

Child Protection Reform

There are many problems that plague Child Protection Services (CPS) and all too often children and families are the ones that get harmed. Through proven reforms all cps agencies nationwide can reap the benefits of child welfare systems that actually work. Nationally there is a very negative public opinion of state cps agencies. Through reform these negative attitudes can be changed. Instead of placing blame on investigators, caseworkers, or administrators for flawed policies/procedures, we can collectively come up with workable solutions that are working in many states. In reforming cps agencies the outcomes are enormous, not only are we helping children and families; we are lifting a huge burden off the shoulders of cps workers by giving them everything they need to do their job right.[1] The silver lining of these reforms is that there is no need for additional State/Federal funding. There is enough money in the system; State and Federal financial policies have to be changed to allow funds to go where they are needed.

Reform Federal and State Financial Policies

The single most detrimental problem that plagues nearly all cps agencies, is how State and Federal funding is used to run cps agencies. In times of economic cuts, all too often child welfare agencies are the first to be cut, this is a double whammy to cps agencies. The problem is little funding available where it is the most needed, to support the families in need. Funding needs to be freed up so that follow up services can be provided to all families in need. Such proven programs include Families First[2],

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Family to Family[3], Homebuilders[4], etc.; these programs are essential to the preservation or unity of families in desperate need of social services. The Family Preservation and Family Support Act of 1993, provides \$1 billion for family preservation. The \$1 billion was spread over 5 years-and not just for family preservation. Far from it. This law allows states to spend the money they get through this law on a huge array of services- even foster care and adoption. A state can if it so chooses, receive its entire allocation under this law and spend not one dime on family preservation[5]. This federal and state funding bias is in favor of foster care and the main reason so many children are needlessly placed. The National Commission on children found that children are removed from their families "prematurely and unnecessarily" because federal aid formulas give states "a strong financial incentive" to do so rather than provide services to keep families together[6]. This has to change. One simple example of lack of funding. A CPS agency receives a call that a family has no heat in the middle of winter. An investigator goes to the house and finds the family wrapped in several blankets. (with funding) The cps worker takes the children into emergency protective custody for the night. The next day follow up workers help the parents get emergency cash assistance to pay for heat. Once heat is restored within a day or two the children are reunited with the parents and other assistance may be provided. (no funding) The children are taken into protective custody and placed into foster care until the family restores heat. By placing the children in foster care that state takes on the financial responsibility of \$1,400 per child per month. If the mentioned family had three children \$4,200 per month for foster care as compared to \$200-\$300 for heat. Federal and State policies/procedures and laws need to be changed so that State child welfare agencies have the ability to determine how funding

is best used. The best interest of the child needs to determine funding policies, not bureaucrats/politicians that do not know the first thing about social work. Foster care needs to be used only in cases of significant abuse and neglect, not as poverty based warehouses. The current funding policies are wasteful and detrimental to our children and families in need. Many children and families are devastated, because states CPS agencies do not have an equal balance between foster care and family preservation. Critics of funding/foster care reform say that this ideology is placing children at risk of death by keeping the family intact. These critics are wrong for the fact that some families should never remain intact. Child victims of sexual abuse, extreme physical abuse or neglect should never be left in the home. These children in their best interest should be adopted out to loving families as soon as possible. Other families that have their children placed in protective custody, should have every opportunity to receive services to correct the problems that caused their children to be taken. These parents need to "get with the program" and work with the cps caseworkers plan for unification. In emergency medical care there is the "golden hour" In foster care there needs to be the "golden year" to permanence. Children should never be in foster care for more than a year, this is in their best interest, every child deserves a loving family.

Foster care Reform

There are nearly 600,000 children in foster care nationwide. Statistics given by the U.S. Department of Health and Human Services in annual reports to congress in their Adoption foster care report (AFCARS)[7]. The composition of children in foster care is the result of, 10% sexual abuse, 19% physical abuse, 63% neglect. The cost of foster care is a staggering \$9,400,000,000. annually; these reports are two years old. In another report by the U.S. department of Health and Human Services "Child Endangerment" report, from FY 1999 to FY 2000 there was a 6% decrease in child maltreatment, yet there was a 8% increase in foster care placement, this is a result of lack of funding where it is needed most. The Federal policy for foster care is unlimited funding. The Federal government pays 50-80% and the State pays the rest. It is my belief and statistics show that at least 50% of children in foster care would not be their, if funding was available for family support based social services. If we were to take the \$4,70,000,000 that imprisons them in foster care and redirect it to social service to support the family. There would be 300,000 children reunited with their families. The real question is, are we as a nation willing to change the devastating policies that are tearing apart our nations poor families? I believe our nations poor are not there because they enjoy living in poverty. Why not make a national investment in our poor? Let's give them the tools to pull themselves out of poverty. This can be achieved through vocational work programs and educational grants. We are not giving them a hand out, but a helping hand. There is an African proverb that is very appropriate, "Give a family a bushel of gain, you feed them for a month. Teach them to farm, they feed themselves for life." I like to believe that all Americans have the right "of life, liberty, and pursuit of happiness" These same rights of our founding fathers, and foundation of our constitution, need to be given to our nations impoverished.

Child Abuse/Neglect Prevention Services

The U.S. Dept. of Health and Human Services has published a report "In the Wake of Child Maltreatment"[9], and "Prevention pays: The cost of not preventing child abuse and neglect"[10]. In both of these reports the end conclusion is it pays to prevent

abuse and neglect. An ounce of prevention is worth a pound of cure. Through social services aimed at preservation and prevention, millions of dollars can be saved each year in each state. The monetary amounts used in the reports are amounts paid by states for services received for the prevention of abuse/neglect. Through successful child abuse prevention programs abuse/neglect is eliminated so it is impossible to estimate financial savings. What is calculated is the amount of reoccurrence of families that were given abuse prevention based services and the amount of reoccurrence is substantially lower. A 1992 study in Michigan [11], concluded that comprehensive parent education or home visitation for all first time parents. These preventive services cost the state \$43 million. The state estimates for victims of abuse/neglect cost the state \$712 million yearly. Any drop in abuse more than 5% would offset the cost of Michigan's abuse prevention program. Another study found that 20% of children of abuse went on to become juvenile delinquents, 25% of these went on to hard crime and prison as adults. These researchers predicted that of the 39,452 child victims 1,996 would end up in prison for an average 3.5 years at \$25,000 per year or \$50 million per year. The studies conclusion - prevention pays.

Training/Paperwork reduction

The single most important reform that has the most impact on children and families is amount of training child protection investigators (CPI) receive. In most states training is at best minimal. In a training manual used for training CPI's in New Mexico, there is a statement that stands out as a beacon for all states to learn from. "The agency is only as strong as it's weakest decision maker." If any agency fails to give their workers the proper training required for the proper assessment of suspected abuse or neglect. In the event of a tragedy because of "lack of training" the agency is responsible not the under-trained worker. In the event of a tragedy, all too often agency heads place blame on the investigator/caseworkers. These same workers that are under trained, underpaid, under appreciated, and overworked to the point they would have to work 24/7, to maybe have enough time to finish everything expected of them. Agency heads blame their workers for child deaths, or they would have to blame themselves for the horrid working conditions they force upon their workers. The "blame game" has to end. Higher standards of training have to be implemented for the protection of everyone: the children, families, the public, the workers, and the agency. All are at risk by under trained workers. The amount of money an agency spends on hiring outside agencies such as the American Humane Association to investigate their "tragedy" is astronomical and pointless. The investigation's findings and recommendations are always the same; more and better training, reduction in workload, additional clerical staff, and improve working conditions. It would be far more advantageous for agencies to implement these recommendations. This makes the agency less vulnerable to have bad decisions makers. Their wrong decision can be devastating to children and their families, thus continuing the agencies horrible public image. The good news is, there is specialized training know as "CERAP" or Child Endangerment Risk Assessment Protocol. This is the BIBLE for child protective investigators. This, bar none, is what decides whether a child lives or dies. Investigators have to know 14 standard questions which determine the level of risk. This CERAP is available to all states through the U.S. Dept. of Health and Human Services[13]. It's up to each individual state to train their workers how to use it. As mentioned earlier the CERAP is an absolute must for the protection of children. A computer program of the CERAP is also available. The best feature of this is that the

program questions and sends out "flags" to the investigator. For example if question #1. is rated a 1 or low risk and question #5 is rated a 4 or high risk. This particular combination could need further evaluation. Investigators could be linked via email to their supervisor or supporting caseworkers in a matter of seconds. We now live in the 21st century, yet cps agencies are forcing their workers in every case to use dozens of forms, often in triplicate; thus creating a paperwork nightmare. This causes each worker to play the "paperwork shuffle" instead of spending their time investigating, or seeing clients in their caseloads. This can be remedied through the use of laptop computers for investigators/caseworkers in the field. Once the workers get back to the field office they can download all their "files" into a mainframe computer system. With access to the system from the agency director on down can see how the investigation on the "John Doe" case is going. In addition all current paperwork can be placed into any computer program desired. Thus we can produce tailor made computer programs; Such as Sexual or physical abuse investigation program, neglect investigation program, and follow up services program. These entire program will have all the required paperwork installed. Case files can be printed at any time as needed. This reduction in paperwork frees up valuable worker time and saves thousand of dollars in paper cost savings.

Suitability/Accountability/Retention

The first thing that needs to be done prior to hiring a prospective CPS investigator or case worker is to have "suitability testing" done. This should include personality, psychological, and educational evaluations. There are some people that just are not suited to the job of a CPS worker, and they need to be weeded out before they reek havoc on society. The job of an CPS worker obviously has great responsibilities. Prospective CPS workers must have very good social skills. They need to incorporate "active listening" which is the ability to absorb valuable information by both verbal and body language. This is a skill that needs to be taught to CPS workers for them to do their job effectively. CPS workers need to be taught fundamental social skills to be able to get people they are investigating to feel at ease. Ideally, a CPS workers should present as non-judgmental and non-threatening so that people will open up to them. This way they can be given the social services they need. One common phrase that is well known to the CPS community is, "to err on the side of the child." To the unsuspecting public this statement sounds very reasonable. Unfortunately, it is a universal "catch all" for CPS incompetence. It is an excuse for every action they make that is wrong. Baseball players occasionally make errors, at the professional level players are 95% error free. They practice hours a day to achieve their success. In Illinois a Federal judge found that 75% of people CPS found "guilty" of abuse or neglect, were not guilty and their guilty findings overturned in the CPS appeal process. These ordinary people had their world turned upside down because CPS workers "erred on the side of the child." What about the children and families pulled apart because of lack of funding? Is this another error to benefit the children? CPS agencies need to be held accountable for their "errors". All too often, "erring on the side of children" doesn't protect the children- only the system. They need to "practice" by changing flawed policies to become more professional and "error free".

All Cps agencies need to implement the "National Code of Ethics for Social Workers". This code lays out the standards of ethics as a guideline for CPS workers to follow. All CPS workers need to be licensed social workers, this makes them accountable for their actions. If a CPS worker were to be unethical or show misconduct in their work, a

complaint or grievance will be brought before a licensing review board or ethics committee for review. If misconduct by a CPS worker is founded, the licensing authority has the power of imposing suspensions, probation periods or revocation of license. To put it simply, no license-no work. This is the only way we can make CPS workers accountable for their actions. Nationally, there is an extremely high turn over in CPS investigators. Any agency can only expect a investigator to last 3 -4 years. The reasons for pursuing other careers are numerous and include; high stress, low pay, high caseloads as mentioned earlier. In general these workers are "burnt out" because of flawed policies and practices. Policies and procedures need to be changed to help the CPS workers be able to do their jobs effectively, efficiently, and fairly. Once CPS workers are in the "field" they need to be given financial incentives to stay. In cutting down high turnover there is vast savings in training new workers and the added benefit of experience.

Changes to Hot line procedures

A child protective investigation is initiated by a call to an abuse/neglect hotline. By law every state has a hotline. Additionally all states have "mandated" reporters. Mandated reporters are people that generally have everyday contact with children, they include; Doctors, nurses, teachers, daycare providers, etc. They by law have to report any suspected abuse/neglect to their state's child protective services. The problem with this is in hospitals, some hospitals force doctors to report all broken bones as possible abuse. Children that are being physically abused usually have multiple bruises, sores, etc. that aren't easily explainable. An individual Doctor needs to determine if they believe a child is abused, not forced because of hospital policy. There are major problems with the "hotline". Thousands of investigations are initiated as the result of false accusations of abuse/neglect. By law all calls have to be acted on. Investigators that are spending time on fraudulent reports, are being taken from abused/neglected children that really need their help. Two thirds of all reported abuse/neglect are false. This has to change. All people making reports have to be held accountable for the accusations they make. The hotline is not to be used as an extension of "divorce court." People that make a report on the hotline have to give their name, address, phone number, etc. They need to be told that any malicious false reports will be turned over to the police for prosecution. Likewise, fines and penalties need to be strictly enforced. Penalizing those that make false accusation will decrease CPS worker workloads.

National Baseline for Abuse/Neglect

Another problem in CPS agencies everywhere nationwide; state to state, county to county, city to city is the lack of standard universal definitions for abuse and neglect. The U.S. Dept. of Health and Human Service has a whole section devoted to definitions of every type of abuse and neglect. These definitions fill 20-30 pages, the very last sentence reads, " It is the responsibility for each individual state to come up with their own definitions for abuse and neglect." What I believe to be abuse or neglect may be totally different than from others. An example of this is one county CPS field office may remove a child for "xyz" and the next county over that field office will remove a child for "abc". In one field office only "A" is required to get the child back while in another county field office "ABCDEFG&Z is required for family reunification. Take this "very subjective" problem and times it by the individuality of all 50 states; what you have is a real mess. The U.S. Dept. of Health and Human Services needs to mandate the

definitions of abuse/neglect and make them uniform among all states. This would make Abuse/neglect the same everywhere. American people would know in black and white, what they can and can not do to their children. This tell the people if you do "ab or c" your children will be take from you, and you will pay the consequences.

"Severe" Abuse/Neglect Tracking System

The following is a national problem, of which I do not have an answer. As I write this countless children are dying daily all across our nation. The product of no national child abuse tracking system. A system that would track the abuser and abused from state to state. As it is now, all a family that is abusing their children has to do is move across the state line and start fresh. An original family of 4 from Texas could move to Alabama, kill a child in route and the people in Alabama would have no idea that there was a family of 4 to start with. Does this sound far fetched? It sounds insane, right? The sad truth is, it is reality. In the case of Joseph M. Duncan, an 8 year old boy beaten to death by Josephs mother's boyfriend. There had been prior CPS involvement and Joseph was left in the home even with signs of horrible abuse and the case was closed. At the time of the Joseph's murder, his mother was living in Florida, as Joseph was "tortured" daily for weeks until his little body finally gave out. After the boyfriend murdered Joseph, he called Joseph's mother in Florida. The plan was she was going to drive up to Illinois and pick him up and their daughter. The 3 of them would have their "perfect little family". They were going to dump Joseph's body in the Ohio river in route to Florida. If it wasn't for the boyfriend being impatient, calling Donna's place of work, and talking openly of Joseph's death while her employer eases dropped, Joseph's grandparents would have no idea of where Joseph was. We need to develop a system that tracks abusers and abused from state to state. How do we do this? My concerns are that there are many people listed on state registries for abuse and neglect and they are innocent. As in our case, our 10 year old innocent "sex abuser" was on that list for 2 years. Some states do not even have an appeal system at all . If they indicate you for abuse, tough luck, you cannot even fight it. We need to fix all CPS agencies nationwide and then adopt a National severe abuse/neglect tracking system. How big a problem is this? In Southern Illinois with a population of 300,000 people, I know of at least 5 cases, of families moving to a different state to "escape" CPS attention only to kill their children in the new state. I could only assume thousands of children are killed this way each year.

Conclusion

As one Family Service Specialist told me, the system is doing things backwards. She said that many of her clients need only transportation (such as a car) to better their situation. In other cases, they need daycare or emotional support to stabilize their situation. Unfortunately, the money is not there to let her help them. There is no funding left to pay someone to be paid to get their prescriptions, take them to the store, get a job, get to mandatory counseling, etc. When the parent is unable to get the resources needed the DCFs could claim or perceive that the parent is non-compliant or that they are neglecting their child. Thus, the child gets placed into foster care adding to an already sad situation. What makes more sense, spending money to preserve or to divide? She knows that there are families right now that are at risk and she cannot get them the services that they need because of no funding. What should she tell these little children when she cannot help them? She believes that caseworkers could benefit

from case aides and that more Family Service Specialists and Advocates need to be employed to continue to monitor living conditions and stability of some clients and to continue getting resources to others. This cost would still be less than foster care. She believes that in cases of sexual abuse, that the perpetrator should leave the home, not the child. The children did nothing wrong and to make them leave their environment punishes them more, adding the cost of foster care to an already devastating problem. I believe that monies spent on more judges to alleviate case overload and continuances, more case aides to assist caseworkers, more Family Service Specialists to problem solve and monitor, more food banks, transportation resources, emergency money for electric, rent or heat, and money to create daycare that enable parents to better their life and the lives of their children would be better spent than where it is going now. If the Childs' best interest is being considered, then why are they still at risk, hungry, cold, beaten, killed, molested or still waiting in foster care to go back home? I want to know what to tell these children. They will be our future, what will they be? The ideas expressed through out this paper, are the ideas of myself, Linda Sargent and informational resources from 3 different agencies; The U.S. Dept. of Health and Human Services, The American Humane Society, and the National Coalition for Child Protective Services Reform. It was from all this mass of information we were able to come up with these reforms. The underlying reality is that these three agencies are saying the same thing. These reform issues must be implemented as soon as possible. Every day that goes by millions of children and families are affected by flawed CPS policies and misappropriated funding. Through public opinion we can make a major difference. The American public has no idea how poorly most agencies are run. We need to get the message to them by whatever means possible. I wrote the following shortly after 9/11/01. What if today, a terrorist bomb ripped through a grade school, in a rural town in the heartland of America? In the carnage includes 14 children killed, 50 children in critical condition, and another 400 hospitalized with significant injuries. In view of the recent attacks on America, what would be our nation's recourse? I believe America would go ballistic! Our government would retaliate on a massive and unprecedented scale. We as Americans hold our children as sacred, they are our future, and we will do everything possible to protect them, right? As horrific as this sounds, take away the terrorism scenario. In America we are losing 14 children killed, 50 children permanently disabled, and another 400 hospitalized with significant injuries. This carnage goes on every day, 365 days a year. Annually, that is 5,000 killed, 18,000 permanently disabled, 148,000 hospitalized. This is do to another kind of terrorism- child abuse and neglect. It goes on in every State and every town across our nation. It knows every race and every social class it does not discriminate. It kills and maims innocent helpless children . It also creates children that grow up to be social psychopaths. The good news is, through social services reform we can significantly reduce the amount of abuse/neglect that is done to our children. The problem is, most States social services are overworked, under trained, underpaid, and often under appreciated. Our proposed reforms help to remedy all these problems. If only the average American knew what was going on, We are positive that Americans would do what ever possible to save and protect our children. Laws and child protective policies need to be put in place now. Please help save our Nation's most precious natural resource - our children. This can only be done by everyone calling our local, State, and federal representatives, and letting them know you are in support of CPS reform and new laws to protect our children. Thank you, and may God bless our precious children, and this great nation.

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