

CHILD ABUSE

WHITE PAPER PROJECT

KOSCIUSKO LEADERSHIP

ACADEMY

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The first case of child abuse argued before a court, that received national attention, occurred in 1874 in New York City. The case involved Mary Ellen Wilson who was living with Francis and Mary Connolly. Mary Ellen was being brutally abused by her mother, which was reported to a "Friendly Visitor". This was then reported to Henry Bergh founder for the Prevention of Cruelty to Animals in New York. The popular belief was that he argued the case in court that Mary Ellen should be removed from her guardians because she, as a member of the animal kingdom, deserved the same protection as abused animals. The case, argued by counsel Eldridge T. Gerry, won Mary Ellen release from her guardian and a prison sentence for her stepmother. After his success Gerry formed the first child association known as the New York Society for the Prevention of Cruelty to Children. Before this time child rearing decisions were considered the prerogative of the parents, particularly the father. The New York S.P.C.C.'s idea was on child rescue rather than rehabilitation. They took children from the parent or guardian and placed them in large orphanages. In 1881 the S.P.C.C. had a law passed that made it a misdemeanor to interfere with a designated child protection agent. The protective societies that stressed the removal of the child instead of rehabilitation began to decline while the societies that stressed rehabilitation grew. These groups put children with foster parents instead of in orphanages and wanted to keep the family setting, which they believed was in the best interest of the child. The work of both of these groups was

incorporated into public child welfare agencies by the late 1800's. With the world wars and great depression, concern for child abuse was practically non-existent and no one rated it highly. Then in the early 1960's child abuse rediscovery occurred along with the civil rights movement. The concerns for children gained emphasis with five different events. First was the amendments to the Social Security Act in 1962 urging child welfare services. Second was the publication "War on Poverty" which emphasized the importance of services to children to help eliminate poverty. Third was an article in the "Journal of the American Medical Association", entitled "The Battered Child Syndrome". This Article by C. Henry Kempe and his colleagues of well known pediatricians investigated the causes in addition to responses of physical abuse. Fourth the crafting of the Comprehensive Child Development Act, later vetoed by President Nixon, educated Congress to the centrality of providing for the needs of children. Fifth in 1967 the Supreme Courts "In re Gault" opinion which extended the Bill of Rights protection to children. These events reestablished the sense of an urgent national problem concerning child abuse.

Today there are laws regulating the child protection agencies and those people who report child abuse. The questions that often arise about child abuse are: What is child abuse? Who do I report abuse to? What happens after a report of child abuse is made? What is the importance of reporting child abuse? Could I be of any help in the case of abuse? Why is there a problem of child abuse?

The definition of child abuse is, a child who is alleged to be in

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need of services due to repeated mistreatment or neglect. This mistreatment or neglect could be in the form of physical, verbal, emotional, or sexual abuse. Physical abuse would include the neglect of supplying food, clothing, shelter, medical care, education, along with possible beatings that may occur. Verbal abuse is when there is excessive yelling, teasing, or belittling the child. Emotional abuse occurs when the parent or guardian fails to provide warmth, attention, supervision, and normal living experiences for the child. Sexual abuse is when the child is the victim of a sex offense, incest, rape, indecent exposure, or is allowed to participate in an obscene act. As listed above, child abuse can take many different forms and should be reported anytime a person suspects abuse has taken place. Under the law it is the duty of every person to report suspected cases of abuse. Once reported every case must be investigated within a specific amount of time. Under this law the person making a child abuse report cannot be prosecuted either criminally or civilly as long as the report was made in good faith, without malice, and the person suspects abuse has occurred. This law extends to teachers, doctors, and lawyers who often come in contact with possible cases of abuse.

A report of child abuse can be made by calling the police department, sherriffs department, welfare department, Bowen Center, or the child protection service. Teachers or hospital staff are to report cases of abuse to their supervisors who in turn contact the appropriate people. When a report of child abuse is recieved an investigation is begun within 24 hours where as in the case of

neglect the investigation would begin within 48 hours. If the report involves possible harm to the child the investigation begins immediately.

The investigation will be completed and presented to the child protection services in a written report. This report should include names and addresses of the child and parent, the child's age and sex, nature and apparent extent of the injury, abuse or neglect, and evidence of prior injuries to the child or siblings, name of the person allegedly responsible for causing the injury, source of report, person making the report and where they can be reached, actions taken including pictures x-rays or removal of the child, and any other information that may be helpful. After receiving this report the child protective agency will suggest possible alternatives. The possible alternatives will be based upon the investigation and evaluation of the child which may include an interview, physical, psychological, or psychiatric examination. At the beginning the child protective services will explain to all parties involved in the case that the agency has no legal jurisdiction to force the parties to use these services. However if the services suggested by the child protection services is not followed then the information is turned over to the court for further action.

The agencies that may be suggested in Kosciusko County would be the Bowen Center, Beaman Home, Juvenile Shelter, Family Learning, Homemaker Service, Financial Aid, or the Cardinal Center. In less severe cases the Family Learning or Homemaker Service is recommended.

These programs provide guidance in home care and teaching parenting to the parent or guardian. In more severe cases the individuals may be recommended to the Bowen Center for treatment. Here there are 13 counselors to work with the children and adults to help each understand what happened and prevent future occurrences. The most important thing to remember is that the individuals involved will never be the same again. One form of treatment the child is counseled on a one to one basis with a counselor. Then after two months of one on one counseling the child is placed in a group of children there age who were previously abused. This will help the child to deal with groups and let them know what happened was not their fault or that they were wrong. Another type of treatment deals with the family as a group first, then the counselors work with the individuals on a one on one basis for a period of time. The next step in this treatment the family is brought back together for additional group counseling before releasing them from treatment. In most cases of child abuse it is found that the abuser was also abused as a child and is carrying out the same behavior they received as a child. Sexual abuse is harder to deal with than the cases of physical abuse due to its sensitive nature. Because of this fact not everyone likes to deal with sexual abuse so the Bowen Center receives most of these types of cases. During counseling if further abuse is discovered it must be reported back to the child protective services. Due to this fact the counselors at Bowen Center may be called upon to testify in court as witnesses to the abuse. If the

individuals involved do not report to counseling then the other option that the child services might do is take the child away from the parents.

When the child is taken from the home by the child protection services they are placed in a foster home or shelter care facility. Foster care or shelter care facilities are short term alternatives used until the child can safely be returned home or if not returned home be adopted by another family. For a foster parent this can be a very important undertaking since the child is coming from a bad situation and is in unfamiliar surroundings. For this purpose the candidate goes through a screening process to become a foster parent. First the Welfare Department does a home study to determine the fitness of the individuals. Second the Fire Marshall will do an inspection to determine the safety of the home. If everything is okayed by the Welfare Department then the individual goes through initial training, taught by United Health Services, then receives a license as a foster parent with the number of children they can have at one time. Generally children under the age of 12 will go to foster parents while those over 12 will go to a shelter care facility. The length of time in a shelter care facility, such as Kosciusko County Juvenile Shelter Care Facility, is approximately nine months then the child is rotated out to another facility or foster parent.

After the child is taken away from the family the case must be taken to Juvenile Court for a determination. The Welfare Department must prepare a report listing all the facts in the case and the

solutions they have tried before taking the child from the parents. This report would include a list of treatments suggested by the Welfare Department and the outcome. At the beginning of the case the court must inform the individuals of the charges, the possible penalties and their responsibilities. After obtaining all the information the court will make a decision that is in the best interest of the child. The court could suggest treatment, take the child from the parent or guardian for a short period of time, or suggest specific care or supervision for the individuals. Once the court decree is announced the caseworker must then follow up with periodic visits. These visits must occur at least once every six months for up to eighteen months to report the extent of recovery by the individuals and success of the decree. At any time the court can ask the Welfare Department to file a report on the implementation of its decree to consider modification. This report will tell how the child and parent or guardian are doing, their willingness to work together, and what family services have been provided. If the treatment and family services are working the child may be returned to his parents or guardians to begin a family environment. If the court decides that the best interest of the child is not returning them to his parent or guardian then adoption is the final solution.

Once adoption is required the Welfare Department prepares a report for the court. In the report, items required, would be the history of the child including former environment, fitness of the child for adoption, antecedents of the child, if the child is classified hard

to place, and proposed home for the child. The court will use this report in determining whether adoption is in the best interest of the child. If the court decides on adoption then a new birth certificate and information is made for the child. All information gathered is confidential and held by the court.

In closing child abuse is not a problem that has just started with our generation. In fact child abuse has been with us since there have been children. In early times child abuse was not well publicized because punishment was at the discretion of the parent. Then in the early 1960's with the increase in the interest in civil rights people became more aware of child abuse and its effects on the child. In addition articles were written by pediatricians revealing their studies showing the effect abuse has on the child. In many cases the person who does the abusing was abused when they were children. This shows a continuing cycle that if not stopped could continue for generations to come.

Nationally one million children are abused each year and between two thousand to five thousand die each year as a result of neglect. In Indiana since 1979 the number of reported cases of child abuse has increased by ninety six percent and there is a thirteen percent increase in the number of reports for neglect. In Kosciusko County the number of sexual abuse reports has increased forty percent from 1985 to 1986. As can plainly be seen child abuse is a growing problem in todays society.

In talking with individuals who deal with child abuse in our community, this problem is taken very serious. When a report of

child abuse is recieved the agencies work together to help everyone involved. The agencies do not immediately take the child out of the home, which would be done if there was no other alternative. The main idea is to leave the child in a family setting and also serve the best interest of the child. Treatment for the entire family is stressed to help deal with the problem and understand why it happened.

The individuals who are working with child abuse in Kosciusko County are doing an excellant job under very difficult situations. They are dealing with problem conditions where the child has been abused and may have to be taken from the parent. This would be a very stressful position for the Welfare Department people to deal with on a daily basis. The feeling may be that there is no winner, a clear case of good or bad, right or wrong. This is not true, the Welfare Department is helping both the abused and abuser by getting treatment or getting the child to a better family setting.

The people of Kosciusko County need to work together on this problem by volunteering to be foster parents, work on the child abuse council, or report cases of child abuse when seen. Remember children are our future, we should take care of our future today.

**KOSCIUSKO COUNTY
DEPARTMENT OF PUBLIC WELFARE**

PEGGY A. SHIVELY, DIRECTOR

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WARSAW, INDIANA 46580
PHONE 267-4444

The following statistics were derived from child abuse records on file at the Kosciusko County Welfare Department, Warsaw, IN. Data was analyzed from reports filed between January 1, 1985, and December 31, 1986.

The total number of abuse cases analyzed is 192.

The following is a breakdown of these cases.

1985

<u>Type of abuse:</u>	<u>Sexual</u>	<u>Physical</u>	<u>Sexual/Physical</u>	<u>Totals</u>
No. substantiated	13	30	1	44
No. unsubstantiated	9	19	1	29
No. indicated	<u>13</u>	<u>7</u>	<u>2</u>	<u>22</u>
Totals	35	56	4	95

1986

<u>Type of abuse:</u>	<u>Sexual</u>	<u>Physical</u>	<u>Sexual/Physical</u>	<u>Totals</u>
No. substantiated	20	9	0	29
No. unsubstantiated	21	17	0	38
No. indicated	<u>18</u>	<u>12</u>	<u>0</u>	<u>30</u>
Totals	59	38	0	97
<u>GRAND TOTALS</u>	94	94	4	192

Additional analysis:

Sexual abuse reports increased 40% from 1985-1986.

Substantiated reports increased 53.8% from 1985-1986.

The average age of the victim was 10.4 years and 82% were female.

Ninety seven percent (97%) of the perpetrators were male.

Physical abuse reports decreased by 32.1% from 1985-to 1986.

Substantiated reports decreased by 70% from 1985 to 1986.

The average age of the victim was 10.2 years and 67.8% were female

Fifty six percent (56%) of the perpetrators were male.

Prepare by Kurt Zimmerman

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KZ:ae

Locally questions or reports of child abuse can be made by contacting any of the following agencies.

Warsaw Police Department 267-3207

Market Street

Warsaw Indiana, 46580

Kosciusko County Sheriffs Department 267-5667

Justice Building

100 West Center Street

Warsaw Indiana, 46580

Kosciusko County Welfare Department 267-4444

Court House

100 West Center Street

Warsaw Indiana, 46580

Kosciusko County Child Protection Services 267-4444

Court House

after hours call 267-5667

100 West Center Street

Warsaw Indiana, 46580

Otis R. Bowen Center 267-7169

850 North Harrison

Warsaw Indiana, 46580

SOURCES

Making An Issue Of Child Abuse

Published 1983

Barbara J. Nelson

Times Union Newspaper

Wensday April 8, 1987

Interest Expressed In Child Abuse Council In Kosciusko

Times Union Newspaper

Wensday April 1, 1987

Child Abuse Prevention Month To Be Observed

Indiana Law

Sections 31-6-4-3 through 35-45-4-5

Peg Shively

Director Kosciusko County Welfare Department

Diane Quance

Protective Services Bowen Center