


2018

The Lived Experiences of African American Noncustodial Fathers in Tennessee

Anovia L. Slaughter
Walden University

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Walden University

College of Social and Behavioral Sciences

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Anovia L. Slaughter

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2018

Abstract

The Lived Experiences of African American Noncustodial Fathers in Tennessee

by

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MS, University of Tennessee at Chattanooga, 2007

BA, University of Tennessee, 1999

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Criminal Justice

Walden University

November 2018

Abstract

There is a disproportionate number of African American fathers in the State of Tennessee that experience parenting and child support disparities when compared to single parents of other ethnicities. The purpose of this general qualitative study was to examine the experiences of African American noncustodial fathers and to examine the impact of the codification of Tennessee family laws. The theoretical frameworks for this study were critical race theory, and social construction and policy design. The key research questions examined the lived experiences of African American noncustodial fathers in the State of Tennessee and how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers. The general qualitative study included both phenomenological and historical techniques. The data was collected by in-depth interviews of 8 African American noncustodial fathers. The study resulted in 5 emergent themes: many were happy to become fathers; many have no relationship with their child's mother; child support negatively impacted their lives; child support is biased and unfair; and the fathers wanted more time with their children. The State of Tennessee and African American fathers will benefit from the study by replicating the research statewide. Specifically, the role of fathers will be increased, less adversarial co-parenting, and legislators will have scholarly research to show the issues with the laws. The implications for positive social change include lower crimes rates related to child support, increased graduation rates, and enhanced father-child time.

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Dedication

This dissertation is dedicated to my support system. It takes a support system to thrive and my support system includes both family and friends. They have encouraged me to keep pressing when things got tough, to never settle for complacency, to walk in my purpose, to lead, to evolve, and to expect the unexpected. I am very appreciative of every prayer, every phone call, every e-mail, every Facebook post, every LinkedIn post, and every word of encouragement. I want to thank each one of you from the bottom of my heart. We did it!

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Chapter 1

Introduction

African American fathers are important to the future of African American children's lives and families. According to Goodman (2015), the definition of a father is a man who exemplifies character, morality, and integrity; who teaches, provides discipline and structure, is accessible, and supports and engages with his child(ren). In 2016, there were 80,755 live births in the State of Tennessee (Tennessee Department of Health, 2016). There were 35,208 or 43.6% of children born to unmarried parents in Tennessee (Tennessee Department of Health, 2016). Additionally, there were 61,046 or 75.59 % of Caucasian live births, of which 21,857 or 35.8 % of Caucasian children were born to unmarried parents in Tennessee (Tennessee Department of Health, 2016). These numbers point to a potential disparity among African American births to unmarried parents. For example, there were 16,359, or 20.25 %, of African American live births in the State of Tennessee, of which 12,494, or 76.4 %, were born to unmarried parents (Tennessee Department of Health, 2016). The amount of African American births to unmarried parents, were more than double the amount of births to unmarried Caucasian parents. This disparity was alarming and demanded further investigation.

Little is known about what effects Tennessee family laws have on unmarried African American noncustodial fathers. According to Tennessee Code Annotated §36-2-303, men who are not married to their child's mother prior to the birth of the child have no guaranteed rights or access to the child. Additionally, according to Tennessee Code Annotated §36-2-304, if a child was conceived while the mother was married to someone

else, the biological father has up to a year to file a petition for parentage and establish his parental rights as a father. These laws were significant because they governed the parental abilities of fathers by the inference of gaining guaranteed access to their children, they must agree to enter into the child support system. The purpose of my general qualitative study was to examine the lived experiences of African American noncustodial fathers, and to examine how the codification of Tennessee family laws contribute to the social construction of African American noncustodial fathers.

African American noncustodial fathers' experiences assisted in capturing the effects of Tennessee family laws on African American noncustodial fathers as it pertained to paternal rights and child support. According to Mason (2014), for the fathers of said child(ren) to gain access or parental rights of the child, they declared parentage through DNA testing, a family court judge must sign an order declaring parentage, and they must voluntarily enter into the child support system. However, if the mother of the child(ren) did not notify the father of the child prior to birth and received governmental assistance, the father was involuntarily entered into the child support system (Key, 2015).

According to Key (2015), Congress designed the federal-state Title IV-D program to assist the process of determining parentage and to encourage parents to take care of their parental obligations. Further, parents have legal obligations to provide all support (Weiner, 2016). Consequently, there was a disconnect within the systems; the communication between the child support system, judicial system, penal system, and other programs related to families, was ineffective (Bogges, 2017). The potential social

implication of this study was that it may help law and public policy makers understand the impact these laws had on African American families and communities.

The gap in the literature was that there were few qualitative studies that, “discuss the system with a radicalized lens that exposes the societal inequality disadvantaged noncustodial fathers of color face” (Pate, Jr., 2016, p. 117). My general qualitative study was needed to add to the literature by using a phenomenological technique to examine the lived experiences of African American noncustodial fathers, and the historical technique to review secondary data to gain insight on any impact Tennessee family laws may have on African American noncustodial fathers.

In Chapter 1, I presented an analysis of my general qualitative study and background on the subject matter. I presented the problem statement, Tennessee statistics, and the laws in place that govern parental rights and access. I addressed the research questions, scope of the study, delimitations of the study, limitations of the study, and implications. Finally, I presented the definitions of terminology, the theoretical frameworks, the nature of the study, the significance of the study, and a synopsis of the chapter

Background

Throughout history, African Americans transitioned and adjusted to many federal and state systems. In my study, I examined the impacts of slavery, the Emancipation Proclamation, the Reconstruction Era, poll taxes, the Grandfather Clause, Migration, the Civil Rights Movement, Jim Crow laws, the War on Drugs, mass incarceration, and child support. Extant literature indicated that African American fathers were stereotypically

seen as irresponsible, uncaring, absent, and uninvolved (Threllfall & Kohl, 2015; Boggess, 2017; Tach, Edin, Harvey, & Bran, 2014). Additionally, the literature indicated that biological African American fathers are vital to their children's development (Jackson, Choi, & Preston, 2015).

The codification of Tennessee family laws as it pertained to parentage indicated that fathers who were not married to their child(ren)'s mother at the time of the birth, were entered into the child support system either voluntarily or involuntarily to gain access to their children. In 2016, there were 16,359 or 20.25 % of African American live births in the State of Tennessee, of which 12,494 or 76.4 % of African American children were born to unmarried parents (Tennessee Department of Health, 2016). Specifically, 12,494 or 76.4 % of African American fathers in the State of Tennessee have no guaranteed access to their children, which increased the likelihood of poverty and limited resources for both the mother and the children.

Statistically, two-parent homes are more likely to provide stability and influences needed for children to excel educationally (Hussey, Kanjilad, & Nathan, 2016). However, more parents choose not to marry, creating an increased probability of instability and negative consequences (Guzzo & Furstenberg, 2007; Waller & Emory, 2014). These facts are significant because a child's outcome is directly associated with their parents (Jackson, 2016), and the father-child relationship impacts the wellbeing of both the father and the child (Hubin, 2014). These realities resulted in major impacts within the African American family.

Involvement of fathers with their children was the key for the health of all in the family. Moreover, fathers were more motivated to stay engaged with their children when they were emotionally invested or felt they had the resources their children needed for support (Madhavan, Richter, & Norris, 2016). Involvement was challenging for low-income, nonresident fathers, due to limited resources and unstable employment (Fagan, Levine, Kaufman, & Hammer, 2016). There was an indirect association to father involvement, maternal and paternal parenting, and child development (Choi, Palmert, & Pyun, 2014).

According to Perry and Lewis (2016), fathers who were involved with their children perceived their role as a father as vital for the future of their family legacy and the future of their children. Fathers mimicked what they experienced as children and placed importance on the actions of their fathers. This was significant for two reasons: there were 76.4 % of African American children born to unmarried African American parents statewide in Tennessee, and specifically, in Hamilton County, Tennessee, there were 81.5 % of African American children born to unmarried parents (Tennessee Department of Health, 2016). Moreover, if fathers mimicked what they experienced (Perry and Lewis, 2016), there may be numerous children without parental guidance of their fathers. Some fathers had never seen or experienced involved parenting (Perry and Lewis, 2016). Therefore, their definition of their roles as a father were unrealistic or undefined.

According to Goodman (2015), the definition of a father is a man who exemplifies character, morality, and integrity; who teaches, provides discipline and

structure, is accessible, and supports and engages with his child(ren). With these responsibilities and expectations, many fathers struggle to understand their significance and expectations as fathers (Johnson & Young, 2016). Adding to already complicated relationships between fathers and their child(ren), Guzzo and Furstenberg (2007), found in their study that most of African American men had multiple children by multiple mothers. Consequently, having multiple children by multiple mothers made co-parenting increasingly complex (Fagan & Kaufman, 2015).

Fathers valued family and supportive co-parenting relationships despite their current situations (Doyle, Estroff, Goldston, Dzirasa, Fontes, & Burriss et al., 2014). Additionally, many parents chose not to get married and many found themselves uncoupled by the time their children turned five-years-old (Waller & Emory, 2014). According to Quane, Wilson, and Hwang, (2015), many African American children were raised in single parent homes and the incarceration rates of African Americans negatively impacted the wellbeing and the development of children. Moreover, mass incarceration and poor education levels of African Americans were linked, resulting in children who experience paternal incarceration (Quane, Wilson, & Hwang, 2015).

Child support enforcement penalties in the State of Tennessee included driver's license revocation and incarceration. According to Spjeldnes et al. (2015), approximately "50,000 parents are behind bars" daily for noncompliance child support orders and the national average for arrearages were over one-hundred billion dollars (p. 628). Additionally, the average age of the parents incarcerated was in their mid-30s with African American men standing at a higher probability of recidivism (Spjeldnes et al.,

2015). According to Kramer (2016), the child support system was designed for parental responsibility. Consequently, it was also responsible for the disenfranchised population being exposed to punitive sanctions for not being in a position to afford their child support orders (Kramer, 2016).

The child support orders did little to award parenting time to the fathers (Marczak et al., 2015). Due to a high number of African American children born to unmarried parents in the State of Tennessee, capturing the lived experiences of African American noncustodial fathers within the child support system was necessary for future policy suggestions. Specifically, the gap in the literature was that there were few qualitative studies that, “discuss the system with a radicalized lens that exposes the societal inequality disadvantaged noncustodial fathers of color face” (Pate, Jr., 2016, p. 117). My study was needed to add to the literature by utilizing the phenomenological technique to examine the lived experiences of African American noncustodial fathers, and the historical technique to review secondary data to gain insight on any impact Tennessee family laws may have on African American noncustodial fathers.

Problem Statement

There was a problem in the State of Tennessee regarding the disproportionate numbers of African American noncustodial fathers and how the Tennessee family laws impacted them. In 2016, there were 80,755 live births in the State of Tennessee (Tennessee Department of Health, 2016). There were 35,208 or 43.6 % of children born to unmarried parents in Tennessee (Tennessee Department of Health, 2016). Additionally, there were 61,046 or 75.59 % of Caucasian live births, of which 21,857 or

35.8% of Caucasian children were born to unmarried parents in Tennessee (Tennessee Department of Health, 2016). These numbers point to a potential disparity among African American births to unmarried parents. There were 16,359 or 20.25 % of African American live births in the State of Tennessee, and 12,494 or 76.4 % of African American children were born to unmarried parents (Tennessee Department of Health, 2016). The amount of African American births to unmarried parents were more than double the amount of births to unmarried Caucasian parents. This disparity was alarming and demanded further investigation.

Noncustodial fathers often face challenges that may impede their ability to parent. In Tennessee, little was understood about the effects of Tennessee family law on fathers. Specifically, Tennessee Code Annotated §36-2-303 indicated that fathers were not guaranteed equal rights to the child if the parents were unmarried by the birth of their child (Mason, 2014). Additionally, according to Tennessee Code Annotated §36-2-304, the biological father had roughly a year to file parentage if the mother was married to someone else.

According to Mason (2014), for fathers to gain access, they were required to petition the court and obtain a court order after the establishment of parentage. Once established, the father can obtain access to the child, and subsequently, child support was ordered (Mason, 2014). Married parents automatically assumed equal rights.

Fifty-one percent of children and two-thirds of all African American children were raised by their mothers, often experiencing poverty and limited resources (Jackson, Choi, & Preston, 2015; Threllfall & Kohl, 2015; Goldberg, 2015). According to the State

of America's Children (2017), there were 1,501,795 children living in the State of Tennessee. Additionally, 19% of these children were African American (The State of America's Children, 2017). Moreover, 41% of African American children lived in poverty (The State of America's Children, 2017). In the school year 2014-2015, African American children had the lowest graduation rate when compared to other races for graduating from high school, and 41% of African American children were entered into the juvenile justice system (The State of America's Children, 2017). The research examined the experiences of African American noncustodial fathers as it pertained to parenting rights and the child support system.

The gap in the literature was that there were few qualitative studies that, "discuss the system with a radicalized lens that exposes the societal inequality disadvantaged noncustodial fathers of color face" (Pate, Jr., 2016, p. 117). My general qualitative study was needed to add to the literature by using a phenomenological technique to examine the lived experiences of African American noncustodial fathers. I used a historical technique to review secondary data to gain insight on any impact Tennessee family laws have on African American noncustodial fathers.

Purpose of Study

The purpose of my general qualitative study was to examine the lived experiences of African American noncustodial fathers and to examine how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers. The phenomenon of interest was the large number of African American births to unmarried parents in the State of Tennessee. There were 12,494 or

76.4 % of African American babies born to unmarried parents in the State of Tennessee; 769 of 943 or 81.5% of African American babies were born to unmarried parents in Hamilton County, Tennessee, which was higher than the state average (Tennessee Department of Health, 2016). Some Tennessee family laws created barriers for fathers who chose not to marry their child's mother by delivery, and these fathers lost any guaranteed parental rights or access to their children without entering into the system (Mason, 2014). Additionally, to gain such access, fathers established parentage and entered the child support system (Mason, 2014).

My intent for this study was to examine the lived experiences of African American noncustodial fathers and to examine how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers. The phenomenon of interest was the large number of African American births to unmarried parents in the State of Tennessee.

Research Questions

The purpose of my general qualitative study was to examine the lived experiences of African American noncustodial fathers and examine how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers.

Research Question 1: What are the lived experiences of African American noncustodial fathers in the State of Tennessee?

Research Question 2: How has the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers?

Theoretical framework

Critical race theory (CRT) and social construction and policy design theory provided the theoretical frameworks for my study. Derrick Bell and Alan Freeman developed CRT in the early 1970s by way of critical legal studies (Mitchell & Stewart, 2013). The purpose of CRT was to address racial disparities within the legal systems in the United States. According to Burton, Bonilla-Silva, Ray, Buckelew, and Freeman (2010), critical race theories presented ways to analyze social and cultural groups. According to Capers (2014) CRT started with questioning and at times, rejecting procedures of law or the law itself as it was designed to promote Caucasians above all other races. Laws were supposed to be neutral, inclusive, and not used for social order or to make money at the expense of others.

Capers (2014) found that interest convergence was present when laws designed to help minorities also benefited the majority as well; race was rhetoric utilized to set boundaries or to control social order; therefore, CRT can be used to reject or question the legal practices of oppression within society. CRT was part of the theoretical framework, ideal for my general qualitative study as it pertained to the effect of Tennessee laws on unmarried African American noncustodial fathers and their parenting rights. CRT recognized race within the judicial system (Capers, 2014). After I reviewed CRT, I determined that an additional theory was needed to tie in social constructs and policy to question and reject current procedures. Social construction and policy design was ideal for that purpose.

According to Ingram, Schneider, and Deleon (2007), social construction and policy design emerged during the War on Drugs Era in the 1980s. The theory was developed by Anne Schneider and Helen Ingram who introduced the concept of social construction of targeted groups to policy design (Ingram et al., 2007). Its purposes were to explain how public policy impacted society and to answer questions about the linkage between policy and democracy. The theory was created to answer how policies implemented to positively impact society also perpetuated injustice, left public problems unresolved, created a system for unequal citizenship, and left democratic institutions unsupported (Ingram et al., 2007). By using both critical race theory and social construction and policy design, my general qualitative study aligned with both the problem statement and research questions.

The contextual lenses of my study were on examining the experiences of African American noncustodial fathers and examining how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers. By using both critical race theory and social construction and policy design, I reviewed secondary data to understand the history of births within Tennessee, to understand the laws that impacted parenting for fathers, and to examine the experiences of African American noncustodial fathers. These techniques assisted in reviewing the laws, effects, and any disparities.

The theoretical framework related to my general qualitative approach and research questions because critical race theory was utilized to understand history and racialized injustices within the legal system (Price, 2010). Social construction and policy

design tied in policy to a targeted population (Ingram et al., 2007). By using them together for the theoretical frameworks ensured that the codification of family laws and the specific targeted populations were properly vetted.

Nature of the Study

The nature of the study was a general qualitative study with historical and phenomenological techniques. According to Simon and Goes (2013), a historical design is used to review major events to explain the past, current and future outcomes. The literature review encompassed both critical race theory and social construction and policy design to reconstruct the past as applicable to the targeted participants and to interpret facts and events to support or refute the research questions.

By utilizing a general qualitative approach, I examined the experiences of African American noncustodial fathers and how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers. The phenomenon of interest was the large number of African American births to unmarried parents in the State of Tennessee. My general qualitative study was appropriate because I reviewed secondary data from the State of Tennessee and the codification of Tennessee family laws, while examining the lived experiences of African American noncustodial fathers, using a phenomenological research.

The eight participants that I interviewed electronically face-to-face were African American noncustodial fathers located in Hamilton County, Tennessee. I used two instruments from other sources that were modified for the study. I had permission from researchers of each instrument via email. The questions from each instrument were

significant to the study because some of the questions were on being a father, relationships, and barriers. I modified the questions for simplicity and better communication.

The interviews were audio recorded, I took notes during the interview, and I took a moment to record a video reflection about each interview. I transcribed each interview within 72 hours of the interview. After I completed the transcriptions, each participant reviewed for accuracy, and any follow-up questions clarified when necessary during that time. I used NVivo, a qualitative data software program, for storage, coding, and to discover emergent themes.

Definitions of Terms

Colorism: the observance of one's skin for privilege or disenfranchisement; The lighter the skin the more privileged and the darker one's skin is the more disenfranchised or disadvantaged (Burton et al., 2010).

Critical race theory: derived through critical legal studies, developed by Derrick Bell and Alan Freeman after the Civil Rights Era in the 1970s, and implemented to understand race as a social construct (Price, 2010).

Father: a man who exemplifies character, integrity, morality, teaches, supports, is accessible, provides discipline and structure, and engages with his child(ren) (Goodman, 2015).

Historical research: observing the past as it relates to theories to determine what happened and why (Simon & Goes, 2013).

Race: incorporates the division of people into groups based on “phenotype or genotype” (Burton et al., 2010, p. 440).

Research lens: A filter in qualitative studies reflective of the researcher’s chosen design and analysis of the study (Yin, 2016)

Population: a population is a group of people who share characteristics from which data is collected and analyzed (Simon & Goes, 2013).

Social construction and policy design: developed by Anne Schneider and Helen Ingram, emerged in the 1980s during the War on Drugs Era, and implemented to answer why public policy can improve society, at the same time, produces unequal citizenship, perpetuates injustices, fails to resolve public issues, fails to support democratic institutions (Ingram, Schneider, & Deleon, 2007).

Assumptions

There were assumptions I addressed in this section. First, there were assumptions by society that most of African American fathers are lazy, deadbeats who were incarcerated and did not want to be a significant influence in the lives of their child(ren). Second, I assumed that the participants told the truth as perceived. Third, I assumed that all participants wanted to be involved fathers in their child(ren)’s lives. These statements cannot be proven and were imperative to the general qualitative study as I attempted to examine and understand the experiences of African American noncustodial fathers with current cases within the child support system.

Scope of Delimitations

The scope of delimitations for my general qualitative study involved conducting eight interviews with African American noncustodial fathers on their experiences as it pertained to the State of Tennessee child support system and their parental rights. The specific focus was chosen because of the laws' inference that fathers who were not married by the time their children were born and had no guaranteed rights to their children until they entered into the child support system.

The boundaries of the study were African American noncustodial fathers who had a current case and resided in Hamilton County, Tennessee. All women, men of other races, fathers who are divorced from their child's mother, or African American men who no longer have child support cases were excluded from the study. Critical race theory and social construction and policy design most relate to the area of study. Minority threat theory and bilateral individualism were considered for the theoretical frameworks; however, critical race theory and social construction and policy design were a better fit for my study.

Transferability, a type of external validity, referred to the theory utilized within the study aligned with the findings of the study (Moon et al., 2016; Hagwood & Skinner, 2015). Transferability was addressed by defining critical race theory and social construction and policy design, and how they applied throughout the study. Any other variables were considered outside the scope of the study.

Limitations

There were several limitations in the general qualitative research study. The first limitation was that I am a divorced mother who experienced the child support system from my own perspective. The previous statement was significant because my perspective on parental rights and the child support system might have impacted the results of the study by personal bias. Another limitation was that this study was not a quantitative study with data based on statistics with a large sample size. The specific limitation was addressed through interviews, transcriptions, coding, and emergent themes. To address the limitations of the study, I discussed the findings and how the themes emerged with the committee to ensure that any biases were addressed. The findings were reported as they emerged without adding or subtracting anything to them.

Qualitative research allowed data to be collected through interviews and interpretations; therefore, the sample size was smaller in comparison to quantitative research. Another limitation was that the participants may not take the data collection process seriously and had the opportunity to lie about topics that may make them nervous. There was nothing I could do about that as the intent was for each participant to be honest.

Significance

The significance of my study was to fill in the gap of in research by producing a body of knowledge needed to address and understand the effects by providing data to public policy decision makers to formulate and or change policies on systems including the judicial system and the child support system, and parental rights. The research was

relevant to the public policy and administration field by educating lawmakers on the enormities of specific laws and systems. My study positively affected social change and public policy by examining any active and adverse consequences of both family and child support laws, and lasting effects.

Summary

Chapter 1 began with the introduction of the phenomenon of interest for the proposed study. It included the background of specific African American historical timeline and the different eras within that impacted African American families and African American fathers today. In chapter 1, the problem statement was presented in detail with significant statistics included, followed by the purpose of the study, research question, the theoretical framework, nature of the study, definitions of terminology, assumptions, the scope of delimitations, limitations, and the significance of the study.

In chapter 2 the literature was reviewed, and the history of African Americans, as it pertained to their transitions. African American men have faced obstacles from the outright oppression from slavery to the covert oppression of black codes and Jim Crow laws. The sixties showed some social progress; however, disparities between the law and the actuality continue to the present.

The history and the legal systems tied in with current trends within the African American family. From mass incarceration to paternal incarceration, co-parenting relationships, fathers, mothers, and children, everyone was affected by the decisions made in the home and in government. In Chapter 2 these topics were reviewed and others such as child wellbeing and development; involvement; fathers; co-parenting; the

African American family; interpersonal relationships; child support; law and policy; and a review of the theoretical frameworks including critical race theory (CRT) and social construction and policy design as they are relevant to the study.

Chapter 2

Introduction

According to Goodman (2015), the definition of a father is a man who exemplifies character, morality, and integrity; who teaches, provides discipline and structure, is accessible, and supports and engages with his child(ren). In 2016, there were 80,755 live births in the State of Tennessee (Tennessee Department of Health, 2016). There were 35,208 or 43.6% of children born to unmarried parents in Tennessee (Tennessee Department of Health, 2016). Additionally, there were 61,046 or 75.59 % of Caucasian live births, of which 21,857 or 35.8 % of Caucasian children were born to unmarried parents in Tennessee (Tennessee Department of Health, 2016). These numbers point to a potential disparity among African American births to unmarried parents. For example, there were 16,359, or 20.25%, of African American live births in the State of Tennessee, of which 12,494, or 76.4% African American children were born to unmarried parents (Tennessee Department of Health, 2016). The amount of African American births to unmarried parents were more than double the amount of births to unmarried Caucasian parents. This disparity was alarming and demanded further investigation.

The purpose of my study was to examine the experiences of African American noncustodial fathers and to examine how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers. The phenomenon of interest was the large number of African American births to unmarried parents in the State of Tennessee. In 2016, there were 12,494 or 76.4 % of African American babies born to unmarried parents in the State of Tennessee, which was 769 of

943 or 81.5 %, and higher than the state average (Tennessee Department of Health, 2016). Tennessee family laws like T.C.A. §36-2-303 stated that if fathers chose not to marry their child's mother by delivery, these fathers lost any guaranteed parental rights or access to their children without entering into the system (Mason, 2014). Additionally, in order to gain such access, fathers must establish parentage and often entered into the child support system (Mason, 2014). The intent of my study was to examine the lived experiences of African American noncustodial fathers and to examine how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers.

Fifty-one percent of children and two-thirds of all African American children were being raised by their mothers, often experiencing poverty and limited resources (Jackson, Choi, & Preston, 2015; Threllfall & Kohl, 2015; Goldberg, 2015). There were 80,755 total births and 35,208 total births to unmarried parents in the State of Tennessee (Tennessee Department of Health, 2016). Specifically, 12,494 or 76.4% of African American births were to unmarried parents in the State of Tennessee; 81.5% of unmarried births were in Hamilton County, Tennessee, which was higher than the state average (Tennessee Department of Health, 2016), and the location for the study. The statistics were significant with respect to the literature as it further illustrated the importance of understanding the historical trends and current perspectives of African American noncustodial fathers.

According to the State of America's Children (2017), there were 1,501,795 children living in the State of Tennessee in 2016. Additionally, 19 % of these children

were African American, and 41% of African American children lived in poverty (The State of America's Children, 2017). In the school year 2014-2015, African American children had the lowest graduation rate and 41% of African American children were entered into the juvenile justice system (The State of America's Children, 2017). I examined the experiences of African American noncustodial fathers and examined how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers.

The gap in the literature was that there were few qualitative studies that, "discuss the system with a radicalized lens that exposes the societal inequality disadvantaged noncustodial fathers of color face" (Pate, Jr., 2016, p. 117). My study was needed to add to the literature by using the phenomenological technique to examine the experiences of African American noncustodial fathers. I used the historical technique to add to the literature by reviewing secondary data to gain insight on the impact Tennessee family laws had on African American noncustodial fathers.

In the State of Tennessee, unmarried men who conceived children but chose not to marry the child's mother before the birth of the child had no parental rights or access to the child until parentage was established and child support ordered, (Mason, 2014). The mother had automatic access or was granted automatic parental rights. This law and others like it set up an institutional system in which the father either voluntarily or involuntarily was placed resulting in infractions that lead to driver's license revocation and incarceration.

Unfortunately, when fathers enter into the system at younger ages (Jackson, Choi, and Preston, 2015), they may not be able to afford the child support order (Spjeldnes, Yamatani, and McGowan Davis, 2015), which may lead to a higher probability of noncompliance. When a father was considered in noncompliance under Tennessee State law, he had his license revoked and he may have been incarcerated until he paid a court-ordered amount to be released. These sanctions exacerbate the vicious cycle of poverty as many are not allowed to get student loans for education, work certain jobs, or afford basic needs due to a criminal record.

The before-mentioned statistics for 2016 are significant. African Americans had more than double the amount of African American unmarried births in comparison to Caucasian statewide (Tennessee Department of Health, 2016). According to Waller and Emory (2014), many couples who were not married before the birth of their child were uncoupled by the time the child was 5-years-old which caused stress exhibited by all parties involved. A state with a high percentage of children being born to unmarried African American parents may contribute to the literature by understanding how the laws and policies impact these families and parenting rights.

Children exhibited stress related to their parents and family. Additionally, there was a heightened stress for the children when fathers were incarcerated and recidivated (Mears and Siennick, 2016). Consequently, fathers experienced psychological distress (Vogt Yuan, 2016). These barriers caused fathers to retreat from the child, obligations, and negated any real chance for father-child relationships, mother-father relationships, or

family legacies that promoted father influence for education and future earning potential (Barnes, 2016).

In Chapter 2, I presented an introduction, literature search strategy, the theoretical frameworks, and literature review from a historical perspective to ascertain the historical influences resulting in the breakdown of the African American family.

Literature Search Strategy

For the literature review, I used a funnel approach. I reviewed a plethora of sources including peer-reviewed works, journals, articles, government websites, dissertations, and books. The literature search consisted approximately of 300 articles, of which 126 were relevant to the topic. I obtained the articles through Walden University Library Databases such as Sage Publications, Research gate, EBSCO, Proquest, Google Scholar, and NexisLexis or Lexis Uni, and LegalTrac. I conducted searches by using keywords such as: *African American, black, recidivism, recidivate, noncustodial, nonresident, child, children, father, paternal, mother, maternal, male, female, wellbeing, development, involvement, scheduled I narcotics, statistics, incarceration, paternal incarceration, mass incarceration, slavery, critical race theory, triangulation, creditability, confirmability, dependability, reliability, validity, initiatives, law, laws, policy, policies, Tennessee Code Annotated, parenting plans, mediation, Tennessee Rule 31, child support court, arrearage, accrued arrearages, theoretical framework, methods, methodology, phenomenological, criminal law, and historical design.*

I conducted a broad search in the Walden library by utilizing Thoreau. Thoreau covered articles from several databases when I researched for relevant articles. I pulled

articles and went to specific databases within Sage Publications, Research gate, EBSCO, Proquest, Google Scholar, and NexisLexis or Lexis Uni, and LegalTrac to find additional leads to articles. I searched Google Scholar for specific articles mentioned by other articles and separated my searches by specific categories from my outline. I also searched for dissertations to see if there were any that covered African American fathers, nonresid*, noncustodial, and all the words listed to gain access to many of the references utilized. I went online and searched for books, reports, and other articles as well. In cases where there were few or little current research, I searched on government websites, searched for books and other published articles online.

Theoretical Foundation

Critical race theory (CRT) and social construction and policy design theories provided the theoretical framework for my study. After I reviewed CRT, I realized that an additional theoretical framework was needed to tie in social constructs and Tennessee family laws with questioning and rejecting current procedures. Social construction and policy design was ideal for that purpose. The theoretical framework related to the general qualitative approach and research questions because critical race theory was utilized to understand history and racialized injustices within the legal system (Price, 2010). Social construction and policy design tied in the codification of Tennessee family laws to a targeted population (Ingram et al., 2007), namely, African American noncustodial fathers. Critical race theory (CRT) and social construction and policy design theory provided the theoretical frameworks for my study.

Critical Race Theory (CRT)

CRT emerged in the 1970s after the Civil Rights Movement and was developed by Derrick Bell and Alan Freeman (Mitchell & Stewart, 2013). The purpose of CRT was to investigate the legal systems within the United States as it pertained to race, disparities, social order, and inequalities (Daniels, 2011). CRT was derived by legal studies and interpreted by critical legal scholars as a political means to “reproduce socioeconomic privilege” (Price, 2010, p. 150).

CRT allowed for researchers to question the law and discount applicable policy designed to treat people differently (Capers, 2014). According to Price (2010), CRT magnifies the need for neutrality while encouraging support from communities. Additionally, CRT brought attention to race related issues (Mitchell & Stewart, 2013). According to Burton, Bonilla-Silva, Ray, Buckelew, and Freeman (2010), critical race theories presented ways to analyze social and cultural groups. Specifically:

(A) Race is a central component of social organizations and systems, including families; (B) Racism is institutionalized –it is an ingrained feature of racialized social systems; (C) Everyone within racialized social systems may contribute to the reproduction of these systems through social practices; and (D) Racial and Ethnic identities in “addition to” the “rules, practices, and assignments of prestige and power” associated with them, are not fixed entities, but rather they are socially constructed phenomena that are continually being revised based on a group’s own self-interests (Burton et al., 2010, p. 442).

Laws are supposed to promote neutrality, promote inclusivity, and reject marginalization of some to benefit others (Capers, 2014). Capers (2014) found that interest convergence was present when laws that benefited minorities also benefited everyone else.

Race was a term utilized to create social constructs, social order, and set boundaries (Capers, 2014; Alexander, 2012). CRT was utilized to reject or question the legality of systems throughout African American history and policies that promoted legalized slavery today. CRT was ideal for my general qualitative study regarding the lived experiences of African American noncustodial fathers and I used it to answer RQ1.

Social Construction and Policy Design

Another theory that was ideal for my general qualitative study was social construction and policy design. According to Ingram et al. (2007), social construction and policy design emerged in the 1980s during the War on Drugs Era and was developed by Anne Schneider and Helen Ingram. Its purposes were to explain how public policy can impact society positively, and to answer questions about the linkage between democracy and policy. Moreover, researchers used the theory to explore how policies created to positively impact society can also disseminate injustice, leave societal issues unsettled, create a system that promotes subordination or supremacy, and leave democratic institutions unsubstantiated (Ingram, Schneider, & Deleon, 2007).

Researchers utilize social construction and policy design theory to explain the power of targeting specific populations to better understand certain implications and development of policy (Pierce, Siddiki, Jones, Schumacher, Pattison, & Peterson, 2014).

Past publications of social construction and policy design theory range from 1993 to 2013. According to Pierce et al. (2014), the application of the theory appeared across different research topics, policies, and a diverse group of international scholars. There were three specific assumptions of social construction and policy design. The assumptions to social construction and policy design include individual, power, and political environment (Pierce et al., 2014).

Individual was one assumption of social construction and policy design.

Individual was classified as the information obtained may be too immense to grasp therefore people relied on previous preconceived notions, beliefs or biases and paid attention to the information that supported their preconceived notions, beliefs or biases. Moreover, individual means that social constructs are used subjectively. Additionally, the reality of individuals was based on their perceptions of others within objective conditions (Pierce et al., 2014).

For example, African American men were seven times more likely to go to jail than Caucasian men (Graff, 2011). There were a number of variables as to why this was true; however, the individual assumption of social construction and policy design made a case on both sides of the issues such as background, education, two-parent home, and laws and policies meant to promote stability. Further, more African Americans were in jail because African American were more likely to be stopped by the police and or the system was designed for the promotion of social order. These preconceived notions, beliefs, or biases of an individual person are examples of the information more likely to strengthen the argument.

Power was another assumption of social construction and policy design. Power was unbalanced equally, and the distribution of power depends of the political environment (Pierce et al., 2014). Those African Americans who have a criminal record, for example, are less likely to be able to vote for politicians. The politicians make the laws and thereby created an environment that was not conducive for everyone to be treated equally.

The third assumption was political environment for social construction and policy design. Policies promoted politics that also promoted additional policies and more politics (Pierce et al., 2014). Policies often created uncertainty and affected people differently. Policies often sent messages that promoted or discouraged involvement. Depending on the person and their current perception of societal norms, a person went along with policy because they were ignorant of the policy's intended outcomes or it was what everyone else around him or her did. They may not be able to vote for people who represented them as individuals or carry the political capital needed to promote change. Policies then promoted hidden agendas of politicians which in turn promoted more policies and politics.

Social construction and policy design related to the study because it related to policy and social constructs within the study. The theory assisted in answering research question two of the study by observing the social constructs and tied public policy in with the overall research study. Therefore, by using both critical race theory and social construction and policy design, my general qualitative study aligned with both the research problem and research questions.

Literature Review

Slavery

Even before Europeans invaded Africa to enslave Africans, African tribes enslaved other tribes. This was customary, and the stronger tribe would end up using the weaker tribe as slaves. According to Johnson, Smith and the WGBH Research Team (1998), the act of slavery shifted time and again, and depending on which tribe was the strongest at that time, any tribe could find themselves enslaved. African societies had structure and rules on treatment of one another, and everyone was expected to belong in a family unit.

These slaves were entitled to be treated like humans. They were provided proper care, clothing, food, and shelter, and the owners of said slaves were accessible and responsible to and for each slave (Johnson, Smith & the WGBH Research Team; 1998). As time progressed, Africa became a society of many layers: from domestic workers to those that were enslaved becoming masters themselves after masters passed. These slaves were included in society, and wealth to them consisted of being surrounded by others (Johnson, Smith & the WGBH Research Team, 1998). Slaves during this time still felt they had a say in their lives.

During the sixteenth century, Africans and Europeans partnered in commerce and profit. Kings looked at Africans as equals because they had shared invested interest in what the African land provided. Eventually, there was a shift in how the Africans were to be treated by the outside world. Overtime, many kidnapped Africans were placed on ships and more died on the voyage to a new home. The Portuguese and Spaniards were to

blame initially. “Between the late fifteenth century and 1867, approximately 1.3 million people were forcibly transported from West Africa to Spain’s American empire,” (Cottrol, 2013, p. 25).

According to Johnson, Smith and the WGBH Research Team (1998), Portugal and Brazil realized their need for laborers to maintain their crops. They first looked to the Indians; however, according to Alexander (2012), the Indians were more equipped to fight against being enslaved. Therefore, in order to thrive economically, they needed laborers. Their answer to their economic conundrum was to capture and enslave Africans. Europeans observed what was happening and also wanted to capitalize on the free labor from enslaved people, so the Europeans bartered goods for already-enslaved Africans. Soon many, including the Europeans, traveled to Africa to capture Africans for labor or sell them for profit. Many of these people would never see their native land, their families, or anything familiar to them again.

Slavery was recognized as early as the fifteenth century in Spain (Cottrol, 2013), and in America as early as 1619. Africans were considered the lesser race and the establishment of Chattel Slavery was created (Alexander, 2012). According to Davis (2016), many Africans were put on ships and brought to America and other countries for trade. The African children and their families were kidnapped and forced on ships with little to no food and chained to one another for many days while traveling. The men who forced the Africans on the ships offered little insight to the fate of the captured (Graff, 2014). Disease, starvation and torture resulted in many of the Africans dying en route to

their new worlds (Graff, 2017). The bodies were thrown overboard to the sharks to make room for other captives or traded for financial gain on slave trading routes.

As an act of intimidation, the traders would tie women up with ropes and lower them to their deaths to be eaten by the sharks that followed the ships as the captured watched in horror, the women's mutilated bodies would be eaten, and flesh torn from their bodies (Davis, 2016). This act had a two-fold purpose: to keep the enslaved in line and cooperative, and to prevent revolt. Once they arrived at their destination, the captors washed their captives like cattle and applied oil to their bodies to appear healthier than they actually were. If a slave had gray hair, the hair was dyed to give the appearance of youth. These kidnapped people were placed on trading stages and auctioned.

Davis (2016) writes about a slave who remembered being separated from his sister. Once captured, he was given to a family. Months later he ran away in fear of being punished, only to be captured again and taken even further from his sister. Slavery separated a culture: it separated children from their families; it separated people from their homelands. Separation empowered the Master and it oppressed the future of the African family.

Davis (2016) suggests that many of the United States presidents owned slaves. Washington, the first President of the United States, acquired land and slaves when his father passed. Washington was a businessman who continually acquired more land and slaves over time. He believed in capitalization and seized opportunities to build his net worth. In that time period, people with debts often paid their debts by offering properties owned. Bartering slaves and land for payment, for example, allowed a neighbor who

owed Washington money to clear the debt. When Washington's brother passed, he inherited the land and slaves. For further capitalization, Washington later married a widower and acquired her land and slaves as well. In time, Washington owned thousands of acres of land and numerous slaves.

Washington had so many plantations and slaves that he granted the slaves the ability to have their own homes where they were allowed to live with their spouse and children with chickens, a bed made from hay, and the children would sleep on the dirt floors (Davis, 2016). The slaves saw this as kindness, but in actuality it was capitalizing on increased labor productivity. According to Davis (2016), Washington provided each slave with a blanket, one pair of shoes, one set of clothes yearly, and allowed the families overtime the opportunity to walk to the market on Sundays to barter for other things they needed.

However, the slaves could not go without a permission slip (Davis, 2016). According to Davis (2016), a slave who was found without his slip would be beaten and brought back to the plantation for a hefty fee or sold. If slaves escaped, many owners would post rewards. When the slave was found, the slave would be beaten and sold to someone who lived far away so that the slave would not see the family again, as punishment and control. Other slaves would observe this sanction and strive to follow the rules set forth by their masters.

Washington had bi-racial slaves with whom he shared his living quarters. Bi-racial or mulattos were treated differently when compared to other slaves. The masters would often rape the female slaves and as a result, fathered many enslaved bi-racial or

mulatto children. The children born to enslaved women were automatically considered enslaved (Goodman, 2015). Mulattos were trained to work in the house of the master as butlers or maid servants or sold to other families to work in their homes, and the color of the slave determined their work. The darker slave often worked in the fields or had a job outdoors, and the lighter slave worked in the home or had jobs that pertained to the home.

Washington bought and trained two male mulattos who were brothers. These lighter-skinned slaves were taught etiquette, horseback riding, and had better living-conditions than the slaves forced to live in shacks. Davis (2016) writes about one being the head butler who was responsible for maintaining order in the home. His job was to make sure all the others were doing their job and that every detail of the dining experience was perfect. The other would ride with Washington to ensure that Washington and his guests had great hunting experiences, and any errands Washington needed, completed.

According to Davis (2016), the slaves became accustomed to their environments. After a while, many Africans understood their place and required duties. Whether the slaves were lighter-skinned or darker-skinned, there was a system they understood, and that system was not designed for the enslaved to thrive.

Later in the history of slavery, a man named Dred Scott demonstrated this point. He was enslaved and utilized the legal system to sue his owner (see Dred Scott case, 1857; United States Supreme Court, Taney, Van Evrie, & Cartwright, 1860). The U.S. Supreme Court decided that the enslaved African was property, did not have rights, and would never have rights. Dred Scott's case is an example of bilateral individualism (a

critical race theory), which refers to oppressed following the rules, using the rules to demonstrate inequality, and the rules not being applicable or changing to suit a greater purpose (keeping the oppressed in their place).

Many presidents and political officials in America owned slaves throughout American history. The practice of owning a free laborer enabled many economic opportunities for Caucasian families. Although the outward act of enslavement no longer exists, many of the traditions can still be seen within the White House and throughout policies in the United States history, all deriving from the beginning of the slave trade. The slave trade positively influenced England and France and assisted in the creation of America (Graff, 2013). Slavery was traumatic both during and after it ended (Graff, 2011; Graff, 2015). Slavery should not be forgotten as it has a substantial impact on African American families, and it can still be felt by those who experienced it or heard the stories (Graff, 2011).

Emancipation (1861-1865)

But what is a slave? A slave is a man robbed of his soul, he and his race, until the end of posterity; a man doomed from father to son to think with the brains and will through the volition of another; a man divested of the first sacred right of man; to wit, individuality; a being changed from his nature; in a word an artificial monster, a moral eunuch, undeserving of the deprivation. The church castrates the child to make him sing well, but you...castrate him that he may pick your cotton. This is the only

difference. Eugene Pelletan, *An address to King Cotton*, 1863 (Guelzo, 2004).

President Abraham Lincoln has been characterized in American history as someone pivotal in the abolishment of slavery, but President Lincoln emancipated slaves because it was a means to a significant end. He appreciated the Declaration of Independence. It promised that all of humankind had certain inalienable rights. He, like many attorneys today, questioned the intentionality of the laws.

According to Hubbard (2015), he observed rebellion among the people of color to the oppressive system. He signed the Emancipation Proclamation because he believed all of humankind had legal rights. His perspective was based on his personal experiences. As a lawyer from modest means who grew up poor during slavery, he could empathize with the struggles of the African American or enslaved people.

The system was predicated on economic gains for Caucasians by standing on the backs of the African American free laborers, who were seen as 3/5 human, sold and treated like cattle, and denied basic fundamental rights (Hubbard, 2015). Lincoln's experiences coincided with the current state of the nation, and he began to see the hypocrisy of laws within the original U.S. Constitution. According to Hubbard (2015), President Lincoln had two very distinct trains of thought as it pertained to slavery; the founding fathers knew slavery would end and enslaved people were property. He had to consider the slave owners as well those who were disenfranchised.

President Lincoln wanted to transition the nation slowly enough where people from both sides had time to adjust (Hubbard, 2015). He did this by signing many

proclamations over time. Lincoln knew his decision to sign the proclamation would not be popular among those who did not see African Americans as people, and his rationale for evolving policies on slavery coincided with his desire to win the Civil War. President Lincoln signed a proclamation that allowed African American men to serve in the military. Although hesitant at first, it was necessary to win against the Confederacy.

President Abraham Lincoln signed the Emancipation Proclamation, freeing millions of enslaved people. His purpose for signing the Emancipation Proclamation was to win the war, and the enlisted African Americans' purpose were life, liberties and the pursuit of a happier time. This important law was significant because for the first time, African Americans were no longer to be considered property. Many African American slaves, even years after the Emancipation Proclamation, had no idea they had been freed, so this forward-thinking President recruited Frederick Douglass to help devise a plan to assist many enslaved who may not have been aware of the law. Many southern citizens were not thrilled to accept their fate as they began to realize that free labor was necessary to maintain their land, crops, property, and the economy.

Before, during, and after the signing of the Emancipation Proclamation, African Americans fought for their rights to be treated as equals and the north began to accept that perspective. Many argued for the slaves' freedoms, which was evident during the Missouri Compromise of 1820. This event was significant because as it stood, America had twenty-two states. The northern half were slave-free states and the southern half were slave states. When the U.S. acquired Missouri through the Louisiana Purchase, Missouri wanted to be added to the enslaved states. The north recognized this was problematic

because it would shift the political balance of power in Congress by making it twelve states for slavery and eleven against.

A compromise was reached after Maine was added to the northern free states to ensure the balance. The Missouri Compromise of 1820 limited the spread of slavery without eliminating it altogether (Jaynes, 2005). The U.S. Supreme Court, the highest court in the land, has the final say in its interpretation of laws the founding fathers put in place to run the country. In 1857, a slave by the name of Dred Scott decided he would sue his master, John F. A. Sanford, by filing a claim in the federal court. This was unprecedented for the time. In *Dred Scott v. Sanford* (1857), the Court held that African Americans were not citizens, a major defeat for enslaved Africans.

In the Declaration of Independence, according to the Court, the doctrine was interpreted as only “Caucasian men” having freedoms and liberties (see Dred Scott case, 1857; United States Supreme Court, Taney, Van Evrie, & Cartwright, 1860). The Court also addressed the Missouri Compromise as unconstitutional and ruled that Congress could not usurp its authority to ban slavery (see Dred Scott case, 1857; United States Supreme Court, Taney, Van Evrie, & Cartwright, 1860). These events were significant because they demonstrated the divide in the nation pertaining to African American liberties, while also demonstrating that even when the enslaved played by the rules set by powerful Caucasians, the rules were changed to keep African Americans enslaved and oppressed.

According to Cottrol (2013), the decision of the Court promoted systemic racism in the south and put the Civil War into motion. The U.S. Supreme Court ruled that

African Americans were not citizens; citizenship meant they met the threshold for equality and were free from discrimination and dehumanization; and African Americans, no matter where they were born, free or enslaved, would never be citizens (Cottrol, 2013, p.80).

Reconstruction (1865-1877)

During the Reconstruction era, approximately four million newly-freed slaves had a quick transition to being free. From the time the Emancipation Proclamation was signed, it took about three years for all enslaved people to gain their freedom. Although many southern states made the transition hard, amendments were added to assist with the transition. The Thirteenth Amendment abolished slavery, the Fourteenth Amendment granted birth rights and citizenship, and the Fifteenth Amendment gave free voting rights. The newly-freed slaves were taking advantage of their voting rights and getting involved as activists and politicians (Graff, 2016).

The Civil War ended, the Union won, and the south went through a rebuilding process. Caucasians had to transition from owning to sharing liberties with their African American counterparts. Conflict between the north and south shifted from war to politics. The shift brought with it many barriers for the African American people. For example, under President Andrew Johnson, the southern states implemented “black codes” used to regain social control over African Americans (Alexander, 2012). Once again, the north came to the aid of African Americans by getting the “black codes” removed so that African Americans could be elected into state and government positions. The victory of the Reconstruction Era was short-lived when the Ku Klux Klan, a white supremacy

group, emerged out of Pulaski County, Tennessee, and used violence, hung or otherwise killed African Americans to maintain social order (Alexander, 2012), and ignited hate throughout the south, which regressed African American accomplishments and brought restoration to White privilege.

According to Alexander (2012), the idea of race was brought to the forefront of people's minds and its differences became the impetus for division. African Americans were considered by many Caucasians as precarious and boisterous. Caucasian control became the new social order. Caucasians believed that African Americans would commit crimes against them. Segregation of education and black codes were a means to control, and vagrancy laws were created to enslave African Americans in the criminal justice system (Alexander, 2012).

Restrictive laws or black laws were implemented to stifle the freedoms of African Americans promote social order by ensuring they continued to provide cheap labor (Graff, 2016). African Americans were imprisoned if they did not have jobs, even though the Caucasians created ways to control the labor markets, precluding African Americans from working, which further demonstrated the obvious systemic racism during this era (Alexander, 2012). In the end, the Reconstruction Era launched years of mistreatment of African Americans through the creation of Jim Crow, Jim Crow laws, lynching, free labor, and other disparities (Graff, 2016).

Migration (1910-1970)

“The mass migration of African Americans out of the South during the first two-thirds of the twentieth century represents one of the most significant internal migration

flows in U.S. history,” (Alexander, Leibbrand, Massey, and Tolnay, 2017). According to Stewart (2007), African American families migrated to the north for survival, freedom, the economy, security, and to escape discrimination, dehumanization, segregation, and legal disenfranchisement. Southern African Americans were precluded from voting, denied protections and devoid of educational opportunities afforded to other races.

The Poll Tax prevented many African American people from voting as they were charged voting fees they could not afford, and the Grandfather Clause (1898-1915) was derived by southern states to exclude poor and uneducated African Americans from voting (Brenc, 2017). The Grandfather Clause permitted people to vote in 1867 contingent on whether their fathers and grandfathers could also vote in 1867, and these people were excluded from literacy tests or polling taxes (Brenc, 2017). The year 1867 refers to the Reconstruction Act of 1867 and the plan for southern states to join the Union. If the polling taxes and the Grandfather Clause did not discourage, the African American voters, literacy tests were given (Stewart, 2007; Alexander, 2012) to test the person’s knowledge of both the federal and state constitutions. The test was graded by the giver of the test and often did not bode well for the African American population. The test-givers were looking for ways to prevent the African American vote, and because there was little to no African American representation to fight against the unfair practices during this time, many of the problematic practices went unprotested.

Migration was another transition in African American history that separated fathers from children, mothers from husbands, and caused many to experience unmarried family units. However, a number with southern extended families maintained stable

family cultures (Tolnay, 1997). Many African Americans moved north and left family members down south until they were able to send for them. For example, an African American father would migrate and leave the wife and children in order to make more money and then return for them at a later date, once stable. Mothers migrated and left the children with a grandmother or aunt until she found work and was financially stable, then she would return for her children. Many left the south for fear of being harmed, and most left for opportunities to better themselves through education and better wages.

During the migration period, industry in the north were paid more. According to Stewart (2007), approximately one million African Americans migrated to either Michigan, Illinois, Ohio, Pennsylvania, or New York during this period. Millions migrated due to a lack of opportunity to better their livelihood while creating the impetus for civil rights.

Great Depression and World War II (1920-1950)

After the initial migration, many African Americans migrated to Virginia, Georgia, and South Carolina (Stewart, 2007). Simultaneously, jobs waned as many employers chose to hire Europeans over African American workers in the north. Although it was a difficult time for African American families, many decided to remain in the north because they were guaranteed governmental assistance. During World War II, many African Americans migrated up north for job opportunities due to the shift in government protections for fair treatment in the workplace (Stewart, 2007).

Educational opportunities were also better in the north. Many families migrated to give their children opportunities to learn, and many adults were afforded educational

opportunities to learn at night (Stewart, 2007), while working during the day to provide for their families. According to Alexander, Leibbrand, Massey, and Tolnay (2017), “Education, income, and poverty status of African American children,” (p. 2249) were better than the southern African American children’s opportunities to thrive.

The idea of educating African Americans made Caucasian Southerners upset because they did not see the benefits of educating people of color. To many of them, African Americans were less than human and were cheap labor workers. Often Caucasians changed the rules, making it more difficult for many African Americans to migrate. For example, they would place debts on African Americans to prevent them from leaving or being able to afford travel expenses (Stewart, 2007). However, some African American families were able to bypass this tactic by sending their families prepaid tickets.

According to Tolnay (1997), African American individuals and families were affected by the migration in various ways. Many African American women gained their independence by moving north and making their own money through domestic work. African American men however, began to experience higher rates of punitive penalties. These and other factors caused African American transformations which were necessary for survival but also impacted the African American family.

Second-generation African American migrant children benefited from the move to the north and west. According to Alexander, Leibbrand, Massey, and Tolnay (2017), these children experienced a better education, resulting in higher future earnings while decreasing their chances for poverty. Most of the children whose families migrated had

parents who had an education, training or skills; or they had parents who took advantage of their opportunities to get educated or trained at night: all of which gave them the opportunity for a significant occupational status and earning potential (Stewart, 2007).

Jim Crow Laws (1920s-1960s)

Jim Crow was a fictitious character created to portray African Americans as people who were devoid of intelligence (Tijerina, 2017). Jim Crow laws were created to maintain social order and racial division in the southern United States and they served to exacerbate violent discriminatory actions against African Americans. Jim Crow laws were designed to keep African Americans separate in every facet of life including education, public areas, and neighborhoods (WGBH Educational Foundation, 2018). In *Plessy v. Ferguson*, 163 U.S. 537 (1896), the U.S. Supreme Court upheld the standard of legal segregation and in doing so, states began to legally promote the division of races. These social order laws perpetuated separate but equal standards that would eventually motivate many African Americans to fight for fair and equal civil rights. By 1925, the National Association for the Advancement of Colored People (NAACP) was formed. The organization united people in an effort to fight against unfair and unjust practices that interfered with civil rights.

Civil Rights Movement (mid 1950s-late 1960s)

The U.S. Congress passed the Civil Rights Act of 1871 that overturned all laws that precluded African Americans from being able to vote. Additionally, the Civil Rights Act of 1875 which enabled African Americans to have access to public areas, and by 1877 the Civil Rights Act of 1875 was ruled unconstitutional by the U.S. Supreme Court

(Bankston, 2013). Throughout history, the goal of both the federal and state governments had been to limit the freedoms of African Americans. The government knew that segregation ensured social order.

The Civil Rights Movement had many significant cases and events that forced the government to reconsider its position. African Americans began to protest through sit-ins, boycotts, and marches. The police and supremacy groups responded with water hoses, attack dogs, and violence. There were many examples of a shift in views by the U.S. Supreme Court. In *Sweatt v. Painter* (1950), the U.S. Supreme Court held that the University of Texas law school could not deny an African American entry into their school. In *Brown v. Board of Education* (1954), the U.S. Supreme Court held that an African American girl could not be denied access to an all-white school. The ruling removed the separate but equal doctrine, preventing legal segregation in the nation.

There still remained some opposition by people in government. A Democratic governor of Arkansas, Orval Faubus, was up for reelection. He wanted to demonstrate his authority and appealed to his base by having the National Guard there to prevent African American students from attending a local all-white high school. The African Americans showed up and were not turned away. There were numerous stories of Caucasian push-back as the civil rights movement pressed forward.

The story of Emmett Till can be compared to the many African Americans that have died recently by the hands of injustice. Emmett Till's story was the impetus for the civil rights movement (Tijerina, 2017). Till was a young African American boy from Chicago who went to visit his family in the south. Till and his cousins went to a

convenience store where a Caucasian female swore he had flirted with her. Later that evening, Till's family was visited by Caucasians who went into the house and removed Till from the home. Days later, they found Till's brutalized body in the water. The only way for the mother to recognize her son's body was the ring he had on. The mother had an open-casket, so the world could see what had been done to her son. Recently, in the twenty-first century, the same Caucasian female, on her death bed, confessed she had lied about Till.

The civil rights movement was led by many including Martin Luther King, Jr. Equality was wanted by all. Martin Luther King, Jr. had a famous "I have a Dream" speech in Washington that illustrated being treated the same no matter the color or skin. According to Graff (2011), during the civil rights era, many African Americans experienced unemployment at a rate higher than Caucasians.

From Dred Scott, Homer Plessy, Rosa Parks, Selma, Martin Luther King, Jr., Medgar Evers, Malcolm X, church bombings, NAACP, Thurgood Marshall, and many civil rights leaders and civil rights events, Congress was forced to pay attention to its standard for the African American population. The Civil Rights Movement made it possible for many African Americans to migrate back to the south. The north had started a decline economically and many African Americans returned to positive economic and societal shifts (Stewart, 2007).

War on Drugs/Get Tough on Drug Policies

The positive shifts in America was not pleasing to many in government as they wanted to legally maintain social order. President Richard Nixon's War on Drugs was

known in the African American community as the War on African Americans. He signed the Control Substance Act into law in 1970 outlining the classifications of drugs.

Marijuana, Heroin, LSD, GHB, and Ecstasy, are examples of the drugs classified as Schedule I Narcotics (U.S. Department of Justice, United States Drug Enforcement Administration, n.d.).

Consequently, marijuana and heroin were not against the law in the early 1900s as doctors prescribed cocaine medications for pain. When President Ronald Reagan was elected, he revamped the War on Drugs campaign to include mandatory minimum sentencing by expanding the policies which led to an uptick in imprisonment for nonviolent offenses. The Anti-Drug Abuse Act soon followed in 1986 and its implication was also that the drug policies implemented targeted African American people. Crack cocaine infractions carried longer prison sentences than powdered cocaine. Crack cocaine was cheaper and more accessible to the African American communities while powdered cocaine, the drug of choice for Caucasians, carried less prison sentences.

According to the NAACP (2018), more than eighty percent of African Americans were imprisoned under nonviolent convictions like drugs, due to drug laws and served more time than other races, namely their Caucasian counterparts. With policies like three strikes and mandatory minimum sentencing, many African Americans are serving life and life without parole sentences for nonviolent offenses. The War on Drugs is another example of how the systems are designed to oppress. Many of the African Americans will die in prison for nonviolent offenses and this impact is being realized in many

generations today. These mass incarcerations were masked as the new black codes designed to maintain social order and weaken the oppressed.

Mass incarceration

Mass incarceration has been normalized just as Jim Crow laws were years ago (Alexander, 2012). According to the NAACP (2018), in 2012, approximately eighty-one billion dollars were spent on corrections. Additionally, the United States has more people incarcerated than any other country. In 2015, approximately 6,741,400 people were superintended by the U.S. Adult Correctional System (Bureau of Justice Statistics, 2016). Consequently, imprisonment is another racial caste system created to maintain social order today, because racial disparities and sentencing are linked (Alexander, 2012). Moreover, in America, African Americans are a small percentage of the population, but in 2012, approximately sixty-five percent of African Americans were serving life without parole sentences, and in the federal system, of the 1,230 life without parole inmates, approximately seventy-one percent are African American (ACLU, 2014, p. 2). Additionally, the numbers significant because these people have families and those African American families are directly affected by their loved ones not being there for child development, family stability, and socially contribute to society. Even politicians have begun to understand the disproportionate incarceration rates as an issue of concern. According to Graff (2018), Republican Rand Paul acknowledged that the criminal justice system must be changed. Mass incarceration is a capitalistic approach to social order.

Paternal Incarceration

With mass incarceration on the rise in America, upon release, prisoners have to deal with barriers that significantly impact families and communities (Mears & Siennick, 2016), including child support debt while incarcerated, lack of resources (Roman & Link, 2015), and criminal histories, employment instability, housing issues, and racial disparities (Pate Jr., 2016). Paternal incarceration affects disadvantaged children's development and adult outcomes, and upon release can influence heightened stress and strain for the fathers and their families. This is due to the barriers faced upon release and the adjustment to returning home.

Additionally, the effects on children educationally, cognitively, and emotionally leads to poor choices, poor education, a lack of emotional regulation, poor impulse control, mental illness, criminal offending, substance abuse, and lack of steady employment. (Mears & Siennick, 2016). Ten percent of the United States' child population has had a parent or is currently experiencing parental incarceration (Turney & Haskins, 2014). When fathers are incarcerated it can devastate families and impact people within these families for generations. The children affected often find they do not meet the educational standards to excel due to educational or behavioral performances, and children experience trauma from being separated from the father, which may cause children to act out negatively, deal with stigma associated with embarrassment, shame, or strain from the home atmosphere left due to finances or reduced support (p.242).

Moreover, the factors that predict paternal incarceration also predict grade retention for children. Specifically, African American fathers who are incarcerated are

more likely to be devoid of education and have experienced poverty. These fathers will often leave their children devoid of the skills needed to excel educationally when there is no other outside support put in place. Statistically, boys have a harder time than girls dealing with fathers who go to jail and often experience more behavioral problems as a result (Turney and Haskins, 2014).

According to Turney and Haskins (2014), incarceration rates of poorer minorities are on the rise and there are unintended consequences that should be addressed. There are families connected to their loved ones who are imprisoned. Mears and Siennick (2016) suggest that paternal incarceration should trigger a “red flag” response from judges and agencies to identify people needing intervention or support and incarceration is a consequence for infractions made to protect society. However, it should not be used in a way exacerbate safety with debt. Punitive sanctions for debts owed ended centuries ago and capitalizing from others misfortune which exacerbates the deeper issue.

Child Wellbeing and Development

Doyle et al. (2014) found that some fathers report some mothers are devoid of structure and accountability and oftentimes fail to realize the impact fathers have on their child’s development, especially their sons, by modeling the appropriate behavior, setting boundaries, and carrying out punishment or discipline (p. 381). A child’s outcome is directly associated to parents’ or guardians’ interpersonal and parental abilities, and these abilities are linked to parental confidence (Jackson, 2016).

The father-child relationship impacts the wellbeing of both the father and child, while also affecting the child’s development (Hubin, 2014, p. 82). Fathers’ involvement,

children's wellbeing, mothers' parental stress and behavior, and mothers' mental state are all interconnected (Jackson, Choi, & Preston, 2015). Meuwissen and Englund (2016) found that a child's executive function is influenced by a father's support; therefore, the more a father is supportive through play, time, and interaction the higher the executive function. Executive function is defined as the part of the brain that controls memory, impulse, and mental flexibility (Meuwissen & Englund, 2016, p. 72).

Children who have fathers in prison often suffer grade retention in early childhood education, which limits their future potential (Turney & Haskins, 2014, p.255). Paternal incarceration also causes harm to the development of children and impacts their future earning potential (Haskins, 2015). African American fathers are vital for their children's wellbeing and growing up without their father promotes negative outcomes (Jackson, Choi, and Preston, 2015). This is evident when parents are no longer together, it can affect the family structure and exacerbate a child's development (Jackson, Choi, & Preston, 2015), and these children may experience their child's decline in educational success, mental stability, and overall behaviors (Hussey, Kanjilad, & Nathan, 2016).

Statistically, two-parent homes are more likely to provide the stability and parental influences needed for children to excel academically (Hussey, Kanjilad, & Nathan, 2016). Myers and Taylor (1998) suggest that African American children that experience poverty, also experience negative cognitive and educational outcomes. It is imperative to responsible fathering, that fathers are intentional about being engaged in their child's life, as their parental influence impacts their child's overall development (Madhavan, Richter, & Norris, 2016; Barnes 2016; Raskin, Fosse, & Easterbrooks; 2015;

Haskins, 2015; Jackson, Choi, & Preston, 2015; Choi & Pyun, 2014) and future success (Barnes, 2016; Haskins, 2015).

According to Schwander (2016), “one hundred percent” of the men, in the study, agreed that involved, supportive parents have a positive impact children’s lives (p. 75). Choi and Pyun (2014) found that nonresident fathers’ financial contributions positively affect children’s development, and the support helps with the mother’s parenting stress and her parenting abilities (p. 540). Increased incarceration, however, impacts children as fathers recidivate, limiting them from contributing and parenting their children (Johnson & Young, 2016).

African American children are more likely to experience paternal incarceration than any other race. Moreover, when children experience paternal incarceration during the first ten years of life, they are more likely to experience behavioral issues, experience poverty, live in dangerous neighborhoods, share a home with multiple family members, experience unhealthy outcomes such as developmental issues (socio-emotional, behavioral, and educational), and experience decreased future earnings (Haskins, 2015). When a father contributes financially, it can reduce financial strain (Choi, Palmert, & Pyun, 2014), making the lives of their children better.

Involvement

The ability to pay child support orders is tied to a father’s involvement with his child (Bellamy, Thullen, & Hans, 2015). Fathers are more motivated in staying engaged with their children when they are emotionally invested or have resources needed to support their children (Madhavan, Richter, & Norris, 2016). Schwander (2016), found

that fifty percent of the men in the study did not believe that financial contributions replaced engagement (p. 75).

Engagement is often challenging for low-income non-resident fathers, due to unstable employment (Fagan, Levine, Kaufman, & Hammer, 2016). After parents are no longer romantically connected, most children will experience seeing their father less; younger children may have more contact with their father; however, their contact may be inconsistent as the child ages (Madhavan, Richter, & Norris, 2016). These inconsistencies may be due to sports, the child having other extracurricular activities, school, or working themselves.

The strain on relationships is even more evident when parents enter into new romantic relationships, it exacerbates the chances of father remaining engaged with the children (Tach et al., 2014; Waller & Emory, 2014; Fagan & Kaufman, 2015; Madhavan, Richter, & Norris, 2016; Goldberg & Carlson, 2015). Mothers are gate openers, gatekeepers, or gate closers to father-child relationships by exhibiting facilitative and restrictive behaviors and attitudes (Fagan & Kaufman, 2015, p. 309). Tach et al. (2014) suggest that fathers are more likely to practice “selective fathering” a term used to describe fathers who recognize they have a do-over opportunity with step children or new children in new relationships (p. 180), while causing their other father-child relationships to deteriorate.

According to Choi, Palmert, and Pyun (2014), the direct linkage of how much the father is involved with the mother’s ability to parent is not significant; however, there are indirect associations to a father’s involvement with a mother’s parenting and child’s

wellbeing interwoven with the father's parenting. According to Jethwani, Mincy, and Klempin (2014), fathers who are accessible, emotionally available, and supportive to their children positive influence education (p. 58). African American children who experience poverty but have the presence of a father figure are less likely to engage in unhealthy risky behavior due to the parents' rules and curfews implemented, along with a father's discouragement in unhealthy behavior (Langley, 2016). A father can be involved in many different ways that impact the overall wellbeing of the family. Maternal support predicts and influences father involvement (Johnson & Young, 2016; Fagan & Cherson, 2017).

Raskin, Fosse and Easterbrooks (2015) suggest that how father involvement is measured and the things that are out of the father's control such as incarceration, mother-father dynamics, employment, and accessibility to the child, need to be considered (p. 99). Choi and Pyun (2014) suggest that fatherhood initiatives that encourage engagement are necessary. Father involvement is complex, and more studies designed to be sensitive to detect it may result in increased contributions (Raskin, Fosse, & Easterbrooks, 2015).

Fathers

Perry and Lewis (2016) found that the fathers who were engaged with their children saw their role as father as an imperative one for the future of their children and family legacy. According to Hubin (2014) there are different ways to become a father outside of DNA. If a woman is married and conceives, the assumption is the husband is the father. If someone else is the father, there is a time limit for the biological father to petition parentage and assume his role as father. One acting in the place of father can be

legally argued in paternity cases (p. 79). These are clear examples of how significant the actual role of father is in the United States judicial system (Hubin, 2014).

Perry and Lewis (2016) found that most fathers mimic what they experience from their own fathers and placed emphasis on the things they watched their fathers do, such as providing stability, security, nurturing, and commitment to their families which placed significance on their need to be involved with their children as well (p. 15). Moreover, for the participants whose fathers were not ideal, they intentionally worked to compensate for what they did not receive as children themselves. These fathers noticed a shift in fathering to a more hands-on approach and struggled with overcoming the “perceived deficiencies,” (p. 16) of their fathers from childhood (Perry & Lewis, 2016). Thomason, Himle, Tolman, Sinco, and Savas (2017) found that the noncustodial parents in the study had experienced “depression, anxiety, and substance use problems” (p. 183), all resulting from deeper emotional issues.

Perry and Lewis (2016) found that a father’s financial stability and “family structure” are tied to their ability to stay engaged, and most of the fathers who were able to overcome the perceived deficiencies of their own fathers were married to his children’s mother, or in a healthy co-parenting relationship (p.16). However, the fathers who struggled financially, typically had multiple children with multiple women and struggled to compensate for the perceived deficiencies of their own fathers as children (p. 17). According to Tach et al. (2014), family complexity and socioeconomic disadvantages are interconnected. Further, fathers with the most children often have the least amount of resources (p. 182).

Goodman (2015) found that men defined being a father with one who exemplifies morality, provides structure, teaches his children, is supportive, accessible and engaged with his children (p. 93). Johnson and Young (2016) defined distinctive trends with respect to the research on African American fathers such as financial barriers, not residing with their children to help with the development of children, maternal expectations of childrearing, and the impact on African American communities. Guzzo and Furstenberg (2007) found that the majority of African American men, in their study, had multiple families defined as multiple children with multiple women.

Fathers who grow up in two-parent homes often want to mimic that relationship when they become fathers, and those who grew up without a father often try to become more intentional about their fathering roles for better outcomes for their children (Goodman, 2016). However, nonresident fathers experience “higher strain and psychological distress” (Vogt Yuan, 2016, p. 615) associated with their parenting obstacles. Many African American fathers struggle today to accept or understand the significance of their roles and the expectations as fathers (Johnson & Young, 2016). Bowman and Sanders (1998) suggest that African American fathers of all ages need intervention training for employment, healthier family practices, and interpersonal skills to manage and overcome challenges they may face as a provider for their families.

Co-parenting

Fagan and Kaufman (2015) found that co-parenting is very complicated and interwoven with respect to multiple women and children. Fathers thought that mothers often “undermine them as fathers,” and this is due to not respecting the father’s parenting

abilities (p. 309). Doyle, Estroff, Goldston, Dzirasa, Fontes, and Burriss (2014) found that making children the priority and valuing family produces a desire for healthier co-parenting relationships (p. 380). Fathers value family and supportive co-parenting relationships, even if it is not their reality. Moreover, fathers with multiple children who disagree with the mothers want the children to be okay, and they desire for their kids to establish sibling relationships with one another (p. 380).

People are choosing to wait longer to get married, cohabiting instead, and having children despite not being married. This is significant because the majority of these people will eventually experience an uncoupling, and the negative consequences fall on the children and parents, especially when one or both parents decide to enter into new romantic relationships (Guzzo & Furstenberg, 2007). Waller and Emory (2014) found in their study that almost fifty percent of unmarried cohabiting parents were living separately by the time the child went to kindergarten. Moreover, of those who were not living together, unmarried and romantically involved during their child's birth, eighty-two percent experienced an eventual uncoupling; and ninety-two percent had no relationship by the time the child was born (Waller & Emory, 2014, p. 692). Mothers who are more financially and educationally progressive may go back to school and look for someone with similar or more advanced socioeconomic and educational backgrounds to step in to participate in the co-parenting duties (Gonzalez, Jones, & Parent, 2014). Bellamy, Thullen and Hans (2015) suggest that mothers and fathers either grow together or apart as parents and a better prediction of father-child involvement is reciprocated support.

Co-parenting should become the focus for parents instead of any emotional ties. Goldberg (2015) found that fathers who had a child support order would make their formal payments, and co-parenting was associated to those payments made; therefore, co-parenting relationships predict informal payments. Goldberg (2015) found that relationships influence a child's wellbeing and a father's financial support. Further, when the father-mother relationship is healthy, and co-parenting is mutually respected, the child's outcomes improve, and the father is more like to financially contribute more.

African American Family

In the African American family, females are the anchor and driving force for the family but cannot replace a father's significance (Marczak et al., 2015). African American children growing up in one-parent homes and the incarceration rates of African Americans make up at least half of the institutionalized population in America, negatively impacting the wellbeing and development of children by suspension from school, retention, dropout rates, limited resources, and young African American males entering the criminal justice system (Quane, Wilson, & Hwang, 2015).

As a result, the African American male child grows up to be an African American man with a greater probability of institutionalization. According to Quane, Wilson, and Hwang (2015) the systems that directly affect African American families are often more punitive and focus on behaviors over solutions, and government assistance to the disadvantaged often discourages two-parent homes and promotes unemployment to qualify.

Education is the key to improving financial woes, however, and the more educated an African American male is, the less likely he will find himself in a precarious situation that will land him in jail. According to Quane, Wilson, and Hwang (2015), having a high school diploma, a training certificate, or college degrees decrease the odds of imprisonment. College-educated or skill-trained people have more options positioning them for financial stability. Mass incarceration and poorly educated African Americans are connected, resulting in children who have experienced paternal incarceration. The experiences of African American families are different than many others and interwoven to the programs, family structure, educational, social, and governmental systems (Quane, Wilson, & Hwang, 2015).

Parents who experience living in low-income communities often lack resources to help their children thrive, and these children are left to figure it out life lessons without assistance (Quane, Wilson, & Hwang, 2015). Williamson, Karney, and Bradbury (2016), found that low income families can improve their financial situations through programs that will put them in a position to increase their income. These programs can target the underlying problems by working with people to meet their underlying needs. According to Williamson, Karney, and Bradbury (2016), poverty is the underlying problem that limits a person's resources, and low-income people often have a lack of education or training necessary to improve their financial standings. Improving education or training may improve the ability to be in a better financial position; however, it may not guarantee that unmarried couples remain together or that fathers will invest in father-child relationships (Williamson, Karney, & Bradbury, 2016).

Relationships

Fathers who stay in constant contact and are emotionally connected with their children have better father-child relationships (Doyle, Pecukonis, & Lindsey, 2015). Contrastly, some fathers not living with their children create barriers that affect father-child relationships. Some barriers faced are proximity, multiple children by multiple women, multiple families, and new relationships, all resulting in psychological distress (Vogt Yuan, 2016, p. 616). Goodman (2016) found that the father-child relationships are perceived to be impacted both directly and indirectly by the mother (p. 94). Co-parenting relationships impact child outcomes that encourage security, empathy, confidence and healthy parent-child relationships. Additionally, fathers who actively co-parent their children will influence mother-child attachment (Pudasainee-Kapri & Razza, 2015).

When parents are no longer romantically involved, fathers may not feel concern for the household responsibilities of the mother, as he has to learn to juggle fatherhood and outlying obligations (Madhavan, Richter, Norris, & Hosegood, 2014, p. 459). Tach et al. (2014) suggest that fathers prioritize father-child relationships based on whether the mother is dating someone, if father-mother relationship is healthy, if the child desires a father-child relationship, and if the child lives nearby. Waller and Emory (2014) found that if the father-mother relationship is strained at birth, the father is less likely to maintain that relationship by the time the child is five. However, if the unmarried parents are together, the father will try to maintain a healthy relationship.

African American fathers who were devoid of education and experience incarceration by the time their child went to kindergarten exacerbate family-child and co-

parenting relationships (Waller & Emory, 2014). Fathers understand the significance of father-mother relationships as it pertains to father roles and access. When there are multiple women and children, establishing alliances with the mothers helps by exhibiting healthy communication between everyone, being supportive of one another, and working together (Fagan & Kaufman, 2015). Fagan, Levine, Kaufman, and Hammer (2016) suggest that co-parenting relationships are complex when considering multiple women and children, and how these factors are interwoven with father-child relationships. Moreover, having little to no income impedes African American parents from traditional family-oriented goals for both marriage and parenting (Johnson & Young, 2016).

Child Support

According to Spjeldnes, Yamatani, and McGowan Davis (2015), on average approximately “50,000 parents are behind bars” daily for noncompliance child support financial contributions, and in 2010, approximately the national average for arrearages was \$110 billion (p. 628); 51.7% of the incarcerated population were African American, the average age were in their mid-thirties for noncompliance; and African American men had a higher rate than any other race for noncompliance (p. 633). Thomason, et al. (2017) found a link between employment and compliance. Consequently, the noncustodial parents that experience mental issues needed support to help them to regain compliant status. Arrearage accumulation is ambiguous, however reviewing the system for ways to improve child support enforcement is a vital goal for the management of compliance (Meyer, Cancian, & Chen, 2015). Tach et al. (2014) found that states penalize fathers for having multiple children by multiple women (p. 182).

Natalier and Hewitt (2014) found that most parents agree that child support is for the benefit of the child. A father's employment status increases the chances for parentage and child support to be determined (Xu, Pirog, & Vargas, 2016, p. 261). Kane, Nelson, and Edin (2015) found that almost "fifty percent of all fathers made in-kind contributions averaging about \$60 monthly" (p. 599). If the parents are romantically involved, the father is more likely to give a higher percentage of in-kind contributions and younger children received more in-kind contributions (Kane, Nelson, & Edin, 2015).

The purpose of child support orders is to support the needs of their children and reduce the need for the mother to get assistance from the government (Natalier & Hewitt, 2015). From the mother's perspective, some did not choose to go the child support route due to concerns around the father's employment instability, protecting the children from fathers who had emotional regulation or impulse control issues, and not wanting to interrupt the informal contributions in place (Harris, 2015, p. 97).

Fathers identify as men when payments are made for the wellbeing of their children, however, some frustrated with how they saw mothers spending looked at their payments as "special" contributions for the mother rather than financial contributions for the child because of their perceived marginalized approach to amounts needed to raise children (Natalier & Hewitt, 2014, p. 920). In the State of Tennessee, there is a worksheet that all family lawyers and judges use to assess the cost of a child within each family. The marginalized approach often negates many aspects to the cost to raising a child in families. In order to be applicable to all families, it is set as a baseline for all families to follow when deciding the amount of support a child will receive.

Unmarried, low-income fathers have a harder time paying child support orders or making financial contributions to their families (Bellamy, Thullen, & Hans, 2015). Xu, Pirog, and Vargas (2016) found that fathers' ability and willingness to provide financial contributions for their children result in positive outcomes. Moreover, healthy co-parenting results in mothers receiving in-kind or informal contributions over voluntarily being in the child support system. Choi, Palmert, and Pyun (2014) found that the non-resident father's financial contributions and parenting abilities significantly impacts a child's behavior, cognitive development, and is interconnected with maternal parenting and maternal parenting stress. Marczak et al. (2015) found that the order does little to award parenting time to the father, leaving the father-child relationship to chance.

Child support is paid by wage garnishments, purging, or money given to the parent directly (Schwander, 2016). Chen (2016) found that shared parenting and child support payments and shared parenting and compliance are interconnected. Shared parenting responsibilities through joint parenting often result in a higher percentage of the child support order being paid (Chen, 2016, p. 60; Chen & Meyer, 2017, p. 555).

Mincy, Miller, and De la Cruz Toledo (2016) found in their study that there is a connection between noncompliance rates and unemployment. Further, the median average amount in child support payments made was approximately \$2,600; sixty-four percentage of custodial parents received full payments; and five percent received more than what was court ordered (p. 35).

The father-mother relationship, employment, and mental state of non-resident fathers all are associated with arrearages owed (Turner & Waller, 2017). According to

Turner and Waller (2014), some fathers who have arrearages have accrued more than their yearly income, and these fathers are less engaged with their children. Additionally, some nonresident fathers experience mental issues, are devoid of the interpersonal skills necessary for healthy relationships, and the majority of these men are African American (Turner and Waller, 2014). Arrearages incur when fathers are unemployed, during the establishment of parentage, and during modifications (Schwander, 2016). The nonresident fathers in arrears were more likely to have little to no education, multiple children with multiple women, and a criminal history (Turner & Waller, 2017).

“Seventy percent of noncustodial fathers” (Turner & Waller, 2014, p. 23) have criminal histories, multiple children by multiple women, and their criminal histories may be attributed to how child support enforces compliance. Kramer (2016) suggests that the system that is set up for parental accountability is also responsible for poorer people being exposed to punitive sanctions for not being in a position to afford their orders.

Guzzo and Furstenberg (2007) found that the majority of men who have a child support order do not pay what is ordered. Turner and Waller (2017) found that greater than thirty percent of non-resident fathers have debt associated with child support (p. 32). Having arrears was associated with less time and involvement with their children (Turner & Waller, 2017). Madhavan, Richter, Norris, and Hosegood (2014) found that support for children decreases as the children aged suggesting that from birth to preschool it was easier to provide for their child’s needs than school-aged to older children (p 458). Relatives helping out and financially contributing may have an adverse effect to fathers financially contributing themselves (Madhavan, Richter, Norris, &

Hosegood, 2014, p. 459). Holzer, Offner, & Sorensen (2004) found that child support enforcement places limitations on labor markets.

According to Marczak, Becher, Hardman, Galos, and Ruhland (2015), “Societal institutions and systems often serve as barriers, both directly and indirectly,” (p. 636). Child support court and the establishment of parentage procedures often favor the maternal parent. Mothers are granted custodial rights, leaving the father to contribute financial support (Marczak, et al., 2015). Fathers agree that fathering consists of more than a check (Natalier & Hewitt, 2015). Mothers’ perceived payments made as financial contributions to assist in the care for their children (Natalier & Hewitt, 2015).

Plotnick, et al. (2015) suggest that collecting child support payments from noncustodial parents in hard-to-serve populations will remain challenging until the focus changes slightly from just enforcement to empowerment of low-income nonresident parents by helping them to increase their income (p. 450). Russell, et al. (2016) found that both intergovernmental and private agencies experience similar frustrations in collecting child support arrearages. Moreover, although it may appear that they are slothful in their efforts, they are determined to collect.

Threlfall and Kohl (2015) found that fathers were not pleased with the current child support system and had major concerns with unrealistic expectations imposed, the criminalization of the low-income people, and not feeling heard within the child support process (p. 299).

According to Spjeldnes, Yamatani, and McGowan Davis (2015), once a father goes to jail for noncompliance, he stands a greater chance of recidivism than people who

commit other infractions in the criminal justice system and suggest setting attainable orders, modifications, and suspending payments while fathers are incarcerated without penalty to increase compliance in cases as cited by other research, establish alternatives to incarceration for noncompliance, and implement programming for the incarcerated to teach job-readiness skills, trainings, and provide advocates for these men to walk with them as they transition from jail back to society.

According to Schwander (2016), child support guidelines are different in the military, and the majority of men in the phenomenological study believed that one set system would be beneficial (p. 74). Child support enforcement is key to assisting child development due to family complexities such as poverty and having siblings that live in and outside of the home (Kim, Cancian, & Meyer, 2015). Cook, McKenzie, and Natalier (2015) suggest implementing evidence-based policy reflective of the father-mother relationship and the complexities, such as assessing the correct financial contributions of the noncustodial parent and noncompliance, within the child support system (p. 68). Pate, Jr. (2016) highlighted the challenges faced by noncustodial African American men such as criminal histories, employment instability and housing issues, and racial disparities (p. 128).

African-American men were more likely to be arrested and unemployed than Caucasians; there are disparities in how the system handles people by race; and African-American men were found to have children younger and contribute to their challenges within the system (Pate Jr., 2016). The motivation for some fathers is incarceration or license revocation and support is secondary (Kim, Cancian, & Meyer, 2017).

Laws

42 U.S.C. 651 Chapter 7 Subchapter IV Part D or “Title IV-D” states the purpose of child support enforcement as:

For the purpose of enforcing the support obligations owed by noncustodial parents to their children and the spouse (or former spouse) with whom such children are living, locating noncustodial parents, establishing paternity, obtaining child and spousal support, and assuring that assistance in obtaining support will be available under this part to all children (whether or not eligible for assistance under a State program funded under part A of this subchapter) for whom such assistance is requested, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this part (42 U.S.C. §651, 2001; Justia U.S. Law, 2018).

According to Key (2015), Congress implemented the federal-state 42 U.S.C. §651 Chapter 7 Subchapter IV Part D or “Title IV-D” program to assist in parentage, encourage parents to take care of their children and to recoup any monies paid to families on government assistance. The legal obligation falls on the parents to provide support (e.g. financial, physical, and emotional) regardless of their romantic affiliation (Weiner, 2016). Under Tennessee family law, the parental obligation for children lasts until the child graduates from high school (Mason, 2104). According to Mason (2014), the child support guidelines are derived from a federal mandate under Title IV-D of the Social

Security Act. Moreover, to gain federal funding, all states were charged with the implementation of standards for child support for their state.

Bogges (2017) found there was a breakdown in the system and that not many judicial systems or programs are currently in place to provide the pertinent information for courts to make informed-decisions impacting low-income families who appear before it; and these low-income families cannot afford the legal counsel or representation needed, thereby leaving them at the mercy of the discretionary court. Once a child is conceived, the parental obligations should take effect (Weiner, 2016), due to the number of children being born to unmarried parents has in the State of Tennessee (Tennessee Department of Health, 2016).

In the State of Tennessee, parents, married or not, are obligated to take care of their children. The state and federal government want to recoup any monies paid for government assistance by requesting the information on the noncustodial parent. The intent of the state is to enter the noncustodial parent into the system, thereby taking care of the child while the government recoups its invested interest in the family. According to T.C.A. §36-2-303, fathers are not guaranteed access to their children without entering into the system and establishing parentage.

Bogges (2017) suggests that there may be a conflict of interest with respect to the state representing the child support interests and the interests of each individual party represented, namely the mother, father, and each child. The Tennessee Department of Human Services has been charged with administering the child support program and assists in locating parents, parentage, and support (Mason, 2014).

The child support program is a federal match program whereas the state and local government is compensated sixty cents per dollar spent and the federal government provides additional performance incentive funding (Sorensen & Morales, 2017; Pirog & Gerrish, 2015), upon state performance for each of the five measures including parentage, collections for arrearages and current orders, and costs (Office of Child Support Enforcement, 1997). According to Pirog and Gerrish (2015), there are intersecting parts to policies within the child support system. These parts govern involvement, establishes funding, and oversees performance incentives.

Huntington (2016) suggests that the court system is trying to place a square peg in a circular hole; whereas treating unmarried parents like divorced ones is not ideal because the “state is undermining the shaky bonds” (p.239) unmarried couples experience and increases the probability for children to suffer. The system is designed to help married couples transition through divorce by suggesting parenting classes but for unmarried parents the resources are limited. Moreover, implementing alternative ways for unmarried parents to transition to co-parenting can positively impact the child (Huntington, 2016).

Bogges (2017) suggests that low-income unmarried families need “information, mediation, and education” (p. 117) to influence the decisions that impact their family. Mediation has been piloted in most states. In Tennessee, mediation is now in all family issues that impact children. Most mediations are costly and low-income families cannot afford them, leaving them at the mercy of the courts to either order them to mediation anyway or to have an appointed attorney that works for the court to provide them with the standard shared parenting plan.

Most shared parenting plans in this category will often give the father every other weekend for access. This may be timely for the court to move on to the next case, however, the power to make the decisions that impact the family is taken from the people who are made to live with the decisions. Tennessee Rule 31 Mediators have set standards applicable to any case. If court annexed or voluntarily requested, the mediator will be neutral and provide the environment for decisions to be made that meets legal muster and has staying legal power. This is significant because many are postponing marriage but deciding to have families. As people are postponing marriage, it has caused problems within the system that will not be fully realized for years to come (Parkinson, 2016, p. 61).

Conclusion

Chapter 2 analyzed the different eras of African American history including slavery, the Emancipation Proclamation, Reconstruction Era, Migration, The Great Depression and World War II, Jim Crow laws, Civil Rights Movement, War on Drugs, and Mass Incarceration. Chapter two also consisted of the literature review on different concepts such as paternal incarceration, child wellbeing and development, involvement, fathers, co-parenting, the African American family, relationships, child support, and law and policy to posit the system's effects on these particular factors that play a role in the parental rights of fathers.

African American men have faced challenges in slavery where they had no rights, were considered property and fought for freedoms during the Civil War Era. As a result of the Union defeating the Confederacy, the Emancipation Proclamation freed many from physically being chained, and led to the Migration Era where many had to transition quickly to survive. During the Migration Era, the north fought a different battle with the south. The battle was over the treatment many disenfranchised faced. The north promoted progression and the south promoted oppression. During this time, black codes and Jim Crow laws were formed for social order.

Social and political impacts during the depression, Jim Crow, and civil rights eras can be argued as still being felt today. Many African Americans fought through non-violent protest to capture the attention of Caucasians through boycotts, marches, and sit-ins in order for their power to be realized. The United States Supreme Court shifted its view on the rights of African Americans, from no rights (see Dred Scott case, 1857), to

separate but equal (see *Plessy v. Ferguson*), to the rights of others (see *Brown v. Bd. Of Education*). These rights began to empower and changed the perspectives of most African Americans.

Another shift to maintain social order was the War on Drugs led by both Presidents Nixon and Reagan. This shift ignited mass incarceration among the African American communities and has impacted political and social perspectives on three strikes and maximum sentencing for non-violent offenses, namely drugs. There were apparent unequal distribution of sentences referring to crack cocaine rock verses crack cocaine powder.

African Americans have faced injustices and disparities for centuries. African Americans were considered property, brutally dehumanized, and denied state and federal rights due to systemic racism and continues to experience an institutional system today. According to Alexander (2012), mass incarceration is the new Jim Crow. From the beginning slaves were property, and even Washington took advantage from a capitalistic perspective. Hence the more he owned, the more crops were produced and the more money he made. President Lincoln viewed slavery from a legalistic perspective. President Lincoln was an attorney, he viewed the perspective of the enslaved population, and the law of human rights, equally he saw the law from the perspective of slave owners and what they would lose if they no longer had workers to maintain their plantations.

In the end, the Civil War took precedence over both sides. During the Civil War, a proclamation was signed by President Lincoln to allow African American men to join the fight. President Lincoln's motive was to win the war and having African American

solidified that the North would beat the Confederacy; while the African Americans' motive was to gain freedom. The Reconstruction Era coincided with the Migration period, many African Americans moved north for survival and a better way of life. Those who chose to stay in the south, had to endure Caucasians who constructed black codes, Jim Crow Laws, and other social order laws to maintain white privilege. It was during this time that the Ku Klux Klan was designed to invoke fear and maintain supremacy. The fear of being lynched or killed deterred many African Americans during this time, the same fear felt many years ago when they were kidnapped, beaten or killed during slavery.

These ever-evolving systems were designed to oppress and during the civil rights era, many African Americans began to look to events and leaders to stand up and fight. Emmett Till's story angered many, Rosa Park's story created a movement to weaken the city transportation company. The African Americans devised a plan to walk to work or carpool, so they would cripple the transportation company until changes were made. These movements awakened the motivation from within the oppress and created a platform for many civil leaders and other prominent African American leaders to come forward to lead the African American communities to equality.

Presidents Nixon's and Regan's War on Drugs are other examples of how politicians created policies in order to maintain social order in America. The War on Drugs campaign messages posited hippies on marijuana and African Americans on heroin for the American people, as a means to implement stricter policies and punitive sentencing. As a result, many believed it was a war on African Americans. African

Americans caught with crack cocaine received harsher punishments and longer sentencing than Caucasians caught with crack powder even though they are both classified under federal law as a Schedule I narcotic.

Alexander (2012), suggests that mass incarceration is the new Jim Crow. In America, the population African Americans is small; however, there are a higher percentage of African Americans in penal institutions throughout the nation. According to the NCCAP (2018), in 2012 approximately eighty-one billion dollars was spent on corrections. However, approximately 65% of African Americans are serving life without parole sentences for non-violent crimes (ACLU, 2014, p.2).

With mass incarceration on the rise in America, many families are affected (Mears & Siennick, 2016), particularly, paternal incarceration due to its effects on children's development. Male children often experience behavioral problems as a result of their fathers being incarcerated. There is a connection between parental incarceration and a child's well-being.

The factors that predict paternal incarceration, also predict grade retention for children (Turney & Haskins, 2014). The father-child relationship impacts the wellbeing of the fathers and children (Hubin, 2014). The father's involvement is often challenging for low income non-resident fathers due to unstable employment (Fagin, Lavine, Kaufman, & Hammer, 2016). African American children who experience poverty but have a consistent father figure are less likely to engage in unhealthy behavior (Langley, 2016).

According to Mason (2014) men who are not married to their child's mother at birth of their child has no access and parental rights to the child. The mother has automatic parental rights and access (Oxford, 2018). In order to gain access, the father must voluntarily agree to enter into a system designed to monitor his work, his salary, and his parental time. If the mother receives any governmental assistance, the father will be entered into the same system involuntarily.

Title IV-D is a federally funded program designed to give money to the states for parentage, child orders, enforcement of the orders, locating parents, and compliance (Key, 2015). Fathers who receive child support orders may not have the resources needed for them to pay what is ordered which affects the time they have to see their child. Fathers often mimic what they observed growing up and many need resources to overcome barriers that preclude them from being active participants in their children's lives. It starts with the law and policy. To have states that say fathers have no parental rights until you agree to enter into a system designed for low-income, often uneducated and underemployed, which causes them to recidivate due to orders, that exacerbate the African American family and the missed opportunities for parents and children to thrive as a family unit.

Researchers have little research on this phenomenon specifically; however, they have researched father-child relationships, father-mother relationships, fathers, child development, child well-being, and most of the studies are quantitative. My general qualitative study addressed the gap in literature by examining the lived experiences of African American noncustodial fathers and examining how the codification of Tennessee

family laws contributed to the social construction of African American noncustodial fathers.

The gap in the literature was that there were few qualitative studies that, “discuss the system with a radicalized lens that exposes the societal inequality disadvantaged noncustodial fathers of color face” (Pate, Jr., 2016, p. 117). My general qualitative study was needed to add to the literature by utilizing the phenomenological technique by examining the experiences of African American noncustodial fathers. the historical technique also added to the literature by reviewing secondary data to gain insight on the impact Tennessee Family laws may have on African American noncustodial fathers.

In chapter 3, I discussed general qualitative methods, the research design and rationale, the role of the researcher, and an analysis of the methodology. I discussed the instrumentation, data analysis, issue of trust worthiness and ethical procedures. I presented a summary of chapter 3.

Chapter 3

Introduction

According to Goodman (2015), the definition of a father is a man who exemplifies character, morality, and integrity; who teaches, provides discipline and structure, is accessible, and supports and engages with his child(ren). In 2016, there were 80,755 live births in the State of Tennessee (Tennessee Department of Health, 2016). There were 35,208 or 43.6% of children born to unmarried parents in Tennessee (Tennessee Department of Health, 2016). Additionally, there were 61,046 or 75.59 % of Caucasian live births, of which 21,857 or 35.8% of Caucasian children were born to unmarried parents in Tennessee (Tennessee Department of Health, 2016). These numbers point to a potential disparity among African American births to unmarried parents. For example, there were 16,359, or 20.25%, of African American live births in the State of Tennessee, of which 12,494, or 76.4%, were born to unmarried parents (Tennessee Department of Health, 2016). The amount of African American births to unmarried parents were more than double the amount of births to unmarried Caucasian parents. This disparity was alarming and demanded further investigation.

These numbers point to a potential discrepancy among African American births to unmarried parents. For example, there were 16,359 or 20.25% of African American live births in the State of Tennessee, of which 12,494 or 76.4% of African American children were born to unmarried parents (Tennessee Department of Health, 2016). The amount of African American births to unmarried parents were more than double the amount of

births to unmarried Caucasian parents. This disparity was alarming and demanded further investigation.

The purpose of my general qualitative study was to examine the experiences of African American noncustodial fathers and to examine how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers. The phenomenon of interest was the large number of African American births to unmarried parents in the State of Tennessee. There were 12,494 or 76.4% of African American babies born to unmarried parents in the State of Tennessee; specifically, 769 of 943 or 81.5% of African American babies were born to unmarried parents in Hamilton County, Tennessee, which is higher than the state average (Tennessee Department of Health, 2016).

Tennessee family laws created barriers for fathers who chose not to marry their child's mother by delivery, and these fathers lost any guaranteed parental rights or access to their children if they did not enter into the system (Mason, 2014). To gain access to their children, fathers must establish parentage (Mason, 2014). My goal for the study was to examine the lived experiences of African American noncustodial fathers and to examine how the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers.

In Chapter 3, I discussed the research design and rationale, the role of the researcher, methodology, participant selection, instrumentation, procedures for recruitment, participation, data collection. I discussed issues of trustworthiness and ethical procedures. The chapter concludes with a synopsis.

Research Design and Rationale

Research Questions

My intent of the study was to examine the lived experiences of African American noncustodial fathers and to examine how the codification of Tennessee family laws contribute to the social construction of African American noncustodial fathers.

The following questions framed the research:

Research question 1: What are the lived experiences of American noncustodial fathers in the State of Tennessee?

Research question 2: How has the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers?

The phenomenon of interest was the large number of African American births to unmarried parents in the State of Tennessee. There were 12,494 or 76.4 % of African American babies that were born to unmarried parents in the State of Tennessee and 81.5% of African American babies were born to unmarried parents in Hamilton County, Tennessee, which is higher than the state average (Tennessee Department of Health, 2016).

Research Tradition

I chose a qualitative method for this study. According to Patton (2015), qualitative research examined stories of people to capture and understand their perspectives, and to understand the impact of the systems people are connected. According to Ravitch and Carl (2016), qualitative research, “centralizes the complexities and subjectivity of lived experiences and values,” (p. 5). Qualitative research methods allow for understanding

multiple truths and perspectives while reviewing context for a better understanding of people and experiences (Ravitch & Carl, 2016).

According to Hancock, Ockleford, and Windridge (2009), qualitative research focuses on people, real-world context, natural settings, experiences, interpretation, and emergent themes. There were five qualitative designs including ethnography, phenomenology, ground theory, narrative, and case study (Hancock, et al., 2009; Rudestam & Newton, 2015; Patton, 2015). According to Croston (2014), Interpretative Phenomenological Analysis (IPA) was derived from psychology and emerged in the late 1990s. Researchers apply IPA to different applied psychologies. Additionally, phenomenology is a key area of IPA. Researchers utilize IPA for perspectives of participants and interpretation by the researcher (Hancock, et al., 2009). I considered IPA for my study; however, I gathered pertinent data to examine the lived experiences of African American noncustodial fathers and reviewed secondary data.

I used a general qualitative design for my study, using two different qualitative techniques. The first came from the phenomenological approach, which I used to examine experiences of African American noncustodial fathers who had current child support orders and to interpret their interviews for emergent themes. I also used historical design techniques to collect secondary data and to examine past data to predict future trends. The general qualitative approach assisted in reviewing all the effects of the Tennessee family laws on African American noncustodial fathers as it pertained to their parental rights and their lived experiences within systems (child support, state, federal, and penal) from the African American noncustodial fathers' perspectives.

In the State of Tennessee, all unmarried men who conceive children had no rights or access to their children without the permission of mothers and without going through the legal system (Oxford, 2018). For all unmarried parents, this process was handled through the child support courts. Fathers who went through the legalities to attain the parental rights that mothers gain automatically, had to understand the financial costs associated with these rights. I used a general qualitative approach to gain insight into these fathers' experiences regarding the effects of Tennessee Code Annotated §36-2-203 on parental rights.

The phenomenological technique allowed me to examine the participants' experiences and secondary data allowed me to review the history of out-of-wedlock births for Tennessee annually. I researched the past data (from 2011 to current) with a historical design to understand the significance of out-of-wedlock births as it pertained to the codification of family laws and its effects on African American noncustodial fathers. The general qualitative approach allowed for richer data for the study as I categorized, coded, and observed emergent themes. According to Hancock, et al. (2009), in a qualitative study, the focus was on the people and their experiences, realities, and their perspectives.

Role of the researcher

The role of the researcher was to be a professional and considerate observer with all participants. The role of the researcher in qualitative studies was to be the instrument for data collection and interpretation (Ravitch & Carl, 2016). According to Rubin and Rubin (2012), the role of the researcher is to be an observer through a lens while

reflecting on what is seen. I paid attention to “stories, metaphors, and other indirect ways of communicating” (Rubin & Rubin, p. 236), while being patient and removing any temptation to more quickly so as to not to miss anything during interpretation.

The role of a researcher was to ask why to gain more insight. I had no prior relationships with any of the participants of this study. I established a nonthreatening presence by performing all interviews for data collection. I did not coerce any participant by saying any misleading statements or comments. Only open-ended and probing questions were used for the purposes of data collection.

Additionally, my role was to conduct interviews, to explore experiences, opinions, and motives while learning to understand the perspectives from the participants in the study. I was mindful of how the interviewees perceived me while asking questions and understanding that the role of an interviewer can change (Rubin & Rubin, 2012; Ravitch & Carl, 2016). Positionality and social location are two essential components to the role of the researcher (Ravitch & Carl, 2016). Positionality refers to the relationship between me and participants as it pertained to the phenomena of interest and social location or social identities referred to my identifiers such as race, gender, class, and culture (Ravitch & Carl, p. 12).

My role as the researcher in the study was that of a scholar-practitioner. I asked open-ended and probing questions. Open-ended and probing questions resulted in richer data collected during interviews (Rubin & Rubin, 2012), resulting in more insight on the lived experiences and perspectives of the participants (Yuksel & Yildirim, 2015). While

performing interviews, I prepared to audio record the interviews while taking notes, actively listened while staying engaged, and kept the atmosphere comfortable.

The final role of the researcher was to allow the research to go wherever the research went and to be prepared for delays or frustrations by establishing contingencies; furthermore, preparation and tenacity were needed to collect the data for the study. I kept any personal information about my own experiences to myself and did not share them with the participants. I did not share any experiences of others.

Applicable issues included that I had knowledge of both the child support and penal systems as I hold a Master of Science in Criminal Justice degree, I am a Listed Tennessee Rule 31 Family and Civil Law Mediator, and I am a Marriage and Relationship Educator. I had experienced the child support system as a custodial parent. However, I gained insight from the perspective of fathers. As a scholar-practitioner, I had no previous or current relationship with any potential participants. In-depth electronic face-to-face interviews were the focus for data collection. I followed the protocol and ethical standards set and approved by the committee and Institutional Review Board (IRB). My IRB approval number was 06-05-18-0240906. I did not share any personal stories, beliefs, or experiences with the participants. My biases were managed by the research committee, namely the committee chair, and findings of the study were reported to the research committee.

Methodology

My general qualitative study consisted of phenomenological and historical techniques. I used the phenomenological technique to examine the lived experiences of

African American noncustodial fathers' meanings from their perspectives, whom experience the phenomena of interest being studied. I used a qualitative research approach to examine, explore, explain, describe, and investigate people's lived experiences, meanings, and behaviors (Hancock, et al., 2009). I used a historical design to review past events to understand what happened and why (Simon & Goes, 2013). Therefore, I used the historical technique to examine a collection of secondary data from the State of Tennessee.

Qualitative research is based on assumptions not hypothesis. I analyzed the population chosen for the study to understand their lived experiences in specific settings and during moments of time to address trends that helped in preparation for future results by utilizing a qualitative approach. African American noncustodial fathers endure immense obstacles within the judicial system. Utilizing a historical design offers rich descriptions of experiences to accurately examine and explain the phenomenon of interest (Yuksel et al., 2015).

Additionally, I coded by using NVivo, a qualitative data software program. I conducted and recorded in-depth interviews on an audio recording device for transcription accuracy and to examine the codification of specific Tennessee laws for social and public policy purposes. The in-depth interviews consisted of open-ended questions approved by the committee and the Walden IRB, and the secondary data obtained from the Tennessee Department of Health.

I used phenomenological techniques to investigate experiences of African American noncustodial fathers who lived in the State of Tennessee and a historical

technique was used to examine secondary data. I selected the methodology to examine the lived experiences of African American noncustodial fathers as well as examine how had the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers. According to Rudestam and Newton (2015), the purposes of a phenomenological study were to identify, locate, and examine experiences.

The population for the study came from participants located in Hamilton County, Tennessee. Croston (2014), suggested a minimum of six participants as ideal for a phenomenological study. Patton (2015) supported no specific criteria for sampling size and stated difficulty in determining sample size. Eight African American noncustodial fathers through criterion sampling were selected for the study.

My criteria for selection included eight African American noncustodial fathers, who have a current case within the child support court, never married to his mother(s) child(ren), do not reside with his children, and his children are under the age of 18 years of age. Upon volunteering to participate in the study, I sent the participant brief questions to ensure he meets the criteria to proceed. Questions were:

Do you have a current child support case in Hamilton County? Are you African American? Did you ever marry your child(ren)'s mother? Do you currently reside with any of your children that you are paying child support? If the answers meet the criteria, I proceeded with more information about the study and ask for him to send his contact information, date and time for availability.

According to O'Sullivan, Rassel, Berner and Taliaferro (2017), "the specific set of units from which the set is drawn is the sampling frame" (p. 134). The sampling frame

was equated to the population and the sampling size was conducted through a criterion sampling strategy. According to Ravitch and Carl (2016) purposive sampling provides, “context-rich and detailed accounts of specific populations and locations” (p. 128).

After my IRB application was officially approved, a social media ad was posted on Facebook and Linked In targeting the African American noncustodial fathers who reside and have a current case in Hamilton County, Tennessee. If interested, they left their contact information including numbers and email addresses either through Facebook Instant Messenger or via email. Upon receiving the email or Instant Message, I sent a consent form and once I received “I consent” by the participant, I sent the participant brief questions to ensure he met the criteria to proceed. Questions were:

Do you have a current child support case in Hamilton County? Are you African American? Did you ever marry your child(ren)’s mother? Do you currently reside with any of your children that you are paying child support? If the answers meet the criteria, I proceeded with more information about the study. I sent the participant volunteer an official invitation with information he can use to contact me. I sent him the questionnaire (see Appendix A), the volunteer participant reviewed and or wrote down his answers. Once the questions have been completed and reviewed, an electronic interview was scheduled, and I collected the data. The participants were called via Facetime and the questions were asked from the approved questions provided.

The interviews tied in the phenomenological technique, which allowed for both interpretation and capturing a specific populations’ lived experiences (Croston, 2014; Hancock, et al., 2009). The design utilized in-depth electronic interviews by allowing

participants to answer open-ended questions to gain further insight and understand each person's perspective to the phenomenon of interest for the study (Rubin & Rubin, 2012). I captured behaviors, meanings, backgrounds, and any cultural differences identified.

Instrumentation

I received written permission via email to utilize two instruments from two separate studies. Dr. Jessica Goodman and Armon Perry had instruments that related to my study in that they were about African American fathers. I asked them both via email if I could utilize their questions all or in part or tweak them for my own instrumentation. They both approved (see Appendixes D & E), so long as I cited them personally in my study. Their work was appropriate for my study because both Mr. Perry and Dr. Goodman conducted qualitative studies with phenomenological approaches. They both interviewed African American fathers to capture experiences. There were some modifications as I took questions from each and modify them to answer my specific research questions.

Goodman's questionnaire

Goodman (2015) developed her instrument for her dissertation entitled *Defining fatherhood for non-residential African American men: A phenomenological approach*. The date of publication was May 19, 2015. The research comprised of ten non-residential African American fathers ages 26-34. Each interview was approximately an hour and consisted of 20 questions. The purpose was to examine the lived experiences of African American fathers. Some were interviewed over the telephone and the others face-to-face. Her instrument has been cited two times and the content validity was established as the

information was utilized by two other researchers to add to their studies on African American fathers. Goodman's instrument is appropriate for my study because the study explored how the participants defined what a father means and their perceptions of influences on being a father. Her study was qualitative and phenomenological.

Perry's and Lewis's questionnaire

Perry and Lewis (2016) were the researchers for the article entitled *Leaving legacies: African American men discuss the impact of their fathers on the development of their own paternal attitudes and behavior*. Their study was broken down into two separate studies. While conducting a mixed method study with a larger sample size, men were asked if they were willing to do a face-to-face interview for a qualitative and phenomenological study. Purposive sampling was utilized. The 25 men were interviewed. The instrument was devised by the research team. The publication was accepted on October 21, 2015 and published in the *Journal of Family Social Work* in 2016. According to Perry and Lewis (2016), "African American men ages 18 and older, were recruited in areas within a local university, social service agencies, barbershops, and philanthropic organizations in a midsized southern city" (p. 7). This study was cited by another study. This study is appropriate for my study because its focus is on the lived experiences of African American fathers. The content validity was established because it was used to add to the literature on African American fathers.

I acted as the instrument in my qualitative research study (Rudestam & Newton, 2015), and became the tool needed for data collection (Yin, 2016). I conducted eight in-depth interviews by electronic face-to-face via Facetime or Skype. This depended on the

participants' conveniences and needs to be determined once they responded to the invitation. Each self-selected participant was asked the exact questions provided in their questionnaire for their convenience. Open-ended questions were utilized as they are the ideal way to gather information from each participant (Rubin & Rubin, 2012). I was permitted to ask probing questions to gather richer information for my study. These questions were also open-ended, for the purposes of gathering richer information. According to Rudestam and Newton (2015), altering questions was permitted by the researcher, when necessary.

The interviews were audio recorded and notes were taken in conjunction with asking questions by the researcher. Interview strategies such as actively listening without interruption to correctly interpret the meaning of what has been said, neutrality, protecting the participants, and follow-up questions to the answers provided assisted the researcher for richer data (Yin, 2016). Other data utilized were audio-recordings of the interviews, video journals for reflections of the interviews, the written answers on the questionnaire from the participants, the notes on the questionnaire taken, transcriptions, and secondary data from the State of Tennessee. The secondary data came from the State of Tennessee and was necessary to support the study.

The barriers to validity of qualitative studies were that there were no set road maps to follow as in quantitative research (Yin, 2016). In my study, NVivo, a qualitative data software program, was utilized for validity as others may mimic the study and utilize NVivo for coding and interpretation of the data. The only context and culture specific issue to the population while developing the instrument was not knowing whether a

participant's education afforded him the ability to read and write to ensure accuracy was achieved. To combat that, I requested that the participants review the questions before the interview to ensure they are comfortable.

Research Participants

The targeted population for my study was six to eight African American noncustodial fathers within Hamilton County, Tennessee that never married their child's mother, did not reside with their children, and had a current child support case in Hamilton County, Tennessee. I sent out an invitation via social media, namely Facebook, Snapchat, and Instagram. The interested parties utilized Instant Messenger on Facebook with their contact information or email. Upon receiving their information, the participants received a consent form. Upon receiving "I consent" via Instant Messenger or email, I sent the questions. The participants were encouraged to review the questions and possibly write out some answers. I sent a couple of dates and times to schedule the interview for the participants' convenience.

The population of interest for my study consisted of six to eight participants within Hamilton County, Tennessee. The county has one court, namely child support court, specifically for unmarried parents in Hamilton County, Tennessee. The purposive sampling method was utilized for recruitment purposes and as mentioned in the previous section, I invited people that met the criteria via social media. If too few participants respond, I planned to expand my search through print media.

I collected, transcribed, stored, and coded all the data. The data was collected after eight people responded to the invitations via Facebook and met the criteria. The

participants sent their contact information. Upon receiving their contact information, I sent the consent form. When I received “I consent” via email, the questions were sent to the email provided. The participant received a couple of dates and times to schedule their interview.

The participants were notified prior to beginning the interview that they are welcomed to stop the interview at any time, information about the study, informed consent, and given an 800 number for the crisis center if they felt anxious or emotional during or after the interview. The interviews were 45 to 60 minutes and a follow-up interview lasted no longer than 15 minutes. The data was recorded on a digital audio-recording device and the reflections were recorded on a mac computer.

At the end of the interview, the participants were thanked for their participation and asked if they had anything further they wanted to share or had any questions about the next steps. The transcriptions were completed within three days of the interviews. Upon completion, the interviewee was notified for follow-up questions if something was not clear or to ensure that the transcription and meaning were accurate.

Data Analysis

The interviews connected research question one and the secondary data connected data to research question two. I utilized NVivo, a qualitative data management software program to organize, categorize, store, code and observe any themes. The data was interpreted and examined for emergent themes. NVivo allowed researchers to input qualitative data and helped me to organize, sort, categorize, store, and code the data collected. Data was organized by the order listed on the questionnaire. Coding was

considered critical information such as involvement with child(ren) and experiences with the child support system.

Issues of trustworthiness

Within qualitative research, the alignment of different paradigms, depended on meeting four specific criteria, including dependability, creditability, confirmability, and transferability (Hagwood & Skinner, 2015; Moon et al., 2016; Ravitch & Carl, 2016). Dependability referred to being able to rely on the findings of the study and any consistencies as it related to procedures for the study to be reviewed, audited, and scrutinized (Moon et al., 2016). According to Hagwood and Skinner (2015), dependability aligned the methods for data collection with the research objectives. In my study, I provided dependability by recording and storing the audio recorded interviews, notes taken during the interviews, journals for reflection after the interview, transcriptions of the interviews, and the data collected, while utilizing a qualitative data software program to store the data for a minimum of ten years.

Creditability referred to research studies articulating the true meaning of the participants' (Moon et al., 2016), by demonstrating the findings aligned with lived experiences (Hagwood & Skinner, 2015). In the study, I utilized audio recording for each interview, transcribed each interview, and sent the transcription to the participant for verification that the transcription articulates the true meaning of each of the participant's experiences and perspectives.

Confirmability referred to the research being guided by the findings and not by the researcher's opinions, temperament, or motivations (Hagwood & Skinner, 2015).

According to Moon et al. (2016), confirmability demonstrated that the conclusions stem from the findings for replication purposes. For my study, I maximized confirmability by addressing biases within the limitations of the study and include all aspect of the study for future replication.

Transferability, a type of external validity, referred to the theory utilized within the study to align with the findings of the study (Moon et al., 2016; Hagwood & Skinner, 2015). In my study, transferability was addressed by defining the theoretical framework and how it applied throughout the study. Moreover, my study aligned the problem statement, research questions and the historical design.

Triangulation was vital for trustworthiness, creditability, and validity of qualitative research studies. I saturated the data and increase reliability through triangulation (Fusch, Fusch, & Ness, 2018). Saturation was accomplished when multiple African American noncustodial fathers said the same thing. The study was conducted through electronic interviews with six to eight participants. I continued to interview until saturation was satisfied. Triangulation established validity, through multiple data sources (Fusch, et al., 2018; Carter et al., 2014), that assisted in presenting lived experiences after data analysis and findings were completed (Fusch, et al., 2018). Triangulation was addressed when three or more participants experience the same thing and the archived data demonstrated patterns.

Ethical Procedures

Before data collection commenced, the study was approved by the committee and the Institutional Review Board (IRB) approved the data collection plans. Additionally,

the National Institute of Health's (NIH) Protecting Human Subjects Research Participants training was completed to gain insight on the ethical standards researchers must abide by to protect the participants from harm. According to Burkholder and Cox (2016), these ethical considerations include recruitment, data analysis and storage. Moreover, there were three ethical principles: respecting people, causing no harm, and morally treating people right. Any study that required human subjects or human participation must be approved through an institutional review board (IRB) (Burkholder & Cox, 2016; Yin, 2016).

According to Burkholder and Cox (2016), informed consent from participants was prefaced on the participants' rights to voluntarily chose to be associated or included in the study. Further, an informed consent form was a means of informing the potential participants what the study was about and retrieving a written signature or reply by email was evidence of their voluntary participation. I, after IRB approval, explained the study to the participants and presented the consent form to the participant prior to starting the interview.

I used identifiers for each participant. These assigned identifiers were a numerical code so that the participants are not identified, were kept anonymous, and confidentiality maintained. The participants were advised that if they changed their minds prior of or during the interview, they had that right without any judgment, recourse, or retaliation of any kind.

I conducted semi-structured electronic interviews consisting of 15 open-ended questions and possibly a few follow-up open-ended questions. Each participant emailed

me after a Facebook page was set up for the recruitment process for the study. A social media ad (see Appendix C) was posted on social media, namely Facebook and LinkedIn.

The people interested and that met the criteria for the study, emailed me, left their name, and contact information. Once I have six to eight participants, I sent them the consent form and once they replied with “I consent” via email, the questions were sent for them to review. A couple of dates and times were sent for them to schedule their interview. I sent a confirmation. I asked the same questions sent to the interviewees and before starting I asked the criterion questions to ensure the participants were eligible to participate in the study. When the interview ended, I transcribed interviews within 72 hours. I sent a copy of the transcription to the participant for accuracy of his answers and for a 15-minute follow-up if needed. I then upload his transcribed interview to NVivo for word clouds and clusters to form and themes to emerge. The data collected was stored on my personal home computer and was password protected. I was able to obtain six to eight participants through social media, so I did not need to solicit through print media.

Summary

According to Yuksel and Yildirim (2015), the objective of phenomenological research was to explore people’s stories, feelings, experiences, and to explain in detail the phenomenon of interest. Unlike quantitative research, qualitative research required smaller sample sizes; there was no specific number required (Patton, 2015). For participant recruitment purposes, I recruited my population by utilizing social media and print media if necessary. The criteria for participation: African American noncustodial father, had a current case within the child support system, did not currently live with his

child(ren). Prior to interviews, the participants signed an informed consent form. The participants were informed about the study, confidentiality, and permitted to stop the interview at any time. The interviews were 45 to 60 minutes and each transcription were completed within 72 hours of the interview for accuracy. A follow-up with the interviewee took place if necessary after the transcription had been completed to ensure the interpretations of meanings and accuracy of the transcription.

Upon IRB approval, a system was in place for data collection, coding and storage. I utilized NVivo, a qualitative data software program, for coding and storage. I audio recorded each interview, transcribed, and coded for emergent themes.

Creditability, dependability, confirmability, and transferability were all criteria for rigor in qualitative research (Hagwood & Skinner, 2015; Moon et al., 2016). To ensure creditability, I transcribed all interviews and sent it to the interviewee for verification and further explanation for “true” interpretation of the lived experiences or perspectives of said participants. For dependability, I ensured that the data collection methods aligned with the research design. For confirmability, I discussed limitations within the proposed study and will work closely with the committee to ensure biases are kept at bay while conducting, analyzing, and interpreting the research. For transferability, I utilized CRT and social construction and policy design as they are applicable to the relevance of the study.

According to Burkholder and Cox (2016), all ethical considerations must be addressed through the institutional review board (IRB) to ensure that no harm was subjected to the participants of the proposed study. I addressed any concerns by

explaining the purpose of the study to the participants prior to receiving their signature on the informed consent form, indicating their voluntary participation. The participants were given a numeral code to mask any identifiers of the participants within the study.

In Chapter 3, I discussed the analysis and reasoning for using a general qualitative study. I discussed why I used historical and phenomenological techniques. I provided information about the interviews, and details about the research design and rationale, the role of the researcher, methodology, participants, instrumentation, data analysis, trustworthiness (credibility, transferability, confirmability, dependability), and ethical procedures.

In chapter 4, I discussed the setting of the study, demographics, data collection, data analysis, evidence of trustworthiness, results of the study, and I presented a synopsis of chapter 4.

Chapter 4

Introduction

The purpose of my general qualitative study was to examine the experiences of African American noncustodial fathers and examine how the codification of Tennessee Family laws contributed to the social construction of African American noncustodial fathers. The phenomenon of interest was the large number of African American births to unmarried parents in the State of Tennessee. There were 12,494 or 76.4% of African American babies born to unmarried parents in the State of Tennessee; 769 of 943 or 81.5% of African American babies were born to unmarried parents in Hamilton County, Tennessee, which is higher than the state average (Tennessee Department of Health, 2016). Tennessee family laws created barriers for fathers who chose not to marry their child's mother by delivery, and these fathers lost any guaranteed parental rights or access to their children without establishing parentage and entering into the system (Mason, 2014).

The research questions for this study were: (1) What are the lived experiences of African American noncustodial fathers in the State of Tennessee? (2) How has the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers?

In Chapter 4, I discussed the setting of the study, demographics of the participants, and the method that I used for data collection. I explained how the data were analyzed, the results of the analysis, and evidence of trustworthiness. Finally, I discussed a synopsis of chapter 4 and provided an answer to the research questions.

Setting

I used purposive sampling for data collection through in-depth, semi-structured interviews with eight African American noncustodial fathers. These participants identified as African American; had a current child support case in Hamilton County, Tennessee; did not reside with the child they supported in child support court; their child was under the age of 18; and they never married the child's mother. Interviews took place between June 8, 2018 through June 25, 2018, via Facetime. There were no organizational conditions that influenced the participants directly or indirectly, or their experiences at the time of the study that may have influenced the results of the study.

Table 1 Demographics

<u>Participant</u>	<u>Age</u>	<u>Gender</u>	<u>Race</u>	<u>Education</u>	<u>Residence</u>	<u>Children</u>	<u>Parents</u>
1	42	Male	AA	College	Chattanooga	1	2 Parents
2	28	Male	AA	College	Chattanooga	3	Single
3	41	Male	AA	B.S.	Chattanooga	2	2 Parents
4	37	Male	AA	College	Chattanooga	4	Single
5	52	Male	AA	Highschool	Chattanooga	5	Without
6	38	Male	AA	Associates	Chattanooga	2	Single
7	25	Male	AA	Highschool	Dayton	6	Without
8	47	Male	AA	B.S.	Chattanooga	1	2Parents

Eleven African American men volunteered to be a part of this research study. I screened the volunteers by asking questions to determine whether they met the criteria to participate. These participants identified as African American; had a current child support case in Hamilton County, Tennessee; did not reside with the child they supported in child support court; their child was under the age of 18; and they never married the child's mother. The three that did not meet the criteria were not included in the study. The eight volunteers that were invited to participate consisted of African American noncustodial fathers ages 25–47; three grew up in a two-parent home, three grew up with their mother in a single-parent home, and two grew up without biological parents. All of the participants had graduated from high school, four had completed some college coursework, one had an associate degree, and two had completed a bachelor's degree. All of the participants were employed at the time of the study. One participant resided in Dayton, Tennessee and the others resided in Chattanooga, Tennessee.

Data Collection

The role of the researcher was to be a professional and considerate observer with all participants. I was the instrument for data collection and interpretation. I collected secondary data from the Department of Health to determine if there was a trend for African American out-of-wedlock births or births to unmarried African American parents. I used the secondary data to scrutinize the percentages of unmarried births from 2011 to 2016.

I used questionnaires from two previous studies. Both Goodman (2015) and Perry and Lewis (2016) conducted studies on African American men and I received permission

from them to modify their questions to create a self-developed interview questionnaire that took an average of 40 minutes for each participant. There were eight participants in this research study. I obtained the participants' perspectives and lived experiences by capturing their point of views on (a) their experiences with being a noncustodial father, (b) their experiences with child support, (c) their relationships with their child's mother, (d) their wishes for the future of the child support system, (e) their hopes for fathers that find themselves in the child support system, and (f) the impact the child support system has had on their lives.

I sent each participant a consent form via email. The consent form included details of the study and the participants' rights. Once the volunteers replied to the email with the words "I consent" and agreed to participate in the study, I emailed the participants the questionnaire, so they would get comfortable with what would be asked during the interview. I then asked the participants to send me times and days they were available. The interviews were scheduled and subsequently completed via Facetime or Skype. All interviews were audio recorded using Audacity, an audio recording software. I reviewed the recordings with each participant for accuracy of their responses. There were no variations in the data collected from the plan in Chapter 3; moreover, there were no unusual circumstances in the data collected for this study.

Data Analysis

The goal when using qualitative data was to make sense of the collected data by finding patterns, looking for themes, being able to answer research questions, and giving results as a result of said data collected (Patton, 2015). I used NVivo, a qualitative data

software, to assist in the data analysis process from the data collected via interviews.

NVivo offers researchers the opportunity to collect, code and scrutinize content from numerous sources including interviews, (Rudestam & Newton, 2015). I used steps for my data analysis that were based on Moustakas, a founder of phenomenological research, to explore, scrutinize, and examine the interviews conducted for the study.

The process for my data analysis included: (a) examining secondary data to explore the trends on African American unmarried births, (b) examining the responses for each participant, (c) organized consistent information into themes, (d) structured the themes into explanatory experiences and perspectives, and (e) developed a written explanation of the implications and reflections of the historical component, perspectives, and lived experiences (Rudestam & Newton, 2015). The themes identified with the utilization of NVivo through word queries, word clouds, and word trees were: (a) happy to be fathers, (b) had no relationship with the child's mother, (c) child support system impacted their lives negatively, (d) child support. system was biased and unfair, and (e) fathers wanted more time with their children. I discussed each theme in the results section.

identified themes by examining each participant's responses with other participants for content consistency which also added validity and authentication to the results of the study.

Transferability consisted of a softer assertion that occurs with more plausible explanations, as transferability sees the originality of more defined situations in qualitative research (Yin, 2016). I removed uniformed themes that were specific to the participants' responses to establish credibility and validation of my findings. I engaged in a strategy of selecting participants that had current Hamilton County, Tennessee child support cases. I recruited using social media to achieve diversity of experiences of the phenomenon researched.

According to Yin (2016), triangulation has a minimum of three ways of corroborating your findings. According to Patton (2015), triangulation occurs when researchers explore the uniformity of data collected within the technique. I interviewed eight African American noncustodial fathers. They were asked the same questions from the approved questionnaire and noted the triangulation in themes. During the coding process, I looked for emergent themes as I reviewed the responses of each participant. According to Yin (2016), the applications of triangulation strengthens credibility.

Following the strategies for both internal and external validity, the last strategy was used. I developed this strategy for authentication of the findings for the collected data and the analysis for confirmability which was realized. The achievement of confirmability of the study was discovered by the employment of criterion for reflexivity. The purpose of reflexivity is to lead researchers to reflection through comprehensively,

pragmatic, and relative methods of qualitative investigation. In being reflexive, I had to acknowledge that I am an African American custodial mother. There could have been unintended biases as I began to organize, scrutinize, explore, code, analyze, and interpret the collected data. I selected a strategy of documenting the research process, reviewing, auditing, and scrutinizing the collected data. The strategy allowed me the freedom to provide confirmability as it relates to identifying any findings that may be contradictory. The final strategy also affords dependability as it refers to being able to rely on the findings of the study while and any consistencies as it relates to procedures for the study to be reviewed, scrutinized, and examined (Moon et al., 2016).

Results

For the secondary data collected to support the historical technique of the research results, figures 2 through 7, illustrated the yearly unmarried births in Tennessee statewide for African Americans, Caucasian, and in Hamilton County for African American from 2011 to 2016, and figures 8 and 9 compared the years for African American unmarried births statewide and in Hamilton County. These figures demonstrated a historical perspective of unmarried births in Tennessee, specifically Hamilton County, Tennessee. Hamilton County, Tennessee was the focus area for the research study.

According to the Department of Health, (2011), there were 79,462 live births in Tennessee, of which 60,252 were Caucasian births and 16,482 were African American births. Additionally, 21,415 or 35.5 % made up Caucasian unmarried births and 12,966 or 78.7 made up African American unmarried births. In Hamilton County, 81.6 % of African American births were to unmarried parents which was higher than the state

average of unmarried live births at 44.1 % and higher than the state average of overall

African American births at 78.7.

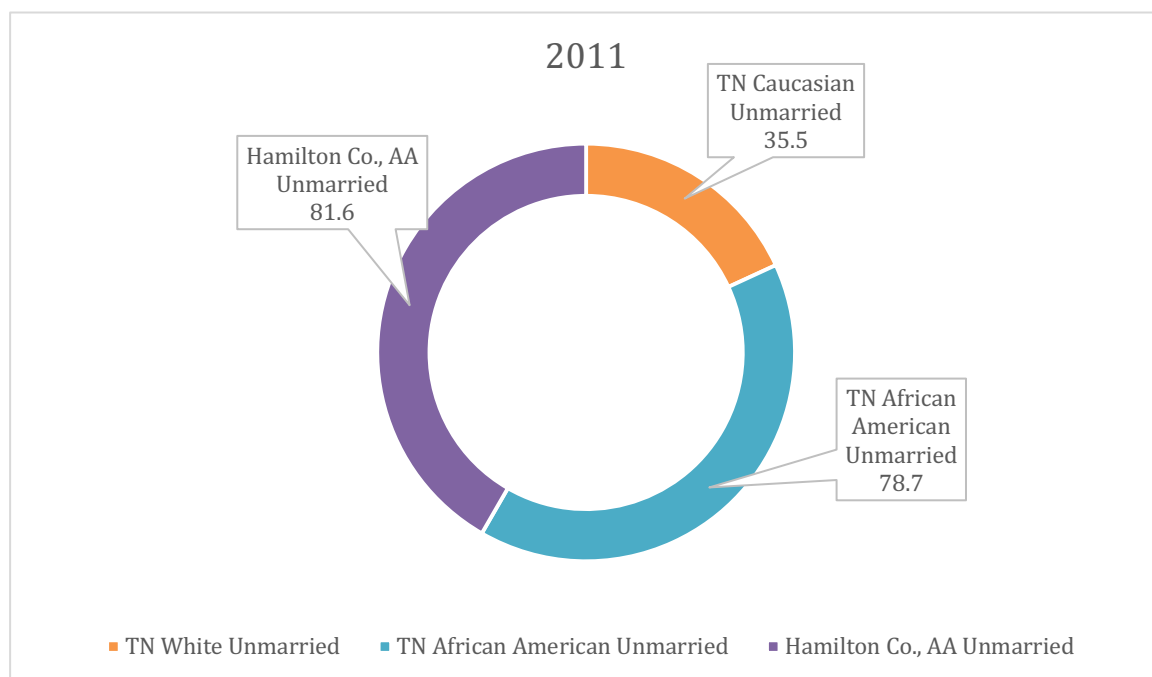


Figure 2 Statistics for 2011

Figure 2 shows the State of Tennessee and Hamilton County unmarried births

According to the Department of Health, Division of Policy, Planning and Assessment (2012), there were 80,202 live births in Tennessee, of which 60,792 were Caucasian births and 16,560 were African American births. Additionally, 21,744 or 35.8 % made up Caucasian unmarried births and 13,012 or 78.6 made up African American unmarried births. In Hamilton County, 79.6 % of African American births were to unmarried parents which was higher than the state average of unmarried live births at 44.1 % and higher than the state average of overall African American births at 78.6.

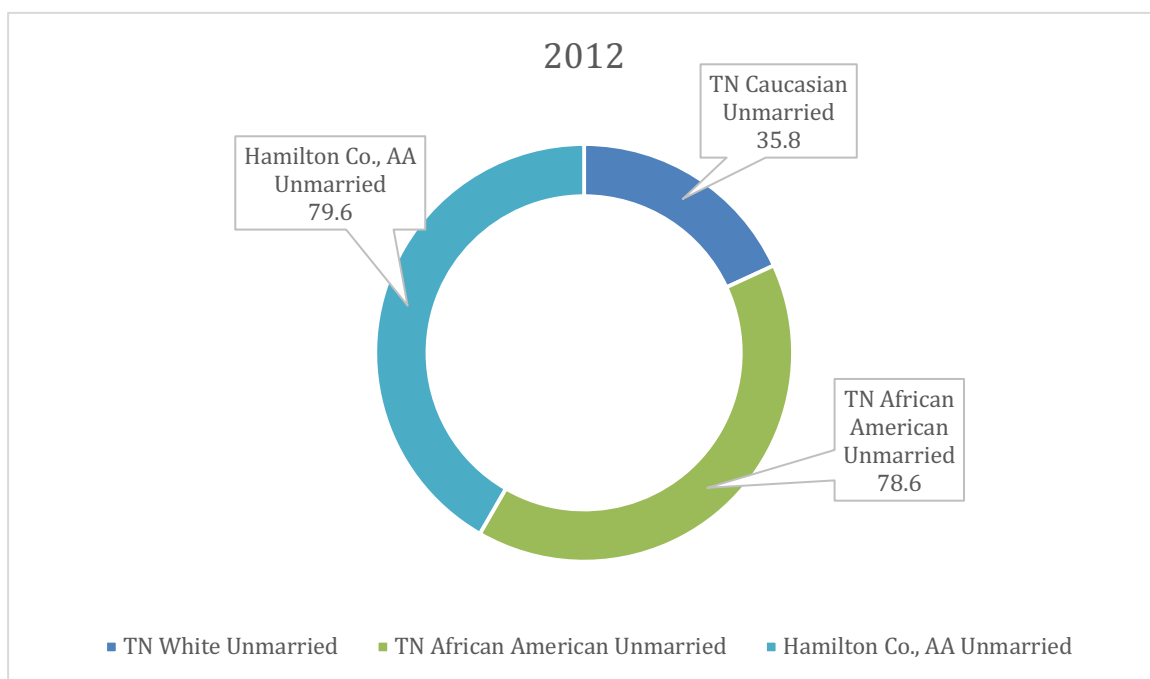


Figure 3 Statistics for 2012

Figure 3 shows the State of Tennessee and Hamilton County unmarried births

According to the Department of Health, Division of Policy, Planning and Assessment (2013), there were 79,954 live births in Tennessee, of which 60,954 were Caucasian births and 16,863 were African American births. Additionally, 21,606 or 35.4 % made up Caucasian unmarried births and 13,172 or 78.1 made up African American unmarried births. In Hamilton County, 79.9 % of African American births were to unmarried parents which was higher than the state average of unmarried live births at 44.0 % and higher than the state average of overall African American births at 78.1.

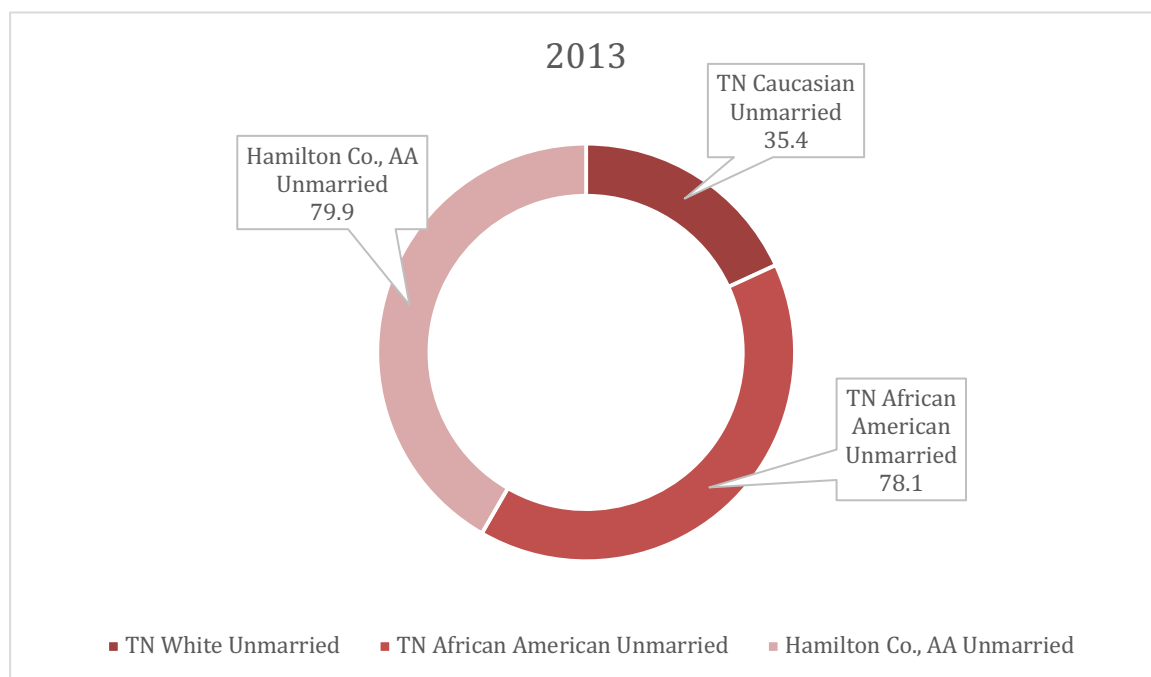


Figure 4 Statistics for 2013

Figure 4 shows the State of Tennessee and Hamilton County unmarried births

According to the Department of Health, Division of Policy, Planning and Assessment (2014), there were 81,609 live births in Tennessee, of which 62,096 were Caucasian births and 17,061 were African American births. Additionally, 22,108 or 35.6 % made up Caucasian unmarried births and 13,305 or 78.0 % made up African American unmarried births. In Hamilton County, 81.5 % of African American births were to unmarried parents which was higher than the state average of unmarried live births at 44.0 % and higher than the state average of overall African American births at 78.0 %.

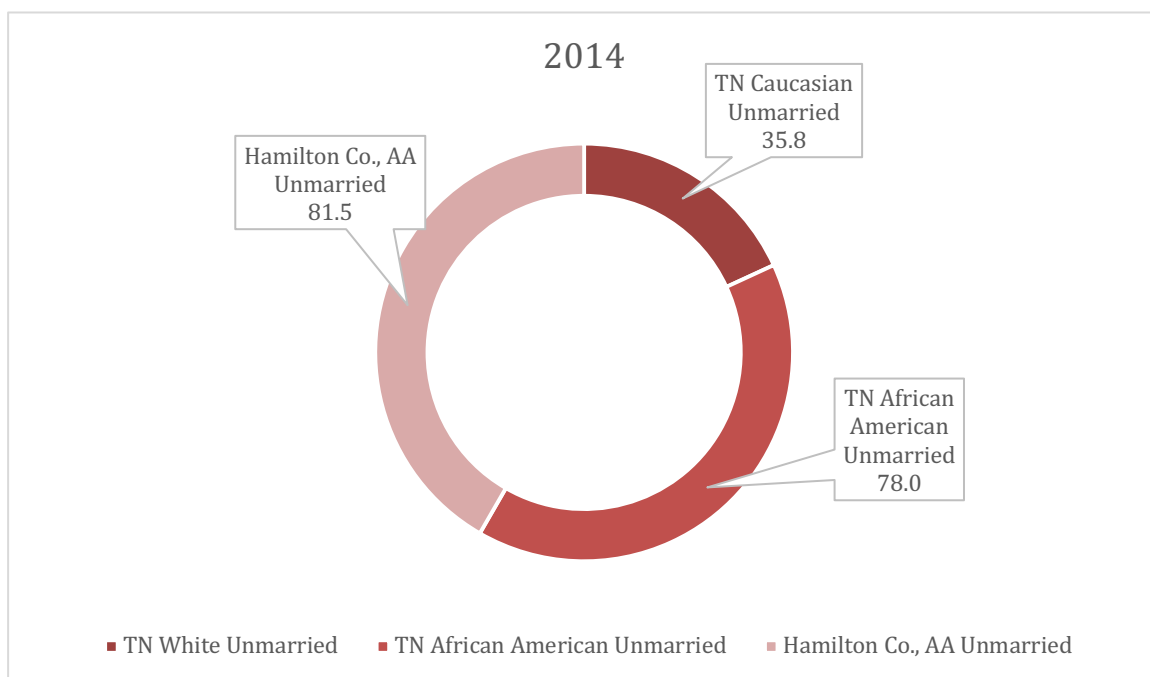


Figure 5 Statistics for 2014

Figure 5 shows the State of Tennessee and Hamilton County unmarried births

According to the Department of Health, Division of Policy, Planning and Assessment (2015), there were 81,374 live births in Tennessee, of which 61,648 were Caucasian births and 16,714 were African American births. Additionally, 22,016 or 35.7 % made up Caucasian unmarried births and 12,990 or 77.7 % made up African American unmarried births. In Hamilton County, 80.3 % of African American births were to unmarried parents which was higher than the state average of unmarried live births at 43.9 % and higher than the state average of overall African American births at 77.7 %.

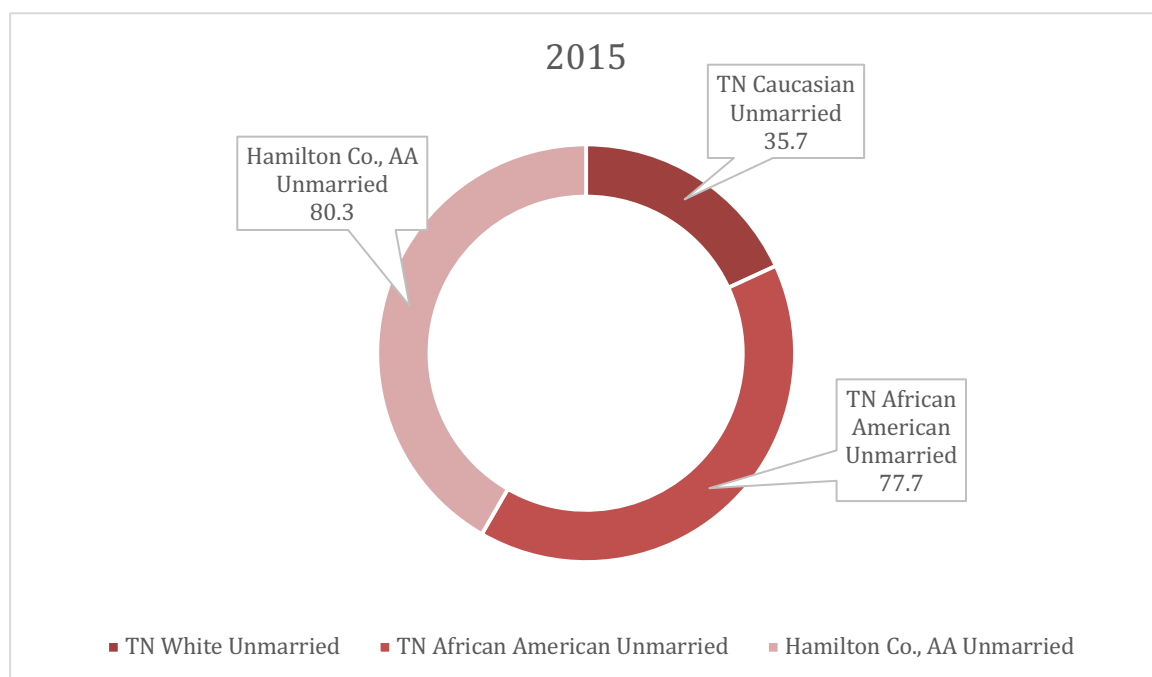


Figure 6 Statistics for 2015

Figure 6 shows the State of Tennessee and Hamilton County unmarried births

According to the Department of Health, Division of Policy, Planning and Assessment (2016), there were 80,755 live births in Tennessee, of which 61,046 were Caucasian births and 16,359 were African American births. Additionally, 21,857 or 35.8 % made up Caucasian unmarried births and 12,494 or 76.4 % made up African American unmarried births. In Hamilton County, 81.5 % of African American births were to unmarried parents which was higher than the state average of unmarried live births at 43.6 % and higher than the state average of overall African American births at 76.4 %.

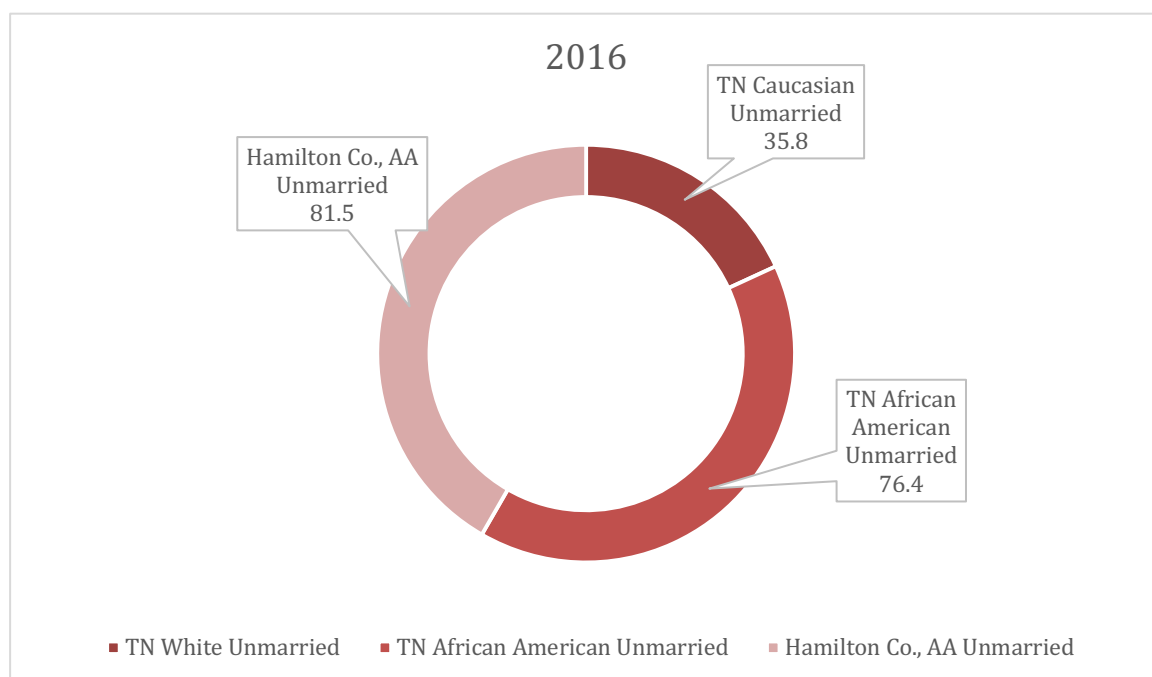


Figure 7 Statistics for 2016

Figure 7 shows the State of Tennessee and Hamilton County unmarried births

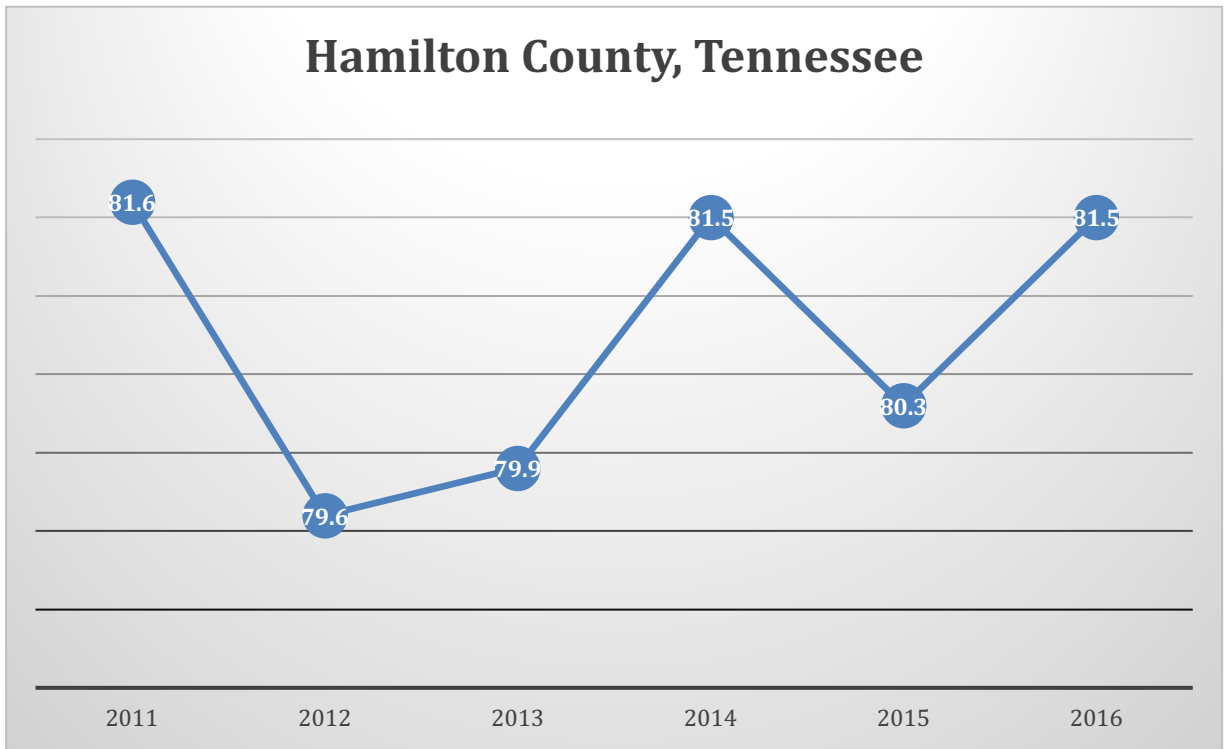


Figure 8 Hamilton County, Tennessee Statistics

Figure 8 shows the rate of African American unmarried births from 2011-2016.

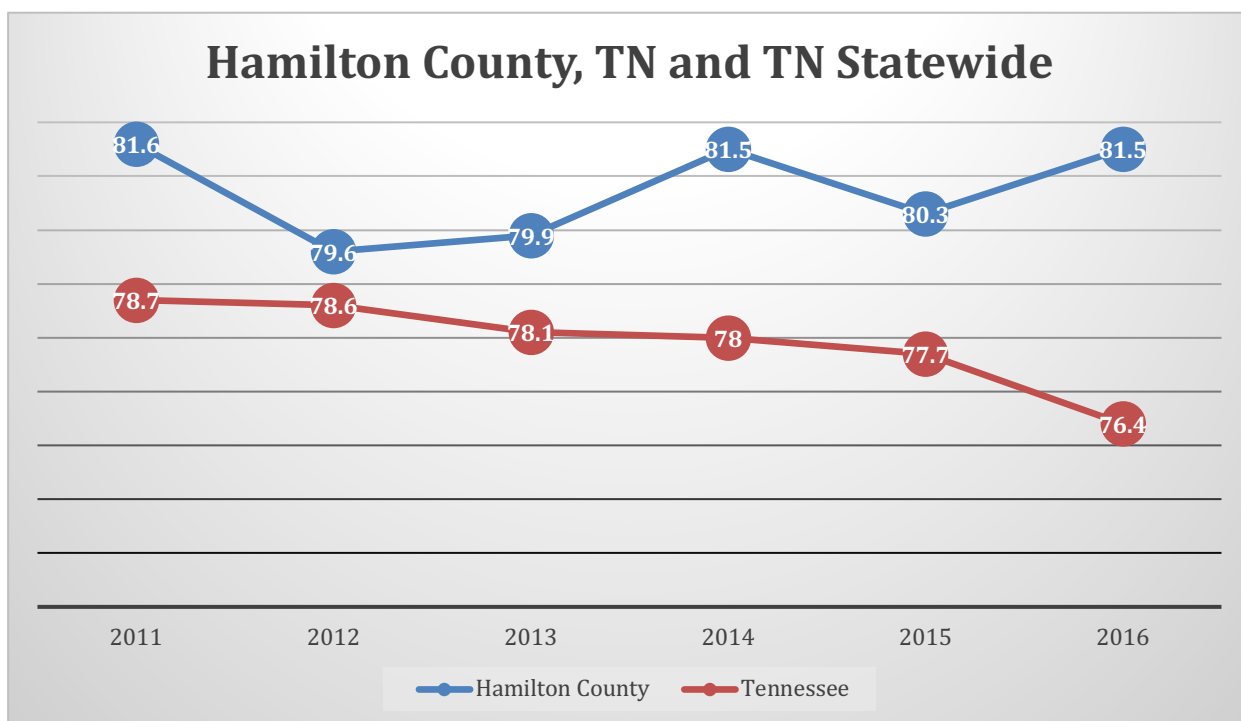


Figure 9 Hamilton County, Tennessee and Statewide Statistics

Figure 9 shows the rate of African American unmarried births and Tennessee statewide rates from 2011-2016

Upon reviewing the transcripts for each participant's interview, I identified five main themes. The five main themes identified were: (a) happy to be fathers; (b) had no relationship with the child's mother; (c) child support system impacted their lives negatively, (d) child support. system was biased and unfair, and (e) Fathers wanted more time with their children. The next section addressed how the results assisted in answering the research questions in the study.

The research questions for the study were: (1) What are the lived experiences of African American noncustodial fathers in the State of Tennessee? (2) How has the codification of Tennessee family laws contributed to the social construction of African American noncustodial fathers? In response to research question one and two, I asked

each participant to tell me about themselves and to tell me their thoughts on becoming a father. I asked the participants to describe their experiences with not residing with their children, what were the things they did to support their children, describe their involvement with their child and what they wanted to accomplish with their involvement?

I asked the participants to describe their experiences when petitioned/summoned to the child support court. I asked the participants to describe their encounters with the child support system and to tell me about their perceptions of the child support system. I asked the participants to tell me their experiences with staying in compliance (e.g. driver's license revocation, purge, or incarceration). I asked the participants to tell me about their experiences with the child support system, how has these experiences impacted your life (e.g. financially, employment, time with children, or in any other way. I asked the participants about any challenges they have or have had with the child support system? I asked the participants to describe their relationship with their child's mother and to describe their relationship with their father. I asked the participants about their strengths and weaknesses or areas of growth as a parent.

I asked about their largest influence on their parenting and any other major points they wished to share about being an African American noncustodial parent as it relates to parenting, child support or anything else they wished to share. Each participant shared in detail about their lived experiences as an African American noncustodial father. Most of the participants shared the common themes of (a) happy to be fathers; (b) having no relationship with the child's mother; (c) the child support system impacted their lives negatively, (d) the child support system was biased and unfair, and (e) fathers wanting

more time with their children. Table one displays the responses for each participant as it relates to each theme.

Table 2 Themes of the Study

The Lived Experiences of African American Noncustodial Fathers

Themes	Number of occurrences (N=8)	Occurrences (%)
Happy to become a father	6	75%
Have no relationship with child's mother	7	87.5%
Child support negatively impacted their lives	8	100%
Child support system is biased and unfair	8	100%
Want more time with children	8	100%

Theme 1: Happy to become fathers. Six out of the eight participants were happy to become fathers (See Table 1). Participant 1 shared that he was living in another state and gave up his entire life and established career to start over and be closer to his child's mother. He talked about starting over and posting his journey on social media during the pregnancy to share his enthusiasm of becoming a father. He said, "I was giving them markers of every time we went to the doctor, and what was shown that day." He also said, "People was around the world had sent me things from China, to Germany, to America as far as things for my daughter; gifts, like baby shower and stuff like that."

Participant 2 kept it a secret from people unsure how everyone would feel. He explained that, "I was so happy, but I was more sad than anything because I knew I

wanted to do a lot more than be a dad right out of high school.” Participant 3 has major concerns not because of becoming of father but how the baby was conceived out of wedlock. He said, “Being out of wedlock, I was very concerned, to say the least because our backgrounds shape people to be.” Participant 4 stated, “I was both happy and scared at the same time.” Participant 5 was happy and exclaimed, “I wanted to be the best father ever!”

Participant 6 due to the fact that the relationship with the mother had exacerbated, he was more concerned to step up and be a good father, so he stated, “My mindset was I have to get myself together.” Participant 7 shared he was excited and stated, “I had to step up and make changes in my life.” Participant 8 stated, “I was super super excited to be a father.”

Theme 2: Have no relationship with child’s mother. Seven out of eight participants stated they had no relationship with the child’s mother at the time of data collection for the study. Participant 1 shared there was no relationship with the child’s mother. He stated, “The day I filed for joint custody, she went down and put me on child support.” He shared that he did not have any respect for his child’s mother, He went on to say, “She’s a horrible co-parent, she’s selfish, she’s evil, and she’s a controlling individual.” He shared that during pick up and drop off and the mother refuses to meet him halfway.

Participant 2 shared there was no relationship with two of his children’s mothers. He also stated, “There are challenges with the mothers.” The communication was poor and there was no real connection. Participant 3 shared there was no relationship with the

mothers of his children. He stated, "I can deal with my children because they are at the age to where we don't really have to communicate, I mean we don't have to talk."

Participant 4 shared he has no relationship with his children's mothers. He shared the mothers did not cooperate and made it hard to see his children. Participant 5 shared there was no relationship with his children's mothers. He stated, "She's money hungry." Participant 6 stated that there was no relationship with one of his children's mothers; however, he the other child's mother were cordial. Participant 7 shared, "Well two of them we stay together. The ones that in Rhea County, we stay together. The other two parents we get along alright." Participant shared that there were two more children on the way at the time of the interview. Participant 8 shared, "It's not a good relationship." He went on to say, "It's almost as if she's angry with me and I haven't done anything."

Theme 3: Child support has negatively impacted their lives. Eight out of eight participants have expressed that child support has negatively impacted their lives.

Participant 1 shared that the child support system has impacted him by causing stress and depression. He is often frustrated. He went on to say, "I'm at \$9,000 owed in three years and I started out at \$6,000." He also stated, "I'm struggling to pay my bills and one time they took my license away." Participant 2 shared that the child support system is stressful. He stated, "The child support system got a choke hold on a brother's finances." He went on to say, "It's a beast. It's a whole different monster. It's a big old monster."

Participant 3 shared that the child support system has impacted him mentally and financially. He stated, "God forbid you go through some hard times or, I did go through a period where I had lost my job and had some struggles and got behind and so the affect

would be just looming kind of glooming, perhaps some strong consequence that you may have to pay despite your good intent.” He went on to say, “It had a big effect on me because I had to try to dig my way out of a hole.” Participant 4 shared the child support system was a financial burden. He went on to say, “It had an effect on my employment, I’ve been locked up behind it and in the midst of getting locked up I have lost a few jobs.” He shared that he has experienced his driver’s license being revoked.

Participant 5 shared that the child support system has destroyed his finances. He said, “One minute, I’d be doing good, because I obtained this good job. Then all of a sudden, when I go to court because I’m not current on my back pay, they’ll lock me up. I explained to them I got the job. It’s a good job. Why can’t you just start taking money directly out of my check? That way, you know you getting it. I went through all avenues I could not to get locked up, when I had these jobs but they’ll lock you up. Of course, you lose your job. Now, you don’t have any income.” Participant 6 shared, “It’s impacted me in a lot of different ways. Just paying child support and still having to provide for my child when she visits.”

Participant 7 shared, “I done had my license took away. I done been in jail for child support. I can’t get the jobs that I want because of my license being suspended of child support. As like, I wanna be a truck driver, but I can’t do that because my license has been suspended more than three times in one year. It’s hindered me a lot, child support has hindered me a lot from doing a lot of things. I can’t do anything. It’s rough. It’s like I am working for nothing.” Participant 8 shared, “No matter what the father has done, no matter what the father brings to the table, it’s never right or never enough.”

Theme 4: Child support system is biased and unfair. Eight out of eight participants felt that the child support system is biased and unfair. Participant 1 shared his experiences in court. He remembers a judge saying, “You’re a bright young man.” He says, “What I got out of that was, man, I never had a black man with dreadlocks talk the way you’re talking.” He went on to say, “All these things that they say yet and still they’re not rewarding me with equal time. I hope that the system is recreated and give fairness in the State of Tennessee because we hear this all the time and it is facts that the State of Tennessee is more of a motherly state, meaning they’re vouching for the mother, and the men have to climb the hill.

The woman is up 10 points already just going in the courtroom, and child support, she has legal rights to the child and the child support system appoints her a lawyer to represent in child support court. So, I’m up against two people already, just walk in the courtroom. Plus, the judge in the courtroom. For an African American man, that is a big stereotype, because a few bad apples has made it as if all men are the same. We’ve heard this before, I’ve heard these judges tell me this, and tis should account for something too. Two different judges in child support told me, I’ve heard these stories before, I’ve heard these stories before. Well, great, yeah, you been here 20 years, you’ve seen guys like me that can articulate, they seem well, they seem sensitive, yet they fooled you. So now you feel like, naw, you going to have to come correct because we can’t even prove nothing to you because you just felt like somebody bamboozled you.” He went on to say, “That’s another thing I hate, too.

You don't just get out on bond, you got to pay exactly what you owe for the year, the year before. So, it's that old \$2500 to \$3500. \$2100 is not letting me out. I got to pay the full amount or I gotta do six months in jail." He stated, "I don't think we have any rights. As a noncustodial parent, they're less than the mother, that's the best way I can put it. They're not equal." Participant 2 shared, "I really don't have any expectation on father rights, to be honest. It feels like you don't have any rights to be honest. If there are any rights, I didn't know because when you pay child support, it automatically strips away your rights. Like you ain't got no say so. I've been giving out money, getting in debt, giving out money, getting in debt, getting ready to go to jail. Get a job, do it all over again. It's all a game. All a game. I think it should be reviewed. I just hope it gets reviewed and it's deeper than just paying because it's causing some guys to go to jail. It causes some guys to make emotional decisions. It causes some guys to make foolish decisions. It's deeper than just not paying child support. You going to school, you got fees. You in college, trying to make a honest living. What's got to be worse, he can't play basketball on a full ride scholarship because he's got to work a full-time job or part-time job to make sure he can pay child support and he doesn't go to jail. If you go to jail they going to get kicked out of college. I can go on all night. It's crazy. I just hope something change. The biggest challenge with child support is the unfairness, just the different levels. I always deal with Judge Andrews and she used to talk to you funky."

Participant 3 shared, "I would say my rights are limited. If I was to answer in one word. They're limited. I'm limited because of the circumstances. The system is kind of tilted toward the woman, I feel." Participant 4 shared, "I mean I was looking at it to

where the child support system is for women, that's the mind frame that I had to where it's like, when you go in, they really don't like you and they're gonna give you a hard time no matter what it is you're doing cause I was like I was trying and the more I was trying the more they put me back." Participant 5 shared, "I hated it. I didn't understand the system. I was angry with the system. Here I am paying child support to a system that would never allow me to see my kids."

Participant 6 shared, "I think it's a wreck. I think it's a money-maker for the state, to be honest with you. They charge a fee. If I'm not mistaken for child support. The judge would not allow me to speak in the courtroom. I feel like the system is biased. I don't feel they're fair. We're already categorized or stereotyped before even entering the courtroom. My most recent experience with a judge, an African American judge, completely biased. I just feel we're already stereotyped." Participant 7 shared, "Fathering rights I think should be equal. I think everything should be equal. I think it's unfair that if the mothers can't pay, I mean financially stable for their kids, how do y'all get in the house and they can't financially put their kids you know what I'm saying take care of their kids. I just think everything should be equal."

Participant 8 shared, "How can a judge sit there and supposed to be ruling over everything? Tell you when you are and when you are not able to get your child? I don't get that. The judge or the child support system wasn't there when the child was conceived, so how can they tell you especially when you're not the person that, I haven't had any arrests or anything like that. I haven't done anything. I have nothing on my record, but I feel as if I'm being treated like I'm a criminal I don't think that's fair."

Theme 5: Fathers want more time with children. Eight out of eight participants wished they had more time with their children. Participant 1 shared, “I can’t mentally picture being away from my daughter. They gave me every other weekend, four days a month. I was offended. I was offended. I was offended that they didn’t let me get more time and I didn’t understand. It’s been a stressful situation.

Participant 2 shared, “That’s the thing I don’t understand. You can spend out so much, but then you can’t meet me in Nashville? But I’m spending \$350 every month. It should be like I all her to meet me in Nashville using child support money, that’s what it should go for. She never tried to bring my daughter up here. I always pay her transport all year and then I still have to spend \$200 to go travel and see her. You can’t even meet me halfway like to show your daughter you care about her seeing her dad. Like that’s what killed me about the system. There’s leverage all the way around. If I come take my child home with me and my daughter is fine with it it’s still kidnapping or it wasn’t with her mother’s consent. If the child is happy, if the child is not crying, like it shouldn’t be no argument. There should not be no court or no jail or nothing like that not if it’s the parent, not unless there’s some records of the parent, me hurting my child, something like that.”

Participant 3 shared, “There are challenges with the mother. She has prevented me from seeing him regularly, but it does have to do with money but she’s asking for extra money that is not based on the court order.” Participant 4 shared, “I would say I wanna spend a lot more time with my children. I don’t do that well. I mean I feel I work so much to where it’s like I guess that’s my crutch, I use my job as my crutch pretty much.”

Participant 5 shared, “For some reason, no matter what, I’m paying my child

support, but I never got to see my kids.” Participant 6 shared, “Me and my oldest daughter, we go get our nails done once a month. I get both of them together, and we eat pizza probably every other weekend.” He went on to say, “Split the time equally amongst parents.” Participant 7 shared, “I think everything should be equal. I barely get to see two of my children because of the mothers still want to be in a relationship with me so they use the babies against me to not let me see them and keep me away and I can only get them when they want me to get them so it’s kind of hard because I work six days a week.” Participant 8 shared, “I just want more time with my child and it’s hard for me to get more time and I don’t know why.”

Many of the participants were happy to become fathers; many of the participants have no relationship with their child’s mother; all felt that the child support system negatively impacted their lives; all felt that the child support system was biased and unfair; and all wanted more time with their children. These findings are significant because the laws are supposed to be neutral (Capers, 2014) and many of the participants felt that the laws and policies gave the advantage to mothers. These findings support implications for changes discussed in chapter 5.

Summary

The purpose of my general qualitative study was to examine the experiences of African American noncustodial fathers and to examine how the codification of Tennessee Family laws contribute to the social construction of African American noncustodial fathers. The phenomenon of interest was the large numbers of African American births to unmarried parents in the State of Tennessee. There were 12,494 or 76.4 % of African

American babies born to unmarried parents in the State of Tennessee; 769 of 943 or 81.5% of African American babies were born to unmarried parents in Hamilton County, Tennessee, which is higher than the state average (Tennessee Department of Health, 2016). Consequently, some Tennessee Family Laws create barriers for fathers who choose not to marry their child's mother by delivery, and these fathers lose any guaranteed parental rights or access to their children without entering into the system (Mason, 2014). Additionally, in order to gain such access, fathers must establish parentage and often will enter into the child support system (Mason, 2014).

There were two research questions that steered the research study. Data collection was via semi-structured, electronic face-to-face interviews that were conducted utilizing Facetime and or Skype and audio recordings were conducted by utilizing Audacity, an audio software. I used NVivo, a qualitative data analysis software program, to store and for me to organize the collected data. The qualitative data software program allows researchers to store, organize, code, and analyze content from various sources, (Rudestam & Newton, 2015). I used steps for my data analysis that were based on Moustakas, a founder of phenomenological research to explore, scrutinize and examine the interviews conducted. Five themes emerged in answering the research questions.

The first emergent theme in my study was happy to be fathers. Six out of eight participants expressed happiness and excitement to become fathers. Two out of eight participants were concerned. However, none of the research participants were angry about becoming a father.

The second emergent theme in my study was having no relationship with the child's mother. Seven out of eight research participants had no relationship with their child(ren)'s mother(s). One research participant advised that he was cordial with his child's mother. Seven out of eight of the research participants felt the relationships with their child(re)'s mother(s) were strained. The child support system played a role in making their relationships adversarial.

The third emergent theme in my study was the child support system impacted the research participants' lives negatively. Eight out of eight research participants felt that the child support system has negatively impacted their lives. The theme provided significant and relevant information to assist in answering the research questions for my study. At least three had experienced a driver's license revocation and incarceration due to the child support system. Seven out of eight experienced financial struggles.

The fourth emergent theme in my study was the child support system was biased and unfair. Eight out of eight research participants had experiences within the child support system that lead them to believe the child support system was both biased in favor of women and unfair. All felt they were stereotyped, treated like criminals, and it was the system, the lawyers, the mothers and the judges all against them. All felt the mother had more rights.

The fifth emergent theme in my study was fathers wanting more time with their child(ren). Eight out of eight research participants wanted more time with their child(ren). All felt that they should have joint or equal time with their child(ren). All felt that the mothers had more rights to say when the fathers would gain access to their child(ren).

Many of the participants were happy to become fathers; many of the participants have no relationship with their child's mother; all felt that the child support system negatively impacted their lives; all felt that the child support system was biased and unfair; and all wanted more time with their children. These findings are significant because the laws are supposed to be neutral (Capers, 2014) and many of the participants felt that the laws and policies gave the advantage to mothers. These findings support implications for changes discussed in chapter 5.

In chapter 4, I discussed the setting, demographics, the method for data collection, the evidence of trustworthiness, the results for data analysis, and a synopsis. In chapter 5, I discussed my interpretation of the findings, limitations, recommendations, implications of social change, and a conclusion. In chapter 5, I gave a summation of the entire dissertation.

Chapter 5: Discussions, Conclusions, and Recommendations

Introduction

The purpose of my general qualitative study was to examine the experiences of African American noncustodial fathers and examine how the codification of Tennessee Family laws contribute to the social construction of African American noncustodial fathers. The phenomenon of interest were the immense numbers of African American births to unmarried parents in the State of Tennessee. There were 12,494 or 76.4% of African American babies born to unmarried parents in the State of Tennessee; 769 of 943 or 81.5 % of African American babies were born to unmarried parents in Hamilton County, Tennessee, which is higher than the state average (Tennessee Department of Health, 2016).

Tennessee family laws create barriers for fathers who chose not to marry their child's mother by delivery, and these fathers lose any guaranteed parental rights or access to their children without establishing parentage and entering into the system (Mason, 2014). My intent of the study was to examine the lived experiences of African American noncustodial fathers and to examine how the codification of Tennessee Family laws contribute to the social construction of African American noncustodial fathers. The phenomenon of interest was the large number of African American births to unmarried parents in the State of Tennessee.

My research study sample was eight African American fathers, 25 years of age or older, regarding the lived experiences of African American noncustodial fathers and how the codification of family laws has contributed to the social construction of African

American noncustodial fathers. According to Yuksel et al. (2015), understanding the lived experiences of those experiencing the phenomena was a researcher's goal in phenomenological research. I utilized both phenomenological and historical techniques to examine lived experiences and secondary data. According to Simon and Goes (2013), the researcher reviews the past trends to understand current events and to make educated guesses about the future.

I used social media, namely Facebook and LinkedIn, to identify eight research participants who were African American noncustodial fathers with current child support cases in Hamilton County, Tennessee. I interviewed the research participants via Facetime and or Skype, and audio recorded each interview using Audacity, an audio recording software program. I conducted the interviews between June 8, 2015 and June 25, 2018, and each interview took an average of 40 minutes to complete.

I conducted a general qualitative study to add to and fill the gap in the current literature on the lived experiences of African American noncustodial fathers. The participants were 25 years of age or older that had current child support cases in Hamilton, County, Tennessee. The completion of my research has resulted in relevant information in the form of qualitative research that can be examined, reviewed, or explored by policymakers to change current policies regarding disparities on fathering rights and the current child support system.

I conducted a qualitative analysis to understand or make sense of the collected data for emergent themes to be discovered, to answer research questions, and pertinent

results, (Patton, 2015). I used NVivo, a qualitative data analysis software program, for data analysis and storage. I identified five emergent themes using NVivo.

Interpretation of the Findings

I examined the lived experiences of eight African American noncustodial fathers. The participants were 25 years of age or older, who had current child support cases in Hamilton County, Tennessee. The results of this study included those related to the theoretical framework, the results of the secondary data, and the results of the interviews.

The findings for both research questions can be applied to the theoretical framework. Both critical race theory, and social construction and policy design were used. Critical race theory was derived from critical legal studies (Mitchell et al., 2013). According to Mitchell et al. (2013), CRT stemmed from other areas such as sociology, history, politics, philosophy, and anthropology, and its objectives were influenced by beliefs that highlight social order, prejudices, unfairness, and injustices as it relates to race, (Daniel, 2011). According to Burton et al. (2010), CRT present ways to analyze social and cultural groups. According to Capers (2014) laws are supposed to be neutral, and not used to relegate for financial gains. Social construction and policy designs' purposes are to explain how public policy can impact society positively but also perpetuate injustice, leaving public problems unresolved, creating a system for unequal citizenship, and leave democratic institutions unsupported (Ingram, Schneider, & Deleon, 2007). By using both CRT and social construction and policy design, my general qualitative study aligned with both research questions.

There were three significant themes that existed within CRT and social construction and policy design that include: (a) race and racism are a part of American history; (b) biases, injustices and impartiality of the codification of laws and policies within the Tennessee family courts that contribute to the social construction of African American noncustodial fathers; and (c) awareness to disparities and racial oppression.

(A) Race and racism are a part of American history. Specifically, Africans were kidnapped and separated to become enslaved over the world; however, as it related to American history, laws were designed to oppress and maintain social order as discussed in the literature review. (B) There are certain biases, injustices and impartialities when I examined the codification of specific Tennessee family laws. Tennessee Code Annotated §36-2-303 implied that unmarried fathers have no guaranteed rights or access to their children. In order to gain access, they were entered into a system and placed on child support order that many noncustodial parents cannot afford (Spjeldnes et al., 2015). African American children have the highest rate of unmarried parents when compared to other races in Tennessee, (Tennessee Department of Health, 2016). (C) Some awareness to disparities and racial oppression as it related to the number of African American noncustodial fathers that had their drivers' licenses revoked and incarcerated demonstrated why many felt that the child support system leads to oppression and why they were sensitive to the treatment within the courtrooms. These themes are all significant to the theoretical framework of the study because both CRT and social construction and policy design align with the problem statement and research questions.

The results of the secondary data showed a trend among African American unmarried births with compared to their Caucasian counterparts. There were twice as many African American unmarried births than Caucasian unmarried births. African Americans make up 20.25% of the total population in Tennessee. The figures in the study were by years. The secondary data showed that Hamilton County, Tennessee statistics were higher than the state average every year from 2011-2016.

The results of the interviews conducted reveal that six out of eight research participants were happy and or excited to become a father. Two out of the eight research participants were concerned about becoming a father. Seven out of eight research participants had no relationship with their child(ren)'s mother(s). One out of eight research participants had a cordial relationship with the child's mother. Eight out of eight research participants want to spend more time with their children. Eight out of eight research participants felt that they had no rights as fathers, the child support system was biased and unfair. Eight out of eight research participants felt that the child support system had negatively impacted their lives.

The findings were consistent or an extension of previous research. A couple of themes were that fathers were happy to be fathers and all of the fathers in the study wanted more time with their children. These findings are consistent with previous research. Perry and Lewis (2016) found that fathers were becoming more interested in parenting although some fathers mimicked the attitudes and behaviors of their fathers they wanted to be more of an influence in their children's lives. Many of the participants in my study knew they had to work and provide but wanted to spend as much time with

their children as they could. Another finding was that the participants felt that the child support system negatively impacted their lives. The finding was consistent to the literature. According to Spjeldnes et al. (2015) many parents go to jail daily due to noncompliance and several cannot afford to pay the court ordered child support payments. Many of the participants in my study struggled to make payments from time to time resulting in noncompliance; therefore, they experienced driver's license revocation and incarceration. Another finding was that the participants felt that the child support system was biased and unfair. The finding was an extension of Pate, Jr. (2016) in that both studies interviewed African American noncustodial fathers with lived experiences and perspectives of the child support system. In both studies, African Americans noncustodial fathers gave examples of why they felt the system was biased and unfair. One participant felt that although he paid his child support payments on time, child support enforcement called him and asked him how he was making his payments and whether or not he was a drug dealer (Pate, Jr., 2016). To add, many of the participants, in my study, felt they were up against the judge, the state attorney, and the mother in court and that they were treated like criminals during court proceedings. The final finding was that the majority of the participants did not have a relationship with their child's mother. The finding was consistent with Perry and Lewis (2016) which found that fathers experienced barriers and one of the barriers for African American noncustodial fathers was the unhealthy co-parenting relationships they had with their child's mother.

Limitations of the Study

There were several identified potential limitations to the trustworthiness of the research study. The first potential limitation was the findings being a representation for all African American noncustodial fathers in America regarding parenting rights and the child support system. The findings of the research study should only be taken more generally for people that met the criteria for the study. Secondly, I am an African American custodial mother. My personal biases and opinions on the subject matter could have affected my abilities for data collection and analysis. To prevent this from happening, I implemented a research strategy by utilizing social media to identify eight people who met the criteria needed for the study, gained their consent via electronic mail (e-mail), and e-mailed them the questionnaire for their review prior to the scheduled interview.

I conducted electronic face-to-face interviews by utilizing Facetime and or Skype, and audio recorded each interview by utilizing Audacity, an audio recording software program. I utilized NVivo, a qualitative data analysis software for storage, coding, and discovery of emergent themes. The final potential limitation was the trustworthiness of each participant. I have no control over whether the participants were honest about their experiences. I was not a witness to any of the described experiences shared with me as the researcher; therefore, there is always a chance that there was a hidden agenda on behalf of each research participant.

Recommendations

Several recommendations for future research exist as a result of my study. According to Capers (2014), the laws are supposed to be neutral to all people. Critical race theory and social construction and policy design were ideal for the theoretical framework for my study as they focus on discriminatory laws and practices that oppress targeted groups, namely African American men. Tennessee family laws specifically, Tennessee Code Annotated section 36-2-303 states a man who procreates and is not married to the child's mother by the time the child is born does not have any guaranteed rights or access to the child. In order to obtain rights to the child, there is a process the father must go through and in turn will place him in the child support system. This is an example of civil injustices for unmarried fathers; moreover, when fathers are in noncompliance of the child support, the father is penalized criminally. My first recommendation is to change the laws to shared parenting giving both parents equal rights at birth of the child.

Tennessee Department of Health keeps a record of all live births in the State of Tennessee, by county and race. My second recommendation would be for the State of Tennessee to keep records of unmarried parents in Juvenile Court and the arrests for noncompliance as it pertains to court orders for child support. This recommendation would be ideal for researchers to conduct a quantitative study comparing incarceration of people by race within the child support system.

My third recommendation would be to do a quantitative study to compare how the codification of Tennessee family laws contribute to the social construction of African

American noncustodial fathers and their lived experiences statewide. This study would demonstrate whether or not the experiences of the African American noncustodial fathers in Hamilton County, Tennessee were isolated to that particular county or throughout the state.

My fourth recommendation would be to conduct a study that encompasses all fathers that have child support cases in the State of Tennessee to compare how different races view the child support system and parenting rights. This study would test whether the findings were isolated to a particular county or race within the State of Tennessee.

My final recommendation would be to conduct a national study to compare the laws, policies and procedures of states while also capturing the views of fathers on a larger scale to test if there are system issues in particular states or whether redesigning the system on both federal and state levels were warranted.

Implications

The results of my research study have potential impact for social change, and the empirical implications are equal rights for all parents, a redesigned system that will serve all genders equally as it relates to parenting rights, shared parenting concepts implemented throughout Tennessee family laws and procedures, shared parenting concepts implemented in other family laws and procedures in other states, and a shift from negative stereotyping and treatment of African American noncustodial fathers to a neutral environment for all.

The recommendations for practices are to neutralize all family laws designed to help that may actual hurt targeted populations; to promote more research needed to track

unmarried populations as it pertains to noncompliance, incarceration, drivers' license revocation, parenting rights, and parenting time for future study to test the progress of changes made; and the implementation of cultural and competency trainings for judges and magistrates because they are in position to promote social changes directly from the bench.

These implications will potentially impact social changes by creating environments to positively affect the lives of African American noncustodial fathers, African American families, and the development of children. These implications may also have the potential to increase graduation rates, and lower recidivism and incarceration rates. Additionally, these implications may promote a less adversarial atmosphere for healthy co-parenting to be realized. These implications do not exceed the study boundaries.

Conclusion

To completely grasp the comprehension of what are the lived experiences of African American noncustodial fathers and the examination of how Tennessee family laws contributed to the social constructions of African American noncustodial fathers, 25 years of age and older, one must understand the child support system and the impact of Tennessee family laws. The research revealed that my general qualitative study has contributed to the literature by scrutinizing interviews of African American noncustodial fathers' experiences and how Tennessee family law contributes to societal viewpoints as they relate to African American men. There were five relevant themes that emerged from my research study. The themes were: (a) happy to be fathers; (b) having no relationship

with the child's mother; (c) the child support system impacted their lives negatively, (d) the child support system was biased and unfair, and (e) fathers wanting more time with their children.

The results of the study demonstrate how laws have a negative impact on targeted groups, namely African Americans. In the beginning of the establishment of America, slavery impacted the ancestors of African Americans today. The Dred Scott case demonstrated bilateral individualism, a specific critical race theory, because a slave utilized the laws of the land to prove the unconstitutionality of treatment among African slaves of that time, and the laws did not apply to him because he was considered not human or deserving of rights. During the Emancipation Proclamation, slaves were eventually freed but the laws were created to continue to oppress by putting these people in jail in order to gain free labor. From the migration, Jim Crow laws, President Reagan's War on Drugs, mass incarceration and now the child support system all designed for social order, these systems of justice have continued to penalize the poor and disenfranchised.

As stated in chapter 2, Doyle, Estroff, Goldston, Dzirasa, Fontes, and Burriss, (2014) found that some fathers report some mothers are devoid of structure and accountability and oftentimes fail to realize the impact fathers have on their child's development, especially their sons, by modeling the appropriate behavior, setting boundaries, and carrying out punishment or discipline (p. 381). A child's outcome is directly associated to parents' or guardians' interpersonal and parental abilities, and these abilities are linked to parental confidence (Jackson, 2016).

The father-child relationship impacts the wellbeing of both the father and child, while also affecting the child's development (Hubin, 2014, p. 82). Fathers' involvement, children's wellbeing, mothers' parental stress and behavior, and mothers' mental state are all interconnected (Jackson, Choi, & Preston, 2015). Meuwissen and Englund (2016) found that a child's executive function is influenced by a father's support; therefore, the more a father is supportive through play, time, and interaction the higher the executive function. Executive function was defined as the part of the brain that controls memory, impulse, and mental flexibility (Meuwissen & Englund, 2016, p. 72).

The results of my research study provide potential for social change to be realized. The reconstruction of Tennessee family laws is obvious. Eight out of eight wanted joint, equal or more time with their children which goes against the stereotype that society has about African American men. Eight out of eight of the research participants felt the child support system was biased and unfair. Reviewing the policy may mean less men in noncompliance resulting in less drivers' license revocation which could potentially mean more jobs saved which could also mean that the financial stress potentially lowered.

Moreover, teaching judges how to talk to people and training them that the law is supposed to have a neutral meaning, (Capers, 2014). Affording African American noncustodial fathers, a balanced table when entering in the courtroom is a sign that both parents, matter. Eight out of eight believed that the child support system has negatively impacted their lives. The system does not promote healthy co-parenting; moreover, many believed the system promoted an adversarial relationship. By understanding the

significance this scholarly research study, it may assist parents to co-parent by implementing a less adversarial environment which will benefit all parties, especially the children.

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Appendix A: Questionnaire

Semi-structured interview script questions and prompts

1. Tell me about yourself (school, job, children, relationships, fun facts, sports, etc).
2. Tell me your thoughts on becoming a father.
3. How many children do you have and how old are they?
4. Describe your experiences with not residing with your child(ren) reside(s)?
5. What things do you do to support your children?
6. Describe your involvement with your child(ren).
 - a. What are you looking to accomplish with your involvement? (prompt)
7. Describe your experiences when you were petitioned /summoned to Child Support Court?
8. Describe your first encounter with the child support system.
9. Tell me about your experiences with the child support system (Past/current)
 - a. How has these experiences impacted, your life?
10. What are the challenges you have had with the child support system?
11. What are the challenges you have had with parenting?
 - a. Describe your relationship with your child(ren)'s mother(s)-prompts
 - b. Describe your relationship with your father (growing up, now)-prompts
12. What are your strengths as a parent?
13. What are your areas for growth as a parent?
14. What are some things you need to do better as a parent?
15. What has had the largest influence on your parenting?