

Social Policies for Children

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Chapter 8

Child Abuse Reporting: The Need to Shift Priorities from More Reports to Better Reports

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FOR THIRTY YEARS, advocates, program administrators, and politicians have joined cause to encourage even more reports of suspected child abuse and neglect. Their efforts have been spectacularly successful, with about 3 million children having been reported in 1993. Large numbers of endangered children still go unreported, but an equally serious problem has developed: upon investigation, as many as 65 percent of the reports now being made are determined to be “unsubstantiated,” raising serious civil liberties concerns and placing a heavy burden on already overwhelmed investigative staffs.

These two problems—nonreporting and inappropriate reporting—are linked and must be addressed together before further progress can be made in combating child abuse and neglect. In this chapter I argue that to lessen both problems, there must be a shift in priorities—away from simply seeking more reports and toward encouraging better reports.

Reporting Laws

Since the early 1960s all states have passed laws that mandate designated professionals to report specified types of child maltreatment. Over the years, both the range of designated professionals and the scope of reportable conditions have been steadily expanded.

Initially, mandatory reporting laws applied only to physicians, who were required to report only "serious physical injuries" and "non-accidental injuries," the operative legislative phrases. In the ensuing years, however, increased public and professional attention, sparked in part by the number of abused children revealed by these initial reporting laws, led many states to expand their reporting requirements. Now almost all states have laws that require the reporting of all forms of suspected child maltreatment, including physical abuse, physical neglect, emotional maltreatment, and, of course, sexual abuse and exploitation.¹

Under threat of civil and criminal penalties, these laws require most professionals who serve children to report suspected child abuse and neglect. About twenty states require all citizens to report, but in every state any citizen is permitted to report.

These reporting laws, associated public awareness campaigns, and professional education programs have been strikingly successful. In 1993 there were about 3 million reports of children suspected of being abused or neglected.² This is a twentyfold increase since 1963, when about 150,000 children were reported to the authorities (table 8-1).³ (As we will see, however, this figure is bloated by reports that later turned out to be unfounded.)

Many people ask whether this vast increase in reporting signals a rise in the incidence of child maltreatment. Recent increases in social problems such as out-of-wedlock births, inner-city poverty, and drug abuse have probably raised the underlying rates of child maltreatment at least somewhat. Unfortunately, so many maltreated children previously went unreported that earlier reporting statistics do not provide a reliable baseline against which to make comparisons. One thing is clear, however: the great bulk of reports now received by child protective agencies would not be made but for the passage of mandatory reporting laws and the media campaigns that accompanied them.

This increase in reporting was accompanied by a substantial expansion of prevention and treatment programs. Every community, for example, is now served by specialized child protective agencies that receive and investigate reports. Federal and state expenditures for child protective programs and associated foster care services now exceed \$6 billion a year.⁴

As a result, many thousands of children have been saved from serious injury and even death. The best estimate is that over the past

TABLE 8-1. *Instances of Child Abuse and Neglect Reported, 1976-93*

| Year | Number of children reported | Year | Number of children reported |
|------|-----------------------------|------|-----------------------------|
| 1976 | 669,000 | 1985 | 1,919,000 |
| 1977 | 838,000 | 1986 | 2,086,000 |
| 1978 | 836,000 | 1987 | 2,157,000 |
| 1979 | 988,000 | 1988 | 2,265,000 |
| 1980 | 1,154,000 | 1989 | 2,435,000 |
| 1981 | 1,225,000 | 1990 | 2,557,000 |
| 1982 | 1,262,000 | 1991 | 2,690,000 |
| 1983 | 1,477,000 | 1992 | 2,916,000 |
| 1984 | 1,727,000 | 1993 | 2,989,000 |

Sources: Data for 1976-84 are from American Association for Protecting Children, *Highlights of Official Child Abuse and Neglect Reports: 1985* (Denver, 1987), figure 1, p. 3. Data for 1985-93 are from Karen McCurdy and Deborah Daro, "Current Trends in Child Abuse Reporting and Fatalities: The Results of the 1993 Annual Fifty State Survey," working paper (Chicago: National Committee for Prevention of Child Abuse, April 1994), table 1, p. 5. Data include "unfounded" reports, which are now an estimated 60 to 65 percent of all reports.

twenty years, child abuse and neglect deaths have fallen from more than three thousand a year—and perhaps as many as five thousand—to about eleven hundred a year.⁵ In New York State, for example, within five years of the passage of a comprehensive reporting law that also created specialized investigative staffs, there was a 50 percent reduction in child fatalities, from about two hundred a year to less than one hundred.⁶ (This is not meant to minimize the remaining problem. Even at this level, maltreatment is the sixth largest cause of death for children under fourteen.)⁷

Unreported Cases

Most experts agree that reports have increased over the past thirty years because professionals and laypersons have become more likely to report apparently abusive and neglectful situations. But the question remains, how many more cases still go unreported?

Two studies performed for the National Center on Child Abuse and Neglect by Westat, Incorporated, provide a partial answer. In

1980 and then again in 1986 Westat conducted national studies of the incidence of child abuse and neglect. (A third Westat incidence study is now under way.) Each study used essentially the same methodology: in a stratified sample of counties, a broadly representative sample of professionals who serve children were asked whether, during the study period, the children they had seen in their professional capacities appeared to have been abused or neglected. (Actually, the professionals were not asked the ultimate question of whether the children appeared to be "abused" or "neglected." Instead they were asked to identify children with certain, specified harms or conditions, which were then decoded into a count of various types of child abuse and neglect.)⁸

Because the information these selected professionals provided could be matched against pending cases in the local child protective agency, Westat was able to estimate rates of nonreporting among the surveyed professionals. It could not, of course, estimate the level of unintentional nonreporting, since there is no way to know of the situations in which professionals did not recognize signs of possible maltreatment. There is also no way to know how many children the professionals recognized as being maltreated but chose not to report to the study. (Obviously, since the study methodology involved asking professionals about children they had seen in their professional capacities, it also did not allow Westat to estimate the number of children seen by nonprofessionals, let alone their nonreporting rate.)

Westat found that professionals failed to report many of the children they saw who had observable signs of child abuse and neglect. Specifically, it found that in 1986, 56 percent of apparently abused or neglected children, or about 500,000 children, were not reported to the authorities. This figure, however, seems more alarming than it is: basically, the more serious the case, the more likely the report. For example, the surveyed professionals reported more than 85 percent of the fatal or serious physical abuse cases they saw, 72 percent of the sexual abuse cases, and 60 percent of the moderate physical abuse cases. In contrast, they reported only 15 percent of the educational neglect cases they saw, 24 percent of the emotional neglect cases, and 25 percent of the moderate physical neglect cases.⁹

Nevertheless, there is no reason for complacency. Translating these raw percentages into actual cases means that in 1986 about 2,000 children with observable physical injuries severe enough to require hos-

pitalization were not reported, more than 100,000 children with moderate physical injuries were also not reported, along with more than 30,000 apparently sexually abused children. And these are the rates of nonreporting among relatively well-trained professionals. One assumes that nonreporting is higher among less well-trained professionals and higher still among laypersons.

Obtaining—and maintaining—a high level of reporting requires a continuation of the public education and professional training begun thirty years ago. But now such efforts must also address a problem as serious as nonreporting—inappropriate reporting.

Unsubstantiated Reports

At the same time that many seriously abused children go unreported, an equally serious problem further undercuts efforts to prevent child maltreatment: the nation's child protective agencies are being inundated by inappropriate reports. Although rules, procedures, and even terminology vary—some states use the phrase "unfounded," others "unsubstantiated" or "not indicated"—an unfounded report, in essence, is one that is dismissed after an investigation finds insufficient evidence on which to proceed.

Nationwide, between 60 and 65 percent of all reports are closed after an initial investigation determines that they are unfounded or unsubstantiated.¹⁰ This is in sharp contrast to 1974, when only about 45 percent of all reports were unfounded.¹¹

A few advocates, in a misguided effort to shield child protective programs from criticism, have sought to quarrel with estimates that this author and others have made that the national unfounded rate is between 60 and 65 percent.¹² They have grasped at various inconsistencies in the data collected by different organizations to claim either that the problem is not so bad or that it has always been this bad.

To help settle this dispute, the American Public Welfare Association (APWA) conducted a special survey of child welfare agencies in 1989. The APWA researchers found that between fiscal year 1986 and fiscal year 1988, the weighted average for the substantiation rates in thirty-one states declined 6.7 percent—from 41.8 percent in fiscal year 1986 to 39 percent in fiscal year 1988.¹³

Most recently, the existence of this high unfounded rate was reconfirmed by the annual fifty-state survey of the National Committee

to Prevent Child Abuse (NCPA), which found that in 1993 only about 34 percent of the reports received by child protective agencies were substantiated.¹⁴

The experience of New York City indicates what these statistics mean in practice. Between 1989 and 1993, as the number of reports received by the city's child welfare agency increased by more than 30 percent (from 40,217 to 52,472), the percentage of substantiated reports fell by about 47 percent (from 45 percent to 24 percent). In fact, the number of substantiated cases—a number of families were reported more than once—actually fell by about 41 percent, from 14,026 to 8,326. Thus 12,255 additional families were investigated, while 5,700 fewer families received child protective help.¹⁵

The Costs of Unsubstantiated Reports

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 schoolteachers, day care personnel, doctors, clergy, and others who know the family.

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 to ignore the legitimate rights of parents. Each year, about 700,000 families are put through investigations of unfounded reports. This is a massive and unjustified violation of parental rights.

Few unfounded reports are made maliciously. Studies of sexual abuse reports, for example, suggest that at most 4 to 10 percent of these reports are knowingly false.¹⁶ 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 are referred to other agencies for them to provide needed services for the family.

Moreover, an unfounded report does not necessarily mean that the child was not actually abused or neglected. Evidence of child maltreatment is hard to obtain and may not be uncovered when agencies lack the time and resources to complete a thorough investigation or when inaccurate information is given to the investigator. Other cases are labeled unfounded when no services are available to help the family. Some cases must be closed because the child or family cannot be located.

A certain proportion of unfounded reports, therefore, is an inherent—and legitimate—aspect of reporting suspected child maltreatment and is necessary to ensure adequate child protection. Hundreds of thousands of strangers report their suspicions; they cannot all be right. But unfounded rates of the current magnitude go beyond anything reasonably needed. Worse, they endanger children who are really abused.

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, they usually interview neighbors, schoolteachers, 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 less able to respond promptly and effectively when children are in serious danger. Some reports are left uninvestigated for a week and even two weeks after they are received. Investigations often miss key facts as workers rush to clear cases, and dangerous home situations receive inadequate supervision, as workers must ignore pending cases as they investigate the new reports that arrive daily on their desks. Decisionmaking also suffers. With so many cases of insubstantial or unproven risk to children, caseworkers are desensitized to the obvious warning signals of immediate and serious danger.

These nationwide conditions help explain why from 25 to 50 percent of child abuse deaths involve children previously known to the authorities. In 1993 the NCPA reported that of the 1,149 child

maltreatment deaths, 42 percent had already been reported to the authorities.¹⁷ Tens of thousands of other children suffer serious injuries short of death while under child protective agency supervision.

In a 1992 New York City case, for example, while under the supervision of New York City's Child Welfare Administration, five-month-old Jeffrey Harden died from burns caused by scalding water and three broken ribs. Jeffrey Harden's family had been known to the administration for more than a year and a half. Over this period, the case had been handled by four separate caseworkers, each conducting only partial investigations before resigning or being reassigned to new cases.

It is unclear whether Jeffrey's death was caused by his mother or her boyfriend, but because of insufficient time and overburdened caseloads, all four workers failed to pay attention to a whole host of obvious warning signals: Jeffrey's mother had broken her parole for an earlier conviction of child sexual abuse, she had a past record of beating Jeffrey's older sister, and she had a history of crack addiction and past involvement with violent boyfriends.¹⁸

Two of the Hardens' caseworkers explained what happened. Their first caseworker could not find Ms. Harden at the address she had listed in her files. She commented, "It was an easy case. We couldn't find the mother, so we closed it." Their second caseworker stated that he was unable to spend a sufficient amount of time investigating the case, let alone to make the minimum monthly visits, because he was tied down with an overabundance of cases and paperwork. He stated, "It's impossible to visit these people within a month. They're all over New York City." Just before Jeffrey's death every worker who had been on the case had left the department.

Ironically, by weakening the system's ability to respond, unfounded reports actually discourage appropriate ones. 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 or may even make things worse. In 1984 a study of the impediments to reporting conducted by Jose Alfaro, coordinator of the New York City Mayor's Task Force on Child Abuse and Neglect, concluded, "Professionals who emphasize their professional judgment, have experienced problems in dealing with the child protective agency, and are more likely to doubt the efficacy of protective service intervention, are more likely not to report in some situa-

tions, especially when they believe they can do a better job helping the family."¹⁹

Shifting Priorities

The emotionally charged desire to "do something" about child abuse, fanned by repeated and often sensational media coverage, has led to an understandable but counterproductive overreaction on the part of the professionals and citizens who report suspected child abuse. For thirty years, advocates, program administrators, and politicians have all pushed for more reporting of suspected child abuse and neglect.

Potential reporters are frequently told to take no chances and to report any child for whom they have the slightest concern. 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 any other evidence of maltreatment. These behavioral indicators include, for example, children who are unusually withdrawn or shy as well as children who are unusually friendly to strangers. However, only a small minority of children who exhibit such behaviors have actually been maltreated.

Thirty years ago, even fifteen years ago, when many professionals were construing their reporting obligations narrowly to avoid taking action to protect endangered children, this approach may have been needed. Now, though, all it does is ensure that child abuse hotlines will be flooded with inappropriate and unfounded reports.

Few people fail to report because they do not care about an endangered child. Instead, they may be unaware of the danger the child faces or of the protective procedures that are available. A study of nonreporting among teachers, for example, blamed their "lack of knowledge for detecting symptoms of abuse and neglect."²⁰ Likewise, few inappropriate or unfounded reports are deliberately false statements. Most involve an honest desire to protect children, coupled with confusion about what conditions are reportable.

Confusion about reporting is largely caused by the vagueness of reporting laws—aggravated by the failure of child protective agencies to provide realistic guidance about deciding to report. In 1987 a national group of thirty-eight child protective professionals from nineteen states met for three days at Airlie House, Virginia, under the

auspices of the American Bar Association's National Legal Resource Center for Child Advocacy and Protection in association with the American Public Welfare Association and the American Enterprise Institute. The Airlie House group, as it has come to be called, developed policy guidelines for reporting and investigation decisionmaking. (I was the rapporteur for the effort.) One of the group's major conclusions was that there should be better guidelines for public and professional education about what should be reported (and what should not be). This group urged, "Better public and professional materials are needed to obtain more appropriate reporting." The group specifically recommended that "educational materials and programs should: (1) clarify the legal definitions of child abuse and neglect, (2) give general descriptions of reportable situations (including specific examples), and (3) explain what to expect when a report is made. Brochures and other materials for laypersons, including public service announcements, should give specific information about what to report—and what not to report."²¹

Based on these recommendations, a relatively clear agenda for reform emerges.

—*Clarify child abuse reporting laws:* Existing laws are often vague and overbroad. They should be rewritten to provide real guidance about what conditions should, and should not, be reported. This can be accomplished without making a radical departure from present laws or practices. The key is to describe reportable conditions in terms of specific parental behaviors or conditions that are tied to severe and demonstrable harms (or potential harms) to children.²² Box 8-1 shows one way to do so.

—*Provide continuing public education and professional training:* Few people fail to report because they want children to suffer abuse and neglect. Likewise, few people make deliberately false reports. Most involve an honest desire to protect children coupled with confusion about what conditions are reportable. Thus educational efforts should emphasize the conditions that do not justify a report, as well as those that do.

—*Screen reports:* No matter how well professionals are trained and no matter how extensive public education efforts are, there will always be a tendency for persons to report cases that should not be investigated. Until recently, most states did not have formal policies and procedures for determining whether to accept a call for investi-

BOX 8-1. *The Basis of Child Abuse Reports^a*

Direct Evidence

Eyewitness observations of a parent's abusive or neglectful behavior
The child's description of being abused or neglected, unless there is a specific reason for disbelief
The parent's own description of abusive or neglectful behavior, unless it is long past
Accounts of child maltreatment from spouses or other family members
Films, photographs, or other visual material depicting a minor's sexually explicit activity
Newborns denied nutrition, life-sustaining care, or other medically indicated treatment
Children in physically dangerous situations
Young children left alone
Apparently abandoned children
Demonstrated parental disabilities—for example, mental illness, retardation, or alcohol or drug abuse—severe enough to make child abuse or child neglect likely
Demonstrated parental inability to care for a newborn baby

Circumstantial Evidence

"Suspicious" injuries suggesting physical abuse
Physical injuries or medical findings suggesting sexual abuse
For young children, signs of sexual activity
Signs of severe physical deprivation on the child's body suggesting general child neglect
Severe dirt and disorder in the home suggesting general child neglect
Apparently untreated physical injuries, illnesses, or impairments suggesting medical neglect
"Accidental" injuries suggesting gross inattention to the child's need for safety
Apparent parental indifference to a child's severe psychological or developmental problems
Apparent parental condonation of or indifference to a child's misbehavior suggesting improper ethical guidance
Chronic and unexplained absences from school suggesting parental responsibility for the nonattendance
Newborns showing signs of fetal exposure to drugs or alcohol

Source: Douglas J. Besharov, *Recognizing Child Abuse: A Guide for the Concerned* (Free Press, 1990), p. 175.

a. Behavioral indicators, by themselves, are not a sufficient basis for a report.

gation. Such policies should be adopted by all states and they should provide explicit guidance about the kinds of cases that should not be assigned for investigation (box 8-2).

—*Modify liability laws:* Current laws provide immunity for anyone who makes a report in good faith, but give no protection to those who, in a good faith exercise of professional judgment, decide that a child has not been abused or neglected and hence should not be reported. This combination of immunities and penalties encourages the overreporting of questionable situations.

—*Give feedback to persons who report:* If persons who report are not told what happened, they may conclude that the agency's response was ineffective or even harmful to the child, and the next time they suspect that a child is maltreated, they may decide not to report. In addition, finding out whether their suspicions were valid also refines their diagnostic skills and thus improves the quality and accuracy of their future reports. Reporters also need such information to interpret subsequent events and to monitor the child's condition.

—*Adopt an agency policy:* Appropriate reporting of suspected child maltreatment requires a sophisticated knowledge of many legal, administrative, and diagnostic matters. To help ensure that their staffs respond properly, an increasing number of public and private agencies are adopting formal agency policies about reporting. Some state laws mandate them. The primary purpose of these policies, or agency protocols, is to inform staff members of their obligation to report and of the procedures to be followed. Such formal policies serve another important function: they are an implicit commitment by agency administrators to support frontline staff members who decide to report. Moreover, the very process of drafting a written document can clarify previously ambiguous or ill-conceived agency policies.

Prospects for Change

The problem of inappropriate reporting was entirely foreseeable. In fact, as early as 1977 sociologist Saad Nagi predicted that unfounded reports would increase as total reporting rose.²³ As mentioned above, some level of inappropriate reporting is the inescapable result of a system that relies on reports from hundreds of thousands of friends, neighbors, and family members—as well as often poorly trained professionals.

BOX 8-2. *Child Abuse and Neglect Reports That Should Be Rejected^a*

Allegations clearly fall outside the agency's definitions of child abuse and child neglect, as established by state law. (Prime examples include children beyond the specified age, alleged perpetrators falling outside the legal definition, and family problems not amounting to child maltreatment.)

Caller can give no credible reason for suspecting that the child has been abused or neglected. (Although actual proof of the maltreatment is not required, some evidence is.)

Unfounded or malicious nature of report is established by specific evidence. (Anonymous reports, reports from estranged spouses, and even a history of previous unfounded reports from the same source should not automatically be rejected, but they need to be carefully evaluated.)

Insufficient information is given to identify or locate the child. (This is not technically a rejection; moreover, the information may be kept for later use should a subsequent report be made about the same child.)

Source: Douglas J. Besharov, *Recognizing Child Abuse: A Guide for the Concerned* (Free Press, 1990), p. 179.

a. In questionable circumstances, the agency should recontact the caller before deciding to reject a report. When appropriate, rejected reports should be referred to other agencies that can provide services needed by the family.

What was thoroughly unpredictable was the great resistance to doing something about the problem. As described below, some efforts to reform the system have been made, but many advocates still deny that there is a problem (or at least try to minimize its importance).²⁴

Why has it proven so difficult to mount a concerted effort to reduce the number of inappropriate or unfounded reports? First and foremost has been the well-intentioned fear that any attempt to limit inappropriate reporting would inevitably reduce the number of real cases reported. The more careful people are about reporting, and the more aggressive agencies are about screening, the more likely it is that a child in serious danger will escape notice. A formal legal opinion from Iowa's attorney general explained the rationale for this

broadier approach to reporting: "We will never know if a report of child abuse is valid or not until the appropriate investigation is made."²⁵

But this practical wisdom has been taken to unreasonable extremes. Too many advocates have ignored the consequential burden that so many inappropriate cases place on the system's resources. They seem unwilling to make—or even to recognize—the trade-off between gaining large numbers of additional reports and the system's ability to respond.

Second, there has been a certain expediency to well-publicized increases in reports. Ever-rising numbers of reports have helped mobilize public and professional support for expanded funding.²⁶ News stories about brutal cases of child abuse make our hearts go out to its innocent victims. We all want to do something to alleviate their pain and to prevent other children from suffering a similar fate. Thus advocates and program administrators have had an incentive to remain quiet about the number of cases closed after an initial investigation.

Third, although many of these inappropriate reports did not amount to child abuse or child neglect, they nevertheless involved families who needed social service assistance. Thus accepting and investigating unfounded reports was seen as a means of providing needed services to families in trouble. In effect, the child protective system was being used to fill gaps in what should be community-wide child welfare systems. Even if this strategy had been more likely to succeed, it should have been shunned. The child protective process is coercive—often traumatic—and should be limited to situations in which the child is so endangered that social services must be forced upon unwilling parents.

Fourth, for many years the child protective system was able to absorb the increase in reports by hiring more staff. Although money was never plentiful, the 1970s and much of the 1980s saw expansion in many states. But by the end of the 1980s state budgets became progressively tighter, and programs were being cut rather than expanded.

Change is apparent, however. Most states, as well as most research studies, are now careful to distinguish between total reports and substantiated ones. And as mentioned above, the 1987 recommendations of the Airlie House group gave a legitimacy to those concerned about inappropriate reporting—and provided the outlines for reform. In scattered communities across the nation, various elements of the rec-

ommendations listed above (as well as other ideas) are being adopted.

And there is reason to expect still more change. Recently, the flood of unfounded reports has involved more middle-class families than before. Unlike the poor, who have grown used to governmental intrusions, middle-class parents who feel that they have been wrongly accused—and unnecessarily investigated—fight back. Thousands have joined groups like VOCAL (Victims of Child Abuse Laws) to lobby for changes in state and federal laws as well as in agency procedures.

The continuing pressure of state budget cuts has added another group of players to the process. In many states, senior managers have, for the first time, focused their attention on the issue. They are eager, if not desperate, for any ideas that would enable them to do more with existing (or pared down) resources. If they could be convinced that a shift away from simply seeking more reports and toward encouraging better ones would save money without unreasonably endangering children, they would push for the change.

Thus it seems that the coming years will see an acceleration of this shift. And, notwithstanding the opposition of advocates, I believe that reasonable efforts to reduce the number of unfounded reports would strengthen the overall child protective system—as well as public support for it.

Notes

1. See, generally, Douglas J. Besharov, *Recognizing Child Abuse: A Guide For the Concerned* (Free Press, 1990).
2. Karen McCurdy and Deborah Daro, "Current Trends in Child Abuse Reporting and Fatalities: The Results of the 1993 Annual Fifty State Survey," Working Paper 808 (Chicago: National Committee for the Prevention of Child Abuse, April 1994), table 1, p. 5.
3. Children's Bureau, *Juvenile Court Statistics* (Department of Health, Education, and Welfare, 1966), p. 13.
4. Federal expenditures for foster care, child welfare, and related services make up less than 50 percent of total expenditures (state and federal) for these services. In 1992 they amounted to \$273.9 million for Title IV-B child welfare services; \$1,192.1 million for Title IV-E foster care maintenance; \$1,017.7 for Title IV-E foster care administration and training; \$70 million for the Title IV-E independent living program; and \$219.6 million for Title IV-E adoption assistance. This comes to a total of \$2,773.7 million. In addition, states may use a portion of the \$2.8 billion federal social services block grant

for such services, though detailed data on these expenditures are not available. Beginning in 1994, additional federal appropriations will fund family preservation and support services (an estimated \$60 million in 1994 and \$150 million in 1995). "Overview of Entitlement Programs," in 1993 *Green Book*, House Committee on Ways and Means, 103 Cong. 1 sess. (Government Printing Office, 1993), table 2, p. 886; and *Budget of the United States Government: Appendix, Fiscal Year 1995*, p. 451.

5. Andrea J. Sedlak, "Supplementary Analyses of Data on the National Incidence of Child Abuse and Neglect," (Rockville, Md.: Westat, 1991), table 2-1, p. 2-2; McCurdy and Daro, "Current Trends in Child Abuse Reporting and Fatalities," table 3, p. 13.

6. New York State Department of Social Services, *Child Protective Services in New York State: 1979 Annual Report* (1980), table 8.

7. Based on comparison data from National Center for Health Statistics, "Advance Report of Final Mortality Statistics, 1980," *Monthly Vital Statistics Report*, vol. 32 (Department of Health and Human Services, August 11, 1983).

8. National Study on Child Abuse and Neglect, *Study Findings: National Study of the Incidence and Severity of Child Abuse and Neglect* (September 1981); and *Study Findings: Study of National Incidence and Prevalence of Child Abuse and Neglect* (1986). The original report for this study contained inaccurate information because of weighting errors by Westat. The revised report is Andrea J. Sedlak, *National Incidence and Prevalence of Child Abuse and Neglect: 1988, Revised Report* (Rockville, Md.: Westat, 1991).

9. Sedlak, "Supplementary Analyses of Data," pp. 3-19.

10. Douglas Besharov, "Doing Something' about Child Abuse: The Need to Narrow the Grounds for State Intervention," *Harvard Journal of Law and Public Policy*, vol. 8, no. 3 (1985), reporting the author's 65 percent estimate based on a state-by-state analysis by the American Association for Protecting Children, "Highlights of Official Child Neglect and Abuse Reporting: 1985," p. 12, projecting, on incomplete data, a 58 percent unfounded rate.

11. See, for example, New York State Department of Social Services, "Trends in Child Abuse/Maltreatment Reporting, 1974-1976," Albany, 1977, table 5.

12. David Finkelhor, "Is Child Abuse Overreported? The Data Rebut Arguments for Less Intervention," *Public Welfare*, vol. 48 (Winter 1990), pp. 22-29.

13. Toshio Tataru, "Children of Substance Abusing and Alcoholic Parents in Public Child Welfare" (Washington: American Public Welfare Association, December 1990), pp. 17-21, especially p. 18.

14. For 1991 the Fifty State Survey estimated an average substantiation rate of 36 percent. For 1992 it estimated a rate of 35 percent, and for 1993 the average rate was estimated at 34 percent. McCurdy and Daro, "Current Trends in Child Abuse and Fatalities," table 1, p. 5.

15. New York State Department of Social Services, "State Central Register Reporting Highlights, 1974-89," Albany, 1990, table 10; and New York State Department of Social Services, "State Central Register Reporting Highlights, 1974-1993," Albany, 1994, table 13.

16. See Nancy Thoennes and Jessica Pearson, "A Difficult Dilemma: Responding to Sexual Abuse Allegations in Custody and Visitation Disputes," in Douglas J. Besharov, ed., *Protecting Children from Abuse and Neglect, Policy and Practice* (Springfield, Ill.: Charles C Thomas, 1988), pp. 91, 93; Lucy Berliner, "Deciding Whether a Child Has Been Sexually Abused," in E. Bruce Nicholson, ed., *Sexual Abuse Allegations in Custody and Visitation Cases: A Resource Book for Judges and Court Personnel* (Chicago: American Bar Association, 1988); and D. Jones, "Reliable and Fictitious Accounts of Sexual Abuse in Children," *Journal of Inter-Personal Violence*, vol. 3 (1986), table 2, estimating that 8 percent of sexual abuse reports are falsely made (2 percent by children and 6 percent by adults); and Jose D. Alfaro, "What Can We Learn from Child Abuse Fatalities: A Synthesis of Nine Studies," in Besharov, *Protecting Children from Abuse and Neglect*, chap. 9.

17. McCurdy and Daro, "Current Trends in Child Abuse Reporting and Fatalities," table 4, p. 15.

18. Celia W. Dugger, "Litany of Signals Overlooked in Child's Death," *New York Times*, December 29, 1992, p. A1.

19. Jose D. Alfaro, "Impediments to Mandated Reporting of Suspected Child Abuse and Neglect in New York City," report to the Mayor's Task Force on Child Abuse and Neglect, New York, 1984, p. 66.

20. Patricia G. Levin, "Teachers' Perceptions, Attitudes, and Reporting of Child Abuse/Neglect," *Child Welfare*, vol. 62 (January/February 1983), p. 19.

21. Besharov, *Protecting Children from Abuse and Neglect*, p. 346.

22. See Besharov, *Recognizing Child Abuse*, pp. 28-36.

23. In describing the effect of contemporary increases in the number of reports on confirmation rates, he wrote: "As the rates of reporting increased, the rates of confirmed maltreatment increased rapidly up to a certain point, after which the rate of increase tended to lessen considerably. . . . The relations between the rates of reporting and the estimated probability that maltreatment cases will be confirmed, however, exhibited the reverse pattern: the probability of confirming reports of suspected cases dropped sharply as the rates of reporting increased." Saad Zaghloul Nagi, *Child Maltreatment in the United States: A Challenge to Social Institutions* (Columbia University Press, 1977), p. 39.

24. See, for example, Finkelhor, "Is Child Abuse Overreported?"

25. Iowa Attorney General, Opinion No. 78-9-12, September 28, 1978, in *Family Law Reporter*, vol. 5 (1978), p. 2015.

26. Barbara J. Nelson, *Making an Issue of Child Abuse: Political Agenda Setting for Social Problems* (University of Chicago Press, 1984).