as well as provide assessments for continuous improvement.

## TRAINING AND DEVELOPMENT FOR ONLINE INSTRUCTION

- Desire2Learn
- Black Board Technologies
- Digitizing video content for online and blended courses
- Develop easy-to-use online activities and games for student engagement
- Using Respondus to import quizzes and test banks into D2L
- Grading Your Students: Assessment in online and blended courses

## SCHOLARSHIPS AND FELLOWSHIPS

- *Advanced Opportunity Program*, University of Wisconsin-Milwaukee, 2010-2011: 2011-2012 full coverage of tuition, and 14,000 stipend. (Recipients had to earn a 3.7 grade point average or above).
- Florence E. Healy Women's Department Scholarship, University of Wisconsin-Milwaukee, Spring 2010; 2,000 stipend.
- *Advanced Opportunity Program*, University of Wisconsin-Milwaukee, 2004-2005: full coverage of tuition, and 14,000 stipend. (Recipients had to earn a 3.7 grade point average or above).

## HONORS AND AWARDS

- Lambda Alpha Member: The National Collegiate Honors Society for Anthropology, 2012-Present
- *African American Student Academic Services Certificate of Achievement*, University of Wisconsin-Milwaukee, 1997
- *African American Student Academic Services Certificate of Achievement* University of Wisconsin-Milwaukee, 2005

## PUBLISHED ARTICLES

Jones, Anika.

2014. "From welfare queens to child queens." *Anthropology Now* Vol. 6 3:37-4).

Jones, Anika.

1997. "Female Genital Mutilation and Castration." In *Heritage: African American Readings for Writing*, Prentice Hall Publishers 449-451.

## PROFESSIONAL CONFERENCES, WORKSHOPS AND SERVICES

1. *“No Flex Zone:” Black Masculinity Hip-Hop Performance Global Impact delivered December 17<sup>th</sup> 2014, University of Wisconsin-Milwaukee. This was part of Barack Obama’s Black Male Initiative Campaign.*
2. *“Welfare Queens to Childcare Queens: Ethnographic Study” delivered March 8, 2014 at City Anthropology Conference, UIC, Illinois.*
3. *“Prison Industrial Complex at the Intersection of Hip-Hop” delivered May 12, 2013 at the Annual Youth Conference, Milwaukee Wisconsin.*
4. *“Hip-Hop Culture Cross-Cultural Medium of Communication” delivered October 7, 2013 at Concordia College, Mequon, Wisconsin.*
5. *“Cashing in on Kids? The Inside Perspective on Wisconsin Child Care Scandal” delivered May 21, 2010 at Multicultural Research Forum at the University of Wisconsin- Milwaukee*
6. *“Ending Gender Oppression Now! Be Part of the Solution,” facilitated on November 18<sup>th</sup> 2009 at the University of Wisconsin-Milwaukee*
7. *“Enslaved Mothers: Moral and Ethical Agents,” delivered at the annual Midwest Interdisciplinary Graduate Conference, February 15, 2007, Milwaukee, Wisconsin*
8. *“The Role of Women in African Americans’ Struggle for Freedom,” delivered at the Annual Marcus Garvey Conference, August 20, 2005, Milwaukee, Wisconsin*