
Perceptions About The Child Protection System

CHAPTER 4

There is no statewide consensus on how to measure the effectiveness of Minnesota’s child protection system, and there are limited existing data that could be used for this purpose. In Chapter 3, we examined the incidence of repeated maltreatment as one way of measuring whether the child protection system is effectively meeting the goal of protecting children.

In the absence of additional measures of the system’s performance, it is valuable to consider whether the people who work closely with the child protection system believe that it is operating effectively. We surveyed several groups of professionals required by law to report instances of suspected maltreatment—pediatricians, school social workers, and heads of local law enforcement agencies. We also surveyed district court judges, who hear court cases involving some of the families for whom maltreatment has been determined, and county human service directors, who administer child protective services. We asked:

- **Do mandated reporters feel well-informed about the outcomes of the cases they have reported and the criteria used by counties to screen cases?**
- **Do those who work closely with child protection agencies believe that interventions have been effective and that decisions have been consistent?**
- **How do child protection agencies balance the goals of child safety and family preservation?**
- **Do child protection and law enforcement agencies have good working relationships, and are their investigations considered to be thorough?**
- **What do child protection agencies identify as the most important unmet service needs? Do budget considerations affect the decisions made by their staff?**

We surveyed several types of professionals who work closely with child protection agencies.

The response rates of all of the surveyed groups were relatively high—68 percent for pediatricians, 85 percent for school social workers, 89 percent for judges, 99 percent for law enforcement officials in counties and cities with more than 10,000 population, and 100 and 98 percent for the two surveys of county human services directors.¹ In our view, these rates are high enough to indicate that survey respondents are generally representative of their colleagues statewide. Still, it is important to consider that some of these groups are more heavily concentrated in the seven-county Twin Cities area than others. In particular, about 71 percent of the surveyed pediatricians worked primarily in a metropolitan area county, compared with about 56 percent of the school social workers, 39 percent of the law enforcement officials, and 8 percent of the county human services directors. About 7 percent of the surveyed judges were from the second and fourth judicial districts, representing Ramsey and Hennepin counties; judges serving the other five counties in the Twin Cities region are part of judicial districts that include non-metropolitan counties, too.

We found that some of the people who work most closely with the child protection system lack confidence in its ability to intervene effectively on behalf of children. In addition, many of the “mandated reporters” believe that child protection agencies do not have clearly articulated standards, are inconsistent in decisions, and do not provide feedback about the victims and their families to the reporters. Child protection and law enforcement agencies generally believe they have forged cooperative relationships with each other, and other observers agree. Most judges said that child protection agencies sometimes give parents too many “second chances,” and many think that budget considerations are sometimes a factor in agency decisions. Finally, we found no clear consensus among various groups when we asked them whether child protection agencies’ practices seem to give priority to the safety of children or to the preservation of families.

In the following sections, we have only reported survey results for those respondents who have had recent involvement with the child protection system. For example, about one-third of the pediatricians who responded to our survey said they had not made a maltreatment report during the previous two years, and about 9 percent of school social workers said they had not

¹ We sent surveys to all of Minnesota’s pediatricians, sheriffs in counties with over 10,000 population, and police chiefs of cities over 10,000. For school social workers, we mailed surveys to a systematic sample (two-thirds of state’s total school social workers), and the responding sample was large enough to keep sampling error to +/- 3 percentage points in 95 of 100 cases. We sent our survey to all district court judges in counties other than Ramsey and Hennepin, but we limited our analysis to those who said they had heard at least five maltreatment-related cases in the prior two years. In Ramsey and Hennepin counties (districts 2 and 4, respectively) we sent our survey to judges that court staff identified for us as having heard child protection cases during the previous two years.

made a report during this time. We generally did not consider their responses when calculating survey results.² Likewise, the responses of pediatricians and school social workers who had not recently reported any cases of suspected sexual abuse, for example, were not considered in questions related to the county's handling of sexual abuse cases. All respondents were asked to answer survey questions based on their experiences during the previous two years.

Although we think our survey findings generally reflect statewide opinion for these groups of professionals, the findings for subgroups should be considered with more caution. For this reason, and to protect the identity of survey respondents, the only individual counties for which we have separately reported results are the state's two most populous counties (Hennepin and Ramsey).

Our surveys often asked respondents to indicate the relative frequency of events. For instance, we asked various professionals to indicate whether county child protection agencies "always or almost always," "usually," "sometimes," or "rarely or never" conducted thorough investigations of maltreatment cases. Because child protective services affect the health and welfare of children, it is worth noting that there may be times when "usually" conducting thorough assessments may not be sufficient. Our analysis of the surveys conveys general, statewide perceptions about how the child protection system is performing, but it is possible that even infrequent or isolated problems could lead to serious consequences for individual children.

COMMUNICATION BETWEEN CHILD PROTECTION AGENCIES AND MALTREATMENT REPORTERS

Many professionals said they are not adequately informed about county screening criteria.

Anyone can report suspected child maltreatment to a child protection or law enforcement agency, but the child protection system relies considerably on people mandated by state law to report abuse and neglect. For example, pediatricians see children daily and are trained to recognize signs of physical or emotional problems. School social workers often work with teachers and other school staff to identify and respond to the needs of students who have problems at home. Although counties have trained many mandated reporters to help them understand their responsibilities, our surveys indicated that:

- **Large percentages of pediatricians and school social workers said they are not adequately informed about child protection agencies' criteria for screening allegations of maltreatment.**

² The percentages shown in this report usually indicate the percentages of all respondents who said they had reported maltreatment in the previous two years, including any who responded "don't know" to a question or left it unanswered. We did examine the responses of pediatricians and social workers who had not reported any cases of maltreatment for one question that asked whether the respondents had ever considered not reporting instances of suspected maltreatment.

For example, Table 4.1 shows that 21 percent of school social workers and 38 percent of pediatricians statewide said that they have “rarely or never” been adequately informed about county screening criteria for physical abuse. Conversely, only 23 percent of school social workers and 13 percent of pediatricians said they have “always or almost always” been adequately informed about these criteria.

Table 4.1 shows that respondents who primarily report cases to Ramsey County were much more likely to report that they were adequately informed

Table 4.1: Pediatricians’ and School Social Workers’ Knowledge of County Child Protection Screening Criteria

Percent responding to survey question: “In your judgment, have county child protection employees adequately informed you about the criteria they use to decide which reports they will (or will not) investigate/assess?”

Respondents and Categories of Maltreatment	Always or Almost Always	Usually	Sometimes	Rarely or Never	Don't Know
Pediatricians: All Counties					
Physical abuse (N=184)	13%	20%	25%	38%	4%
Sexual abuse (N=141)	15	31	23	26	4
Neglect (N=132)	11	24	24	38	2
Pediatricians: Hennepin County					
Physical abuse (N=68)	3	27	27	38	6
Sexual abuse (N=50)	10	30	28	26	6
Neglect (N=50)	8	22	30	34	4
Pediatricians: Ramsey County					
Physical abuse (N=23)	35	13	17	30	4
Sexual abuse (N=20)	30	30	10	20	10
Neglect (N=18)	22	28	17	28	6
School Social Workers: All Counties					
Physical abuse (N=373)	23	34	21	21	0
Sexual abuse (N=267)	25	31	20	21	2
Neglect (N=324)	21	30	22	25	1
School Social Workers: Hennepin County					
Physical abuse (N=120)	23	37	26	13	1
Sexual abuse (N=84)	24	37	24	12	2
Neglect (N=90)	18	34	28	18	0
School Social Workers: Ramsey County					
Physical abuse (N=49)	43	37	16	4	0
Sexual abuse (N=35)	37	34	20	6	3
Neglect (N=42)	29	36	19	17	0

NOTE: The number of respondents shown for Hennepin and Ramsey counties is the number of respondents who listed these counties as the ones they most often made reports to in the previous two years.

SOURCE: Program Evaluation Division surveys, August-September 1997.

about screening criteria than respondents reporting to Hennepin County and the state as a whole. For example, 43 percent of Ramsey County school social workers said they were “always or almost always” informed about screening criteria for physical abuse, compared with 23 percent statewide and in Hennepin County. Relatively few Hennepin County pediatricians said they had sufficient information on county screening criteria. For instance, only 3 percent of the Hennepin County pediatricians reported that they have “always or almost always” felt adequately informed about the county’s screening criteria for physical abuse.

If the professionals who work regularly with the child protection system have limited knowledge about the maltreatment criteria used by counties, we think it is safe to assume that the general public knows even less. As we discuss in Chapter 7, there seems to be a need for child protection agencies to communicate information about screening criteria more effectively to community professionals and the general public.

Understandably, people who report instances of suspected maltreatment like to find out whether their concerns were validated by investigators and how the safety of the child was addressed. According to state law, “any person mandated to report shall receive a summary of the disposition of any report made by that reporter, unless release would be detrimental to the best interests of the child.”³ But, we found that:

- **Most pediatricians and school social workers said they have usually not been informed about the disposition of maltreatment reports.**

As shown in Figure 4.1, about 70 percent of pediatricians and 54 percent of school social workers said they were “sometimes, rarely, or never” informed about report dispositions. Conversely, only 18 percent of school social workers and 13 percent of pediatricians said that they were “always or almost always” informed about case dispositions. Respondents who reported cases primarily to Hennepin County were less likely to say they received case disposition information than respondents who reported to Ramsey County. For example, 63 percent of pediatricians primarily serving Hennepin County said that they were “rarely or never” informed about the disposition of reports, compared with 24 percent of pediatricians reporting cases to Ramsey County.

Our surveys offered respondents an opportunity to suggest ways to improve child protective services, and improvement in communication to mandated reporters was the change most frequently requested in the surveys of school social workers and pediatricians.⁴ Their comments included the following:

³ *Minn. Stat.* §626.556, subd. 3 (d).

⁴ About 17 percent of school social workers and 15 percent of pediatricians offered comments about communication issues.

Many mandated reporters said they are not routinely told about the disposition of cases they report.

Figure 4.1: Percentage of Professionals Informed About Disposition of Reports



SOURCE: Program Evaluation Division surveys, August-September 1997 (N=225 pediatricians, 385 school social workers, and 147 police chiefs/sheriffs).

“Too often school staff report abuse but the county is unable to give feedback because of policies on confidentiality. It would work well to include school staff [in] the investigation process as a consultant.” (School social worker in the Twin Cities area)

“The first year I worked in this position I did not meet with child protection workers on a regular basis. This made my job harder (and perhaps their’s) because we did not know where we stood when it came to policies, procedures, etc. The second year we met monthly to discuss reports, community agencies, etc. and this was a vital meeting to open communication lines between the social workers in the county and the schools. This is one thing I would like to see continue in all communities.” (School social worker in east-central Minnesota)

“It would be nice to know what is going on. When I see a child for a medical consultation, I send a report to the referring physician. I receive no follow-up on patients I report [to child protection] with possible neglect/abuse.” (Pediatrician in the Twin Cities area)

“[I would like] for the county to return courtesy calls, saying that the case is being looked into or they have enough evidence. Sometimes more school information can be given. We need to realize that school and county are working with the same kids—so work together!” (School social worker in west-central Minnesota)

School social workers and pediatricians often told us they would like better communication with child protection agencies.

“[There needs to be] better communication between reporting physician and [child protection] agency. Follow-up reports of investigation and ongoing involvement of physician in management are important to the health care of the child.” (Pediatrician in the Twin Cities area)

“[Child protection workers] often forget that we have the same skills [and] background [that they do] and want what’s best for the child. They need to let us know immediately what the plan is for the safety of the child since we work with them daily.” (School social worker in the Twin Cities area)

“Improve communication among child protection, law enforcement, and medical providers. There exists a climate of suspicion and mistrust, not in the best interests of the children.” (Pediatrician in central Minnesota)

“[Make it possible] for [child protection] workers to be able to communicate more broadly to school social workers to better ensure the safety of students. Confidentiality should be granted/included for school social workers (when appropriate) regarding case determination, [which would enable the school social worker] to better respond and serve the student in question.” (School social worker in the Twin Cities area)

In Chapter 7, we offer recommendations for changes in law to improve communication between child protection agencies and mandated reporters. In addition, it is possible that state rules contribute to the lack of communication about disposition of reports. Contrary to the law requiring that mandated reporters be informed about case dispositions, state rules indicate that mandated reporters shall receive case disposition summaries “upon request.”⁵ The Department of Human Services is in the process of amending state rules to address this discrepancy, and it expects the amended rules to be adopted in early 1998.

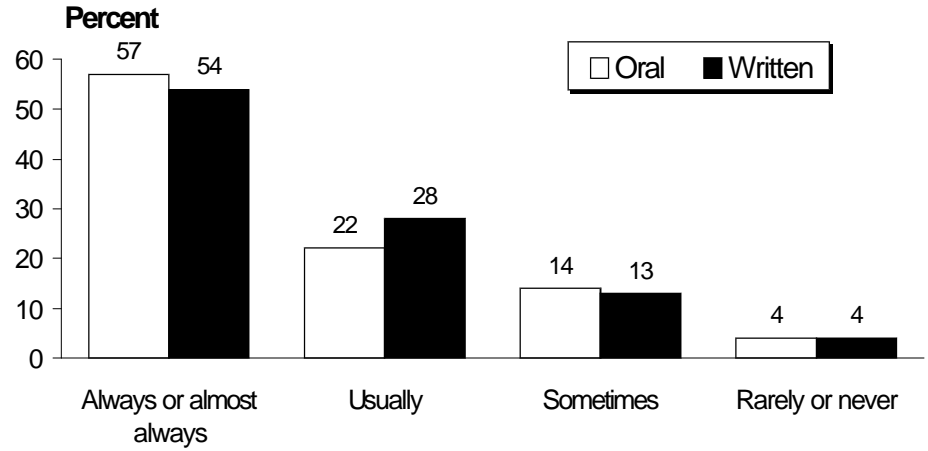
A final communication issue that our survey examined was the speed with which child protection and law enforcement agencies notify each other about reports of maltreatment. State rules require child protection agencies to notify law enforcement agencies orally *and* in writing within 24 hours of receiving a report of maltreatment.⁶ As shown in Figure 4.2, the heads of local law enforcement agencies told us that this typically happens, but there is room for improvement. We received similar responses from county human services directors when we asked them whether law enforcement agencies “promptly” notified their agencies about maltreatment allegations. Fifty percent said “always or almost always,” 37 percent said “usually,” and 12 percent said “sometimes.”

⁵ *Minn. Rules* 9560.0226, subp. 2. The rules require that reporters be informed about the nature of the determined maltreatment and services provided, where applicable.

⁶ *Minn. Rules* 9560.0216, subp. 4.

Sheriffs and police chiefs said child protection agencies typically notify them about maltreatment allegations within 24 hours.

Figure 4.2: Percentage of Law Enforcement Agencies Receiving Prompt Notification



SOURCE: Program Evaluation Division survey of law enforcement officials, August-September 1997(N=147).

EFFECTIVENESS OF CHILD PROTECTION INTERVENTIONS

Our surveys asked a variety of questions that helped us evaluate whether the respondents perceived the child protection system to be effective. This section begins by examining a general measure of mandated reporters’ confidence in the child protection agencies to which they are required to report suspected maltreatment. In addition, we examined the perceptions of various professionals about the adequacy of investigations, the appropriateness of interventions, and the consistency of actions by child protection agencies.

Mandated Reporters’ Confidence in Child Protection Agencies

Some mandated reporters have considered not reporting instances of suspected maltreatment.

To have an effective child protection system, county child protection agencies need the confidence of the professionals who submit reports of possible maltreatment. Persons who report instances of suspected maltreatment want county agencies to take their reports seriously. When appropriate, they want these cases to be investigated thoroughly and they want actions taken to ensure the safety of the children. Our surveys indicated that:

- **About 45 percent of school social workers and 18 percent of pediatricians statewide said they have considered not reporting an**

instance of suspected maltreatment during the past two years because they thought the child protection agency would not respond appropriately.

- **Thirty-six percent of pediatricians who have primarily reported cases to Hennepin County child protection said they considered not reporting at least one case of suspected maltreatment; 33 percent of pediatricians who have mainly reported cases to Ramsey County said the same.**

School social workers and pediatricians are mandated by law to report maltreatment. Failure to report suspected maltreatment is a misdemeanor in Minnesota law, so the fact that many reporters said they have considered not reporting indicates a serious lack of confidence in child protection agencies.⁷

Perceptions About Investigations

We asked pediatricians, school social workers, law enforcement officials, and judges to evaluate the thoroughness of child protection agency investigations. Many respondents to our surveys acknowledged the difficult jobs that child protection staff perform. As one pediatrician noted, “Often the [accounts of alleged maltreatment given by] two parents are widely divergent and a multitude of issues intertwine. I appreciate the work [child protection staff] do.” But, as shown in Table 4.2, the surveys indicated that:

- **Pediatricians and school social workers expressed concern about the way child protection agencies screened and investigated cases, particularly cases involving suspected child neglect.**

Many mandated reporters expressed concern about the responsiveness of child protection agencies.

For example, a majority of school social workers (54 percent) and a large percentage of pediatricians (38 percent) said that child protection agencies “sometimes, rarely, or never” conducted thorough investigations of child neglect. In our view, the perceptions of pediatricians and school social workers merit particular consideration because they work directly with the alleged victims and many have been specially trained to recognize maltreatment. Some of the concerns raised by pediatricians and school social workers included the following:

“[There is a need to] address the issue of child neglect and make it more reasonable for county social services to become involved; it seems to be a third priority, compared to physical and sexual abuse.” (School social worker in southeastern Minnesota)

“I don’t report neglect unless I believe there is a true problem. I’ve come to believe someone has to die before [child protection staff] pay attention. We [refer cases to] public health more and more because child protective services never feels reports [can be] substantiated.” (Pediatrician in western Minnesota)

⁷ *Minn. Stat.* §626.556, subd. 6.

Law enforcement staff and judges had more favorable perceptions of county investigations than did pediatricians and school social workers.

Table 4.2: Perceptions About County Screening Decisions and the Thoroughness of Child Protection Investigations

	Pediatricians (N = 225)		School Social Workers (N = 385)	
	Always or Usually	Sometimes, Rarely, or Never	Always or Usually	Sometimes, Rarely, or Never
Have Child Protection Agencies:				
Made reasonable decisions about which cases to investigate?				
Physical abuse	56%	30%	58%	39%
Sexual abuse	65	21	65	27
Neglect	49	38	42	51
Conducted thorough investigations/assessments?				
Physical abuse	48	29	45	44
Sexual abuse	62	20	55	31
Neglect	45	38	33	54
	Police Chiefs and Sheriffs (N = 147)		Judges (N = 140)	
	Always or Usually	Sometimes, Rarely, or Never	Always or Usually	Sometimes, Rarely, or Never
Conducted thorough assessments?	91%	6%	77%	15%

NOTE: Pediatricians and school social workers were asked to evaluate screening decisions and investigations for all three categories of maltreatment. Law enforcement officials and judges were only asked a general question about the thoroughness of investigations.

SOURCE: Program Evaluation Division surveys, August-September 1997.

“We have students who miss one-third to one-half of the school year and are excused by the parent for various reasons. Even when school personnel try multiple interventions with the family and get no response, county social services will not intervene.” (School social worker in northwestern Minnesota)

“I think every case reported by a physician should have more thorough investigation—more than one visit—and check again in six months or so. Too many cases about which I was very concerned have been completely dropped after one home visit.” (Pediatrician in the Twin Cities area)

“[The county is] less inclined to investigate when the children are older, i.e. [ages] 14-15. There have been times when scared children of this age have reported, but because there were no obvious physical injuries, a social worker did not even come out to talk with them. I wish that when these children take the risk of reporting, they would at least get to talk to a county social worker.” (School social worker in the Twin Cities area)

“[School officials] have a big picture on the situation and would not report if we did not believe it to be VERY serious. The simple criteria of only accepting a report based on actual physical signs of abuse misses a

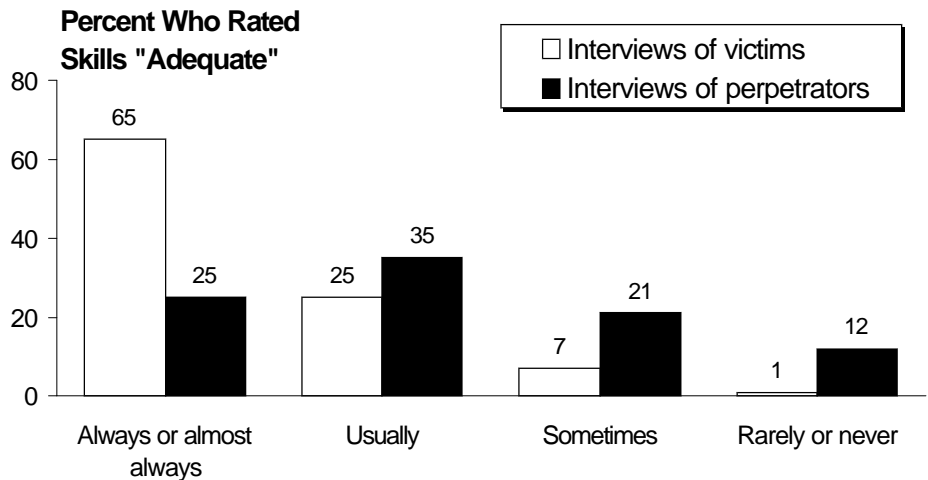
whole spectrum of children and families in need.” (School social worker in the Twin Cities area)

Table 4.2 also indicates that most law enforcement agencies (91 percent) and judges (77 percent) said that child protection agencies “usually” or “always” investigated cases thoroughly. These favorable ratings are encouraging. On the other hand, however, law enforcement agencies tend to work with child protection agencies on certain types of cases—primarily those where there is a possibility of criminal behavior—and they may have little knowledge about child protection agency practices in cases that are “screened out” (that is, not investigated). Judges are most familiar with maltreatment cases that come to the court through a CHIPS petition, but they would usually not be aware of cases that did not result in a determination or a CHIPS petition.

Although law enforcement officials expressed general satisfaction with the investigations done by child protection agencies, three topics were cited by at least 10 police chiefs or sheriffs in our survey as areas needing improvement. First, police chiefs and sheriffs said that child protection staff would benefit from additional training. For instance, they said that child protection staff were more skilled in interviewing alleged maltreatment *victims* than in interviewing alleged *perpetrators*, as shown in Figure 4.3. Second, some chiefs and sheriffs said there is a need for additional child protection staff. They expressed special concern that many child protection staff are not available during weekends and evenings when law enforcement staff need

Law enforcement officials said child protection staff were better interviewers of alleged victims than of alleged perpetrators.

Figure 4.3: Law Enforcement Satisfaction with Child Protection Agency Interview Skills



SOURCE: Program Evaluation Division survey of law enforcement officials, August-September 1997(N=147).

their advice or assistance.⁸ Third, some chiefs and sheriffs expressed a desire for better communication by child protection agencies about maltreatment allegations, family maltreatment histories, and case dispositions.

Table 4.3: County Human Service Directors' Perceptions About the Adequacy of Law Enforcement Investigations

Human services directors said that law enforcement agencies often give insufficient attention to cases of child neglect.

Type of Maltreatment	Percentage of Directors Who Said That Law Enforcement Has Given Sufficient Attention to Investigations of These Cases:			
	Always or Almost Always	Usually	Sometimes	Rarely or Never
Physical abuse	56%	27%	17%	0%
Sexual abuse	73	23	4	0
Child neglect	31	29	31	10

SOURCE: Program Evaluation Division surveys, September 1997 (N = 82).

We asked county human services directors to evaluate whether law enforcement agencies have given sufficient attention to various types of maltreatment cases. As shown in Table 4.3, the directors gave generally high ratings to law enforcement agencies' investigations of sexual abuse cases, with lower ratings for physical abuse cases and still lower ratings for neglect cases. Less than one-third of the directors said that law enforcement agencies "always or almost always" give sufficient attention to investigations of child neglect.

Finally, we asked human services directors to evaluate their own child protection agencies' investigations/assessments. Directors from all counties said that they "always" or "usually" adequately document evidence related to maltreatment allegations, but they said they have been somewhat less likely to document families' *strengths* as part of the assessment process.⁹ A recent child protection casework handbook by the American Humane Association strongly urged staff to "complete the assessment of clients' strengths as rigorously as you do risks and problems," so this, too, may be an area where Minnesota counties have room for improvement.¹⁰

⁸ Eleven percent of chiefs and sheriffs said that child protection staff were "sometimes, rarely, or never" available *during regular business hours* "at the times we needed them;" 39 percent said they were "sometimes, rarely, or never" available *after regular hours*.

⁹ Among the directors, 31 percent said their agencies "always or almost always" adequately document family strengths, 42 percent said they "usually" do, 27 percent said they "sometimes" do, and 1 percent said they "rarely or never" do. By comparison, 66 percent said that their agencies "always or almost always" adequately document evidence related to maltreatment allegations, and 34 percent said they "usually" do.

¹⁰ American Humane Association, *Helping in Child Protective Services: A Competency-Based Casework Handbook* (Englewood, CO, 1992), 198.

Perceptions About Interventions

Effective child protection agencies take actions that are *appropriate* to the circumstances of the families with which they work. Early in our study, some legislators expressed concerns to us about the considerable discretion of child protection staff to intervene in the lives of troubled families. Some thought that child protection staff seek placements too quickly or before alternative approaches have been explored. In contrast, others thought that parents received too many “second chances” or that children were reunified with parents too quickly following out-of-home placements.

We asked pediatricians, school social workers, and law enforcement officials whether child protection agencies had taken appropriate steps to protect maltreatment victims from further harm.¹¹ Table 4.4 shows that:

- Pediatricians and school social workers expressed concern about the adequacy of child protection interventions, especially for victims of child neglect. In general, law enforcement officials said that child protection agencies have usually taken appropriate steps.**

Some of the written comments made by pediatricians and school social workers in our surveys suggested that employees of child protection agencies should not shoulder all the blame for inappropriate interventions. For example, many survey respondents cited a need for smaller child protection caseloads and more services (discussed in Chapter 5), and some said that the actions of courts or county attorneys allowed children to remain in high-risk families. The comments included the following:

Table 4.4: Perceptions of Pediatricians, School Social Workers, and Law Enforcement Heads About Child Protection Interventions

	Percentage Who Said That Child Protection Agencies Have Taken Appropriate Steps To Protect Victims From Further Harm:					
	Pediatricians		School Social Workers		Law Enforcement	
	Always or Usually	Sometimes, Rarely, or Never	Always or Usually	Sometimes, Rarely, or Never	Always or Usually	Sometimes, Rarely, or Never
Physical abuse	51%	30%	48%	42%	91%	8%
Sexual abuse	59	23	53	33	93	6
Neglect	39	45	33	55	85	9

SOURCE: Program Evaluation Division surveys, August-September 1997 (N = 225 pediatricians, 385 school social workers, and 147 law enforcement officials).

¹¹ We also asked law enforcement officials whether child protection agencies have taken appropriate steps within their control to protect the well-being of siblings of maltreatment victims. Fifty-two percent said “always or almost always,” 26 percent said “usually,” 8 percent said “sometimes,” and 1 percent said “rarely or never.”

Many survey respondents said that interventions into troubled families could be more effective.

“There are wonderful child protection workers. However, if a case is already open, and I make a maltreatment report, I feel it just gets handed to the existing caseworker as information for that worker. Often that worker is more family- or parent-focused (due to parents volunteering for services) and the needs of the child go unmet!” (School social worker in the Twin Cities area)

“Child protection workers are extremely limited in their ability to “service” families. I often find that the length of their involvement with families is so short-term that it is often limited to meeting the family, discussing the suspected maltreatment, and providing very limited follow-up—sometimes one to two visits.” (School social worker in the Twin Cities area)

“The county attorney doesn’t seem to be accountable to anyone. He/she makes what seems like a subjective decision and that is the end of it. Especially in small, rural counties it seems like the child protection social workers’ hands are tied. They can only do so much with their resources. Nothing ever seems to get better, even after multiple reports. How bad do things need to be for children before their parents are forced to shape up?” (School social worker in western Minnesota)

“I work with children who have chronic and complicated problems. If parents are neglectful, it is hard for child protection to commit the needed time to follow up with families and ensure proper care for the child.” (Pediatrician in the Twin Cities area)

“The [child protection] worker makes [service] recommendations but cannot follow up to see if the family followed through or not. The workers need to be on certain cases longer.” (School social worker in southern Minnesota)

“My understanding is that unless a situation is severe enough to warrant court action, [child protection workers] have no leverage and therefore can do very little. I don’t know if this is what prevents them from acting. Also, there are so many cases that they seem overwhelmed.” (School social worker in the Twin Cities area)

“My understanding from the police department is that 100 percent of the children [that] we place through the emergency department, despite our findings, have been returned to the families. There must be a more effective way of protecting children who are obviously abused and/or neglected.” (Pediatrician in the Twin Cities area)

We also asked district court judges a variety of questions about child protection interventions. Judges hear petitions related to out-of-home placements and terminations of parental rights, for example, so they should have a useful perspective on whether counties seem to be seeking these actions in appropriate circumstances. Table 4.5 displays selected results. We found that:

- **Minnesota judges generally do not believe that child protection staff have been too intrusive in the lives of families, and they generally believe that child protection staff have appropriately**

Table 4.5: Judges’ Perceptions About Child Protection Agencies’ Interventions

Survey Question	Percentage of Judges Who Responded:				
	Always or Almost Always	Usually	Sometimes	Rarely or Never	Don't Know
Have child protection staff been too intrusive in the lives of families in:					
Cases involving physical abuse?	1%	0%	19%	69%	10%
Cases involving sexual abuse?	0	1	11	79	9
Cases involving child neglect?	0	1	25	64	9
Have child protection staff pursued termination of parental rights before making reasonable efforts to preserve families?	1	1	9	86	3
Have child protection staff pursued substitute care before making reasonable efforts to prevent out-of-home placement?	2	13	23	54	9
Have child protection staff given parents too many “second chances” before deciding to seek termination of parental rights?	6	15	54	19	5
Have child protection staff given parents too many “second chances” before deciding to seek substitute care?	1	9	54	27	7

SOURCE: Program Evaluation Division survey, August-September 1997 (N = 140).

pursued other options before recommending child placements or terminations of parental rights.

Many judges think parents sometimes get too many “second chances.”

- **The majority of judges think that child protection staff “sometimes” (or more frequently) have given parents too many “second chances.”**

To state these findings in a different way, judges were more likely to think that child protection agencies have been too timid in their actions than to think they have been too aggressive. For example, 54 percent of judges said that child protection staff “sometimes” give parents too many second chances before seeking termination of parental rights, and another 21 percent said that parents “usually” or “always” get too many second chances.

Our surveys asked several additional questions about out-of-home placements. For example, law enforcement agencies have authority to take a child into

immediate custody when the child's health or welfare is endangered.¹² We asked human services directors whether law enforcement agencies have made appropriate decisions in these cases, and 88 percent said that they "always" or "usually" have.¹³

Child protection agencies may petition the courts to remove children from their homes. The agencies may present "emergency petitions" if there is "immediate and present danger" of child abuse, or they may petition the courts for longer-term placements. More than 90 percent of judges told us that child protection agencies have "always" or "usually" provided the court with sufficient supporting evidence to justify the placements.¹⁴

Finally, we asked law enforcement officials whether child protection agencies have adequately monitored the safety and well-being of children placed in substitute care. Seventy-two percent said that child protection agencies "always" or "usually" provide adequate monitoring, and most of the other law enforcement heads did not know whether monitoring was adequate.¹⁵

Perceptions About Consistency

In Chapter 2, we noted that statutory definitions of maltreatment are quite vague, and many counties do not have policies that supplement the statutes to help them make important child protection decisions. We observed that this has contributed to variations in practices among counties. Our surveys asked various professionals to evaluate the consistency of child protection decisions and practices. As shown in Table 4.6,

- **Pediatricians and school social workers think that child protection workers often use inconsistent criteria to make decisions.**
- **Law enforcement officials believe that child protection staff typically use consistent approaches to investigate cases.**
- **Judges think that child protection staff generally have consistent ways of evaluating which children should be recommended to the court for placement in substitute care.**

¹² *Minn. Stat.* §260.165, subd. 1 (c).

¹³ Thirty-nine percent said "always or almost always," 49 percent said "usually," 11 percent said "sometimes," and 1 percent said "rarely or never."

¹⁴ For emergency removals, 61 percent of judges said "always or almost always," 31 percent said "usually," 3 percent said "sometimes," and 1 percent said "rarely or never." For non-emergency removals, 46 percent of judges said "always or almost always," 44 percent said "usually," 5 percent said "sometimes," and 2 percent said "rarely or never."

¹⁵ Forty-nine percent said "always or almost always," 23 percent said "usually," 4 percent said "sometimes," and 1 percent said "rarely or never."

Table 4.6: Perceptions About the Consistency of Child Protection Practices

<u>Child Protection Staff:</u>	<u>Percentage of Respondents Who Said:</u>			<u>Survey Respondents</u>
	<u>Always or Usually</u>	<u>Sometimes, Rarely, or Never</u>	<u>Don't Know</u>	
Use consistent criteria to make decisions.	38%	50%	12%	School social workers
	26	42	29	Pediatricians
Are consistent in the way they investigate cases.	87	10	2	Law enforcement officials
Have consistent ways to evaluate which children need substitute care.	62	15	23	Judges

SOURCE: Program Evaluation Division surveys, August-September 1997 (N = 385 school social workers, 225 pediatricians, 147 law enforcement officials, and 140 judges).

The differing responses probably partly reflected the fact that we asked the various groups of respondents to evaluate different aspects of child protection work. For example, we asked judges to evaluate consistency for the small subset of child protection cases where substitute care is considered, but we asked pediatricians and school social workers a more broadly-stated question about the various types of decisions that child protection staff make. Also, we asked law enforcement officials about the consistency of investigative methods used, not the consistency of the eventual decisions.

GOALS OF CHILD PROTECTION AGENCIES

Nationally and in Minnesota, there has been considerable debate about what the goals of the child protection system should be. On the one hand, Minnesota rules state that the purpose of child protective services is to “protect children from maltreatment,” and state law says that the “paramount consideration in all [court] proceedings concerning a child alleged or found to be in need of protection or services is the best interests of the child.”¹⁶

But there has been significant emphasis on “family preservation” since passage of the federal Adoption Assistance and Child Welfare Act of 1980,

¹⁶ *Minn. Rules* 9560.0210 and *Minn. Stat.* §260.011, subd. 2.

The child protection system has tried to balance the goals of family preservation and keeping children safe.

which required child welfare agencies to make “reasonable efforts” to prevent out-of-home placement of children.¹⁷ Advocates of family preservation believe that it is usually in the interests of children to maintain family bonds:

Children crave continuity in their relationships with their parents. Family ties survive even through periods of tremendous crisis and trouble. . . . Increasingly, it is evident that there are ways to help families change and become safe and strong without removing children from home.¹⁸

Others believe that family preservation efforts have allowed too many children to remain in dangerous households:

The essential first step in creating a safe world for children is to abandon the fantasy that child welfare agencies can balance the goals of protecting children and preserving families, [returning instead] to the policy of the early 1960s that established child safety as the overriding goal of the child welfare system. . . . The reality of current child welfare policy is that the rights of parents are almost always given greater weight than the rights of children.¹⁹

Minnesota law requires courts to ensure “reasonable efforts. . . to eliminate the need for removal [from the home] and to reunite the child with the child’s family at the earliest possible time, *consistent with the best interests, safety, and protection of the child*” (emphasis added).²⁰ As such, it requires efforts to keep families together while acknowledging the continuing need to protect children.

Our surveys asked four categories of professionals to characterize the goals of county child protection staff in practice. As shown in Figure 4.4, their opinions differed considerably:

- **School social workers and pediatricians were more likely than judges or law enforcement officials to cite family preservation, rather than protection of children, as the goal that is more important to child protection staff.**
- **Judges were more likely than others to cite protection of children, rather than family preservation, as the goal that is more important to child protection staff.**
- **A majority of law enforcement officials said that the goals of family preservation and protection of children are equally important to child protection staff.**

¹⁷ P.L. 96-272.

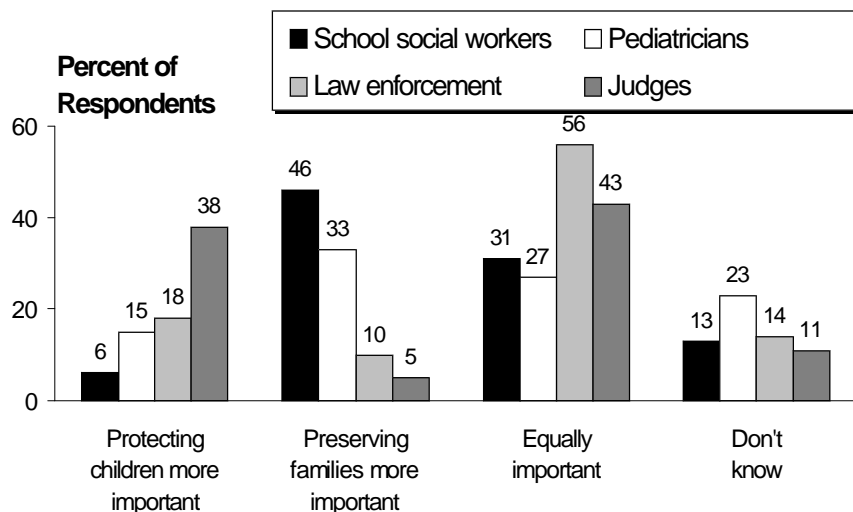
¹⁸ Abigail Norman, *Keeping Families Together: The Case for Family Preservation* (New York: Edna McConnell Clark Foundation, 1985), 1-2.

¹⁹ Richard J. Gelles, *The Book of David* (New York: BasicBooks, 1996), 148, 150.

²⁰ *Minn. Stat.* §260.012 (a).

There is little consensus about which goal has been more important to child protection agencies.

Figure 4.4: Perceptions About Child Protection Agencies' Goals



SOURCE: Program Evaluation Division surveys, August-September 1997 (N=385 school social workers, 225 pediatricians, 147 police chiefs/sheriffs, and 140 judges).

It is difficult to reconcile these results. Perhaps the results reflect real differences in the types of child protection cases these groups commonly see, or perhaps the respondents' differences in backgrounds and training partly explain their differing perceptions about the priorities of child protection agencies. Whatever the explanation, it appears to us that there is little consensus about the predominant goal of Minnesota's child protection agencies.

RELATIONSHIP BETWEEN CHILD PROTECTION AND LAW ENFORCEMENT AGENCIES

Child protection agencies and law enforcement agencies both play important roles in local governments' responses to allegations of child maltreatment. If a report of maltreatment alleges that a criminal law was broken, a local police or sheriff's department conducts an "investigation" and a county child protection agency conducts an "assessment." (In practice, many child protection staff refer to "assessments" as "investigations" and we usually use the term "investigation" in this report to describe the fact-finding process of child protection agencies.) Although the agencies prepare separate reports summarizing the results of their investigations, state law requires local law enforcement and county child protection agencies to "coordinate the planning

and execution of their respective investigation and assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews.”²¹

Through our surveys we found that:

Law enforcement and child protection agencies have usually developed good relationships with each other.

- **Law enforcement agencies and county child protection agencies generally believe they have established cooperative working relationships with each other. Most other professionals we surveyed said this has usually been the case.**

Table 4.7 shows how various categories of professionals evaluated the law enforcement-child protection relationship. For all groups, the percentage who said that the relationship was “usually” or “always” cooperative far outnumbered the percentage who said the relationship was “sometimes, rarely, or never” cooperative. In addition, our surveys indicated that more than 80 percent of law enforcement officials think that their agencies and child protection agencies “usually” or “always” have clear divisions of investigative responsibilities for physical abuse, sexual abuse, and neglect cases.²²

Interestingly, these apparently good working relationships and clear divisions of responsibility occurred despite the absence of formal inter-agency

Table 4.7: Perceptions About the Working Relationship Between Child Protection and Law Enforcement Agencies

Survey Respondents	Percentage of Respondents Who Said That Child Protection Staff Work Cooperatively With Law Enforcement Staff:				
	Always or Almost Always	Usually	Sometimes	Rarely or Never	Don't Know
City police chiefs (N = 77)	69%	27%	3%	0%	1%
County sheriffs (N = 70)	79	17	3	1	0
County human service directors (N = 82)	68	29	2	0	0
Judges (N = 140)	34	46	5	1	14
School social workers (N = 385)	27	31	17	3	21
Pediatricians (N = 225)	20	36	9	1	32

SOURCE: Program Evaluation Division surveys, August-September 1997.

²¹ *Minn. Stat.* §626.556, subd. 10 (a).

²² The percentage of law enforcement heads who said that there is “always or almost always” a clear division of investigative responsibilities was 42 percent for physical abuse, 54 percent for sexual abuse, and 40 percent for neglect cases. Adding respondents who said “usually,” the percentages rose to 84, 88, and 82, respectively.

agreements in most counties. The Child Welfare League of America's standards for child maltreatment services indicate that child protection agencies should establish formal, written interagency agreements with law enforcement agencies that address topics such as roles and responsibilities, circumstances that require joint investigations, and training.²³ Similarly, guidelines developed by the National Association of Public Child Welfare Administrators also suggest the need for formal agreements.²⁴ Our survey of county human services directors indicated that only 18 percent of county child protection agencies had formal, written agreements with at least one law enforcement agency.²⁵

Police chiefs and sheriffs offered a variety of comments and suggestions regarding the child protective services system. The following is a small sample of their comments:

Police chiefs and sheriffs offered a variety of suggestions for improving child protective services.

"[Child protection] workers often substantiate maltreatment but close the case due to the overload on the system. Also, they rarely bring a case to CHIPS court even when evidence exists to do so and when that leverage is needed." (Police chief in the Twin Cities area)

"[Modify] data privacy laws to allow for easier access to social service records by law enforcement for investigative and intervention purposes." (Police chief in southern Minnesota)

"[Child protection needs] more staff! The lack of personnel within the agency makes it impossible for all cases to get appropriate attention. Those cases that appear to be less important aren't getting investigated as thoroughly as they should." (Police chief in the Twin Cities area)

"Eliminate [the child protection agency's] utilization of the Tennesen warning when a criminal investigation is [being done]."²⁶ (Sheriff in central Minnesota)

"I would like the supervisors in human services to worry a little less about budget and a little more about people." (Police chief in the Twin Cities area)

"Have [a child protection] worker working out of our city instead of traveling 20 miles from the intake unit." (Police chief in northern Minnesota)

23 Child Welfare League of America, *Standards for Service for Abused or Neglected Children and Their Families* (Washington, D.C., 1988), 27.

24 National Association of Public Child Welfare Administrators, *Guidelines for a Model System of Protective Services for Abused and Neglected Children and Their Families* (Washington, D.C., 1988), 37.

25 We reviewed a sample of these interagency agreements. Parts of the agreements merely repeated relevant laws and rules, while other parts delineated county-specific investigation and child placement procedures that, in our view, might prove helpful.

26 *Minn. Stat.* §13.04, subd. 2 requires individuals asked to provide private or confidential data to be informed of the purpose and intended use of the data, whether the individual may refuse to supply the data, any consequences from refusing to supply the data, and the identity of persons or entities authorized to receive the data. This is often called the "Tennesen warning," after the provision's author (Sen. Robert Tennesen).

“Sometimes child protection workers lose focus on their goal to protect the child and focus too strongly on issues that law enforcement has expertise in. . . . When social workers act like cops, the trust of social services is compromised and the victim feels helpless.” (Sheriff in southern Minnesota)

“Have child protection workers respond to the scene of a child that needs placement. Presently law enforcement has to “babysit,” sometimes for several hours.” (Police chief in the Twin Cities area)

“[The] large majority of child protection workers are excellent. Some should be monitored more closely by their supervisors.” (Police chief in Twin Cities area)

“In general, the system in Minnesota should react much sooner and should not return these abused children back into the family. This must change or nothing will.” (Sheriff in western Minnesota)

SERVICE NEEDS

About 21 percent of Minnesota’s cases investigated for possible maltreatment are determined to need child protective services, meaning that county child protection workers are required to maintain ongoing contact with the family until the case is closed. In additional cases (the number is not known), the child protection agency refers families to public or private services without a determination that protective services are needed.

We asked county human services directors to identify types of services that are not available in the quantity or quality necessary to meet the needs of their families. Table 4.8 shows those services that at least 15 percent of the human service directors identified as one of their county’s “top three” unmet needs. We found that:

- **The most often-cited “unmet need” was truancy and educational support services; 60 percent of responding directors said they did not have services to meet this need, and one-third of the directors identified it as one of their top three needs.**

As shown, other services that were frequently cited as one of the counties’ top three unmet needs included (in order): intensive case management and crisis intervention services, parenting education, transportation services, housing assistance, and sex offender treatment. When asked to identify the single most important unmet need, the following services were cited by at least five county human services directors: truancy/educational support (nine directors), parenting education and intensive crisis intervention (eight directors), victim therapy/counseling and housing assistance (six directors), and perpetrator therapy/counseling, sex offender treatment, and “family-systems” services (five directors). Services which were *not* among county human services directors’ most frequently cited top three needs included adult and children’s

Table 4.8: Top Unmet Service Needs Identified by County Human Services Directors

Truancy and educational support programs were the top “unmet need” noted by county human services directors.	<u>Service</u>	<u>Percentage of Directors Who Said Their County Has an Unmet Need For This Service</u>	<u>Percentage of Directors Who Identified This Service as One of Their Top Three Unmet Needs</u>
	Truancy programs or other educational support programs	60%	33%
Intensive crisis intervention and case management services	49	26	
Parenting education	40	22	
Transportation services	51	22	
Housing assistance	51	21	
Sex offender treatment	45	18	
Child care	37	15	
Perpetrator therapy/counseling	55	15	
Foster care	42	15	

NOTE: This list includes all services ranked by at least 15 percent of directors as one of the “top three” unmet needs. Fifty-six percent of directors said that they had unmet needs for respite care, but only 11 percent said it was one of their top three needs.

SOURCE: Program Evaluation Division survey, September 1997 (N = 82).

mental health services, child protection case worker meetings with families (pre-arranged or unannounced), family therapy, infant/child health services, chemical dependency treatment, kinship care, emergency shelter care, and employment assistance.

In addition, we asked each human services director to identify the category of maltreatment cases for which existing interventions or services were least adequate to meet needs. As shown in Table 4.9,

- **Human services directors most often cited child neglect (of varying types) as the category of maltreatment for which services were least adequate, followed by sexual abuse cases and mental injury cases.**

Fourteen percent of directors said that services were least adequate for educational neglect, and another 26 percent said that services were least adequate for other types of neglect—a total of 40 percent. In addition, 26 percent cited sexual abuse and 26 percent cited mental injury as the categories of maltreatment with the weakest services. None of the 82 human services directors who responded to our survey cited physical abuse as the category of maltreatment with the least adequate services.

Table 4.9: County Human Services Directors' Perceptions About Types of Maltreatment For Which Services Are Least Adequate

Forty percent of directors said that neglect cases receive the least adequate services.

Type of Maltreatment	Percentage of Directors Who Said That Services Were Least Adequate For This Type of Maltreatment
Physical abuse	0%
Sexual abuse	26
Neglect	
• Educational neglect	14
• Other neglect	26
Mental injury	26

SOURCE: Program Evaluation Division survey, September 1997 (N = 82).

During our study, many people told us that the services provided to families are affected by county budget constraints, and some said that budget considerations played a larger role in county decision making than the interests of children or families. It is difficult to know for certain whether cost concerns have actually caused counties to make choices that were contrary to the best interests of children or families. According to our survey of county human services directors,

- **Relatively few county human services directors said that budget considerations have caused their agencies to limit the number of cases investigated or opened for services (5 and 12 percent, respectively), but 42 percent of directors said that budget considerations have caused them to limit the number of cases recommended for out-of-home placement.**

It is possible that budget considerations played a role in the decisions of more counties but human services directors were reluctant to say this. As one district court judge commented in his survey response, "Child protection staff (while they won't so admit) are pressured because of budget constraints. Twenty-five years ago when I started this job they had enough money to be more aggressive in investigation and out-of-home placement."

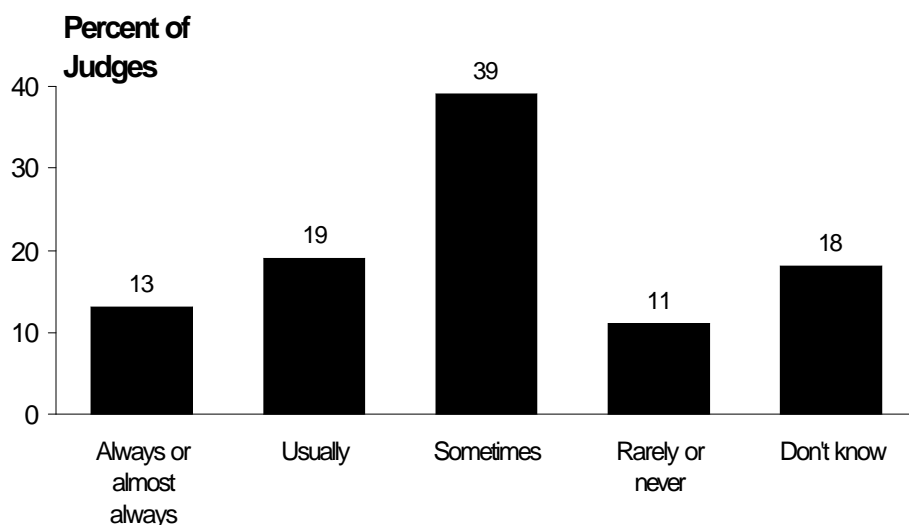
We asked judges to assess the impact of budget constraints in the cases they have heard in the past two years, and Figure 4.5 shows that:

- **More than 70 percent of judges said that budget considerations have at least "sometimes" affected county recommendations and actions regarding children in need of protection or services.**

In addition, 59 percent of judges said that lack of appropriate support services has at least “sometimes” been a barrier to preserving or reunifying families, and 63 percent of judges said that lack of appropriate substitute care has at

Most judges said that budget considerations sometimes influence county actions.

Figure 4.5: Judges’ Perceptions About How Often Budgets Influence Agency Actions



SOURCE: Program Evaluation Division survey of judges, August-September 1997 (N=140).

least “sometimes” been a barrier to making out-of-home placements. Comments we received from judges included the following:

“Because of budget constraints, when the court requests obvious CHIPS cases to be initiated by the county, the county refuses to assist because they have not risen to [a] level of emergency. . . . Where a custody evaluator in a private case has recommended neither parent to receive custody, the county ignores our pleas to initiate a CHIPS proceeding because of lack of manpower!”

“The quality and level of legal services delivered by many county attorneys’ offices is a disgrace. County boards don’t generally like to spend money on lawyers. If the state is going to mandate services, they must fund them. The budget constraints drive the system. Child protection workers. . . are the shock troops of the system and are poorly supported.”

“Often early intervention could be a great help, but staff and budget restrictions (and at times indifference) get in the way and the problems just get more complex and unsolvable.”

SUMMARY

Our surveys indicated that many school social workers and pediatricians believe that the child protection system is not sufficiently responsive to their concerns. They also think the system does not give them enough information about county screening criteria and what happens to the cases of suspected maltreatment they report. Law enforcement officials tended to evaluate the performance of child protection agencies more favorably, and most people who work with child protection cases think that law enforcement and child protection agencies have established good working relationships with each other. Many county human services directors perceive a need for better services for educationally neglected and truant children, and many mandated reporters of maltreatment believe that child protection agencies are understaffed. Judges told us that child protection agencies sometimes give troubled families too many “second chances,” and many said that budget considerations affect county service recommendations for families.