



HEARING ON PREVENTING CHILD ABUSE  
AND IMPROVING RESPONSES TO FAMILIES IN CRISIS

UNITED STATES HOUSE OF REPRESENTATIVES  
SUBCOMMITTEE  
ON  
HEALTHY FAMILIES AND COMMUNITIES

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The Child Welfare League of America (CWLA) is a ninety year-old non-profit organization representing hundreds of state and local child welfare organizations including both public and private, and faith-based agencies. We are pleased to submit testimony to today's hearing by the Subcommittee on Healthy Families and Communities on the topic of Preventing Child Abuse and Improving Responses to Families in Crisis.

The U.S. Department of Health and Human Services (HHS) releases the latest national data on child abuse and neglect every April. For 2007, the numbers tell a familiar story: Nearly 800,000 children were substantiated as abused and or neglected, out of the more than 3.3 million child abuse reports made. Children in the birth to age 1 year had the highest rate of victimization at 21.9 per 1,000 children. Of the estimated 1,760 child fatalities in 2007, 34.1% were attributed to neglect only with physical abuse a major contributor to child fatalities.<sup>1</sup>

Of the child victims, nearly 8% were sexually abused, and 11% were physically abused. One consistent statistic that surprises some is that nearly 60% of the 800,000 children are victims of neglect.<sup>2</sup> In many cases, neglect can be just as serious as sexual or physical abuse. It also tells us we are not doing enough to prevent these children from being brought to the attention of child protective services (CPS), and thereby being placed into care.

Another consistent statistic is that of the 800,000 abused and neglected children identified, more than 40% did not receive follow up services.<sup>3</sup> Reasons for this include the way in which data is collected, how states provide services, and in some instances the reluctance on the part of some families to access services. Still, with such a high and consistent percentage going without follow-up help, clearly services are not being adequately provided at the front end of the child welfare system. For some, that may mean they will return to the system.

In the near future, HHS is expected to release the Fourth National Incidence Study of Child Abuse and Neglect (NIS). The Subcommittee may want to review this study when it is released for the insight it may provide into the need for greater prevention efforts. The last one was published in 1996, and, like that one, this congressionally mandated study is likely to tell us that more children suffer from abuse and neglect than the official statistics indicate. The report will survey professionals from dozens of U.S. counties, and the analysis will shed some light on the number of children harmed by abuse and neglect; characteristics of children, families, and perpetrators; report sources; and CPS investigations.

The NIS includes children who were investigated by CPS agencies, but it also obtains data on children seen by community professionals who were not reported to CPS or who were screened out by CPS without investigation. Therefore, NIS estimates provide a more comprehensive measure of the scope of child abuse and neglect known to community professionals, including both abused and neglected children who are in the official statistics and those who are not.

The NIS follows a nationally representative design, and because all four national studies have used comparable methods and definitions, comparisons can be made about our progress or lack of progress, and this likely will reinforce the need for greater preventive efforts.

#### *PREVENTION AS PART OF THE CHILD WELFARE CONTINUUM*

Prevention of child abuse and neglect is perhaps the greatest challenge in the continuum of the child welfare system. All too frequently, prevention of abuse and neglect is an add-on service instead of a core component of the range of needed services. The issue of providing or addressing prevention too often is conditioned on whether a child welfare agency or state agency can free up appropriations or funds by reducing the cost, including what some would describe as back-end services typically foster care. Instead, what is required is an investment in the range of services.

Child protection can trace its origins to the 19th Century when, in 1875, the Society for the Prevention of Cruelty to Children was established in New York City. After publicity surrounding the treatment of a young child captured the public's attention, the President of the American Society for the Prevention and Cruelty to Animals was approached and, as a result of his support, existing state legislation to protect children was vigorously enforced for the first time. Other states and jurisdictions would eventually follow by enacting their own laws. In 1899, Illinois became the first state to create a juvenile court to address issues of dependence, delinquency, and neglect. By 1907, 26 states had followed with their own juvenile court laws.<sup>4</sup>

The first White House Conference on Children was convened in 1909 and led to the creation of a Children's Bureau at the federal level. Part of the mission of the new bureau, at the urging of the White House Conference, was to "investigate and report on all matters relating to the welfare of children and child life among all classes of people."<sup>5</sup>

Throughout the following decades, other federal and state laws were enacted, but in 1960, Dr. C. Henry Kempe's work on "battered child syndrome" raised the importance of communities in their efforts to protect children and led the medical community to improve methods of identifying and protecting children from abuse. In 1974, Congress passed the first Child Abuse Prevention and Treatment Act (CAPTA). This landmark law helped establish national standards for specific reporting and response practices for states to include into their child protection laws.

CAPTA is the only federal legislation exclusively dedicated to preventing, assessing, identifying, and treating child abuse and neglect—the continuum of child maltreatment services and supports. Since 1974, CAPTA has been part of the federal government's effort to help states and communities improve their practices in preventing and treating child abuse and neglect. CAPTA provides grants to states to support infrastructure and innovations in state child protective services (CPS).

CAPTA includes three programs:

- CAPTA authorizes grants to the states to develop innovative approaches to improve their CPS systems. To qualify for these grants, states must meet eligibility requirements, such as having mandatory reporting laws, preserving victim confidentiality, appointing guardian ad litem, and establishing citizen review panels.
- CAPTA discretionary funds support state efforts to improve their practices in preventing and treating child abuse and neglect. These funds support program development, research, training, technical assistance, and the collection and dissemination of data to advance the prevention and treatment of child abuse and neglect. These funds also support the National Child Abuse and Neglect Data System, the only federal data collection effort to determine the scope of child abuse and neglect. These funds support national initiatives, such as the National Office of Child Abuse and Neglect, the National Resource Center on Child Maltreatment, and the National Clearinghouse on Child Abuse and Neglect.
- The Community-Based Family Resource and Support Program was created in 1996. The program provides grants to states to support their efforts to develop, operate, and expand a network of community-based, prevention-focused family resource and support programs that coordinate resources among a range of existing public and private organizations. Funding is allocated to states by a formula based on the number of children in a state's population.

While CAPTA is intended to bolster child protection efforts and invests some limited funds into preventing abuse from occurring, its funding and appropriations history has been dismal at best. Each reauthorization results in adjustments in policy and practice but it has not resulted in increased appropriations or commitment from past congresses or administrations. We hope that will change in the 111<sup>th</sup> Congress and with the President's next budget in February.

As significant as it is, CAPTA is only one part of the child welfare system and ultimately our prevention initiatives. Over the years laws such as Aid to Dependent with Dependent Children, (AFDC) followed by Temporary Assistance to Needy Families (TANF), and the Social Services Block Grant (SSBG) provide critical funding to child welfare services including services to protect children. Overall, SSBG is a major source of federal funding, representing 11% of federal funding for child welfare services that addresses the needs of vulnerable children and youth.<sup>6</sup> SSBG frequently serves as a link between government funding and private and charitable sources and helps build and fund a network of private agencies. SSBG funds supplement local and charitable efforts by providing federal dollars to fill a gap these charities may not be able to meet. The breadth of services provided by SSBG funds can also cover shortfalls left by other federal social services programs.

Two other important sources of funding also found in the Social Security Act along with TANF and SSBG are Title IV-B part 1, Child Welfare Services (CWS), and Title IV-B part 2, Promoting Safe and Stable Families (PSSF). Both are flexible funding streams that fund a range of services. But even in these instances, with CWS funded at \$281 million in annual appropriations and PSSF funded at \$368 million in combined mandatory and discretionary appropriations, funds have to be shared between programs that might prevent abuse and those that assist families and children through adoption and reunification services. It should also be noted that both have actually been cut over the past eight years.

### *PROMISING INITIATIVES*

There are a number of important efforts taking place across the country and we are encouraged that some of the Administration's new initiatives are building on these efforts and we hope much more will be done.

First and foremost is President Obama's proposal of \$8.6 billion over 10 years for a new mandatory program that provides funds to states for evidence-based home visitation programs for low-income families. Home visiting is just one of several other initiatives around child care and early childhood education, which the Obama Administration is proposing to advance their zero to five initiatives.

To date, Congress has been very supportive of this initiative as well. Included in HR 3962, is a provision that would provide much needed grants to states to improve the well-being, health, and development of children by enabling the establishment and expansion of high quality programs that provide voluntary home visitation for families with young children and families expecting children. These grants are intended to target at risk and vulnerable families and communities who are in need of services that will not only reduce abuse and neglect but also improve the overall health and development of young children. Priority funding will provided for programs that adhere to a model of home visitation with the strongest evidence of effectiveness.

Funding for this provision is currently set at \$750 million over five years which is much less than what the Administration initially proposed, and half of what the Senate bill's provision contains. CWLA believes that this proposal and other proposals that place an emphasis on evidence based practices and evidence informed innovation can serve as a model for a major prevention initiative.

CWLA is also pleased that the President has proposed and it appears the Congress will approve a new "Promise Neighborhoods" initiative. This initiative, which President Obama raised during the campaign, is based on the Harlem Children's Zone program. The program attacks poverty through a comprehensive school-based model that provides wrap around services for the entire family. It places a special emphasis on early-learning, elementary and secondary education, and guides children through the entire period of learning. The goal is to spread this model to several communities across the country. The planning grants would go to non-profits for one year. Only those grantees that developed

proposals that incorporated strong partnership and strong plans would be eligible for larger implementation grants the following year.

CWLA is also very supportive of the Administration's emphasis zero to five initiatives. Some of these efforts include the Early Learning Challenge Grants, which the Education and Labor Committee has already acted on, and other initiatives focused on pre-K funding as well as next year's debate on child care. Although some of these important initiatives that may not be thought of as child abuse prevention, they are all critical components of assistance to the country's most vulnerable families and children.

At the local level we also see examples that can be built on through greater federal support. Some examples include Baltimore's Family Connections program, which uses a range of funding sources from the public, private, faith-based, foundation, and other community partners to show some significant results. The Family Connections program has shown positive results in reducing the instances of abuse and neglect by using limited federal funds to better coordinate communities and services. As the University of Maryland points out,

*Evaluation results show Family Connections improves protective factors such as parenting skills and attitudes, and reduces risk factors such as parent depression, caregiver drug use, caregiver stress, and children's behavioral problems. The program also demonstrated reduced incidents of child abuse and neglect and increased child safety and well-being.<sup>7</sup>*

The results were enough to encourage HHS to fund eight additional models with initial resources focused on an 11-month community-planning process.

Differential response is one prevention strategy that holds promise in protecting vulnerable children. This form of practice allows for more than one method of response to reports of child abuse and neglect. Also called *dual track*, *multiple track*, or *alternative response*, this approach recognizes the variation in the nature of reports and the value of responding differentially.

Great variation exists in state and county implementation of differential response, which generally involves low- and moderate-risk cases that receive a non-investigation assessment response without a formal determination or substantiation of child abuse and neglect. Although states are attempting several approaches in this area, the basic policy difference is in how complaints of abuse and neglect are dealt with and screened into or out of the CPS system. In some instances, responses to reports of child abuse and neglect may result in greater family support and services to address the underlying causes.

Initiatives that combine the efforts of the courts and the child welfare community also have shown promise. These initiatives, which provide funds to train key personnel—including judges and child welfare workers involved with the courts, such as court-appointed state advocates (CASAs) and CPS workers—have yielded positive results in

keeping families together and addressing the abuse and neglect of infants and the very young.

The Court Teams for Maltreated Infants and Toddlers Project, spearheaded by ZERO TO THREE, has shown great promise and results; what it lacks is a steady source of dedicated funding that can expand on these efforts.

Another innovation being implemented in some areas, both in terms of CPS and in placement decisions, is Family Group Decision Making (FGDM). FGDM offers an approach of working with families and communities involved with the child welfare system. Families are engaged and empowered by child welfare agencies to make decisions and develop plans that protect and nurture their children from enduring further abuse and neglect. The FGDM approach recognizes that families are the experts of their own situations and therefore are often able to make well-informed decisions about their circumstances with the support of family members and others who have worked with the family.

#### *THE PREVENTION CHALLENGE*

Prevention can encompass services as basic as access to child care and it can also include a range of other services that can help families reduce the stresses of parenting. Providing respite for parents can ensure a child's well-being when parents are working, in school, or caring for other children.

There is an increasing level of research and work that is being done in terms of prevention. The Children's Bureau highlights common factors that can be found in successful prevention initiatives. This research suggests that you must both reduce risk factors and promote protective factors to ensure the well-being of children and families. This work also shows that protective factors include efforts to strengthen all families. This kind of approach when possible can extend support beyond the most vulnerable families and reach other families may not meet the criteria for the most vulnerable but are families that are dealing with stressors that could lead them to abuse or neglect.

CWLA believes that some of the recent initiatives being advanced by the Administration and some of the research now being developed offers an opportunity to develop a new approach to preventing child abuse. A model that requires and is driven by community-based partners, that requires on-going research and that can implement and replicate proven models but allows enough flexibility to invest in innovative and emerging practices and programs.

#### *RECCOMENDATIONS*

First and foremost we hope Congress will act soon to reauthorize CAPTA. More importantly however, is our belief that there needs to be a genuine commitment to fund this law. That commitment must be shared by the Administration, the Congress and the advocacy community. It offers limited effectiveness to reauthorize the law and to fund the basic state grants at \$27 million, which would only provide in some states enough to

hire one or two social workers to carry out the important tasks that can help address child abuse and prevent it in the first place.

CWLA is encouraged and is hopeful that Congress will complete its work this year to make the Administration's new home visitation program a reality. We feel this legislation and the emphasis on outcomes and research offers a way forward for other child abuse prevention initiatives.

CWLA also hopes the Administration will encourage and lead states to fully implement the provisions of the new child welfare legislation, the Fostering Connects to Success Act (PL 110-351) passed late last year. Although some of the provisions deal with children and families already in contact with child welfare, they still have an impact on a larger population. This is especially true of those provisions dealing with health care, training for child welfare workers and other personnel, and tribal funding. We also believe it will help Congress and the Administration take the next step and reform the way we finance child welfare so that we can include funding to address preventing child abuse.

Finally we urge the Committee and the Congress will act soon to pass legislation to re-establish a White House Conference on Children and Youth. CWLA recognizes that dollars and federal action alone cannot reduce the level of child abuse or the number of children in foster care, and therefore this has to be a partnership at the federal, state and local levels. It is for that reason that CWLA has called on Congress to act to restore the oldest White House Conference, the White House Conference on Children and Youth and to focus it on the needs of the country's most vulnerable families and children.

This Conference was once held every ten years but has not been held since President Nixon called it in 1970. Its results have been noteworthy. It was mentioned earlier that the first White House Conference on Children and Youth led to the creation of a Children's Bureau in 1909 and subsequently the Bureau's mission in regards to child protection. It should also be of interest to this Subcommittee that one of the results of the 1970 convening was a recommendation to create a designated Senate committee on children's issues and we are sure the members of this subcommittee recognize their own value over the years since.

We urge the Subcommittee and the full committee to act on this legislation this year. It is bipartisan and bicameral and offers Congress an opportunity to reach beyond the politics of this year. There is a much more significant reason for this White House Conference. It represents a vision of how communities can come together all across the country to engage in a discussion of not just needed federal support but local community action; how systems can coordinate and communicate to prevent abuse and neglect wherever possible; and when not possible how to act in the best interest of the child so that he or she has a permanent and loving family.

The Child Welfare League of America thanks the Subcommittee for these hearings and its attention and we look forward to working with you on these key issues.

## **Footnotes**

1. Administration on Children, Youth, and Families (ACYF). (2008). *Child Maltreatment 2006, Summary*. Washington, DC: U.S. Department of Health and Human Services (HHS). Online at [www.acf.hhs.gov/programs/cb/pubs/cm05/summary.htm](http://www.acf.hhs.gov/programs/cb/pubs/cm05/summary.htm).
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3. ACYF. (2008). *Child Maltreatment 2006*. (Chapter Six, Services). Washington, DC: HHS. Online at [www.acf.hhs.gov/programs/cb/pubs/cm05/summary.htm](http://www.acf.hhs.gov/programs/cb/pubs/cm05/summary.htm).
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7. Ruth H. Young Center for Families and Children. (n.d.) *Family Connections—National Program Replication Project Website*. Baltimore: University of Maryland. Online at [www.family.umaryland.edu/ryc\\_best\\_practice\\_services/family\\_connections\\_replication.htm](http://www.family.umaryland.edu/ryc_best_practice_services/family_connections_replication.htm).