

Contending with Overblown Expectations

CPS CANNOT BE ALL THINGS TO ALL PEOPLE.

BY DOUGLAS J. BESHAROV

The last twenty years have seen major progress in protecting abused and neglected children. Public child welfare agencies have much reason to be proud. Nevertheless, there are still major problems—which threaten to undo past improvements.

Of the 1,000 children who die under circumstances suggestive of parental maltreatment each year, between 35 and 50 percent were previously reported to child protective agencies. Many thousands of other children suffer serious injuries after their plight becomes known to the authorities.

At the same time, about 65 percent of all reports are labeled “unfounded”—or a similar term—after investigation. This, by the way, is in sharp contrast to 1975, when only about 35 percent of all reports were “unfounded.”

Some Unfounded Reports Are Necessary

There are, of course, many reasons for the high unfounded rate—evidence of child maltreatment is hard to obtain; overworked and inadequately trained workers may not uncover the evidence that does exist; and many cases are labeled unfounded as a means of case load control or when no services are available to help the family.

Moreover, a certain level of unfounded reporting is necessary to make the system work; it is an inherent—and legitimate—aspect of reporting *suspected* child

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maltreatment. We ask hundreds of thousands of strangers to report their suspicions; we do not ask that they be certain.

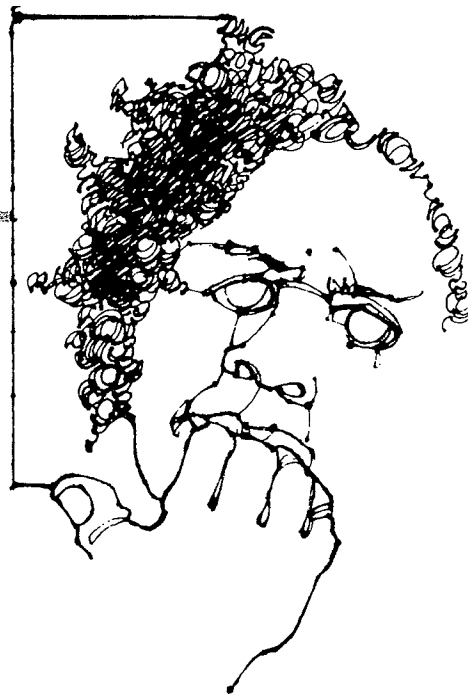
These realities, it seems to me, make an unfounded rate of 30 to 40 percent acceptable. It is the last 20 to 30 percent of unfounded reports that is the cause for concern. For the reasons I will describe, they could be removed from the system without threatening the fundamental mission of child protective agencies. The failure to do so imperils the future credibility of child protective efforts.

Endangering Children

The current flood of unfounded reports is overwhelming the limited resources of child protective agencies. For fear of missing even one abused child, workers perform extensive investigations of vague and apparently unsupported reports. Even when a home visit based on an anonymous report turns up no evidence of maltreatment, workers usually interview neighbors, school teachers, and day care personnel to make sure that the child is not abused. And even repeated anonymous and unfounded reports do not prevent a further investigation. But all this takes time.

As a result, children in real danger are getting lost in the press of inappropriate cases. Forced to allocate a substantial portion of their limited resources to unfounded reports, child protective agencies are increasingly unable to respond promptly and effectively when children are in serious danger.

Ironically, by weakening the system's ability to respond, unfounded reports actually discourage appropriate reports. The sad fact is that many responsible individuals are not reporting endangered children because they feel that the system's response will be so weak that reporting will do no good and, indeed, may make things worse. According to the National Incidence Study of the National Center for Child Abuse and Neglect, professionals—physicians, nurses, teachers, social workers, child care workers, and police workers—still fail to report half of the maltreated children whom they see. Each year, about 50,000 children with *observable injuries severe enough to require hospitalization are not reported.*



Undermining Public Support

Unreasonably high unfounded rates are a public relations disaster. Almost every journalist who covers children's issues knows that the number of missing children was grossly exaggerated—or at least misleading—and that the first journalist to write about it won a Pulitzer Prize. To be blunt, many reporters are now eager to challenge child abuse statistics and to "expose" what is really going on.

Let me tell you about a phone call I received a few months ago. A local radio reporter called to ask what she could do to help her housekeeper of ten years who had just been reported for child abuse. The reporter said the allegations were "crazy." The housekeeper had been summoned to her twelve-year-old son's school because he had been misbehaving. She was required to take her son home. As she was leaving the school yard with her son, she whacked him across the rear with her hand. The principal saw this and made a report of suspected abuse on the basis of that one whack—nothing more. One more journalist is now convinced that there is something very wrong with the reporting process.

Angry Parents

The growth of VOCAL (Victims of Child Abuse Laws), an organization of parents who claim that they were wrongly accused of child abuse and neglect, has also been encouraged by the high unfounded rate. VOCAL now has over 3,000 members, with chapters in more than thirty states.

To the extent that VOCAL calls for better trained child protective workers coupled with a greater recognition of parental rights, I am a strong supporter of the organization—regardless of the guilt or innocence of its members. But one does not have to share this view to realize that VOCAL is becoming a powerful political force. In

Minnesota, VOCAL members collected 2,000 signatures on a petition asking the governor to remove Scott County prosecutor Kathleen Morris from office because of her alleged misconduct in bringing charges, subsequently dismissed, against twenty-four adults in Jordan, Minnesota. In Arizona, VOCAL members were temporarily able to sidetrack a \$5.4 million budget supplement that would have added seventy-seven investigators to local child protective agencies.

To ignore the present harmfully high level of unfounded reports is to court catastrophe. In the short run, it may be possible to avoid admitting that the reporting system has serious shortcomings. In the long run, though, already severe problems will worsen—and become more visible to outsiders. As more people realize

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that hundreds of thousands of innocent people are having their reputations tarnished and their privacy invaded while tens of thousands of endangered children are going unprotected, continued support for child protective efforts will surely erode.

Child protective professionals have begun to respond. At the national level, the American Public Welfare Association (APWA), through its National Association of Public Child Welfare Administrators, and the

Children's Bureau at the United States Department of Health and Human Services have begun work on the problem of unfounded reports. So have many states.

What should be the agenda for reform? I believe that the only ways to lower the rate of unfounded reporting are: (1) to develop improved definitions (and guidelines) for what should be reported—and what should not be reported and (2) to implement these definitions through public and professional education and through the screening of hotline reports.

Better Definitions

Few unfounded reports are made maliciously. Studies suggest that, at most, from 5 to 10 percent are knowingly false. Many involve situations in which the person reporting, in a well-intentioned effort to protect a child, overreacts to a vague and often misleading possibility that the child may be maltreated. Others involve situations of poor child care that, though of legitimate concern, simply do not amount to child abuse or neglect. In fact, a substantial proportion of unfounded cases is referred to other agencies for them to provide needed services for the family.

Thus, we need better definitions of child abuse and neglect—incorporated into public awareness and professional educational materials—that provide real guidance about what should be reported—or not reported. Generalized statements about children who are “abused” or “neglected” or “in danger” will not do. Unfortunately, better definitions will not come easily, for they require resolving a series of complex technical and controversial policy issues.

Let me give just a few examples of areas in which *technical* work is needed. (There are many more.)

Anonymous reports. Even though only about 15 percent of these reports are later deemed founded, all states accept anonymous reports because they sometimes identify children in serious danger who would otherwise go unprotected. This is no reason, however, for investigating anonymous reports that can cite no specific reason to suspect maltreatment. One agency accepted a report that alleged nothing more than that “there are strange noises coming from next door.”

Matrimonial and custody cases. Divorce and the acrimony that frequently follows are fertile ground for unfounded reports. Fear of criticism—and liability—is leading agencies to accept, unquestioningly, reports from estranged spouses. These reports cannot be rejected out of hand, because a small proportion involve real danger to children, as demonstrated by the *Mammo* case, described below. A method must be found, however, to

screen out the vast majority of obviously inappropriate reports.

“Reasonable” corporal punishment cases. Until very recently, it was accurate to say that all states recognized the parental right to engage in “reasonable” corporal punishment. But, alas, our concern to identify children in “imminent danger”—more on that in a minute—is leading many agencies to investigate reports that, *on their face*, amount to nothing more than what courts would recognize as reasonable corporal punishment. Many of these parents need help in child rearing, of course; but, again, accepting and investigating a case only adds another unfounded report to the statistics.

Behavioral indicators. There is a tendency to consider the so-called behavioral indicators of child abuse, and especially of sexual abuse, *on their own*—without physical evidence, without statements by the child or others, without anything else—as sufficient reason to make a report. Intake workers are accepting reports from teachers and others that “Mary is shy in class” or that “Mary is over friendly.”

Behavioral indicators have a valid place in decision making. They provide important clues for potential reporters to pursue, and they provide crucial corroborative evidence of maltreatment. But *alone* they are an insufficient basis for a report. There are many other explanations for such behavior. It is essential that this point be made. Otherwise, every shy or over friendly child in the country will be reported.

“Imminent danger” cases. Agencies cannot wait until a child has suffered serious injury before acting. That is why all states allow reports of “imminent danger” or “threatened harm.” The failure to articulate the reasons

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for believing that a child may be in danger of *future* abuse, however, encourages vague reports that agencies feel they cannot reject without an investigation.

Emotional maltreatment. Once again, vague definitions—one state defines emotional neglect to include “the failure to provide adequate love”—encourage reports that cannot be rejected, but that are almost invariably deemed unfounded after investigation.

The Mission of CPS

Today, child protection is at a crossroad. Across the nation, child protective agencies are being pressed to accept categories of cases that, traditionally, have not been considered their responsibility—and for which their skills do not seem appropriate. In community after community, the dearth of family-oriented social services is pushing CPS away from its traditional role as a highly focused service for children in serious danger—and toward an all encompassing form of child welfare services.

In essence, CPS is paying the price for its past successes. People know that a report of possible maltreatment will result in action. As a result, “child abuse” hotlines are being barraged by reports that, at base, really involve adolescent truancy, delinquency, school problems, and sexual acting out, not abuse or neglect; children who need specialized education or residential placement; parent-child conflicts with no indication of abuse or neglect; and chronic problems involving poverty, unemployment, inadequate housing, or poor money management. Many of these reports result in the family receiving much needed services, and many do not. But either way, another unfounded report is added to the statistics.

In effect, CPS is being used to fill gaps in what should be a communitywide child welfare system. Some child advocates welcome this development, because, they think, it will mean more money for desperately needed services. But, sooner or later, politicians will recognize what is happening and will cut us back. Then we will be in real danger of losing the progress that has been made.

Child protective agencies should reject reports when the caller can give no credible reason for suspecting that the child has been abused or neglected.

Even if this strategy were more likely to succeed, we should shun it; for the CPS process is a coercive, often traumatic one that should be limited to situations in which the danger to the child overrides our traditional reluctance to force services on unwilling parents.

We must make it clear that CPS cannot be all things to all people. Here the major challenge will be to develop definitions that distinguish between those child-rearing situations that we think are less than optimal—and for which we would like to offer voluntary services—from those that pose a clear and present danger of serious injury—and for which we are prepared to intervene involuntarily, through court action and removal of the child, if that is necessary.

Screening Reports

Better definitions of reportable conditions will go only partway to reducing the level of unfounded reports. The new definitions need to be enforced. This is the role of intake staff.

Afraid that a case they reject will later turn into a child fatality, most agencies now shirk their central responsibility to screen reports before assigning them for investigation. According to the American Humane Association, only a little more than half the states allow their hotline workers to reject reports; and even those that do usually limit screening to cases that are clearly inappropriate.

Imagine a 911 system that cannot distinguish between life-threatening crimes and littering. That is the condition of child abuse hotlines. Many hotlines will accept reports even when the caller can give no reason for suspecting that the child's condition is due to the parent's behavior. This writer observed one hotline accept a report that a seventeen-year-old boy was found in a drunken stupor. That the boy, and perhaps his family, might benefit from counseling is not disputable. But that hardly justifies the initiation of an involuntary child protective investigation.

Child protective agencies used to do much more screening. But that was before the recent media hype and before cases like *Mammo v. Arizona*, in which the agency was successfully sued for the death of a young child after the agency refused to accept a report from the non-custodial father.

Overreacting to cases like *Mammo v. Arizona*, some child protective agencies assume that they should not screen reports at all—that is, that they must assign all reports for investigation. This is a mistake. The proper lesson to be drawn from *Mammo*, and cases like it, is not that screening reports is disallowed but, rather, that decisions to reject a report must be made with great care.

Just as child protective agencies have a duty to investigate reports made appropriately to them, they also have a duty to screen out reports for which an investigation would be clearly unwarranted. They should reject reports whose allegations fall outside the agency's

definitions of "child abuse" and "child neglect," as established by state law. (Often the family has a coping problem more appropriately referred to another social service agency.) They should also reject reports when the caller can give no credible reason for suspecting that the child has been abused or neglected. And they may have to reject a report in which insufficient information is given to identify or locate the child—although the information may be kept for later use should a subsequent report about the same child be made.

The kind of intake decision making that I am proposing cannot be done by clerks nor by untrained caseworkers. The agency's best workers should be assigned to intake—where they can have the greatest impact. In fact, I would suggest that we make assignment to intake a promotion for our most experienced and qualified staff.

The Political Context

Reform will require, as I have said, the resolution of both technical and policy questions. Leadership in this effort should come from public child welfare agencies; they, after all, know most about the program and will be required to implement whatever changes are made.

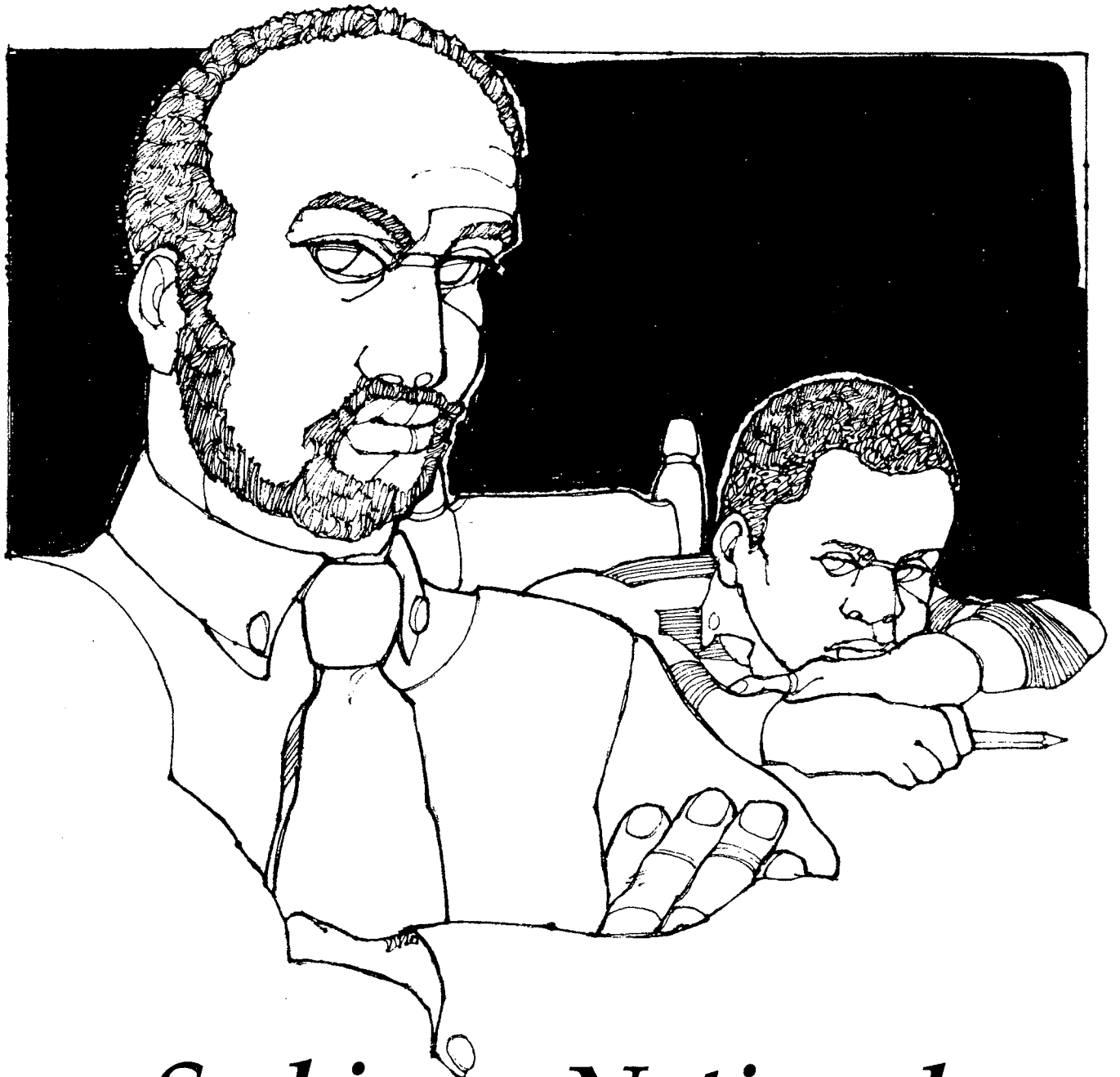
I hope that agency administrators themselves will work on developing improved definitions. This crucial work cannot be left to consultants or lower level staff—who are neither authorized nor qualified to make the fundamental policy choices involved.

Reform, finally, cannot be accomplished in a vacuum. Public concern over the plight of abused children means that decisions about the reporting process must be made in a political context. This does not mean partisan politics, or at least I hope it doesn't. But it does mean that there are various elements of the community that must be convinced of the need for change.

Public agencies, therefore, should reach out for support and advice from the professional and advocacy groups that helped build and shape CPS in the past. They should build alliances with medical, law enforcement, educational, and social service groups. Only with this kind of help can the public and politicians be convinced of the need to better focus child protective efforts. *PW*

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Seeking a National Consensus

WITHOUT A NATIONAL COMMITMENT TO STANDARDS,
CPS WILL CONTINUE TO FLOUNDER.

BY LARRY BROWN

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The Future of Child Protective Services

Over the years the American Humane Association has published standards on child protective services (CPS) and we have promoted those standards through training, publications, and consultation. We believe standards are necessary for good practice. But we're interested in going beyond them to establish a national consensus and commitment. We are concerned that child protective practice and results vary widely throughout and within the states.

It now seems possible to establish once and for all a national consensus around fundamental policy issues in CPS. It is interesting that, for as long as we have been protecting children, even the very purpose of child protection remains a matter of debate.

CPS started out as a campaign against parents. Early emphasis was on the rescue of children from "bad" homes, prosecution of parents, and placement of children in institutions or foster homes. But we have learned over the years through a lot of pain and anguish that the best way to rescue a child is, if at all possible, to rescue his or her family. Yet in some communities the punish-or-rehabilitate debate goes on and it affects the quality of our CPS system.

In developing a national consensus on CPS, we need to agree on basic questions, such as, What is the purpose of CPS? What is our philosophy and intent? I think there is consensus on some matters.

First, there is consensus that parents have the primary responsibility for their children—for maintenance, health care, and overall well-being. The state should not intervene when parents are willing and able to carry out that responsibility.

Second, there is consensus that parenting is not an easy job. Too many people are failing as parents because they have never been taught how to do the job or their own experience has been too inadequate to prepare them for parenting. So, we must mobilize community resources to prepare and support families.

The third point we agree on is that parental rights are not absolute. When for whatever reason parents fail to care for their children, society then has a legal obligation to intervene to protect the children.

I believe there is consensus among professionals that effective CPS is child-centered but family-focused. To be for kids, you've got to be for families to the greatest extent possible.

A Starting Point for Standards

We must decide in the beginning how to differentiate between child welfare services and child protective services. For acceptance into the CPS system, a case must first show evidence of an injured or at-risk child and, second, of a parent who is unwilling or unable to protect that child. Both of these criteria must be met for accepting cases into child protective services.

For example, if we find a child who is injured or at risk, but the parents are willing and able to care for that child, then we must help them fulfill their parental responsibilities, not intervene and take over their parental role. This calls for a critical and essential distinction on the part of CPS. It may be the most difficult task of all.

As I look at CPS intake services, I think of the Statue of Liberty. CPS stands with arms poised to the community and says, "Give me your tired, your poor, your huddled masses. . . ." Too often it takes in all kinds of cases without clearly defining and discriminating what belongs in child protective services.

We must be very discriminating about the acceptance criteria for cases. We need to know how pervasive the abuse or neglect is, how severe it is, how long it has been going on, and how consistent it is. We also need to know what is really happening in the family. Intake criteria must be very specific to protect children who are at risk—and to enable the system to do its job.

What the public doesn't know is that more children die from neglect than from abuse.

But developing intake criteria alone will not cure the ills of CPS. Many years ago I heard one of the nation's leading experts on family therapy say that "the key to family therapy is the experiential nature of the interactional process." At the time I didn't know what that meant. I do now. It is describing what actually goes on inside the family. And it is also the key to family therapy. It's the key to training and to policy development. It's the key to administration. It must be the basis for developing standards for case acceptance into CPS.

Appearances vs. Reality

The public is expecting someone to do something about child abuse. The problem is they don't know much about what's already being done. They don't know what child abuse and neglect really are. They don't know how well CPS is doing. They don't know what's needed. But don't think for a moment they don't care. There is an awareness of child abuse—but that awareness sometimes is misguided by the oversensationalized media accounts of only the most severe cases.

One of the most important pieces of data to come out of American Humane's study of reporting statistics over the years has to do with what people think when you say child abuse. What they think of is severe physical abuse, the sadistic and brutal attacks on children they hear about on the six o'clock news: the subdural hematomas, the burns, the broken bones, and deaths. Our data show that these account for only 3 percent of the reported abuse cases. Nevertheless, the public, policymakers, and even CPS administrators tend to focus solely on those most visible and severe types of abuse. Sadly, because of public pressure, our policies often do not address the types of cases most often referred to CPS—minor physical injury,

neglect, and sexual abuse. These cases are serious, but the response to them will be different if we truly want to act in the best interest of children.

Policies and practice guidelines often are not directed at the work CPS actually does. In many instances the whole CPS system is designed to deal with the smallest percentage of cases—the cases of brutal, deliberate abuse. After all, most neglect and abuse are the result of desperation and despair. It is not willful and deliberate. The response must be tailored to the individual needs of each situation. To try to treat them all alike, as most policies do, will fail.

We know from our reporting data, for example, that only one or two out of every four CPS cases ever go to court. Yet many agencies place great emphasis in training and policy on investigations and gathering evidence for taking cases to court. I don't want to minimize the importance of that training or the importance of our commitment to that 3 percent. But we have a rather large public education job on our hands.

CPS agencies are sitting on one of the best stories in the country, yet they are failing to communicate it to legislators, the media, and the public. Agencies and workers are in the news because parents have accused them of violating their rights. Workers are under fire

NAPCWA's Philosophy of Child Protective Services (A Working Statement)

The National Association of Public Child Welfare Administrators suggests that certain broad principles should underpin the development of a model CPS delivery system. These principles are grouped under three major categories:

- rights of children, parents, and/or caretakers;
- societal intervention and services; and
- CPS system management responsibility and accountability.

The foundation of these principles is the belief that the CPS delivery system, which is concerned with the identification, treatment, and prevention of child abuse and neglect, must ensure that reasonable efforts are made to maintain and protect children in their own homes. Where this is not possible, agency substitute care must be designed to provide children with a continuum of services that lead to a return home or to other types of permanency.

Rights of Children, Parents, and/or Caretakers

- Families have a right to care for and raise their own children; the most desired option for children is to be cared for adequately by their own family.
- Children have the right to reside with their own family, except when there is clear evidence that reasonable efforts to keep them in their own home will not allow them to be protected from abuse, neglect, or exploitation.
- Parents and/or caretakers have the right to maintain custody of their children, unless it has been demonstrated that this would jeopardize the children's health and welfare.
- Children and parents have the right to family privacy.
- Family diversity, with regard to values, culture, and economic status, must be respected and maintained.
- In situations of alleged child abuse or neglect, family members have all the rights guaranteed them as citizens of their state and the United States.
- In situations of alleged child abuse or neglect, parents and/or caretakers and children have a right to a timely disposition of their case.

when a brutal, vicious attack against a child hits the press. It's as if the system is the enemy.

What the public doesn't know is that more children die from neglect than from abuse. Caseworkers know it, but no one rallies community support behind that fact. Little attention is focused on the children who are drifting through their childhoods with fractured self-concepts—so little attention that in some states there seems to be a tendency to say, "Well, let's not pay too much attention to neglect. It's the abused and sexually abused kids who really need our help." Dealing with neglect cases is tearing many agencies apart. Neglect is like a time bomb in the homes of many children. We need to beef up support from our communities to help us manage this sizable case load.

It's no secret that four to six out of every ten cases are closed by CPS after initial investigation. The public knows that, the media know that, and so do the politicians. Yet, in light of what is a brewing national controversy over that fact, I offer a stern warning. A closed case does not mean that there was no abuse. Perhaps there was abuse and the worker didn't see it. Perhaps the worker saw evidence but didn't know what to do with it. Perhaps the worker knew abuse had occurred, but did not deal with it because of some agency policy

or priority. And perhaps a child welfare service referral was made, and parents were deemed capable to care for their children in spite of the report. To ignore the report would be dangerous. Administrators must look at this unfounded rate with a critical eye. If CPS is chasing windmills in up to half of the reported cases, something is very wrong.

The Importance of Intake

There is no simple answer; but one solution—and this is not a new idea (Doug Besharov mentioned it in his presentation)—would be to place the most skillful, experienced, highly trained workers on the intake phones, right up front on the battle line. It is on the intake phones that we learn about most abuse and neglect cases; it's at this point that critical decisions must be made.

In a sense, the caller represents the community. Whether he or she is a babysitter, a psychiatrist, or a neighbor, that person has seen something that has caused concern that abuse may have occurred. The intake worker is talking to someone who is concerned. The intake worker should be skilled enough to glean pertinent information without sounding like the Inquisition.

Societal Intervention and Services

- Society has a responsibility to protect the health and welfare of children who are abused, neglected, or exploited.
- Intervention into family life shall be guided by a legal base that comprehensively defines the rights, powers, and responsibilities of the intervening authorities.
- Intervention into family life should be as unobtrusive as possible.
- The best child welfare is good family welfare. Therefore, intervention services first should be directed toward creating a safe atmosphere in the children's own homes.
- If documented conditions, based on law, establish that these intervention services cannot assure the safety of abused and neglected children in their own homes, then removal is appropriate.
- When children are removed from their own homes, individualized case services initially should be directed at reuniting the families.
- When return to home is impossible because parents cannot raise their own children, and/or where the child's right to security, affection, and continuing care cannot be provided, adoption is generally the most appropriate permanent plan for these children.
- Children who have been removed from their families have the right to adequate, appropriate services and treatment.

CPS System Accountability and Management

- CPS agencies have a responsibility
- to promote and implement a child abuse and neglect prevention strategy;
 - to inform the community about the causes of child abuse and neglect and other related social problems;
 - to act as advocates for children within the jurisdiction that their agency serves;
 - to cooperate with other agencies and professions to secure treatment and services on behalf of their clients;
 - to provide feedback to the community on the children and families they serve;
 - to ensure that services are designed to meet the needs of families and children, not the bureaucratic system;
 - to ensure that services are delivered by qualified personnel who are well trained and supervised;
 - to evaluate their problems and services on an ongoing basis; and
 - to ensure that resources are on hand, or available, to provide adequate and appropriate services to children and their families.



The worker should be able to get a clear idea of what happened to spark the call and who else may have witnessed the incident. There is a whole range of intake information that can be obtained from that one call if the worker is trained and authorized to do so. This is the time to state what CPS can do and what it cannot do. The caller deserves to know what will happen and how the case will be handled. It takes courage to report a suspected case of abuse or neglect; and concerned, responsible citizens deserve to know how the agency will proceed. The report itself needs to be validated—not the abuse. But is this a reasonable report? The CPS intake worker misses the best opportunity to influence public opinion and professional confidence in the system by how this call is handled. Yet we often delegate this responsibility to nothing more than an answering service that aims only at a series of facts.

We have failed to place enough emphasis on thorough intake assessments. Field workers are asked to handle cases they know little or nothing about. If you've ever gone out on a child abuse case and had to knock on a door when you didn't know why you were there, you know it's a difficult job. It's hard enough even if you know what you're doing. Unfortunately, our system has failed workers, children, and families by ignoring the importance of a thorough intake.

Focusing on the Family

Yet intake alone is not responsible for all of our ills. By virtue of agency guidelines, our workers often walk right by those who know the most about what has happened: the reported family. In our eagerness to see the abused child, we ignore the parents. We know that many parents who are subjects of these reports are in some sort of desperate trouble. Yet we train our workers to be sensitive to the child, often at the expense of the parents. With guidance, parents may be able to work their way out of their own

desperation. In such cases, positive responses could replace accusations.

Here is an excellent example. A friend of mine who is a day care administrator witnessed a mother arriving with her child one morning. She was jerking and pushing the child around. All of sudden she looked up, and there was the administrator looking at her. Her immediate reaction was defensive: "Well, you can't let them run wild, can you? They've got to have some control."

Up to this point, the administrator hadn't said a word; but the woman already was defensive. He looked at her and said, "You're right. Kids do need control and discipline." (His impulse was to say, "Lady, don't you think you're being a little rough?" But he didn't.)

Then he said to her, "Is what you're doing working?" And she replied, "Oh, no. The more I yell at him the worse he gets." Then the administrator said, "Well, would you like to talk about other possibilities?" The situation then turned from confrontation to assistance; and in the meantime, the child was spared the rough treatment.

We can sensitize the CPS system. We can stop pointing the finger and be more responsive to people who are having trouble raising their kids. For the many parents who are not sadistic abusers, we can stop long enough to listen and look and react in a more positive, less accusing way. It's time to stop pointing the finger and start lending the whole hand.

When working with abusive or neglectful parents it's easy to forget one of psychology's most important precepts—that all behavior is caused. It is not random; it's purposive. For instance, all parents have a theory of child development. Theirs may not be Piaget or Ericson, but parents have a reason for what they do. When our agencies and workers devise treatment plans, we need to remember that and why parents acted the way they did toward their child.

Since inadequate parenting is the prime source of child abuse and neglect, much of our casework must be teaching, overcoming ignorance, and realigning expectations. As the late, great anthropologist Margaret Mead said a few years ago, "Abusive parents are not more wicked; they're more heartbroken than others."

In formulating our policies we must remember one of the most fundamental principles of child welfare—individualization of case planning. There's no single cause of child abuse. It's not poverty; it's not stress; it's not mental illness or having been abused as a child. There's no single causative factor, and therefore there is no single answer for all cases. There is no substitute for examining each report on a case-by-case basis. That's

why formulating the policies and guidelines will be so tough. We're back to the fact that the key to family therapy is the experiential nature of the interactional process.

Toward National Consensus

Researchers at the American Humane Association have projected what will happen if we don't develop some policy consensus on CPS. Public awareness about child welfare issues is increasing every day. If we don't tighten intake criteria for CPS, it will be swamped by all types of child welfare cases because we're the only available resource.

Even though the child protective services system is already almost at the point of overload, the numbers of cases could double in ten years. At the same time, we know that staffing will not keep pace with the case load.

Our research shows that substantiation rates are going to drop. Yet we're already seeing many unsubstantiated cases coming back into the system with more severe alleged abuse. At-risk families will get worse, and there will be increased criminalization.

CPS is in trouble. Without a national commitment to

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standards, it will continue to flounder. The concept of help is likely to disappear completely from the efforts of CPS unless we develop standards for policy and practice.

There will be no consensus without administrative commitment. Administrators must take the lead in developing standards. Further, once those standards are in place, administrators must be committed to them and ensure that through all levels of the program the standards are known and followed.

Specialization will play a key role in all standards. I have discussed the need for highly skilled intake workers, but other CPS roles require equally experienced professionals. CPS is very different from other kinds of social work, and hiring and training must reflect that difference.

Many agencies suffer because supervisors don't know how to supervise. Ideally, standards would spell out

very concrete guidelines about supervision. CPS decisions must be agency decisions, not worker decisions. I'm talking about decisions to place a child, return a child, open or close a case, invoke court action. When was the last time you saw a supervisor working to help develop the skills of workers? Supervisors need training to do their jobs, too.

Case load control must be a part of any standard. I have heard workers say they carry eighty cases. Nonsense. No one carries eighty cases. You may have eighty files in your drawer; you may stay awake at night worrying about them; but you cannot serve eighty cases. It is ludicrous to think that any worker could carry eighty cases of this type. Case load controls are a necessity.

Standards must address training. Training units often are the burial grounds for dying social workers. We staff those units with people who don't know how to train. Never do that. This is very important work. And everyone in the CPS unit needs training: administrative staff, supervisory staff, and casework staff.

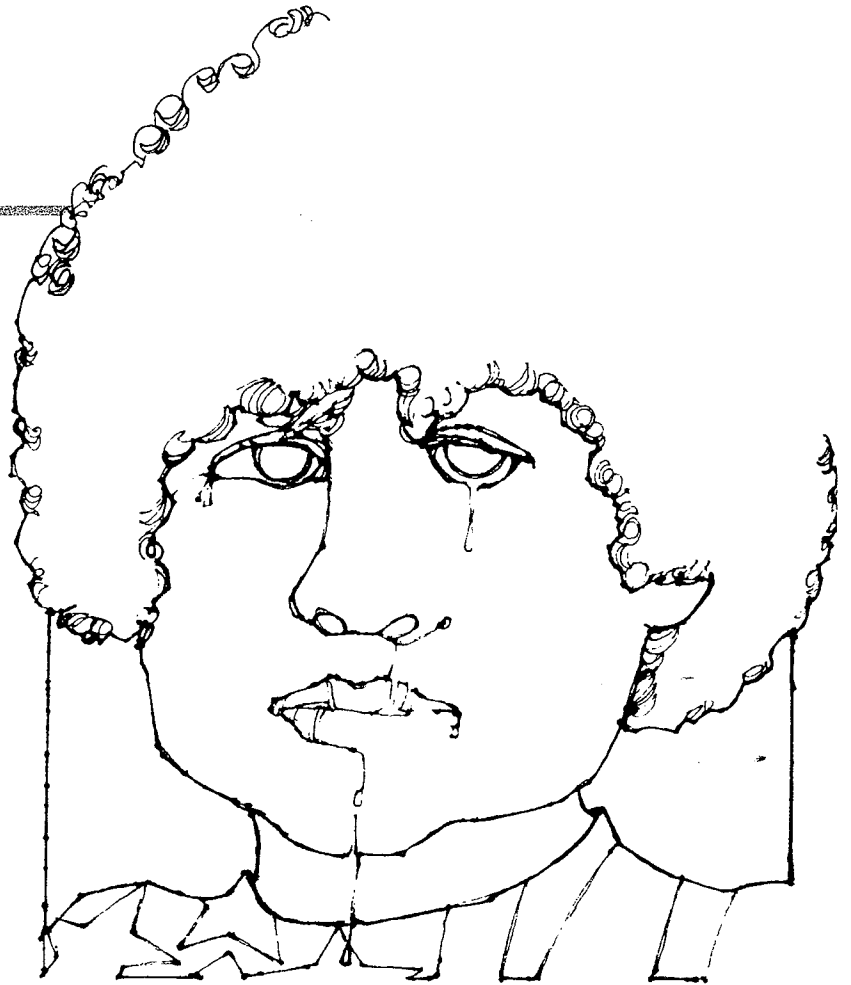
Finally, we must rally community support. Consider very carefully who represents your agency on multidisciplinary teams. Sometimes we seem to send the least competent—the least experienced—persons to represent us on teams that include school superintendents and chiefs of police. Be careful about this. We should make an administrative, high-level commitment to community team work.

We have not enlisted the whole community in helping us with our task. That is sad. We often hear the schools complain about what we're doing. Physicians complain about us; the police complain. But we can resolve these problems with one quick administrative decision to make the community a part of the job. Protecting children is not any one agency's job. It's the job of all of us. And we're going to do it best in communities where everybody is involved.

We've taken on a very large task—but we can do it. Clearly, the time is now for a national consensus. I'm glad you're taking it on, and I'd like to be a part of it.

PW

Larry Brown, ACSW, executive director of the American Humane Association (AHA), Denver, was for many years the director of the association's children's division. Before joining American Humane, he was director of child welfare services and director of the social services agency for the state of New Mexico. Brown has led program evaluation teams in reviews of child protective services programs in major cities and states. He is author of AHA's Child Protective Services Standards.



Questions and Answers

BESHAROV AND BROWN RESPOND TO QUERIES.

Following their talks on "The Future of Child Protective Services," which precede this article, Douglas Besharov and Larry Brown responded to questions from the floor of the September 1986 meeting of the National Association of Public Child Welfare Administrators. The following questions and answers have been adapted from a transcription of that session.

Q: Should CPS [child protective services] be responsible for cases where the alleged perpetrator is someone outside of the family?

Brown: That fits into what I call generic protective services. I do not think that the CPS agency should take those cases. It seems to me that these are situations that are much more effectively dealt with by law enforcement officials. The objective of CPS is to restore the child to

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a safe and nurturing family environment. That is not the goal in these third party cases.

I believe there is a very clear distinction between an assault on a child, in an institution or on a street corner, and an assault on a child in his or her own home. We ought to understand that. I think CPS agencies have been pushed into taking these cases because people see

The way to limit cases is to define intake criteria.

them as protectors of children. Of course they are, but there are other protectors of children in our communities, for example, the police, prosecutors, and courts. I think it's a mistake to assign all cases to CPS.

The way to limit cases is to define intake criteria. CPS intake people should be able to say, "This is what we do; this is what we do not do."

Q: What about cases where the report is vague or unclear about the suspected neglect or abuse?

Besharov: The hotline or the local agency shouldn't accept a report unless the information given on the phone is sufficient to make it sound like a genuine case of abuse or neglect. And when someone says, "I don't have any information on that question," then I think that means it is not a case. Otherwise we'd be forced to take anything when anyone calls, and that's clearly not the position we want to be in.

Brown: I've heard it said, and so have you, "Better safe than sorry." Well, what that gives us is a sorry system. We can be safe without being sorry—if we consider the intake process to be more than a telephone answering system. A trained, experienced social worker can distinguish between a crank call and a legitimate CPS situation. Legislative and policy mandates that require all calls to be handled alike are sorry laws and policy.

Q: If the basic purpose of CPS is to rescue families and children, should we remove children more quickly than we have in the past?

Brown: One of the hottest issues in the field today is risk assessment. When you go to any conference, workshop, or seminar, that's high on the agenda. Risk assessment's a new name for what I learned is just good, social casework. Good assessment, diagnosis, and case planning.

Because of all of this attention to risk assessment, a lot of progress is being made. We're studying what contributes to risk. The factors vary from the age and condition of the child to the circumstances within the family to the type of maltreatment.

But this doesn't take away the need to make a decision about a particular case. It doesn't take away the need for a multidisciplinary team consultation or supervisory review on critical decisions. I think that there are about five different points in the CPS process where supervisory review should be required, one of which is the decision to remove a child from its home.

Besharov: Only a small portion of all reported cases involve serious danger to children. With that realization comes freedom to have special rules for children who have been seriously injured. We can have rules that say that no child will be returned to any parent who has seriously injured a child until we are very sure that parents can adequately or safely care for the child.

We send families through the risk assessment process whether they've caused serious injury to a child—even if they've killed a child—or whether they're guilty of educational neglect. We use the same set of risk factors without saying, "Wait a minute now; let's look at the case." Common sense would say that if the parents did something seriously harmful to Child A, they may well

Only a small portion of all reported cases involve serious danger to children.

do something harmful to Child B; and let's intervene on that basis.

Of course, you couldn't have a rule like that if half of all reports involved serious injury. But they don't. With a small number of cases, we can react much more firmly.

Q: What are the parameters of CPS?

Brown: CPS cannot do everything that needs doing for children in a community. If it is going to be effective, it cannot do the whole range of child welfare. I believe it's a specialty within child welfare that responds to reports of neglect and abuse, assesses the damage, evaluates risk and the potential for treatment, and provides or arranges for the treatment.



If you've got a child welfare case, where a family is coming in saying, "Help me with my child," let's get that kind of community support. The authority and approach are different in the child protective case, where the parent is not asking for help but is denying, resisting, and refusing to cooperate. That takes a different approach.

Q: How do you create a fiscally sound child protective services system and, at the same time, extend the other parts of the child welfare system so that CPS does not have to take in all the children that should be served elsewhere in the system?

Brown: There is a child welfare system of which the child protective services unit is a part. But so are the school system, the juvenile court, the law enforcement agency, the day care system, and many more.

That's becoming the standard in more and more communities. CPS used to say, "These are our cases." They said to the professionals, "Your job is to identify and

I'm delighted to see pockets of excellence in communities where people are saying the best way to do our job is to do it together.

report it. After that, you turn it over to us and you're relieved." Well, that was ridiculous. Nobody should be relieved.

Our next wave of insight should be on the intake process. For example, to say to the mental health professional or the school system, "What is your role in this situation? How can you help?" We must determine what we will do, what we can do, and what we can't do. We've got to be more *community* minded about child protective services, rather than *agency* minded.

Q: If we are going to more narrowly define the scope of CPS, isn't that going to undermine the support we receive from other community resources, such as the school system, law enforcement officials, and the like?

Brown: I don't think so. It's going to work best when you get a new brand of professional who is willing to say that his or her profession, as well as yours, works

best when they're working together.

We've got to change some images; and there are some heavy, deep expectations people have about CPS and the welfare system in general. The professional system we deal with is made up of three kinds of people. One-third of those people are professionals who are eager to learn. They'll respond to new ways of doing things. There's another third who already are doing a good job. Then there's the final third—nothing's going to happen with them until they die.

Changing the way we do business is a slow process. I'm delighted to see pockets of excellence out there in communities where people are saying the best way to do our job is to do it together. Professionals are negotiating appropriate roles, and they're not locked into rigid tradition. Some exciting things are beginning to happen.

Besharov: I'm not sure that narrowing the scope of CPS will undermine teamwork with other professionals. I think that, for example, physicians in the community will have a similar set of priorities. Law enforcement officials will also have similar priorities. If you bring these people together in a process, a political process, I think there will be a tendency for people to pull together. You'll get the results we're talking about.

Q: Where does an at-risk case stand in light of today's furor over the unfounded rate?

Besharov: At the National Center for Child Abuse and Neglect, we said the definition of a case that you close and expunge from the register, as a matter of fact, was a case that should be labeled "unfounded." The Federal Model Act says "no credible evidence" that any abuse or neglect has occurred is grounds for being labeled "unfounded."

Now, that's not exactly common practice, but I have no trouble with cases where the caseworker finds no evidence, but nonetheless believes the neighbor who said she saw the parents hitting the kids. That's credible evidence.

Brown: I would prefer to use the concept of open-for-service rather than substantiated, founded, or whatever. When the worker goes out, a decision is made about whether to pursue the case beyond initial assessment and investigation. That ought to be the criterion. But we've gotten away from that, and I don't think we can go back.

Q: What is the biggest failure of CPS today?

Brown: I think the biggest indictment of the system today is that there are plenty of children in the system whose victimization is not being treated appropriately.

CPS agencies seem to be almost fixated at the identification, reporting, and investigation stage, unable to go far beyond it.

Some of the multidisciplinary work that has come about in the last decade has been forced by the failure of the CPS agency to do the whole job. It came as a result of what was perceived to be a failing CPS system. Today protecting children has become a community responsibility of which the CPS agency is an important part.

Besharov: To address this issue, I'd like to use an incident from my experience. I was director of the New York State Assembly Committee on Child Abuse. When I first was named to the job, I went to the chairman of the committee and suggested that we rename it the New York State Assembly Committee on Child Welfare. I explained that there were far more cases of neglect than abuse and that there were plenty of child welfare problems on top of neglect and abuse. "No one's interested in child welfare," he said. I said, "Okay, let's call it the

No one's interested in child welfare. That's why CPS has become the smokescreen for building the child welfare system.

New York State Assembly Committee on Child Abuse and Child Neglect." "No," he said, "no one is interested in child neglect."

No one's interested in child welfare. That's why CPS has become the smokescreen for building the child welfare system. As more politicians and journalists discover this, they're going to take child welfare away from CPS. I think they should.

CPS shouldn't be used like a shotgun to deliver voluntary services. We do grave injustices to people by forcing services on them—even if we could get away with it—and organizations like VOCAL show that we can't. It's the wrong way to do it.

If state legislatures won't pass funding for comprehensive child welfare services, then we should fight for it. We shouldn't try to obtain that funding surreptitiously by changing the definition of CPS or by trying to sneak services in under the umbrella of CPS. **PW**



