

## Frequently Asked Questions Related to Child Abuse in NYS

**Q: How many children are reported and investigated for abuse or neglect?**

**A:** In 2008 in the U.S., an estimated 3.3 million referrals, involving the alleged maltreatment of approximately 6 million children, were received by CPS agencies. Sixty percent of these referrals were accepted for investigation by child protective services (U.S. Department of Health & Human Services, Administration for Children & Families, Administration on Children, Youth and Families, Children's Bureau [USDHHS, ACF, ACYF, CB], 2011). Approximately 772,000 children were determined to be victims of child abuse or neglect by CPS agencies (Centers for Disease Control and Prevention, National Center for Injury and Prevention [CDC, NCIP], 2010).

Approximately 30 percent of the reports included at least one child who was found to be a victim of abuse or neglect. Sixty-one percent of the reports were found to be unsubstantiated (including intentionally false); the remaining reports were closed for additional reasons (USDHHS, ACF, ACYF, CB, 2011).

In 2010, the NYS Central Register of Child Abuse and Maltreatment (the Child Abuse Reporting Hotline) received 223,340 reports of suspected child abuse or neglect, 18 reports for every 1,000 children in the state. Upon investigation, 51,701 reports (30 percent) were substantiated as situations of child abuse and/or neglect. There are more victims than reports because more than one child is involved in some cases. Compared to the prior year, the number of reports increased 1.6 percent, from 167,573; the number of substantiated reports decreased 2.1 percent, from 52,792; and the number of victims decreased 3.1 percent from 82,256 (Prevent Child Abuse-New York, n.d.).

**Q: How many children are victims of maltreatment?**

**A:** An estimated 754,000 children nationwide were determined to be victims of child abuse or neglect in 2010. This victimization rate is the lowest it has been in seven years. Approximately three quarters of the children had no history of prior victimization. Seventy-one percent were classified as victims of child neglect; 16 percent as victims of physical abuse; 9 percent as victims of sexual abuse; and 7 percent as victims of emotional abuse (CDC, NCIPC, 2010).

**Q: Is the number of abused or neglected children increasing?**

**A:** The number of substantiated victims has fluctuated by approximately 0.9% since 2002. The numbers cited here are from the 2007 Child Maltreatment Report published by the U.S. Department of Health and Human Services. Increases may be related to actual increase of incidents, better reporting by states, or greater recognition and reporting of child abuse within communities, while decreases may indicate reduction in incidents, poor reporting by states, or changes in definitions regarding substantiated cases.

Statistics continue to show that a child abuse victim is at high risk of suffering repeated abuse or neglect. Through the Child and Family Services Review, the Children's Bureau has established the current national standard for recurrence as 94.6%.

It is challenging to acquire comprehensive statistics regarding the true incidence of child abuse. Currently, the Department of Health and Human Services is conducting a study aimed at collecting statistics from various agency sources to develop a more accurate picture of the incidence of child abuse and neglect across the country. These new sources include law enforcement agencies, tribal jurisdictions, and other social service agencies that are currently not included (The National Exchange Club [NEC], 2012).

**Q: What are the most common types of maltreatment?**

**A:** The majority (59%) of victims suffered from neglect. Child protective services investigations determine that 10.8 % of victims suffered from physical abuse, 7.6% suffered from sexual abuse, 4.2% suffered from emotional maltreatment, less than 1% experienced medical neglect, and 13.1% suffered multiple forms of maltreatment. In addition, 4.1 % of victims experienced such "other" types of maltreatment as "abandonment," "threats of harm to the child," or "congenital drug addiction." States may consider any condition that does not fall into one of the main categories — e.g. physical abuse, neglect, or emotional maltreatment — as "other." These maltreatment type percentages total more than 100 percent because children who were victims of more than one type of maltreatment were counted for each incident (NEC, 2012).

**Q: Who are the child victims?**

**A:** For 2008, 9.7 per 1,000 victims were boys and 10.8 per 1,000 victims were girls. CPS reported the approximate rates of child maltreatment victims: 21.7 per 1,000 for infants less than 1 year old; 12.9 per 1,000 for 1 year-olds; 12.4 per 1,000 for 2 year-olds; 11.7 per 1,000 for 3 year-olds; 11.0 per 1,000 for 4 to 7 year-olds; 9.2 per 1,000 for 8 to 11 year-olds; 8.4 per 1,000 for 12 to 15 year-olds; and 5.5 per 1,000 for 16 to 17 year-olds. Non-CPS studies have reported higher rates of nonfatal child maltreatment cases, ranging from 15 to 43 per 1,000 children (CDC, NCIPC, 2010).

In 2008, some children had higher rates of victimization in relation to gender and race disparities among other children: African-American (16.6 per 1,000 children), American Indian or Alaska Native (13.9 per 1,000 children), and multiracial (13.8 per 1,000 children). Overall, rates of victimization were slightly higher for girls (10.8 per 1,000 children) than boys (9.7 per 1,000 children) (CDC, NCIPC, 2010).

**Q: Who abuses and neglects children?**

**A:** Child maltreatment occurs across socio-economic, religious, cultural, racial, and ethnic groups (NEC, 2012). There is no single profile related to a perpetrator of child abuse, although certain characteristics reappear in many studies. Often the perpetrator is a young adult in his or her mid- 20s, without a high school diploma, living at or below the poverty level, depressed, and who may have difficulty coping with stressful situations. Fathers and mothers' boyfriends are most often the perpetrators in abuse deaths; mothers are more often at fault in neglect fatalities (Child Welfare Information Gateway, 2012).

For 2010, four-fifths (84.2%) of perpetrators were between the ages of 20 and 49 years. More than one-third (36.3%) were in the age group of 20–29 years; 31.8 % were in the age group 30–39 years; and 16.1 % were in the group 40–49 years. More than two-fifths (45.2%) of perpetrators were men and more than one-half (53.6%) were women; 1.2 % were of unknown sex (USDHHS, ACF, ACYF, CB,2011)

**Q: Who reports child maltreatment?**

**A:** Anyone can report suspected child abuse or neglect. Certain professionals are required by law to report suspected child abuse or maltreatment to the New York State Central Register (SCR) of Child Abuse and Maltreatment. The law also assigns civil and criminal liability to those professionals who do not comply with their mandated reporter responsibilities. In 2009, fifty-two states reported that more than 2 million reports received a CPS response, were completed and received some type of disposition. Nearly one-quarter of all reports were found to include one or more victims of maltreatment and received dispositions of substantiated, indicated, or alternative response to the victim. Two-thirds of reports found all allegations to be unsubstantiated or intentionally false (64.3% and 0.1%, respectively).

Professionals submitted more than one-half (58.3%) of the reports. "Professional" indicates that the report source came into contact with the alleged victim as part of the reporter's occupation. State laws require most professionals to notify CPS agencies of suspected maltreatment. The categories of professionals include educators, legal and law enforcement personnel, social services personnel, medical personnel, mental health personnel, child daycare providers, and foster care providers, etc. The three most common sources of reports in 2009 were from professionals—educational personnel (16.5%), legal or law enforcement personnel (16.4%), social services personnel (11.4%), and medical personnel (8.2%). Approximately 2/3 of substantiated or indicated reports were made from professional sources. Nonprofessional sources accounted for the largest percent of unfounded reports.

Nonprofessional report sources submitted the remaining 44.2 percent of reports. These included parents, other relatives, friends and neighbors, alleged victims, alleged perpetrators, anonymous callers, and "other" sources. Anonymous (8.9%), "other" sources (7.9%) and other relatives (7.0 %) accounted for the largest groups of nonprofessional reporters (USDHHS, ACF, ACYF, CB, 2010).

**Q: What happens after I make a report?**

**A:** The Child Protective Services (CPS) unit of the local department of social services is required to begin an investigation of each report within 24 hours. The investigation should include an evaluation of the safety of the child named in the report, and any other children in the home, and a determination of the risk to the children if they continue to remain in the home.

CPS may take a child into protective custody if it is necessary for the protection from further abuse or maltreatment. Based upon an assessment of the circumstances, CPS may offer the family appropriate services. CPS has no legal authority to compel the family to accept such services. However, the CPS caseworker has the obligation and authority to petition family court to mandate services when they are necessary for the care and protection of a child.

CPS has 60 days after receiving the report to determine whether the report is "indicated" or "unfounded." The law requires CPS to provide written notice to the parents or other subjects of the report concerning the rights accorded to them by the New York State Social Services Law. The CPS investigator will document activities and decisions in the State Central Register file (NYSOCFS, CPS, n.d.)

**Q: How many children die from abuse or neglect?**

**A:** Child fatalities are the most tragic consequence of maltreatment. The number of reported child fatalities due to child abuse and neglect has fluctuated during the past five years. A nationally estimated 1,560 children (compared with 1,750 children for 2009) died from abuse and neglect in 2010. This translates to a rate of 2.07 children per 100,000 children in the general population with an average of 4 children dying every day from abuse or neglect (Child Welfare Information Gateway, 2012).

Research indicates very young children (ages four and younger) are the most frequent victims of child fatalities. The National Child Abuse and Neglect Data System (NCANDS) data for 2010 demonstrated children younger than one year accounted for 47.7 percent of the fatalities; children younger than four years accounted for 79.4 percent of fatalities. This population of children is the most vulnerable for many reasons, including their dependency, small size, and inability to defend themselves (Child Welfare Information Gateway, 2012). Examining this percentage by single-year-age reveals that 47.7 percent of child fatalities were younger than 1 year, 14.0 percent were 1 year old, 11.6 percent were 2 years old, and 6.1 percent were 3 years old (USDHHS, ACF, ACYF, CB, 2011).

The vulnerability of the youngest victims also is demonstrated by the rates of child fatalities. Children younger than 1 year died from child abuse and neglect at a rate of 17.89 per 100,000 children younger than 1 year in the population. Child fatality rates generally decreased with age. The child fatality rate of children in the age group of 16–17 was 0.34

per 100,000 children in the population of the same age group (USDHHS, ACF, ACYF, CB, 2011).

Boys had a higher child fatality rate than girls at 2.51 boys per 100,000 boys in the population. Girls died of abuse and neglect at a rate of 1.73 per 100,000 girls in the population (USDHHS, ACF, ACYF, CB, 2011).

**Table 4–8 Reported Maltreatment Types of Child Fatalities, 2010** *(duplicate and unique counts)*

Maltreatment Type	Reported Duplicate Maltreatments	
	Number	Percent
Medical Neglect	109	8.6
Neglect	860	68.1
Other	331	26.2
Physical Abuse	569	45.1
Psychological Abuse	31	2.5
Sexual Abuse	17	1.3
Unknown	0	0.0
<b>Total</b>	<b>1,917</b>	
<b>Percent</b>		<b>151.9</b>

*Based on data from 44 States. N equals 1,262 unique child fatalities.*

Note: Reported data for types of maltreatments related to child fatalities for 2004 & 2010 from 44 states. Adapted from US Department of Health and Human Services (2010). Retrieved from <http://www.acf.hhs.gov/programs/cb/pubs/cm10/cm10.pdf#page=70> with permission.

**Q: Are victims of child abuse more likely to engage in criminality later in life?**

**A:** According to the National Institute of Justice (NIJ), maltreatment in childhood increases the likelihood of arrest as a juvenile by 59 percent, as an adult by 28 percent, and for a violent crime by 30 percent. A related NIJ report indicated that children who were sexually abused were 28 times more likely than a control group of non-abused children to be arrested for prostitution as an adult (National Institute of Justice, 2011).

**Q: Is there any evidence linking alcohol or other drug use to child maltreatment?**

**A:** There is significant research that demonstrates this connection. Research has shown that among confirmed cases of child abuse and neglect, 40% involved the use of alcohol or other drugs. Substance abuse does not cause child abuse and neglect, but it is a distinct factor in its occurrence (NEC, 2012).

**Q:** What is HIPAA and does it affect or limit my responsibility as a mandated reporter of suspected child abuse, neglect or maltreatment?

**A:** HIPAA stands for the Health Insurance Portability and Accountability Act of 1996. The privacy provisions contained in this regulation do not affect the responsibilities of mandated reporters, as they are defined in the New York State Social Services Law (NYSOCFS, CPS, n.d.).

Information concerning the provisions of HIPAA may be found at [www.hhs.gov/ocr/hipaa](http://www.hhs.gov/ocr/hipaa).