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Gaining Control over Child Abuse Reports

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UNDERREPORTING AND OVERREPORTING.

BY DOUGLAS J. BESHAROV

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Child protective agencies are plagued simultaneously by the twin problems of under- and overreporting. Failing to report exposes children to serious injury and even death. On the other hand, a report triggers what may be a deeply traumatic experience for all members of the family. And inappropriate reports unnecessarily increase the burdens on chronically understaffed agencies, making them less able to protect children in real danger.

These two problems are linked and must be addressed together before real progress can be made in combating child abuse and neglect. In this article, I argue that, to lessen both problems, public child protective agencies should take parallel steps: they should enhance the public and professional education they provide and they should upgrade their ability to screen inappropriate reports.

The policy framework adopted by this article is based on *Child Abuse and Neglect Reporting and Investigation: Policy Guidelines for Decision Making*, a report issued by a national group of 38 child protective professionals from 19 states.¹ Meeting for three days in 1987 at Airlie House in Warrenton, 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 (APWA) and the American Enterprise Institute, the "Airlie House group," as it has come to be called, developed policy guidelines for reporting and investigative decisions. (I was the "rapporteur" for the effort.)

Past Progress

Reporting begins the process of protection. Adults who are attacked or otherwise wronged can go to the authorities for protection and redress of their grievances. But the victims of child abuse and neglect are usually too young or too frightened to obtain protection for themselves; they can be protected only if a concerned individual recognizes the danger and reports it to the proper authorities.

Thus, all states now have child abuse reporting laws. Initially, reporting laws mandated only that physicians report "serious physical injuries" or "nonaccidental injuries." In the ensuing years, though, these laws were expanded so that almost all states now require any form of suspected child maltreatment to be reported, including physical abuse, sexual abuse and exploitation, physical neglect, and emotional maltreatment.

The categories of persons required to report have also been broadened. All states now mandate reports from a wide array of professionals—including physicians, nurses, dentists, mental health professionals, social workers, teachers (and other school officials), child care workers, and law enforcement personnel. About 20 states require all citizens to report, regardless of their professional status or relation to the child. All states allow any person to report.

These reporting laws, and associated public awareness campaigns, have been strikingly effective. In 1963,

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Table 1: Child Abuse and Neglect Reporting—1976-1987

Year	Number of children reported ¹
1976	669,000
1977	838,000
1978	836,000
1979	988,000
1980	1,154,000
1981	1,225,000
1982	1,262,000
1983	1,477,000
1984	1,727,000
1985	1,928,000
1986	2,100,000
1987	2,178,000

¹These statistics are estimates based on information supplied by the states to the American Humane Association. They include "unfounded" reports, which now make up an estimated 55 to 65 percent of all reports.

about 150,000 children came to the attention of public authorities because of suspected abuse or neglect.² By 1976, an estimated 669,000 children were reported annually. In 1987, almost 2.2 million children were reported, more than 14 times the number reported in 1963.³ (See Table 1.)

Many people ask whether this vastly increased reporting signals a rise in the incidence of child maltreatment. Although some observers believe that deteriorating economic and social conditions have contributed to a rise in the level of abuse and neglect, it is impossible to tell for sure. So many maltreated children previously went unreported that earlier reporting statistics do not provide a reliable baseline against which to make comparisons. One thing is clear, however: the great bulk of reports now received by child protective agencies would not have been made but for the passage of mandatory reporting laws and the media campaigns that accompanied them.

Although child protective programs still have major problems, the results of this 20-year effort to upgrade child protective programs have been unquestionably impressive. All states now have specialized child protective agencies to receive and investigate reports, and treatment services for maltreated children and their parents have been expanded substantially.

As a result, many thousands of children have been saved from death and serious injury. The best estimate is that over the past 20 years, child abuse and neglect deaths have fallen from over 3,000 a year—and perhaps as many as 5,000—to about 1,100 a year.⁴ (I do not mean to minimize the remaining problem. Even at this level, maltreatment is the sixth largest cause of death for children under 14.⁵)

Unreported Cases

Despite this progress, large numbers of obviously endangered children still are not reported to the authorities. Although all statistics concerning what happens in the privacy of the home must be approached with great care, the extent of nonreporting can be appreciated with the help of the National Study of the Incidence and Severity of Child Abuse and Neglect (conducted for the federal government by Westat, Inc.). The study estimated that, in 1986, selected professionals saw about 300,000 physically abused children, another 140,000 sexually abused children, and 700,000 who were neglected or otherwise maltreated.⁶ According to the study, the surveyed professionals reported only about half of these children. (The study methodology did not allow Westat to estimate the number of children seen by nonprofessionals, let alone their reporting rate.)

The surveyed professionals failed to report almost 40 percent of the sexually abused children they saw. They did not report nearly 30 percent of fatal or serious physical abuse cases (defined as life-threatening or requiring professional treatment to prevent long-term impairment) and almost 50 percent of moderate physical abuse cases (defined by bruises, depression, emotional distress, or other symptoms lasting more than 48 hours). The situation was even worse in neglect cases: about 70 percent of fatal or serious physical neglect cases went unreported, as did about three-quarters of the moderate physical neglect cases. This means that in 1986, at least 50,000 sexually abused children, at least 60,000 children with observable physical injuries severe enough to require hospitalization, and almost 184,000 children with moderate physical injuries were not reported to child welfare agencies.⁷

Failure to report can be fatal to children. A study in Texas revealed that, during a three-year period, over 40 percent of the approximately 270 children who died as a result of child maltreatment had not been reported to the authorities—even though they were being seen by a public or private agency, such as a hospital, at the time of death or had been seen within the past year.⁸ Sometimes two or three children in the same family are killed before someone makes a report.⁹

Unfounded 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 with "unfounded" reports. Although rules, procedures, and even terminology vary—some states use the word "unfounded," others "unsubstantiated" or "not indicated"—an "unfounded" report, in essence, is one that is dismissed after an investigation finds insufficient evidence upon which to proceed.

A few advocates, in a misguided effort to shield child

Table 2. Child Abuse/Neglect Substantiation Rates in 31 States for FY 86, FY 87, and FY 88

States	FY 86	FY 87	FY 88
Alaska	0.154	0.179	0.204
Arizona	0.268	0.262	0.235
Arkansas ¹	0.340	0.360	0.371
Colorado	0.417	0.416	0.400
Delaware	0.500	0.496	0.450
District of Columbia	0.350	0.285	0.322
Florida	0.367	0.354	0.355
Georgia	0.528	0.530	0.474
Hawaii	0.563	0.528	0.567
Illinois	0.485	0.427	0.434
Iowa	0.296	0.294	0.295
Kentucky	0.475	0.479	0.459
Maryland	0.396	0.396	0.395
Massachusetts	0.371	0.333	0.309
Mississippi	0.492	0.523	0.488
Montana	0.531	0.674	0.772
Nebraska ¹	0.588	0.558	0.542
Nevada	0.505	0.505	0.479
New Jersey	0.349	0.375	0.360
New York	0.344	0.358	0.322
North Carolina	0.360	0.353	0.340
Oregon	0.349	0.351	0.344
Pennsylvania	0.345	0.355	0.355
Rhode Island	0.461	0.471	0.462
South Carolina	0.286	0.267	0.276
South Dakota	0.456	0.429	0.407
Texas	0.536	0.529	0.430
Utah	0.281	0.281	0.436
Vermont	0.571	0.587	0.543
Virginia	0.242	0.231	0.226
Wisconsin	0.361	0.379	0.371
Mean average of rates	0.405	0.405	0.401
Weighted average using state raw data	0.418	0.414	0.390

¹ The count of "investigations" was used as the denominator for these states. In addition, the figures of some states were adjusted, as appropriate.

protective programs from criticism, have sought to quarrel with estimates that I and others have made that the national unfounded rate is between 60 and 65 percent.¹⁰ They have grasped at inconsistencies in the data collected by various organizations to claim either that the problem is not so bad or that it has always been this bad, take your choice.¹¹ Rather than engage in the pleasing but puerile debate about the arcane differences in data sets, for the purposes of this article I will focus wholly on data collected directly from the states at the end of 1989 by APWA.

According to this study, conducted by Toshio Tatara, director of APWA's research and demonstration depart-

ment, between fiscal year 1986 and fiscal year 1988 the weighted average for the substantiation rates in 31 states declined 6.7 percent—from .418 in fiscal 1986 to .390 in fiscal 1988.¹²

As Table 2 indicates, some states do not have a substantial problem with unfounded reports. But most do. The experience of New York State indicates what these statistics mean in practice. Between 1979 and 1983, as the number of reports received by the state's Department of Social Services increased by about 50 percent (from 51,836 to 74,120), the percentage of substantiated reports fell about 16 percent (from 42.8 percent to 35.8 percent). In fact, the unduplicated number of substantiated cases—a number of children were reported more than once—actually fell by about 100, from 17,633 to 17,552. Thus, almost 23,000 additional families were investigated, while fewer children received child protective help.¹³

Few unfounded reports are made maliciously. Studies of sexual abuse reports, for example, suggest that, at most, from 4 to 10 percent are knowingly false.¹⁴ Instead, many unfounded reports 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 the latter to provide needed services to 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. And 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. Unfounded rates of the current magnitude, however, go

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beyond anything reasonably needed. Besides being unfair to the children and parents involved, such high rates endanger children who are really abused. Forced to allo-

cate a substantial portion of their limited resources to such reports, child protective agencies are less able to respond promptly and effectively when children are in serious danger.

Ironically, by weakening the system's ability to respond, unfounded reports actually discourage appropriate ones. (See "Mandated Reporters and CPS: A Study in Frustration," *PUBLIC WELFARE*, Winter 1990.) 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 possibly even make things worse. In 1984, a study of the impediments to reporting conducted by Jose Alfaro, then 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 and are more likely not to report in some situations, especially when they believe they can do a better job helping the family."¹⁵

Enhanced Public and Professional Education

Few people fail to report because they don't care about the 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 child abuse and neglect."¹⁶ 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.

Thus, the best way to encourage more complete and more appropriate reporting is through increased public and professional understanding. Recognizing this, almost half the states have specific statutes mandating professional training and public awareness efforts.¹⁷ Of course, legislation is not required for a state to provide public and professional education, and most states lacking a specific statute also offer such training.

These efforts need much better focus, however. 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. As the Airlie House group concluded, "Better public and professional materials are needed to obtain more appropriate reporting."¹⁸ 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 on what to report—and what not to report."¹⁹

To fulfill this recommendation, educational materials must explain, clearly and with practical examples, the legal concept of "reasonable cause to suspect" child maltreatment. Unfortunately, the few attempts to do so have foundered on the fear that an overstrict definition will leave some children unprotected. That an overbroad definition might do the same is often overlooked.

"Reasonable Suspicions"

Child maltreatment usually occurs in the privacy of the home; unless the child is old enough—and not too frightened—to speak out, or unless a family member steps forward, it can be impossible to know what really happened. Thus, the decision to report is often based on incomplete and potentially misleading information—as important facts are concealed or go undiscovered.

This is why reporting laws do not require potential reporters to be sure that a child is being abused or neglected or to have absolute proof of maltreatment. In all states, reports are to be made when there is "reasonable cause to suspect" or "reasonable cause to believe" that a child is abused or neglected.²⁰ Reporters do not have to prove that a child has been abused or neglected; they need only show a reasonable basis for their suspicions. A formal legal opinion from Iowa's attorney general explained the rationale for limiting discretion: "We will never know if a report of child abuse is valid or not until the appropriate investigation is made."²¹

Too often, though, this wisdom is taken to unreasonable lengths. 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 and also children who are unusually friendly to strangers. Only a small minority of children who exhibit such behaviors have actually been maltreated, however.

Ten years ago, when 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.

The legal injunction to report suspected maltreatment is not an open-ended invitation to call in the slightest suspicion or "gut feeling." A vague, amorphous, or unarticulable concern over a child's welfare is not a sufficient reason to report. Sufficient objective evidence of possible abuse or neglect must exist to justify a report. Such evidence may be either "direct"—firsthand accounts or observations of seriously harmful parental behavior—or "circumstantial"—concrete facts, such as the child's physical condition, suggesting that the child has been abused or neglected. Table 3 enumerates the main examples of both types of evidence.

Table 3: The Basis of Reports¹

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 or retardation or alcohol or drug abuse—severe enough to make child abuse or child neglect likely; or
- 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 non-attendance; or
- Newborns showing signs of fetal exposure to drugs or alcohol.

¹Behavioral indicators, by themselves, are not a sufficient basis for a report.
Source: Douglas J. Besharov, *Recognizing Child Abuse: A Guide for the Concerned*.

Upgraded Screening Capacity

No matter how well "reasonable cause to suspect" is defined and incorporated into public and professional education, there will always be a tendency for persons to report cases that should not be investigated. In fact, we want people to err on the side of caution in deciding whether to call child protective agencies. But what should be phoned in to child protective services (CPS) is not necessarily what should be investigated. Thus, educational efforts, if they are going to work, must be backed up with a clear—and firm—intake policy.

Many hot-lines, though, accept reports even when the caller cannot give a reason for suspecting that the child's condition is due to the parent's behavior. I observed one hot-line accept a report involving a 17-year-old boy who was found in a drunken stupor. When asked whether there was reason to suspect that the parents were in any way responsible for the child's condition, the caller said no. I don't dispute that the boy, and perhaps his family, might benefit from counseling; but that hardly justifies the initiation of an involuntary child protective investigation.

Hot-line workers receive calls from tens of thousands of strangers; they must screen reports. Investigating all reports, regardless of their validity, would immobilize agencies, violate family rights, and invite lawsuits. As the Airlie House experts noted, "Agencies that carefully

screen calls have lower rates of unsubstantiated reports and expend fewer resources investigating inappropriate calls."²²

Until recently, most states did not have formal policies and procedures for determining whether to accept a call for investigation.²³ Many are now developing them, and, as Table 4 illustrates, it is possible to state a general intake policy with some precision.

The difficulty comes in implementation. First, there are always political pressures to accept reports from influential agencies or individuals concerned about a child's welfare or eager to obtain social services for a family. There is also the very real fear that a report that should be accepted will be rejected.

Hardest to assess are reports that appear to be falsely—and maliciously—made by an estranged spouse, by quarrelsome relatives, by feuding neighbors, or even by an angry or distressed child. As a general rule, unless there are clear and convincing grounds for concluding that a report is being made in bad faith, any report that falls within the agency's legal mandate must be investigated. Reports from questionable sources are not necessarily invalid; many anonymous reports are substantiated following an investigation.

Even a history of past unsubstantiated reports is not a sufficient basis, on its own, for automatically rejecting a report. There may be a legitimate explanation of why previous investigations did not substantiate the reporter's

Table 4: Reports That Should Be Rejected¹

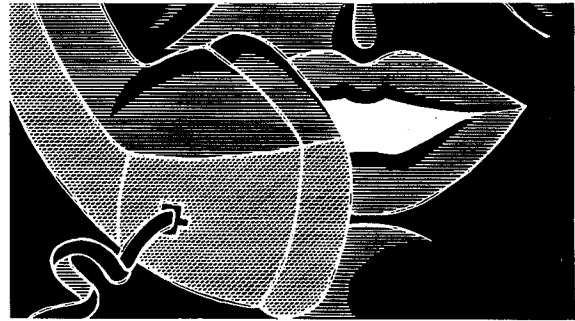
- Reports in which the allegations clearly fall outside the agency's definitions of "child abuse" and "child neglect," as established by state law. (Prime examples include children beyond the specified age, alleged perpetrators falling outside the legal definition, and family problems not amounting to child maltreatment.)
- Reports in which the 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.)
- Reports whose unfounded or malicious nature is established by specific evidence. (Anonymous reports, reports from estranged spouses, and even previous unfounded reports from the same source should not be automatically rejected; but they need to be carefully evaluated.)
- Reports in which 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.)

¹In questionable circumstances, the agency should re-contact 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.

Derived from: Douglas J. Besharov, *The Vulnerable Social Worker: Liability For Serving Children and Families*, p. 60 (1985).

claims. Therefore, a subsequent report containing enough facts to bring the case within statutory definitions must be investigated—unless there is clear and convincing evidence of its malicious or untrue nature. The key in such situations is to insist that the person reporting provide the specific information that aroused suspicion. (See Table 3.) If the agency determines that the report was made maliciously, consideration should be given to referring the case for criminal prosecution or to notifying the parents so that they can take appropriate action.

Many reports that do not amount to child abuse or child neglect nonetheless involve serious individual and family problems. (That such situations have not resulted in actual child maltreatment does not reduce the family's need for assistance.) In such cases, CPS intake workers should be equipped to refer callers to other, more appropriate social service agencies. All hot-lines and agencies should possess this capability. Therefore, before making a referral, CPS intake staff should have some assurance that these other agencies will provide the necessary services. Unfortunately, such referrals frequently are made without notifying the other agency of the practice and without checking to make sure that it can help the person referred.



The key to implementing a rigorous intake policy successfully is the quality of intake staff and the degree of support that they receive from agency administrators when exercising their professional judgment in screening cases. In many places, unfortunately, reporting hot-lines are staffed by clerical personnel who record basic information about the situation and assign the case for a subsequent investigation by a caseworker. Sophisticated intake decisions cannot be made by clerks, however, or by untrained caseworkers.

Intake staff should be experienced and highly trained personnel with the ability to quickly understand complex situations and the authority to make decisions. They should be able to advise potential reporters about the law and child protective procedures generally; assist in diagnosis and evaluation; consult about the necessity of photographs, X-rays, and protective custody; help reporters deal with distressed or violent parents; refer inappropriate reports to other agencies better suited to deal with a family's problems; and provide information and assistance to parents seeking help on their own.

We need to do a much better job of identifying suspected child abuse. Children are dying because they are not being reported to the authorities. At the same time, we also need to reduce inappropriate reporting. Child protective agencies do not have the resources to investigate an unlimited number of reports—and they never will.

To call for more careful reporting of child abuse is not to be coldly indifferent to the plight of endangered children. Rather, it is to be realistic about the limits of our ability to operate child protective systems and to recognize that inappropriate reporting is also harmful to children.

If child protective agencies are to function effectively, we must address both of these problems. The challenge is to strike the proper balance. The effort will be politically controversial and technically difficult, but we owe it to the children to try. PW

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BESHAROV

Child Abuse Reports

1. Republished in Douglas J. Besharov, *Protecting Children From Abuse and Neglect: Policy and Practice*. Springfield, Ill.: Charles C. Thomas, 1988, chap. 13.

2. U.S. Children's Bureau, *Juvenile Court Statistics*. Washington, D.C.: U.S. Department of Health, Education, and Welfare, 1966, p.13.

3. American Association for Protecting Children, *Highlights of Official Child Abuse and Neglect Reports: 1985*. Denver, Colo.: American Humane Association, 1987, p. 1, fig. 1. Data for 1986 obtained by telephone from John Fluke, American Association for Protecting Children, a division of the American Humane Association, July 8, 1988. Data for 1987 obtained by telephone from Robin Alsop, American Association for Protecting Children, July 7, 1989.

4. Andrea Sedlak, *The Supplementary Analyses of Data on the National Incidence of Child Abuse and Neglect*. Rockville, Md.: Westat, 1989, p. 2-2, table 2-1. Compare Sedlak, estimating 1,100, with National Committee for Prevention of Child Abuse, *Child Abuse and Neglect Fatalities: A Review of the Problem and Strategies for Reform*. Chicago: National Committee for Prevention of Child Abuse.

5. Based on comparison data from *Vital Statistics of the United States for 1980: Advanced Report of Final Mortality Statistics*. Washington, D.C.: Government Printing Office, 1980.

6. Andrea Sedlak, *Study of National Incidence and Prevalence of Child Abuse and Neglect*. Bethesda, Md.: Westat, 1987.

7. Sedlak, 1989, pp. 3-19.

8. Region VI Resource Center on Child Abuse, *Child Abuse Deaths in Texas*. Austin, Texas: University of Texas Graduate School of Social Work, 1981, p. 26.

9. An analysis of child fatalities in one state described how: "In two of the cases, siblings of the victims had died previously In one family, two siblings had died mysterious deaths that were undiagnosed. In another family, a twin had died previously of abuse." Confidential material held by Douglas J. Besharov.

10. See, for example, David Finkelhor, "Is Child Abuse Overreported?" *PUBLIC WELFARE*, 1990, vol. 48, no. 1, p. 22-29.

11. This is how Toshio Tatara, director of APWA's research and demonstration department, described some of the differences in recent estimates: "AAPC (which uses the same basic formula as the one used in this report) suggests that the average substantiation rate for child abuse and neglect has been, almost consistently, about 40 to 42 percent, nationwide. On the other hand, the recent study of national incidence and prevalence of child abuse conducted by Westat found that the nation's child abuse and neglect substantiation rate is much higher (i.e., 53 percent in 1986). However, it is believed that the difference between these two rates can be explained by three important facts. First, Westat used the 'count of reports accepted for investigation' as the 'denominator' to generate the rates. Because the 'count of reports accepted for investigation' is much smaller than the 'number of reports received,' the value generated from this formula is much larger than the one that is obtained through the use of AAPC's formula. Second, the data that Westat analyzed were 'unduplicated' counts of reports. On the other hand, AAPC used the 'counts of reports' that were provided by the states, and these counts are generally 'duplicated' and are larger than 'unduplicated' counts in numbers. Third, Westat also counted as substantiated those reports which it labeled as 'indicated.' But these 'indicated' cases were, in fact, only cases whose investigations were still pending. The actual percentage of 'founded' cases was 26 percent; 43 percent were 'unfounded'; and 26 percent were still pending." American Public Welfare Association, *Children of Substance Abusing/Alcoholic Parents Referred to the Public Child Welfare System: Summaries of Key Statistical Data Obtained from States*. Washington, D.C.: American Public Welfare Association, 1990, p. 20.

12. *Ibid.*, pp. 17-21.

13. Memorandum to Sandy Berman from Charles Root, New York State Department of Social Services, Sept. 14, 1984.

14. See Nancy Thoennes and Jessica Pearson, "Difficult Dilemma: Responding to Sexual Abuse Allegations in Custody and Visitation Disputes," in Besharov, *Protecting Children*, pp. 91, 93; Lucy Berliner, "Deciding Whether a Child Has Been Sexually Abused," in Bruce Nicholson, *Sexual Abuse Allegations in Custody and Visitation Cases*, Washington, D.C.:

American Bar Association, 1988; David Jones, "Reliable and Fictitious Accounts of Sexual Abuse in Children," *Journal of Inter-Personal Violence*, 1987, vol. 2, no. 1, p. 3. Estimates in table 2 indicate that 8 percent of sexual abuse reports are falsely made—2 percent by children and 6 percent by adults.

15. Jose Alfaro, *Impediments to Mandated Reporting of Suspected Child Abuse and Neglect in New York City*. New York: Mayor's Task Force on Child Abuse and Neglect, 1984, p. 66.

16. See, for example, Patricia G. Levin, "Teachers' Perceptions, Attitudes, and Reporting of Child Abuse/Neglect," *Child Welfare*, 1983, vol. 62, no. 1, pp.14-19.

17. See, for example, Florida. Statutes. Annotated, section 415.509(2), 1985.

18. "Child Abuse and Neglect Reporting and Investigations: Policy Guidelines for Decision Making," in Besharov, *Protecting Children*, p. 346.

19. *Ibid.*

20. Although there is a small, technical difference between the two phrases, most legal authorities have concluded that they are fundamentally equivalent and have the same impact on reporting decisions. See, for example, Illinois Attorney General, Opinion No. S-1298, Oct. 6, 1977; and Massachusetts Attorney General, Opinion No. 74/75-66, June 16, 1975. Since "reasonable cause to suspect" is the more common phraseology, it is adopted by this article.

21. Iowa Attorney General, Opinion No. 78-9-12, Sept. 28, 1978, cited in *Family Law Reporter*, 1978, vol. 5, p. 2015.

22. "Child Abuse and Neglect Reporting and Investigations: Policy Guidelines for Decision Making," in Besharov, *Protecting Children*, p. 347.

23. Compare with American Humane Association, "National Substantiation and Screening Practices," *National Child Protective Services Newsletter*, 1983, vol. 7, no. 1, p. 2, stating that only a little more than half the states allowed their hotline workers to reject reports, and that even those that did usually limited screening to cases that are "clearly" inappropriate.