

Unfounded allegations— a new child abuse problem

DOUGLAS J. BESHAROV

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OR TWENTY YEARS, child advocates have struggled to get child abuse recognized as a serious social problem requiring a sustained governmental response. As current media attention attests, they have succeeded beyond their wildest dreams. A recent Harris poll concluded that the "American public is no longer unaware of child abuse and its consequences. The feeling that child abuse constitutes a major and growing problem is widespread, as is the mandate for government and individual action. Americans want something done to prevent child abuse. . . ."

Child protective efforts now enjoy support across the political spectrum; even those on the political right recognize the need for state intervention to protect endangered children. William F. Buckley, Jr., for example, has written:

To the extent the Moral Majority types associate themselves with the notion that in no circumstances does the state have the right to intervene between parent and child, they lose their moral authority. It is sometimes difficult to draw the line, but a line simply can and must be drawn between domestic discipline and domestic savagery, and if we need federal prosecutors to guard against reversing the line, why let us have them, in such abundance as is necessary.

The statistics reflect this change in attitude. In 1984, more than 1.5 million children were reported to the authorities as suspected victims of child abuse or neglect. This is a 10 percent increase over 1983, and about ten times the estimated 150,000 children reported in 1963. Federal and state expenditures for child protective programs and associated foster care services now exceed \$3.5 billion a year.

Ironically, this very success now threatens the future viability of child abuse programs. The emotionally charged desire to "do something" about child abuse, fanned by repeated and often sensational media coverage (every day seems to bring a new story of a child being brutally or sexually abused), has led to an understandable but counterproductive overreaction on the part of the professionals and citizens who report suspected child abuse. The nation's child protective agencies are being inundated by "unfounded" reports; about 65 percent of all reports must be dismissed after an investigation.

Besides being a massive violation of parental rights, this flood of unfounded reports is overwhelming the limited resources of child protective agencies, so that they are increasingly unable to protect children in real danger. The situation is steadily worsening because child welfare officials at all levels of government are afraid to tell the public what is happening—and because our political leadership prefers the easy call for more reporting of suspected child abuse to the needed systematic reform, which is more complicated and less newsworthy.

Out from the shadows . . .

Child abuse and child neglect are not new phenomena. "The maltreatment of children is as old as recorded history. Infanticide, ritual sacrifice, exposure, mutilation, abandonment, brutal discipline and the near slavery of child labor have existed in all cultures," notes law professor Sanford Katz.

Nevertheless, until the 1960s, child maltreatment was a social problem largely hidden from public view. Few abused or neglected children were reported to the authorities. Even children with serious—and suspicious—injuries went unreported. A 1968 study in Rochester, New York, for example, revealed that 10 percent of all the children under five treated in a hospital emergency room fell into the "Battered Child Syndrome" and another 10 percent were neglected. The researchers concluded that, had it not been for their study, most of these cases would never have been reported. Two years later, a study in nearby Auburn, New York, determined that of 195 hospital emergency room cases, twenty-six (or approximately

13 percent) involved children with "suspicious injuries" that should have been reported. None had been.

Reporting was so haphazard that even the murder of children was sometimes not reported as child abuse. A 1972 study by the New York City Department of Social Services, for example, found that the deaths of many children who had been suspected by the Medical Examiner's Offices to be abuse victims, had not been reported to the official registry of abuse and neglect cases. This was not simply a problem of keeping statistics. When abuse fatalities go unreported, the siblings of these dead children are left unprotected.

In the early 1960s a small group of physicians, led by Dr. C. Henry Kempe, became convinced that the only way to break this pattern of indifference was to *mandate* certain professions to report. In 1963, they persuaded the United States Children's Bureau to promulgate a model law that required physicians to report children with a "serious physical injury or injuries inflicted . . . other than by accidental means." The response of the states to this model law was far beyond anything expected. In the short span of four legislative years, all fifty states enacted reporting laws patterned after it.

Initially, mandatory reporting laws were narrowly drafted. Only physicians were required to report and they were only required to report "serious physical injuries" or "non-accidental injuries." In the ensuing years, though, increased public and professional attention, in part sparked by the number of abused children revealed by these reporting laws, led many states to expand their reporting laws: to make more types of child maltreatment reportable, and to increase the categories of professionals required to report. But change was slow and unpredictable, being dependent on shifting political priorities and the vagaries of the legislative process in the various states.

. . . into the limelight

The seeds for more rapid change were planted in 1973. In that year, then-Senator Walter Mondale held a series of hearings on child abuse and neglect. These congressional hearings documented shocking weaknesses in state and local child protective efforts, and clearly moved Mondale and his colleagues. Mondale later wrote that nothing he saw in his nine years as a senator "was as disturbing or horrifying, or as compelling, as the stories and photos of children, many of them infants, who had been whipped and beaten with razor straps; burned and mutilated by cigarettes and lighters; scalded by boiling water; bruised and battered by physical assaults and starved and neglected and malnourished."

The hearings Mondale held served to galvanize congressional support for action to improve child protective programs. Through Mondale's efforts, as well as those of Representatives Patricia Schroeder, John Brademas, and Mario Biaggi, the Congress passed the Child Abuse Prevention and Treatment Act of 1974.

The new Child Abuse Act required the Secretary of Health, Education and Welfare (now Health and Human Services) to establish a National Center on Child Abuse and Neglect. The National Center was to serve as a clearinghouse for the development and dissemination of information about child protective research and programs. The Center received an annual appropriation of \$18.9 million. Most of these funds were used for a wide range of research, demonstration, training, and technical assistance projects. But the act specified that up to 20 percent of each appropriation (about \$3.7 million per year) was for special state grants.

This small state grant program was, in many respects, the most important aspect of the new act. In order to obtain one of these special grants, states had to meet specified eligibility requirements. Only three states were able to satisfy these requirements in 1973. What happened in the next six years was just as remarkable as the quick adoption of the first reporting laws ten years earlier. State after state passed new child protective laws and made the programmatic improvements needed to qualify for federal aid. By 1978, forty-three states, the District of Columbia, Puerto Rico, Guam, and American Samoa had established the comprehensive child protective systems required by the act. In 1984, three more states and the Northern Marianas Islands also qualified.

What accounts for this rapid advance in state child protective capabilities? Certainly, it was not the amount of the state grant. In the years involved, the average state grant was a mere \$80,000—far less than the costs of these expanded programs. The state grant program, together with other National Center activities, served as a catalyst for making the improvements long advocated by child protective specialists. Reformers were able to cite the eligibility requirements as a congressional endorsement for the changes they proposed. (Often, though, it took a child's tragic and well-publicized death to break legislative and bureaucratic logjams.)

Among the federal act's eligibility criteria was a requirement that states broaden their child abuse reporting laws. Thus, in the process of establishing eligibility, states had to amend their reporting laws to require the reporting of *all* forms of child maltreatment. As a result, almost all states now have laws which require the reporting of suspected physical abuse, sexual abuse and exploitation,

physical neglect, and emotional maltreatment. Although these terms are never adequately defined, state laws impose civil and criminal penalties on medical, educational, social work, child care, and law enforcement professionals who fail to report. These laws also have provisions which encourage all persons—including friends, neighbors, and relatives of the family—to report suspected maltreatment. In fact, nineteen states require all persons to report suspected child abuse.

These mandatory reporting laws, and associated public awareness campaigns, have been strikingly effective. The number of children reported to the authorities because of suspected child abuse or neglect rose from 150,000 in 1963 to 610,000 in 1972, and to 1.5 million in 1984. These statistics led President Carter to say: "One of the most serious blights on the prospects for the children of our country is child abuse and the damage that results from it."

Many people ask whether this vastly increased reporting signals a rise in the incidence of child maltreatment. While some observers believe that deteriorating economic and social conditions have contributed to a rise in the level of abuse and neglect, there is no way to tell for sure. So many maltreated children previously went unreported that earlier reporting statistics do not provide a reliable baseline against which to make comparisons. One thing, however, is clear: The great bulk of reports now received by child protective agencies would not have been made but for the passage of mandatory reporting laws and the media campaigns that accompanied them.

One must be impressed with the results of this twenty-year effort to upgrade child protective programs. Increased reporting and specialized child protective agencies have saved many thousands of children from death and serious injury. In New York State, for example, within five years of the passage of a comprehensive reporting law which also mandated the creation of specialized investigative staffs, there was a 50 percent reduction in child fatalities, from about 200 a year to under 100. Similarly, Drs. Ruth and Henry Kempe, well-known leaders in the field, report that: "In Denver, the number of hospitalized abused children who die from their injuries has dropped from 20 a year [between 1960 and 1975] to less than one a year."

"Suspected" child abuse

Despite this progress, we now face an imminent social tragedy: the nationwide collapse of child protective efforts caused by a flood

of unfounded reports. Nationwide, about 65 percent of all reports prove to be "unfounded," that is, they are dismissed after investigation. This is in sharp contrast to 1975, when only about 35 percent of all reports were "unfounded."

New York State has one of the highest unfounded allegation rates in the nation, and its experience illustrates how severe the problem has become. Between 1979 and 1983, as the number of reports received by the state's Department of Social Services increased by about 50 percent (from 51,836 to 74,120), the percentage of substantiated reports fell almost 20 percent (from 42.8 percent to 35.8 percent). In fact, the *absolute number* of substantiated reports actually fell by about one hundred. Thus, almost 23,000 additional families were investigated—while fewer children were aided.

More troubling, the determination that a report is unfounded can only be made after an unavoidably traumatic investigation that is, inherently, a breach of parental and family privacy. To determine whether a particular child is in danger, caseworkers must inquire into the most intimate personal and family matters. Often, it is necessary to question friends, relatives, and neighbors, as well as school teachers, daycare personnel, doctors, clergymen, and others who know the family.

Richard Wexler, a reporter in Rochester, New York, tells what happened to Kathy and Alan Heath (not their real names): "Three times in as many years, someone—they suspect an 'unstable' neighbor—has called in anonymous accusations of child abuse against them. All three times, those reports were determined to be 'unfounded,' but only after painful investigations by workers. . . . The first time the family was accused, Mrs. Heath says, the worker spent almost two hours in my house going over the allegations over and over again. . . . 'She went through everything from a strap to an iron, to everything that could cause bruises, asking me if I did those things. [After she left] I sat on the floor and cried my eyes out. I couldn't believe that anybody could do that to me.' Two more such investigations followed.

"The Heaths say that even after they were 'proven innocent' three times, the county did nothing to help them restore their reputation among friends and neighbors who had been told, as potential 'witnesses,' that the Heaths were suspected of child abuse."

Laws against child abuse are an implicit recognition that family privacy must give way to the need to protect helpless children. But in seeking to protect children, it is all too easy for courts and social agencies to ignore the legitimate rights of parents. *Each year, over*

500,000 families are put through investigations of unfounded reports. This is a massive and unjustified violation of parental rights. As Supreme Court Justice Brandeis warned in a different context, "Experience should teach us to be most on guard to protect liberty when the government's purposes are beneficent."

Overreporting and underinvestigating

The high rate of unfounded reports is sometimes defended by child protective specialists on the ground that a degree of overreporting is necessary to identify children in danger. To an extent, of course, they are correct. This is why the law mandates the reporting of "suspected" child abuse. But unfounded rates of the current magnitude go beyond anything reasonably needed. Worse, they endanger children who are really abused.

The 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 or an anonymous report turns up no evidence of maltreatment, they usually interview neighbors, school teachers, and daycare personnel to make sure that the child is not abused. And, as illustrated by what happened to the Heaths, 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.

Callers attempting to report suspected child abuse to New York State's Central Register, for example, are often placed on hold for ten to fifteen minutes; about 50 percent hang up before a register worker answers the phone. Across the country, staff shortages delay the initiation of investigations; it is not unusual to see reports left uninvestigated for a week and even two weeks after they are received. The extent of investigations is also limited, so that key facts often go undiscovered in the caseworker's rush to clear the case. Dangerous home situations likewise receive inadequate supervision, as workers must ignore pending cases as they investigate the new reports that daily arrive on their desks. Again, statistics from New York illustrate the extent of the problem. Forty days after the oral report, New York City workers still have not made a home visit in 11 percent of all cases; they have not yet seen 22 percent of reported chil-

dren; and they have not yet interviewed 17 percent of alleged perpetrators.

Decision making also suffers. Staggering caseloads breed errors in judgment. After dealing with so many cases of no real danger to children, caseworkers are desensitized to the obvious warning signals of immediate and serious danger. Many children are left in the custody of parents who have repeatedly abused them. One study of child abuse fatalities, for example, described how "in two of the cases, siblings of the victims had died previously. . . . In one family, two siblings of the victims had died mysterious deaths that were undiagnosed. In another family, a twin had died previously of abuse."

These nationwide conditions help explain why from 35 percent to 55 percent of all child abuse fatalities involve children previously known to the authorities. Tens of thousands of other children suffer serious injuries short of death while under child protective agency supervision.

In one Iowa case, for example, the non-custodial father reported to the local department of social services that his thirty-four-month-old daughter had bruises on her buttocks; he also told the agency that he believed that the bruises were caused by the mother's live-in boyfriend. The agency investigated and substantiated the abuse. (The boyfriend was not interviewed, however.) At an agency staffing the next day (two days after the initial report), a decision was made against removing the child from the mother's custody, and, instead, to make follow-up visits coupled with daycare, counseling, and other appropriate services. *But no follow-up visit was made.* Eight days later, the child was hospitalized in a comatose state, with bruises, both old and new, over most of her body. The child died after three days of unsuccessful treatment. The boyfriend was convicted of second degree murder, and the father sued the agency for its negligent handling of his report. The case was settled for \$82,500.

Hire more investigators?

This inability to handle the rapidly increasing number of reports leads many child abuse professionals to call for the hiring of more caseworkers to investigate reports, to initiate court proceedings, to supervise home situations, and to provide long-term, intensive treatment of families. Expanding staffs to handle all the valid and invalid reports now being made, however, would be enormously expensive—and would be an unwise use of limited resources.

Consider only the costs associated with supervisory home visits.

Because of staff shortages, the average family under home supervision receives only about six visits over a six-month period, after which the case is closed or forgotten in the press of other business. An evaluation of the first round of federal child abuse demonstration projects, though, found that to reduce "re-incidence" at all, parents must be seen "on a weekly basis at least for the first six months of treatment," and regularly thereafter until they can adequately care for their children. There are about 300,000 families in this category. Increasing the number of home visits for these families from the present six to the needed forty a year (at an average cost of \$50 for each visit) would add about a half-billion dollars to the nation's bill for child protective services.

Past expansions of services for abused children were able to rely on the relative availability of federal funds. Now, at all levels of government, social service programs are being cut back rather than being increased. No one is seriously proposing more than token staff increases to meet this enormous need, and even these modest requests are being denied. Yet we continue to squander scarce child protective resources on investigations of the ever-increasing number of unfounded reports.

Some child protective specialists seek to minimize the size of the problem by claiming that the high number of unfounded reports merely demonstrates how difficult it is to discover evidence of child abuse. Moreover, they argue, unfounded reporting is not as bad as it seems, because workers sometimes wrongly determine that a report is unfounded, and they sometimes declare a report unfounded as a means of caseload control. Accordingly, if child protective agencies had more staff, they would label fewer reports unfounded. But they do not have more staff, and the fact remains that these cases are accepted, investigated, and then closed.

More importantly, there is convincing evidence that the great bulk of unfounded reports involve situations that do not amount to child maltreatment or for which there is no "credible evidence" to even suspect child abuse, the legal test for determining the validity of a report. Furthermore, these kinds of inappropriate reports seem to be encouraged.

A scattershot policy

Existing child abuse reporting laws, patterned to meet federal requirements, are vague and overbroad. In a well-meaning effort to identify the greatest number of endangered children, reporting mandates are intentionally phrased to include children who have

not been seriously injured—in fact, to include children who have not yet been either abused or neglected. Typical legislation requires a report with conclusory phrases such as: when the child's "environment is injurious to his welfare," when the parents are "unfit to properly care for such child," or the blatantly tautological, when the child is suffering from "abuse or neglect." These laws encourage would-be reporters to report *any* minor assault, *any* suggestion of sexual abuse, and *any* marginally inadequate child care, without regard to the real danger to the child—and without regard to the harmful consequences of an unfounded report.

Educational materials tend to parrot the provisions of these laws, using pat phrases and ambiguous indicators that do nothing to help the public and professionals decide whether a report should be made. Manuals in a number of states, for example, define emotional abuse to include the failure to provide a child with "adequate love."

There is a recent tendency to tell people to report children whose behavior suggests that they may have been abused—even in the absence of other evidence of maltreatment. These "behavioral indicators" include, for example, children who are withdrawn or shy as well as children who are "unnaturally" friendly to strangers. That only a small minority of children who exhibit such behaviors have, in fact, been abused does not prevent them from being used as the basis for reporting.

In most training sessions, potential reporters are told to "take no chances," and to report any child for whom they have the slightest concern. Ten years ago, when professionals were narrowly construing their reporting obligations to avoid taking action to protect endangered children, this approach may have been needed. Now, though, all it does is insure that child abuse hotlines will be inundated with inappropriate and unfounded reports: A child has a minor bruise and, whether or not there is evidence of parental assault, he is reported as abused. A child is living in a dirty household and, whether or not his basic needs are being met, he is reported as neglected.

After one such report, Elaine K. lost custody of her eight-year-old son and sixteen-month-old daughter for a week. School authorities reported suspected child abuse because he had minor bruises on his face. They reported him even though *he* explained that he got them while playing baseball. And the police placed him in a foster home and his little sister in a shelter even though he also told them about his baseball accident—and even though they had no other

evidence of maltreatment. Only after the mother hired a lawyer was she able to get a judge to throw the case out of court.

The current operation of child abuse hotlines adds to the problem of unfounded reports. Afraid that a case they reject will later turn into a child fatality, most hotlines 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.

The large number of unfounded reports does not mean that most abused children are now being reported. Far from it. Professionals—physicians, nurses, teachers, social workers, child care workers, and police—still fail to report half of the maltreated children whom they see. According to a 1979 study conducted for the U.S. National Center on Child Abuse and Neglect, *each year about 50,000 children with observable injuries severe enough to require hospitalization are not reported.*

Non-reporting can be fatal to children. A study in Texas revealed that, during a three-year period, over 40 percent of the approximately 270 children who died as a result of child maltreatment had not been reported to the authorities—even though they were being seen by a public or private agency (such as a hospital) at the time of death or had been seen within the past year.

Child protective proceedings are confidential, so that few of these tragedies come to public attention. But enough do so that all communities have had their share of news stories about children who have been "allowed" to die. What follows is a spate of editorials calling for action to protect children, more TV and radio spots calling on people to report suspected abuse, another brochure or conference for professionals describing their legal responsibility to report, and, perhaps, a small increase in agency staffing. The main result of these periodic flurries of activity is increased numbers of unfounded reports.

Certainly, more complete reporting of suspected maltreatment must be a continuing priority. Nevertheless, reducing the harmfully high rate of unfounded reports must be given an even higher priority. To call for more careful reporting of child abuse is not to be coldly indifferent to the plight of endangered children. Rather, it is to be realistic about the limits to our ability to prevent child abuse. If child protective agencies are to function effectively, they must be relieved of the growing burden of unfounded reports. Otherwise, increasing the number of reports will only increase the number—and proportion—of children ineffectually and harmfully processed through the system.

A strategy for success

Few unfounded reports are made maliciously. Most involve an honest desire to protect children coupled with confusion about when reports should be made. Hence, much can be done to reduce the number of unfounded reports without discouraging reports of children in real danger.

First, reporting laws and associated educational materials and programs must be improved to provide practical guidance about what should be reported—and what should not. They should call for reporting only when there is credible evidence that the parents have already engaged in seriously harmful behavior toward their children or that, because of severe mental disability or drug or alcohol addiction, they are incapable of providing adequate care. The parent's behavior need not have already seriously injured the child for it to be considered seriously harmful. A report should be required if the parent's behavior was capable of seriously injuring the child. The criminal law would call such behavior an "attempt" or "reckless endangerment." While such terms are not applicable to child protection (because they imply a higher degree of intent than is necessary and because they seem to exclude situations of child neglect), the criminal law's fundamental reliance on past wrongful conduct as the basis for state intervention has equal validity for child protective intervention.

Second, the liability provisions of state reporting laws should also be modified. Most reporting laws penalize the negligent failure to report while granting immunity for incorrect, but good faith, reports. This combination of provisions encourages the overreporting of questionable situations. Fearful of being sued for not reporting, some professionals play it safe and report whenever they think there is the slightest chance that they will subsequently be sued for not doing so. To reduce this incentive for overreporting, six states

already limit civil liability to "knowing" or "willful" failures to report. All states should do so.

Third, child abuse hotlines should fulfill their responsibility to screen reports for initial sufficiency. They should reject reports whose allegations fall outside the agency's definitions of "child abuse" and "child neglect," as established by state law. They should also reject reports when the caller can give no credible reason for suspecting that the child has been abused or neglected or when the report's unfounded or malicious nature is apparent.

Fourth, the federal government should update its policies. Since the passage of the Child Abuse Prevention and Treatment Act in 1974, it has mandated states to seek the reporting of ever-greater numbers of abused children—without regard to the validity or appropriateness of reports. While this one-dimensional approach may have been justified ten years ago when few reports were made, these requirements have remained essentially unchanged in the face of ever-increasing numbers of unfounded reports.

The Reagan administration has voiced its strong commitment to family rights, but bureaucratic unresponsiveness and fear of being labelled as "for" child abuse (or at least insensitive to it) have apparently prevented it from taking action on this problem. Instead, it has funded three small research projects to explore why so many unfounded reports are being made. While further research will perhaps shed additional light on the problem, the plain fact is that we already know enough about the problem, and its tragic consequences, to take action now. The federal child abuse regulations should be amended to encourage states to be more careful about the reports they receive. In fact, the regulations should establish a combination of incentives and penalties to pressure states to take the steps described above.

Child abuse fury

Doing something about the growing problem of unfounded reports (and it is still growing) requires telling the American people that current reporting statistics are badly inflated by unfounded reports. Up to now, most child welfare officials—in federal, state, and local agencies—have lacked the courage to do so, because they fear that such honesty will discredit their efforts and lead to budget cuts.

Their political superiors have found it too easy to go along. Favorable media coverage is almost guaranteed to any politician who promises to "do something" about child abuse. As syndicated col-

umnist George F. Will has written, "there is no political force comparable to the fury generated by injuries done to children."

What could be more obvious, and less controversial, than to call for more reporting through tougher child abuse laws and more public and professional education? In California last year, over fifty child abuse bills were introduced, concerning everything from new reporting requirements to longer jail terms for abusers. Over forty child abuse bills were introduced in New York. In the present atmosphere, any politician calling for greater care in reporting would be quickly branded as a right-wing (or left-wing) ideologue, or, worse, as being callously indifferent to child abuse.

Therefore, the necessary first step in reducing harmfully high rates of unfounded reporting of child abuse must be a general lowering of child abuse rhetoric. A more responsible use of statistics would be a good start. Child maltreatment is a major social problem. Each year, about 1,000 children die in circumstances suggestive of child maltreatment. But its extent and severity must be kept in perspective.

We regularly hear that there are upwards of a million maltreated children (including those that are not reported). This is a reasonably accurate estimate, but the word "maltreatment" encompasses much more than the brutally battered, sexually abused, or starved and sickly children that come to mind when we think of child abuse. In 1979 and 1980, the federal government conducted a National Study of the Incidence and Severity of Child Abuse and Neglect. According to this congressionally mandated study, which collected data for twelve months from a representative sample of twenty-six counties in ten states, only about 30 percent of these "maltreated" children are physically abused, and only about 10 percent of these children (3 percent of the total) suffer an injury severe enough to require professional care. About 7 percent are sexually abused (probably a low figure) and about 20 percent are emotionally abused, mainly "habitual scapegoating, belittling and rejecting behavior."

Almost 50 percent of these "maltreated" children are neglected, a term that includes educational neglect (27 percent of the total); emotional neglect, *i.e.*, "inadequate nurturance" and "permitted maladaptive behavior" (9 percent of the total); failure to provide needed medical care (8.5 percent); abandonment and other refusals of custody (4 percent of the total); and failure to provide food, clothing, and hygiene (3 percent of the total). While some forms of child neglect can be just as harmful as physical abuse (more children die of neglect than from abuse), the plain fact is that the vast

majority of these children face no real danger of physical injury. In fact, about 55 percent of these neglected children live in single-parent households and are on public assistance. (The comparable figure for abused children is about 35 percent.) Their "maltreatment" is largely related to their family's poverty and broader social needs. Protecting these children means lifting their parents from the grinding poverty within which they live.

Recognizing these realities would go a long way toward reducing the current hysteria about child abuse. It would also make people less likely to believe that every bruised child is an abused child.

The major responsibility for clarifying the nature and extent of "child maltreatment" lies, of course, with child welfare professionals and their political superiors. But the media could also help. When child abuse cases come to light, newspapers, TV, and radio focus on the sensational details of unproven charges, and follow up with editorials about helpless children and the need for more reporting. *The New Republic's* "TRB" complains: "A lot of the graphic horror stories in the press are little more than child porn, published or broadcast because editors and producers want to titillate. And when they're not being salacious, the media is being mawkish, which sells almost as well."

The media also can be counted on to publish statistics about the increase of reports from the previous year, but rarely mentioned is the concomitant increase in unfounded reports. A more balanced approach, which educates the public about the complexities of child protection, would help those seeking a more measured response to child abuse.

Toning down the rhetoric

To continue to ignore the present harmfully high level of unfounded reports is to court disaster. 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 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.

Already, a national group of parents and professionals has been formed to represent those falsely accused of abusing their children. Calling itself VOCAL, for Victims of Child Abuse Laws, the group publishes a national newsletter and has about 3,000 members in

almost 100 chapters formed or being formed. In California alone there are ten. 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 able to sidetrack temporarily a \$5.4 million budget supplement which would have added seventy-seven investigators to local child protective agencies.

Perhaps it is unduly optimistic to call for a more balanced approach to a social problem like child abuse that arouses such an emotionally charged desire to "do something." But it is worth a try.