

## CHAPTER 16

# Overreporting and Underreporting Are Twin Problems

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Child protective agencies are plagued simultaneously by the twin problems of under- and overreporting of child abuse and neglect. On one hand, many abused and neglected children go unreported because they are afraid to come forward on their own or they are overlooked by informed professionals. The price is great: Failure to report exposes children to serious injury and even death. On the other hand, a large proportion of reports are dismissed after investigations find insufficient evidence upon which to proceed. These cases, variously called "unfounded," "unsubstantiated," or "not indicated," divert resources from already understaffed agencies, thus limiting their ability to protect children in real danger. In addition, such reports trigger what may be deeply traumatic experiences for all members of the families involved.

These two problems are linked and must be addressed together before real progress can be made in combating child abuse and neglect. In this chapter, I argue that, to reduce both problems, public child protective agencies should take two 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 in this chapter 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 (Besharov, 1988, chap. 13). 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 concerned individuals recognize the danger and report 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, however, 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 relationship to the child. All states *allow* any person to report.

These reporting laws, and associated public awareness campaigns, have been strikingly effective. In 1963, about 150,000 children came to the attention of public authorities because of suspected abuse or neglect (U.S. Children's Bureau, 1966, p. 13). 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 (data for 1987 are from Robin Alsop, American Association for Protecting Children, personal communication, July 7, 1989; data for 1986 are from John Fluke, American Association for Protecting Children, a division of the American Humane Association, personal communication, July 8, 1988; see also American Association for Protecting Children, 1987, p. 1). (See Table 16.1.)

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

TABLE 16.1 Child Abuse and Neglect Reporting, 1976-1987

Year	Number of Children Reported
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

NOTE: These 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 55-65% of all reports.

earlier reporting statistics do not provide a reliable baseline against which to make comparisons. One thing is clear, however; the great bulk of reports now received by child protective agencies would not be made but for the passage of mandatory reporting laws and the media campaigns that accompanied them.

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 more than 3,000 a year—and perhaps as many as 5,000—to about 1,100 a year (Sedlak, 1989, p. 2).<sup>1</sup> 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.<sup>2</sup>

### 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.). This 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 (Sedlak, 1987). 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 rates.)

The surveyed professionals failed to report almost 40% of the sexually abused children they saw. They did not report nearly 30% of fatal or serious physical abuse cases (defined as life-threatening or requiring professional treatment to prevent long-term impairment) or almost 50% 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% 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 (Sedlak, 1989, pp. 3-19).

Failure to report can be fatal to children. A study in Texas revealed that, during one three-year period, more than 40% 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 public or private agencies, such as hospitals, at the time of death, or had been seen within the past year (Region VI Center on Child Abuse, 1981, p. 26). Sometimes two or three children in the same family are killed before someone makes a report. 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 author).

### 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 by "unfounded" reports. Although rules, procedures, and even terminology vary—some states use the term *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 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% (Finkelhor, 1990, pp. 22-29). They have grasped at various inconsistencies in the data collected by different organizations to claim either that the problem is not so bad or that it has always been this bad—take your choice. To help settle this dispute, the American Public Welfare Association conducted a special survey of child welfare agencies in 1989. The APWA researchers found that, between fiscal year 1986 and fiscal year 1988, the weighted average for the substantiation rates in 31 states declined 6.7%—from 41.8% in fiscal year 1986 to 39% in fiscal year 1988 (American Public Welfare Association, 1990, pp. 17-21). As Table 16.2 indicates, some states do not have substantial problems with unfounded reports—but most do.

The director of the APWA study, Toshio Tatara, explained the sources of some of the discrepancies among the various estimates of unfounded reporting rates:

AAPC [the American Association for the Protection of Children] (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 and neglect 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 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 labelled as "indicated." But these "indicated" cases were, in fact, only cases whose investigations were still pending. The actual percentage of

TABLE 16.2 Child Abuse/Neglect Substantiation Rates in 31 States

States	FY 1986	FY 1987	FY 1988
Alaska	0.154	0.179	0.204
Arizona	0.268	0.262	0.235
Arkansas	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 <sup>a</sup>	0.588	0.558	0.542
Nevada	0.505	0.505	0.479
New Jersey	0.349	0.357	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 raw state data	0.418	0.414	0.390

SOURCE: American Public Welfare Association (1990).

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

"founded" cases was 26 percent; 43 percent were "unfounded"; and 26 percent were still pending. (American Public Welfare Association, 1990, p. 20)

These data from APWA suggest that the unfounded rate is even higher than my estimate of 65%, at least in the bigger states.

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% (from 51,836 to 74,120), the proportion of substantiated reports fell about 16% (from 42.8% to 35.8%). 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, whereas fewer children received child protective help (Root, 1984).

In Chapter 17 of this volume, David Finkelhor also claims that the substantiation rate is increasing. In support of this proposition, he cites the National Study of the Incidence and Severity of Child Abuse and Neglect to the effect that the substantiation rate rose from 43% in 1980 to 53% in 1986. But, as Tataru explains above: In 1986, "Westat also counted as substantiated those reports which it labelled 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."

Few unfounded reports are made maliciously. Studies of sexual abuse reports, for example, suggest that, at most, 4-10% are knowingly false (Berliner, 1988; Jones & McGraw, 1987; Pearson & Thoennes, 1988, pp. 91, 93).<sup>3</sup> 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 beyond anything reasonably needed. The determination that a report is unfounded can be made only after an unavoidably traumatic investigation that is, inherently, a breach of parental and family privacy. To determine whether a particular child is in danger, caseworkers must inquire into the most intimate personal and family matters. Often, it is necessary to question friends, relatives, and neighbors, as well as schoolteachers, day-care personnel, doctors, clergy, and others who know the family.

Richard Wexler (1985), when he was a reporter in Rochester, New York, told what happened to Kathy and Alan Heath (not their real names):

Three times in as many years, someone—they suspect an “unstable” neighbor—has called in anonymous accusations of child abuse against them. All three times, those reports were determined to be “unfounded,” but only after painful investigations by workers. . . . The first time the family was accused, Mrs. Heath says, the worker “spent almost two hours in my house going over the allegations over and over again. . . . She went through everything from a strap to an iron, to everything that could cause bruises, asking me if I did those things. [After she left] I sat on the floor and cried my eyes out. I couldn’t believe that anybody could do that to me.” Two more such investigations followed.

The Heaths say that even after they were “proven innocent” three times, the county did nothing to help them restore their reputation among friends and neighbors who had been told, as potential “witnesses,” that the Heaths were suspected of child abuse. (pp. 19, 20-22)

Laws against child abuse are an implicit recognition that family privacy must give way to the need to protect helpless children. But in seeking to protect children, it is all too easy to ignore the legitimate rights of parents. Each year, about 700,000 families are put through investigations of unfounded reports. This is a massive and unjustified violation of parental rights.

In response, a national group of parents and professionals formed to represent those falsely accused of abusing their children. Calling itself VOCAL, for Victims of Child Abuse Laws, the group has thousands of members in chapters across the country. In Minnesota, VOCAL members collected 2,000 signatures on a petition asking the governor to remove Scott County Prosecutor Kathleen Morris from office because of her alleged misconduct in bringing charges, subsequently dismissed, against 24 adults in Jordan, Minnesota. In Arizona, VOCAL members were able to sidetrack temporarily a \$5.4 million budget

supplement that would have added 77 investigators to local child protective agencies.

### Inappropriate Reporting Endangers Abused Children

Besides being unfair to the children and parents involved, such high rates of unfounded reports endanger children who really are abused. For fear of missing even one abused child, workers perform extensive investigations of vague and apparently unsupported reports. Even when a home visit of an anonymous report turns up no evidence of maltreatment, workers usually interview neighbors, schoolteachers, and day-care personnel to make sure that the child is not abused. And, as illustrated by what happened to the Heaths, even repeated anonymous and unfounded reports do not prevent further investigation.

All this takes time. As a result, children in real danger are getting lost in the press of inappropriate cases. Forced to allocate a substantial portion of their limited resources to unfounded reports, child protective agencies are less able to respond promptly and effectively when children are in serious danger. Some reports are left uninvestigated for a week or even two weeks after they are received. Investigations often miss key facts as workers rush to clear cases, and dangerous home situations receive inadequate supervision as workers ignore pending cases to investigate the new reports that arrive daily on their desks. Decision making also suffers. With so many cases of insubstantial or unproven risk to children, caseworkers are desensitized to the obvious warning signals of immediate and serious danger.

These nationwide conditions help explain why 25-50% of child abuse deaths involve children previously known to the authorities (Besharov, 1988, chap. 9). Tens of thousands of other children suffer serious injuries short of death while under child protective agency supervision. In one Iowa case, for example, the noncustodial father reported to the local department of social services that his 34-month-old daughter had bruises on her buttocks; he also told the agency that he believed that the bruises were caused by the mother’s live-in boyfriend. The agency investigated and substantiated the abuse. (The boyfriend was not interviewed, however.) At an agency staff meeting the next day (two days after the initial report), a decision was made against removing the child from the mother’s custody, and, instead, to make follow-up visits coupled with day care, counseling, and other appropriate services. *But no follow-up visit was made.* Eight days later,

the child was hospitalized in a comatose state, with bruises, both old and new, over most of her body. The child died after three days of unsuccessful treatment. The boyfriend was convicted of second-degree murder. The father's lawsuit against the agency for its negligent handling of his report was settled for \$82,500.<sup>4</sup>

Ironically, by weakening the system's ability to respond, unfounded reports actually discourage appropriate ones. The sad fact is that many responsible individuals are not reporting endangered children because they feel that the system's response will be so weak that reporting will do no good or 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" (p. 66).

#### Enhanced Public and Professional Education

Few people fail to report because they don't care about an endangered child. Instead, they may be unaware of the danger the child faces or of the protective procedures that are available. A study of nonreporting among teachers, for example, blamed their "lack of knowledge for detecting symptoms of child abuse and neglect" (Levin, 1983, p. 14). 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 of the states have specific statutes mandating professional training and public awareness efforts (see, for example, State of Florida, 1985). Of course, legislation is not required for a state to provide public and professional education, and most states lacking specific statutes 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" (Besharov, 1988, p. 346). The group specifically recommended that "educational materials and programs should: (1) clarify the legal definitions of child abuse and neglect, (2) give general descriptions of reportable situations (including specific examples), and (3) explain what to expect when a report is made. Brochures and other materials for laypersons, including public service announcements, should give specific information about what to report—and what not to report" (p. 346).

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 overly broad 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.<sup>5</sup> Reporters do not have to prove, on the phone, 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 explains the rationale for this broader approach to reporting: "We will never know if a report of child abuse is valid or not until the appropriate investigation is made" (Iowa Attorney General, 1978; cited in *Family Law Reporter*, 1978, vol. 5, p. 2015).

Too often, however, this practical 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, a child's being unusually withdrawn or shy as well

as a child's being unusually friendly toward strangers. However, only a small minority of children who exhibit such behaviors have actually been maltreated. Twenty 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, however, all it does is ensure that child abuse telephone hot lines 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. Educational materials for public and professional audiences as well as materials for agency staff should use such specific examples to illustrate when there may be evidence of suspected child abuse or neglect.

### 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 an agency is not necessarily what should be investigated. Thus educational efforts, if they are going to work, must be backed up with clear—and firm—intake policies.

Many hot lines, however, accept reports even when the caller cannot give a reason for suspecting that the child's condition is a result of the parent's behavior. I observed one hot-line worker accept a report involving a 17-year-old boy who was found in a drunken stupor. When asked whether there was reason to suspect 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" (Besharov, 1988, p. 347).

Until recently, most states did not have formal policies and procedures for determining whether to accept a call for investigation. For example, the American Humane Association (1983) found that in 1982 only a little more than half the states allowed their hot-line workers to reject reports, and that even those that did usually limited screening to cases that were "clearly" inappropriate. Many are now developing general intake policies, and, as Table 16.3 illustrates, it is possible to state them 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 the 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 why previous investigations did not substantiate the reporter's 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 the suspicion. 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, child protective

TABLE 16.3 Reports That Should Be Rejected

- 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 rejected automatically, but need to be evaluated carefully.)
- 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.)

SOURCE: Besharov (1985, p. 60).

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

service (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 agencies of the practice and without checking to make sure that they can help the persons referred.

The keys to successful implementation of a rigorous intake policy are the quality of intake staff and the degree of support 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 situations and assign cases for subsequent investigation by caseworkers. However, the kind of sophisticated intake decision making described above cannot be performed by clerks, nor by untrained caseworkers.

Intake staff should be experienced and highly trained personnel with the ability to understand complex situations quickly and the authority to make decisions. They should be able to advise potential reporters about the law and child protective procedures generally; to assist in diagnosis and evaluation; to consult about the necessity

of photographs, X rays, and protective custody; to help reporters deal with distressed or violent parents; to refer inappropriate reports to other agencies better suited to deal with a family's problems; and to provide information and assistance to parents seeking help on their own.

We need to do a much better job at identifying suspected child abuse. Children are dying because they are not being reported to the authorities. At the same time, we 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 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.

## Notes

1. Compare Sedlak's estimate of 1,100 with that found in National Committee for Prevention of Child Abuse (n.d.).
2. This figure is based on comparison data from the U.S. Department of Health and Human Services (1980).
3. Jones and McGraw (1987, Table 2) estimate that 8% of sexual abuse reports are falsely made—2% by children and 6% by adults.
4. See *Buege v. Iowa* (1980); see also Jury Research, Inc. (1982), and *State v. Hillesheim* (1981), a criminal prosecution in the same case.
5. 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 (1977) and Massachusetts Attorney General (1975). Because *reasonable cause to suspect* is the more common phraseology, it is adopted in this chapter.

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## CHAPTER 17

## The Main Problem Is Still Underreporting, Not Overreporting

David Finkelhor

No, child abuse is not overreported. The evidence suggests that large numbers of seriously abused and neglected children are still not coming to the attention of child protective authorities. To remedy this, more professionals and members of the public need to be sensitized to recognizing and reporting child abuse. If, in concert with these increased reports, child protective authorities improve their investigatory skills and expand their treatment services, we may get closer to identifying and helping all the children at risk.

When the mandatory reporting system was first established in the United States, few people fully envisioned the results. Between 1976 and 1987, reports of suspected child abuse and neglect rose nationally from an estimated 669,000 to 2,163,000, an average increase of more than 10% per year. Although some see in this trend a contemporary epidemic of abuse, most authorities think that what primarily happened is that many kinds of widespread and serious abuse that went undetected in the past are now being reported because professionals and ordinary citizens have a greater awareness about the problem (Gelles & Straus, 1988; Sedlak, 1991a). A substantial amount of research backs up this idea (Finkelhor, Hotaling, Lewis, & Smith, 1990; Peters, Wyatt, & Finkelhor, 1986; Russell, 1986).

In spite of this dramatic increase in reporting, however, most researchers and clinicians believe that a large quantity of abuse is still not being counted in these statistics. This is also the conclusion of the best national study of child abuse reporting that we have to date-- the National Incidence Study (NIS) (Sedlak, 1991a). One of the main functions of the NIS was to look at how much child abuse known to

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