

## Frequently Asked Questions

### How many children are reported and investigated for abuse or neglect?

For Federal Fiscal Year 2019, CPS agencies received more than 4.4 million referrals involving more than 7.9 million children. After investigation, in Federal Fiscal Year 2019, more than 656,000 children are substantiated as victims of abuse and neglect, and over 1840 child deaths are attributed to child abuse or neglect annually (USOHHS, ACF, ACYF, CB, 2019).

In 2019, there were 67,269 victims of child abuse in New York State, of which 39,379 were first-time victims. A majority of the victims were 1 year of age or less and both boys and girls equally were victims of abuse and maltreatment.

### How many children are victims of maltreatment?

An estimated 656,000 children nationwide were determined to be victims of child abuse or neglect in 2019. This is an increase by 608,459 victims compared to 2017 when the estimate was approximately 47,541 victims. A majority of the victims were 1 year of age or less and both boys and girls equally were victims of abuse and maltreatment. Perpetrators of abuse and maltreatment by race where Caucasians, followed by Hispanics, African Americans, Multiple Races, Asians, Native Americans/Alaskans, and Pacific Islanders. In 2019, there were 95,673 victims of maltreatment in New York State, of which 95.5% of the cases were neglect (USDHHS, ACF, ACYF, CB, 2019).

### Is the number of abused or neglected children increasing?

New federal child abuse and neglect data shows 2019 had the lowest number of victims who suffered maltreatment in five years.

Of the 3,476,000 million (rounded) children who were the subject of an investigation or alternative response in fiscal year 2019, 656,000 (rounded) children were determined to be victims of maltreatment, down from 677,000 (rounded) victims in 2018. Most victims, 84.5 percent, suffered from a single type of maltreatment and 15.5 percent suffered from two or more types of maltreatment. The most common single maltreatment type was neglect with 61.0 percent, followed by physical abuse with 10.3 percent. See <https://www.acf.hhs.gov/media/press/2021/child-abuse-neglect-data-released>.

### What are the most common types of maltreatment?

Each state bases its own definitions of child abuse and neglect on standards set by federal law. Most states recognize four major types of maltreatment: neglect, physical abuse, psychological maltreatment, and sexual abuse. Additional types of maltreatment measured in the report include medical neglect and sex trafficking. Although any of the forms of child maltreatment occur separately, they can also occur in combination. The maltreatment type of sex trafficking was introduced in the fiscal year 2018 data cycle. For 2019, there were 877 victims of sex trafficking in the 29 states that were able to report this relatively new field. See <https://www.acf.hhs.gov/media/press/2021/child-abuse-neglect-data-released>.

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% because children who were victims of more than one type of maltreatment were counted for each incident (NEC, 2013).

The table below shows the types of child maltreatment cases in New York State in 2019 (USDHHS, ACF, ACYF, CB, 2019).

Table 12. Numbers and Percentages of Child Maltreatment Cases in New York, 2019

# Victims	Medical Neglect	Neglect	Other	Physical Abuse	Psychological Maltreatment	Sexual Abuse	Sex Trafficking	Unknown	Total Maltreatment Types
67,269	4,282	64,262	18,246	6,112	509	2,267	--	--	95,673
	6.4%	95.5%	27.1%	9.1%	0.8%	3.5%	--	--	142.2%

Who are the child victims?

The numbers of child victims of maltreatment in New York State from 2015 to 2019 were 66,676 (15.9 per 1,000 children), 65,123 (15.7 per 1,000 children), 71,226 (17.3 per 1,000 children), 68,785 (16.9 per 1,000 children), and 67,269 (16.7 per 1,000 children). 39,375 children in New York (9.8 per 1,000 children) were first time victims in New York state.

The table below shows the ages of child victims in New York State in 2019 (USDHHS, ACF, ACYF, CB, 2019).

Table 13. Numbers of Child Victims of Maltreatment in New York State, 2019.

Age < 1	1	2	3	4	5	6	7	8	9	10
6,444	4,001	3,837	3,741	3,659	3,924	4,126	3,971	3,836	3,696	3,712
Age 11	12	13	14	15	16	17	Total			
3,598	3,457	3,359	3,412	3,492	3,124	1,738		67,269		

Statistics on New York State child victims by sex in 2019 were as follows: 33,460 (16.2 per 1,000) boys, 33,754 (17.1 per 1,000) girls, for a total of 67,269 child victims. The table below shows the ethnicities of child victims in New York State in 2019 (USDHHS, ACF, ACYF, CB, 2019).

Table 14. Ethnicities of Child Victims of Maltreatment in New York, 2019

African American	American Indian or Alaska Native	Asian	Hispanic	Multiple Race	Pacific Islander	White	Unknown	Total Victims
19,139	234	1,720	19,488	3,050	29	22,352	1,257	67,269
31.7 per 1,000	19.7 per 1,000	5.3 per 1,000	19.4 per 1,000	20.2 per 1,000	14.7 per 1,000	11.6 per 1,000		

## How many children die from abuse or neglect?

Child fatalities are the most tragic consequence of maltreatment. The number of child fatalities due to child abuse and neglect increased by 60 in fiscal year 2019. The number and rate of fatalities have fluctuated during the past five years. A national estimate of 1,840 children died from abuse and neglect in fiscal year 2019 compared to an estimated 1,780 children who died in fiscal year 2018. See <https://www.acf.hhs.gov/media/press/2021/child-abuse-neglect-data-released>.

FFY 2019 data showed that 70.3% of all child fatalities are younger than 3 years of age. Close to one-half (45.5%) of child fatalities were younger than age one, and died at a rate of 22.94 per 100,000 children in the population of the same age. This was 3.3 times the fatality rate for one year old children (6.87 per 100,000 children in the population of the same age). The child fatality rates mostly decrease with age. Boys have a higher child fatality rate than girls (USDHHS, ACF, ACYF, CB, 2019).

The table below shows the national child fatality rates per 100,000 children from 2015 to 2019 (USDHHS, ACF, ACYF, CB, 2019).

Table 15. National Child Fatality Rates Per 100,000 Children: 2015 - 2019

Year	Reporting States	Child Population of Reporting States	Child Fatalities from Reporting States	National Fatality Rate Per 100,000 Children	Child Population of all 52 States	National Estimate of Child Fatalities
2015	50	71,806,672	1,603	2.23	74,350,047	1,660
2016	50	73,394,916	1,708	2.33	74,342,970	1,730
2017	50	72,610,987	1,677	2.31	74,236,882	1,710
2018	51	72,546,232	1,751	2.41	73,911,017	1,780
2019	51	72,259,081	1,809	2.50	73,611,881	1,840

## Who abuses and neglects children?

Child maltreatment occurs across socio-economic, religious, cultural, racial, and ethnic groups (NEC, 2013). There is no single profile related to a perpetrator of child abuse, although certain characteristics reappear in many studies.

A perpetrator is the person who is responsible for the abuse or neglect of a child. Fifty-two states reported 525,319 perpetrators. The analyses of case-level data for FFY 2019 showed (USDHHS, ACF, ACYF, CB, 2019):

- More than four-fifths (83.0%) of perpetrators are between the ages of 18 and 44 years old.
- More than one-half (53.0%) of perpetrators are female and 46.1 percent of perpetrators are male.
- The three largest percentages of perpetrators are White (48.9%), African-American (21.1%), and Hispanic (19.7%).
- The majority (77.5%) of perpetrators are a parent to their victim

## Who reports child maltreatment?

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.

For 2019, professionals submitted 68.6 percent of reports alleging child abuse and neglect. The term professional means that the person has contact with the alleged child maltreatment victim as part of his or her job. This term includes teachers, police officers, lawyers, and social services staff. The highest percentages of reports are from education personnel (21.0%), legal and law enforcement personnel (19.1%), and medical personnel (11.0%). Nonprofessionals—including friends, neighbors, and relatives—submitted fewer than one-fifth of reports (15.7%). Unclassified sources submitted the remaining reports (15.7%). Unclassified includes anonymous, “other,” and unknown report sources. States use the code “other” for any report source that does not have an NCANDS designated code (USDHHS, ACF,ACYF, CB, 2019).

#### What happens after I make a report?

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, 2011).

#### Are victims of child abuse more likely to engage in criminality later in life?

According to the National Institute of Justice (NIJ), maltreatment in childhood increases the likelihood of arrest as a juvenile by 59%, as an adult by 28%, and for a violent crime by 30%. 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). In 2007, the NBER Digest notes that child maltreatment roughly doubles the probability that the individual will engage in many types of crime (Picker, 2007).

#### Is there any evidence linking alcohol or other drug use to child maltreatment?

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, 2013).

Forty-seven states reported that 38,625 infants with prenatal substance exposure were referred to child welfare agencies for fiscal year 2019. This is an increase from the 27,709 infants with prenatal substance exposure that were reported in 45 states during 2018

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

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, 2011).

Information concerning the public health provisions of HIPAA may be found at <http://www.hhs.gov/ocr/privacy/hipaa/understanding/special/publichealth/>.

What about HIV records?

§2782(7) of the Public Health Law specifically provides that nothing in this law limits a person or agencies responsibility or authority to report.