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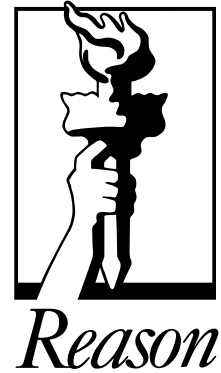
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# CHILD ADVOCACY CENTERS: ONE STOP ON THE ROAD TO PERFORMANCE-BASED CHILD PROTECTION

by Lisa Snell



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# Child Advocacy Centers: One Stop on the Road to Performance-based Child Protection

BY LISA SNELL

## Executive Summary

One-stop child advocacy centers (CAC) are designed to help alleviate many of the inherent conflicts in the current child protection system. Child advocacy centers' number one goal is to reduce trauma to the child abuse victim by coordinating a child's interview to include professionals from multiple agencies, reducing the number of interviews and improving the quality of the investigation.

Under traditional child protection services (CPS), the investigation, assessment, and prosecution of child abuse cases involve many state and local government agencies. The concept behind the development of one-stop systems is that services can be made more accessible and service delivery can be more efficient through co-location and coordination of services that are normally provided by more than one agency.

Anecdotal evidence and preliminary research indicates that child advocacy centers reduce the number of child abuse interviews for the victim, improve collaboration between multiple government agencies, lead to better evidence collection, improve due process for parents by moving the investigation out of the juvenile court system, result in fewer foster care placements for abused children, and can increase confessions, prosecution rates, and convictions for perpetrators. However, most of these outcomes have not been sufficiently validated through control group research between child advocacy centers and traditional child protection agencies.

This study reviews the background and characteristics of the child advocacy center model, discusses the role of child advocacy centers in the conflict between the therapeutic and judicial models of child protection, presents new survey data from CAC executive directors about performance measurement practices, reviews

the current literature on child advocacy center performance, and presents recommendations for improving the quality of outcome measurements for child advocacy centers.

Specific recommendations to make CACs performance-based institutions include:

1. *Tie future CAC funding to specific performance measurement*
2. *Fund performance measurement and monitoring*
3. *Restructure laws to encourage district attorneys to file charges*
4. *Focus on future control group research*

Children's advocacy centers stress coordination of investigation and intervention services by bringing together professionals and agencies as a multidisciplinary team to create a child-focused approach to child abuse cases. The goal is to ensure that children are not re-victimized by the very system designed to protect them through multiple interviews in strange and forbidding environments.

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## Part I

# Introduction

One-stop child advocacy centers (CAC) are designed to help alleviate many of the inherent conflicts in the current child protection system. Child advocacy centers' number one goal is to reduce trauma to the child abuse victim by coordinating a child's interview to include professionals from multiple agencies, which can reduce the number of interviews and improve the quality of the investigation. They help children avoid the trauma of repeating their story at various stops along the legal and judicial path. Traditional child abuse investigations often subject the child to multiple interviews. Victim Services of New York City, for example, found that, on average, a child sexual abuse victim has to repeat the story of the abuse to eight different people, some of whom interview a child several times. In one case, 27 different people interviewed a child.<sup>1</sup> Child advocacy centers can allow all parties concerned with a child abuse case to be at the same place at the same time for thorough child-abuse investigations. Such a system should save time and money and eliminate the problem of communication gaps between child welfare agencies, law-enforcement, and the judicial system.

Under traditional child protection services (CPS), the investigation, assessment, and prosecution of child abuse cases involves many state and local government agencies. The concept behind the development of one-stop systems is that services can be made more accessible and service delivery can be more efficient through co-location and coordination of services that are normally provided by more than one agency.

Anecdotal evidence and preliminary research indicate that child advocacy centers reduce the number of child abuse interviews for the victim, improve collaboration between multiple government agencies, lead to better evidence collection, improve due process for parents by moving the investigation out of the juvenile court system, result in fewer foster-care placements for abused children, and can increase confessions, prosecution rates, and convictions for perpetrators. However, most of these outcomes have not been sufficiently validated through control group research between child advocacy centers and traditional child protection agencies. Research indicates that most CAC executive directors are in agreement about what their performance outcomes should be. However, to date most CAC research and data collection have focused on counting raw numbers of children served and satisfaction surveys of guardians and multidisciplinary team members conducting the investigations. While satisfaction surveys give some indication of whether CACs are meeting their outcome goals, most of the evidence and arguments for increasing the number of CACs have been based on the number of children served—the notion that CACs serve lots of children so they should proliferate. There has been little research to objectively verify advantages of child advocacy centers. Even the CACs' primary mission of reducing the number of interviews per child has minimal supporting evidence and has mostly been verified by descriptive analysis of what CACs do and satisfaction surveys, rather than

by tracking the actual number of interviews that CAC children are subjected to and comparing those numbers with the number of child interviews in non-CAC settings.

On the one hand, traditional CPS agencies across the nation are in such dire straits that just the fact that guardians and professionals are satisfied offers some indication that the CAC model is working more effectively. However, as more child advocacy centers move toward a funding model that is dependent on local, state, and federal tax dollars, it is important that performance measures be tied to funding. CAC performance measures need to be more stringent than just reporting that CACs are serving many children and families.

This study reviews the background and characteristics of the child advocacy center model, discusses the role of child advocacy centers in the conflict between the therapeutic and judicial models of child protection, presents new survey data from CAC executive directors about performance measurement practices, reviews the current literature on child advocacy center performance, and presents recommendations for improving the quality of outcome measurements for child advocacy centers.

## Part 2

# Background

### A. Child Advocacy Center Purpose and Funding

In 1985, district attorney Bud Cramer started the National Children’s Advocacy Center in Huntsville, Alabama in an effort to change the way authorities handled cases involving abused children.<sup>2</sup> This program was the first of its kind to provide comprehensive support and services for physically and sexually abused children in a child-friendly environment. In the early 1990s Cramer wrote and passed the National Children's Advocacy Program Act, which made the Children's Advocacy Center the Justice Department model for communities to help child victims and prosecute offenders.

In 1987, Cramer founded the National Children's Alliance (NCA) in response to the needs of a growing number of facility-based child abuse intervention programs and the demand for guidance from grassroots organizations working with child victims. Today, the NCA is a membership organization providing services to children's advocacy centers, multidisciplinary teams, and professionals across the nation.

The National Children's Alliance has a cooperative agreement with the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in the U.S. Department of Justice.<sup>3</sup> The Victims of Child Abuse Act of 1990 authorizes OJJDP to provide funds for the development and implementation of multidisciplinary child abuse investigation and prosecution programs. The NCA will administer close to \$5 million in federal funds for the establishment and expansion of CACs during the 2003 calendar year.<sup>4</sup>

CACs are independent nonprofits that provide a neutral, child-friendly facility where all the government agencies can interview and examine the child in a coordinated interviewing process. These multidisciplinary teams include representatives from law enforcement, CPS, district attorneys, victim advocacy groups, and medical and mental health providers. These teams meet regularly to discuss and make decisions regarding the investigation, treatment of the victim, and prosecution of the perpetrator. Child advocacy centers and multidisciplinary teams represent a growing trend to incorporate law enforcement into child protection systems. In fact, in a Center on Child Abuse and Neglect study, multidisciplinary teams were defined as “prosecution teams.”<sup>5</sup>

The services provided by CACs vary widely based on funding levels and local needs. Some CACs provide only a child-friendly facility for interviews while others offer comprehensive on-site medical and mental health services. Some CACs serve only victims of sexual abuse, while others serve all victims of abuse and neglect. The number of children served by each CAC also varies widely—from 200 to 5,000 children a year.



### The 5 Core Disciplines of Child Advocacy Centers

- Child Protective Services
- Law Enforcement
- Therapy treatment providers
- Medical/health care professionals
- Prosecutors

Children's advocacy centers are designed and governed at the local level. They have governing boards that address organizational issues such as fiscal policies and public relations. While they are locally governed, the CACs operate under the umbrella of the National Children's Alliance. The NCA provides training, technical assistance, and networking opportunities to the 409 CACs nationwide. In addition to formal child advocacy centers, there are more than 1,000 multidisciplinary teams (MDTs) investigating child abuse nationwide.<sup>6</sup>

The NCA also has established standards for CAC accreditation. It offers full-membership and \$10,000 annual grants to CACs that meet 10 standards. CACs and MDTs that do not meet all of the standards can be associate members and can compete for additional grants.<sup>7</sup>

In order to be accredited by the NCA, CACs must serve several critical functions including<sup>8</sup>:

1. **A Neutral Facility** - a designated separate facility where professionals and families can meet. This facility, ideally, is close to other services geographically for the convenience of professionals and families.
2. **Joint Investigative Interviews** - conducted by child protective service investigators, social service intake workers, and law enforcement to facilitate both investigations and reduce the need for multiple interviews.
3. **A Multidisciplinary Case Review Team** - representing prosecution, law enforcement, mental health, medical, child protective, and social services, that reviews cases and makes recommendations on the case outcome in areas of prosecution, mental health services, child protection issues, and family support.
4. **A Case Tracking System** - that monitors each case's progress through the system. Information is used to apprise professionals and families of the case's progress. This also prevents cases from "falling through the cracks."
5. **A Medical Examination** - performed by a pediatrician with specialized training. The exam is sometimes done on-site at the local child advocacy center or in an affiliated hospital or regional diagnostic center.
6. **Mental Health Evaluation and Treatment** - provided by clinicians familiar with the specialized area of child abuse/family violence. The clinicians must also be able/willing to work with other professionals involved in the case (police, prosecutors, social services) for optimum case results.
7. **Community and Emergency Services** - for referral purposes. For the child advocacy center to be effective, the center's staff must maintain a resource directory of a wide range of services for families. Referrals are often required for emergency housing, child placement, legal aid, childcare assistance, and immediate needs. These concrete service referrals are essential to maintaining the family's well-being and often the case itself.
8. **An Advocacy and Criminal Justice System Liaison** – between outside agencies and units within the court system and prosecutor's offices. The center serves as the central point for all professionals working on each case. Ideally, initial meetings with those involved (prosecutors, police, mental health, victim-witness) are always scheduled at the center to provide continuity and familiarity.

CACs receive funding from a variety of sources including local private donations and grants from private foundations, grants from local and state governments, and contracts with state and local government agencies. Increasingly, CACs are lobbying to secure more government funding at the state and local level through property taxes, court fees, and state child welfare funds.<sup>9</sup>

## **B. Benefits of Child Advocacy Centers**

While the advantages of using the CAC and MDT model have not been sufficiently verified, it is useful to catalogue the potential benefits of CACs to understand the arguments in favor of the CAC child protection model.

### ***1. Higher Quality Service***

Child advocacy centers provide families with quicker, less intrusive investigations and high-quality social services. In the Reason Foundation CAC Executive Director survey, more than 85 percent of center directors reported measuring client and family satisfaction, and using the results to help offer better services to children and families.<sup>10</sup> A study comparing cases in the Philadelphia Children's Alliance with a control group of cases in traditional Department of Human Services found that victims served by the advocacy center were much more likely to receive services than the control group—71 percent compared to 29 percent of control group cases.<sup>11</sup>

### ***2. Cost Savings***

The theoretical basis for child advocacy centers includes the notion that CACs could help reduce the cost of child abuse intervention on several fronts. In fact, many of the initial reasons for developing CACs were due to the potential cost savings derived from preventing future abuse and reducing foster-care placement.<sup>12</sup> First, by conducting stronger investigations with better outcomes CACs would have higher substantiation, prosecution, and conviction rates. Since CACs would be more likely to remove the perpetrator from the home and build a stronger case, there might be a lower recidivism rate for future child abuse. A lower recidivism rate would potentially save money because it would result in fewer cases and fewer investigations.

Foster care placement is one of the most expensive components of the child welfare system. CACs could lower costs by reducing the foster care placement rate by focusing on removing the perpetrator rather than the child. Child protection expert Theodore Cross has found that when adults are not prosecuted for child abuse, children are more likely to be removed from their home. He found that cases that were declined for prosecution were nearly three times as likely to involve some type of child placement compared to cases that were accepted for prosecution.<sup>13</sup> In cases where the perpetrator was prosecuted, abused children were more often able to remain in their homes. The reason seems to be that the focus on the family rather than the perpetrator has the unintended consequence of removing the child and not the abuser from the home. Cross argues that this relationship between prosecution and placement is further evidence for the value of the MDT and CAC child-protection model. Finally, CACs should reduce the actual cost of child abuse investigations by having agencies collaborate rather than duplicate services. Little actual research has been done on cost-effectiveness. CACs need to establish cost data on a per-child basis and conduct control group research with traditional child protection agencies to verify any cost savings.

### ***3. Collaboration***

The essence of the child advocacy center model is collaboration. CACs represent a neutral third party where representatives from each partner agency can collaborate in a collegial environment. A small but growing body of evidence supports how collaboration in CACs and MDTs are a more effective and efficient way to deliver services to suspected abused children.<sup>14</sup> In a national study of MDTs interviewing child protection professionals in all 50 states, two-thirds of respondents reported one or more benefits, and a majority referred to increased coordination and collaboration and a positive joint decision-making process.<sup>15</sup> Similarly, in an evaluation of three CACs in Utah, which reviewed data on 317 cases, team members endorsed their satisfaction with the efficiency and effectiveness of CAC services across all sites.<sup>16</sup> CACs and MDTs can improve the accuracy of overall assessment, prediction of risk, and development of intervention strategies.<sup>17</sup> In addition, CACs and MDTs reduce confusion between multiple agencies and duplication of services.<sup>18</sup>

### ***4. Better Investigations***

The primary objective of child abuse investigations should be to build as strong a case as possible. Allegations of child abuse can be difficult to prove because the cases often lack third-party witnesses, physical evidence, or a victim old enough to be a credible witness. In addition, social workers often unwittingly miss, tamper with, or destroy physical evidence. Therefore, having law enforcement officers investigate, through CACs or MDTs, using crime-scene procedures, can play a critical role in building a strong case. The police can obtain search warrants and make arrests when probable cause exists. Law enforcement personnel possess better investigative methods and tools than CPS workers. These advantages should positively affect case outcomes and increase the protection of children.

There has been very little research comparing case outcomes between law enforcement investigations of child abuse and traditional CPS investigations. A study by the Denver-based Center of Policy Research compared process and outcomes of investigations in five communities that varied in the degree to which police and CPS investigations were conducted jointly.<sup>19</sup>

In comparison to independent CPS investigations, joint investigations with law enforcement had:

- Shorter caseworker response times
- Lengthier investigations
- More contacts during the investigations
- More frequent use of face-to-face interviews with persons involved in the case
- More custody removals
- More perpetrator departures from the home
- More perpetrator confessions
- More frequent victim corroboration
- More substantiated reports
- More dependency filings

- More criminal prosecutions
- More guilty pleas

Similarly, a study comparing joint investigations by the Philadelphia Children's Alliance with cases investigated by Philadelphia's child protection agency found lengthier investigations, higher substantiation rates, and more thorough investigations.<sup>20</sup> More cross-comparison research needs to be done to validate the advantages of using law enforcement to investigate child abuse.

### ***5. Improved Accountability and Data Management***

CACs are more accountable than traditional child welfare agencies because they must report specific outcomes tied to their budgets to an independent nonprofit agency.

Traditional child welfare programs suffer from unreliable data collection. The need for accurate and timely information is absolutely pressing in child welfare. Accountability is impossible without improved information management systems. On a personal scale, a child whose file is misplaced or whose court dates are repeatedly postponed because the state cannot adequately gather records pertinent to his case is left adrift in the system. The human cost of poor information management can amount to months, even years, of a child's life.

CACs represent a central location to track a child abuse case between multiple agencies. CACs maintain detailed case records from intake to case closure. They must report multiple data points to the NCA and other CAC supporters. Unfortunately, there is no consistent data management system within CACs or other child-protection organizations. This is the largest barrier to conducting CAC research and evaluations, as data-incompatibility makes control-group research between CACs and traditional child-protection agencies difficult at best.<sup>21</sup>

In addition, CACs need to do more with the data they collect. For example, the NCA requires CACs to report case outcomes such as substantiation rates, prosecution, and conviction rates. Yet, there has been no overall data analysis of the information that NCA collects on the 400 CACs—from the percentage of substantiated cases to the cost of the child advocacy model. Analysis of this presumably rich pool of NCA data would help policymakers make more informed decisions about the efficacy of the CAC model.

## **C. Child Advocacy Center Examples**

### ***1. The Children's Safety Center—Springdale, Arkansas***

In Springdale, Arkansas, the state police child-abuse unit is housed in the Children's Safety Center, a nonprofit organization that brings together caseworkers, investigators, volunteer advocates, and medical and mental health professionals in a state-of-the-art center for abused children. Nationwide, it's the first time a state police child-abuse unit has been placed in a children's advocacy center, according to Captain Williams, commander of the unit.<sup>22</sup>

The Children's Safety Center is designed to be child-friendly. Mimi Mathis, the center's director, describes the center:

The examination room is equipped with cameras that allow doctors to videotape exams and take still photos from the videos to use as evidence. The room's walls are covered with a mural depicting a summer day in the country with hot-air balloons floating over children playing on grassy hills. "It's hard to take children's minds off an exam," Mathis observed, "but at least the room feels friendly and warm."<sup>23</sup>

## *2. The Children's Assessment Center—Harris County, Texas*

In Harris County, Texas, The Children's Assessment Center is a one-stop shop for child sexual abuse victims.<sup>24</sup> A public/private venture, it is funded through **Harris County** Commissioners Court and the **Children's Assessment Center** Foundation. Eleven partner agencies share the space offering a range of legal, law enforcement, medical and counseling services. A child suspected of being sexually abused will be brought here for a doctor's examination in the first floor clinic, interviewed and videotaped by specially trained personnel, assigned a child advocate to see him or her through the court system, and given regular counseling sessions. The center's goal is to put an end to the practice of having a child go through an emergency room examination, perhaps by a resident who has never handled a rape case before, and then a series of exhausting interviews by assorted law enforcement departments and social service agencies. Sixty-seven videotape machines stand in rows and columns in one businesslike room of the center. Each one leads to rooms where cameras are hidden in closets. In another room someone from the police or sheriff's office or CPS or the district attorney's office watches. The interviewer excuses herself for a moment, steps out of the room, then asks the other viewers if there is anything missed, any statement that should be reviewed again. When an interview is over, that is it, at least until (and if) the case goes to trial. There is no longer a gauntlet of interviews with different law enforcement and social service agencies for a child to negotiate.

The \$10.5 million facility has paintings and photographs lining the walls. There are playrooms and a new dance room, lots of space and toys, similar to a well-equipped preschool or daycare center. Although the center operates during daytime hours, its personnel are on call around the clock to handle sexual abuse cases involving anyone up to 18 years old.

The Children's Assessment Center also has much better training for its investigators during sexual-abuse interviews. Leading questions in interviews are out. No confessions are forced.

Anatomical dolls are brought out only as a last resort. "Seventeen years ago, yes, we asked horribly leading questions. 'Yes, your daddy did this to you, didn't he,' " said executive director Ellen Cokinos.<sup>25</sup> She maintains that training has made forensic experts out of her employees.

## Part 3

# CACs as Middle Ground: The Judicial Versus Therapeutic Model of Child Protection

Child protection agencies usually help families only after investigating them. The primary power of CPS is the authority to intervene in family life once an agency receives a report that a parent or guardian has maltreated a child. Because the intervention is carried out under the auspices of social services, the entire process of investigating the family and interviewing the children involved is done without a warrant and without due process guarantees.<sup>26</sup>

Deciding to intervene in cases of abuse and neglect is not a problem in and of itself; rather, it is the manner in which such intervention is carried out. Child welfare advocates were long ago successful in removing all but the most severe cases of child abuse and neglect from the criminal justice system. At the same time, what constituted child maltreatment grew to encompass ever more expansive concepts such as emotional abuse and educational neglect. By forsaking the courts of criminal law, in which determinations of justice and injustice are made and punishments meted out, child welfare agencies took on the much larger task of attempting to heal family members who have gone wrong. The therapeutic regimen is carried out by providing various services from things as simple as housekeeping to as complicated as long-term therapy for pedophiles, depending upon the presenting problem.

Although often thought of as a social service, child protection is really a police action. The state conducts an investigation of a family based on an allegation and can use police power to enter a home and take a child or children into protective custody. The key difference is that for child protection agencies, unlike the police, the focus is not on the perpetrator (the parent), but on the victim (the child). Hence it is the child who is removed, not the parent, when the situation is dangerous. This concentration on the child instead of on the abuser is part of the problem. It treats child abuse, with rare exceptions, outside of the bounds of criminal prosecution. Services always come with the understood threat of taking children away, whether that threat is real or only perceived.

Child abuse investigations can also violate due process for the adults accused of child abuse or neglect. Currently, less than 20 percent of all substantiated cases of child maltreatment ever go to criminal or civil court. Most cases undergo only an administrative process rather than any criminal proceedings. As a result, there is no due process, and hence, no ability to challenge the results. All records are closed and confidential. There is no way to challenge CPS findings, because there is no public record of the proceedings.

Critics of child protective services have also noted that social workers do a poor job of collecting evidence.<sup>27</sup> Poor evidence collection can result in either denying innocent parents due process or risking leaving children with abusers because of a lack of evidence.

An example of poor evidence collection by social workers can be found in the federal class-action suit against Illinois DCFS Director Jess McDonald. The suit, filed by Diane Redleaf, a family law practitioner with the Chicago firm of Lehrer & Redleaf, alleged that the agency's policies and procedures for investigating child abuse and neglect were unconstitutional because they violated the 14th Amendment's due process clause.<sup>28</sup>

Redleaf's suit charged that as many as 100,000 people in Illinois were indicted for child abuse and neglect based on less than the weight of the evidence. Since Redleaf initiated her lawsuit in June 1997, 14 of the lawsuit's 22 plaintiffs have been exonerated by DCFS. Their cases have been reversed from "indicted" to "unfounded" and their records have been expunged from the State Central Registry in Springfield, Illinois.

U.S. District Judge Rebecca Pallmeyer's 102-page ruling on the Redleaf suit concluded that **DCFS** investigations are decided on little evidence and unfairly blacklist professionals accused of wrongdoing. Evidence in the case showed that roughly two-thirds of **DCFS** investigations resulted in no findings of abuse and neglect. In the agency's remaining cases, three-fourths of the childcare workers who had been accused of abuse or neglect were exonerated after appealing those findings, though sometimes not until years later.<sup>29</sup>

Judges also object to the poor quality of evidence presented when they are asked to remove children from their home.<sup>30</sup> For example, in Pulaski County, Arkansas, Judge Joyce Warren complained about the poor quality of evidence she saw in her courtroom. "They'll say, 'The mother is a drug addict and she's neglecting the children,' and I'll say, 'How do you know? On what evidence do you base your statements?' They'll look through their notes and say, 'My supervisor told me.' So, I'll say, 'How does your supervisor know?' and they'll look through their notes and say, 'I don't know.' That kind of stuff scares me."<sup>31</sup> Too often, Warren says, she sees children returned to abusive or neglectful homes because caseworkers come to court with insufficient evidence to warrant placing them in foster care.

Cases like the Illinois class-action suit have led researchers, child advocates, and state legislators to argue for changing the role of the child abuse investigator. Investigating child abuse has traditionally been handled by the state or local child-protection agency. Recent research, however, has suggested that child abuse investigations could be more appropriately handled by law-enforcement agencies or through a partnership between law enforcement and child protection agencies.<sup>32</sup>

Some states have already moved toward re-criminalizing child abuse. Arkansas has moved its hotline and investigation units to the state troopers' department.<sup>33</sup> In Florida, four counties have their sheriff's department conduct all child abuse investigations.<sup>34</sup> Evidence suggests that these police investigations result in a higher standard of evidence collection. In Florida, for example, before the state police arrangement, prosecutors could not charge parents accused of the most serious forms of child abuse and neglect because the written reports compiled by DHS officials were often inadequate to file charges.<sup>35</sup> A long time may have passed between a child being removed from a home and the police being contacted to complete an investigation. Often by the time the police started their investigation the evidence or the perpetrator was gone.

Despite better evidence collection, one of the criticisms of police investigations of child abuse is that the victims and families will not receive needed social services. The Center for the Study of Social Policy (CSSP) published an April 2000 report that found that emphasis on the criminal aspects of an investigation in Arkansas were sometimes at the expense of other child protection issues.<sup>36</sup>

Child advocacy centers can serve as a middle ground between the therapeutic and judicial model of child protection. CACs allow for a thorough investigation of the accused perpetrator while offering extensive therapeutic services to the victim and other family members. A mission statement from a CAC in Travis County, Texas illustrates how child advocacy centers work toward offering a therapeutic approach to the child while taking a judicial approach to the offender:<sup>37</sup>

### **Mission Statement**

The mission of the Travis County Child Protection Team is to more effectively protect the children of this community by consolidating the community, investigative, legal and social services provided by the Travis County District Attorney's Office, Travis County Sheriff's Office, Austin Police Department, their Respective Victim Services Divisions, the Travis County Children's Advocacy Center and the Texas Department of Protective and Regulatory Services into one collaborative effort. In support of this Mission, the Travis County Child Protection Team has as its goals the following:

- 1) Better protect and nurture children by reducing the trauma to children caused by multiple investigative interviews;
- 2) Improve collaboration to ensure coordinated investigations and provide more coordinated services to families; and
- 3) Enhance the quality of investigations to improve the protection of children and the prosecution of perpetrators.

Better investigations through the CACs or MDTs do not necessarily guarantee a case being prosecuted through the criminal courts. In Florida it is up to the district attorney to decide whether to file charges in criminal court or have the child removed through the juvenile court system.<sup>38</sup> Even in serious cases, the district attorney may decide to pursue a child abuser through the juvenile courts. When a child is removed through the juvenile court, a preponderance of evidence is required rather than the weightier evidence required for a criminal trial.

Child advocacy centers have experienced the same reluctance on the part of district attorneys to file criminal charges. The Philadelphia Children's Alliance, for example, had higher substantiation rates than Philadelphia's child protection agency but found no difference between prosecution rates for their center and the Philadelphia child protection agency. In Philadelphia, the district attorney was reluctant to file charges on all but the most severe cases of child abuse.

While CACS seem to gather more evidence that results in higher substantiation rates, control group studies between CACs and local CPS agencies are needed to test the assumption that child advocacy centers result in higher substantiation rates, prosecution, or conviction rates.



**Part 4**

# Reason Foundation CAC Survey

## A. CAC Characteristics

In a Reason Foundation November 2002 survey of Executive Directors of child advocacy centers, 25 respondents answered questions about their performance outcomes and data management systems.<sup>39</sup> The CACs responding served from 100 children a year to 1,000 children a year. All CACs used multi-disciplinary teams to investigate and interview abused children. For example, one director's response illustrates the many different agencies that collaborate within a typical CAC:

*We have an independent location in a residential neighborhood. The following is a list of partner agencies serving weekly on a multi-disciplinary team: Child Protective Services, Victim Support Sexual Assault Coalition, Community Mental Health Center, Sheriff's Department, Aberdeen Police Department, Hoquiam Police Department, Children's Health Center pediatrician and nurse, Deputy Prosecutor, and CAC staffers. We are a private non-profit with a 501(c)(3). We operate under a 16 member Board of Directors.*

Similarly another CAC collaborated with “22 City and County Law Enforcement agencies, Sheriff, Child Protective Services, District Attorney's Office, Rape Trauma Services counselors, Victims of Crime advocates, Mental Health counselors, probation department, and juvenile hall.”

Funding for CACs ranges from almost completely private with minimal government funding to almost exclusive government funding through state and local child welfare agencies. Most centers have a funding mix of private donations with local, state, and federal funding streams. All centers operate as independent nonprofit organizations. These CACs also often receive in-kind contributions of physical space and staff resources. For example a hospital may donate physical space or law enforcement may donate staff resources.

## B. CAC Performance Measures

The National Children's Alliance holds members accountable through a series of reporting forms including a statistical report that includes caseload information on client demographics and type of abuse, data on services delivered such as counseling or medical examines, reports on perpetrators and demographic characteristics, the disposition of cases including whether the case is substantiated or unfounded, and status of prosecution.<sup>40</sup> The NCA also asks for conviction rates where data is available. While most CACs tracked conviction rates, in a few cases the district attorney did not make the information easily accessible or large

caseloads made tracking conviction rates more difficult. The CAC directors who did not track conviction rates stressed that they planned to in the future.

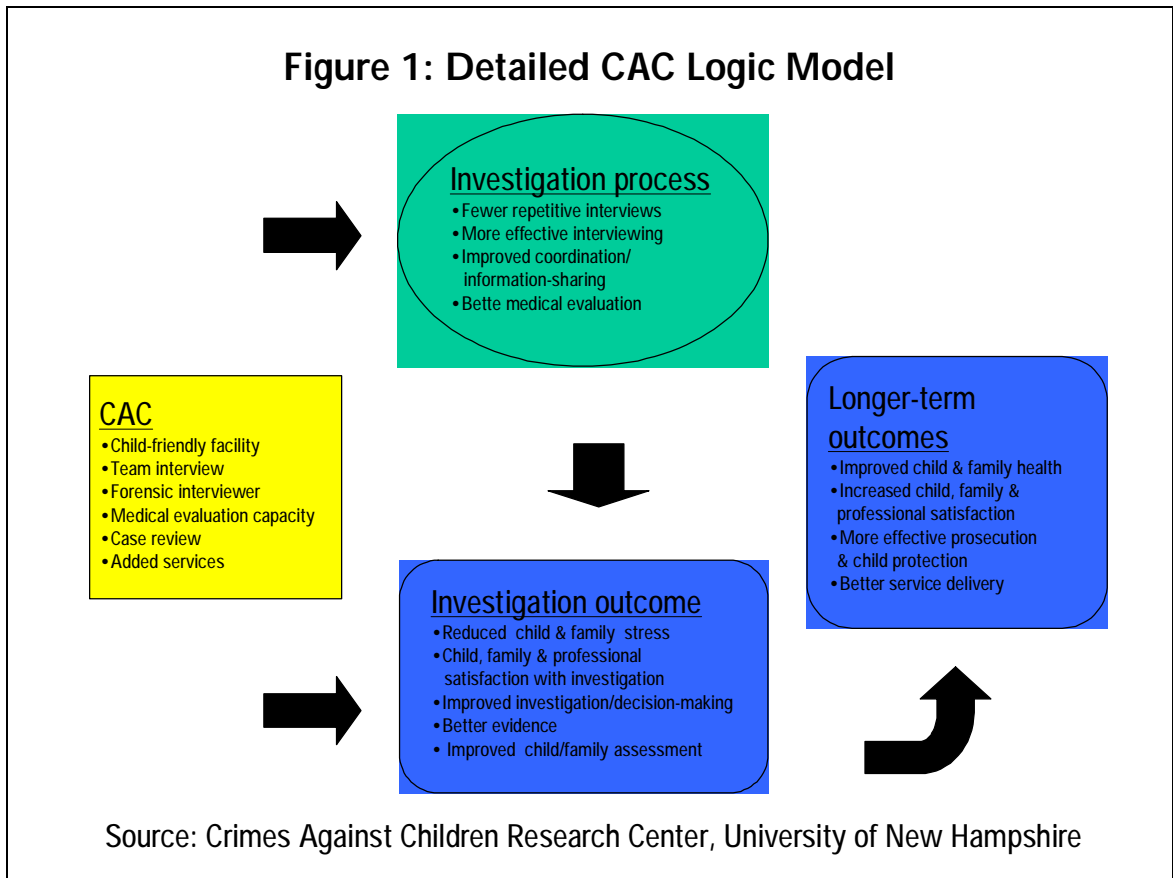
Although the NCA collects a vast amount of data, it does very little in terms of analysis. At this point, its data collection seems to be oriented toward securing future funding from the U.S. Department of Justice. The Department of Justice is satisfied with raw numbers of children served. In the future, stronger performance requirements should direct the NCA to report outcomes such as the average number of child interviews, substantiation rates, and prosecution rates to get a better picture of CAC national performance.

Most CACs also keep track of both client satisfaction and multi-disciplinary team satisfaction. For example one executive director wrote “because we service two types of clients, the children and their non-offending caregivers and partner agencies, we have questionnaires for parents, child, professionals, court school, and medical examiners after every service component. We do follow up phone calls and follow each case through to trial and have parents give feedback.”

CACs keep track of multiple data points to report back to boards of directors, government agencies, specific supporters, and the National Children’s Alliance. Table 1 illustrates the data points tracked by the 25 survey respondents.

<b>Table 1: Child Advocacy Center Performance Measurement</b>	
<b>Outcome</b>	<b>Percentage of Centers that Tracked Outcome</b>
Conviction Rates	72 percent
Number of Clients Served	100 percent
Number of Interviews Conducted	100 percent
Time of Investigative Process	80 percent
Child Safety	80 percent
Client Satisfaction	88 percent
Interagency Coordination/Team Satisfaction	88 percent

CAC directors often link their performance outcomes to specific contracts. As one executive director explains, “Our performance measures have been directly linked to individual contracts. We also use the Logic Model for outcome evaluation that is a critical part of our Executive Oversight System (EOS).” The Crimes Against Children Research Center has developed a comprehensive logic model to guide CAC performance measurement and demonstrates how CAC investigation processes lead to better long-term outcomes.<sup>41</sup>



## C. The Role of Evidence and Due Process

### 1. Evidence Collection

The Reason survey also explored the role that evidence collection played in the interview and prosecution process. As one CAC director explained:

*Evidence is crucial in our investigations. Every Monday we hold a case staffing for all cases accepted by the CAC the previous week. Each social worker and law enforcement officer has a chance to share the results of his investigations and assessments (so far). The assistant state's attorney, as a member of our staff, has a chance to probe for additional information and make a preliminary determination about the potential for a chargeable offense.*

*Our investigators use the Corner House model for forensic interviewing in order to collect verbal evidence. We have protocols for evidence collection and protocols for consistent and effective communication with children and their non-offending parents and caretakers.*

*Our hospital has a Medscope, which is currently used by one sexual assault nurse examiner (SANE) for the purpose of collecting evidence within that crucial 72-hour period. Our investigators have cameras, which enable them to photograph any bruises or suspicious-looking marks.*

*Our social workers can testify in court on behalf of a child. We maintain regular contact with the assistant state's attorney for the purpose of building the case right alongside the investigation.*

Similarly other CAC directors indicated that the multi-disciplinary team process has helped all team members learn more about the importance of evidence.

*Our CPS investigators have learned a lot about the importance of evidence collection by working with law enforcement in these investigations.*

Another CAC director wrote:

*I like to think that because we have the MDTs we gather more evidence than in a traditional CPS investigation, because law enforcement and the DA's offices are here to guide us.*

Directors also noted that collaboration and comparing notes plays an important role in evidence collection:

*Discussions about evidence come up at our case review meetings periodically. It has been helpful at these meetings to have the police and DA and child welfare be able to talk about what evidence was/is available, who collected it and how it is preserved. Since opening our CAC ten years ago a policy was developed that if child welfare is first at the scene and there is some possible evidence to be collected, then they call 911 and a uniformed officer will come out and collect the evidence immediately.*

Similarly, another director wrote:

*It seems that our investigators pay more attention to evidence and its relevance in these kinds of cases. The team is definitely trained to pay attention to and gather evidence—more than they knew to do prior to the CAC.*

State of the art equipment has also played an important role in evidence collection for CACs.

*We provide the opportunity to gather the most effective evidence through state-of-the-art equipment in both our medical exam room and in our forensic interview rooms.*

Similarly, another director wrote:

*The center can gather more evidence due to our state-of-the-art medical exam and forensic interview facilities than traditional CPS investigations.*

## **2. Due Process**

While the structure of child advocacy centers indirectly offers due process rights to parents by having law enforcement and district attorney representatives on the investigative team, the CAC directors interviewed in the Reason survey did not formerly recognize their role in offering due process rights to accused parents. Most CACs do not work with offending parents. This is in marked contrast to many traditional CPS offices that offer therapeutic services to both offenders and non-offenders. CACs focus on the child and non-offending parent. However, CAC directors often expressed that the neutrality and objectiveness of the CAC model and the thorough investigative practices can better protect accused parents.

One director wrote:

*The CAC acts as a neutral party in coordinating the investigations, assessments, and prosecutions of child abuse cases. It is not the place of the CAC to ensure parental rights—that is the role of the DA's*

*office. Again, the CAC can be instrumental in contributing a neutral and expert opinion in the case review process to ensure all bases are covered.*

Similarly, another director wrote:

*We do encourage all team members to remain objective throughout the investigation. We also try to ensure that the role of the offender in the family and likely reunification issues are addressed at case review discussions.*

And this director again stressed the importance of the objectivity of the CAC:

*The center, a third party, is objective and ensures that both medical exams and interviews are performed in accordance with medical and network guidelines, ensuring the high quality needed to effectively investigate these cases.*

#### **D. The Impact of Resources**

CAC directors also indicated that more resources targeted to performance measurement would improve the quality of outcomes. Specifically, some directors stated that a lack of resources had a negative impact on their data collection process. For example, one director explained that performance measurement “is very low priority, because we only have one full-time staff person, and she is too busy interviewing children to do a lot of data collection. This is sad because it may eventually affect our ability to prove our value to the law enforcement community and receive funding.” Similarly, another director wrote “we do not have a formal data collection system at this time as the expense is greater than the agency can accommodate.”

## Part 5

# Research on CAC Performance

Considering that CACs have been around since 1985 and that MDT approach predates the CAC model, the dearth of research on child advocacy centers or multidisciplinary teams is surprising. The child maltreatment and child protection journals have all but ignored the CAC phenomena, and CACs themselves have done little data analysis beyond basic counting of the number of children they serve.

Child advocacy centers have wide variability in their accountability and outcome-tracking systems. For example, an August 2002 report by Florida's Office of Program Policy Analysis and Government Accountability found that Florida's 20 children's advocacy centers have limited statewide accountability.<sup>42</sup> The report found that while the centers "report some fiscal and programmatic information to their boards and funding sources, this information is not consistent, and they have limited data on their efficacy and outcomes."<sup>43</sup>

But to CACs credit they have established voluntary industry-wide standards and agreement about what should be measured. This puts them far ahead of traditional child welfare services.

Research collected in a March 2002 study compiled by Kris Kirchner of the Philadelphia Children's Alliance shows the various types of research being done by or about CACs.<sup>44</sup> CACs often study parent/guardian satisfaction and professional team member satisfaction using survey instruments for immediate feedback. Parent satisfaction surveys allow CACs to evaluate how well they are meeting their core mission. Typical options include "I am satisfied with how my child was interviewed at the Children's Advocacy Center" and "I feel I know what is going on in my child's case"[I changed these because they are not questions]<sup>45</sup> Similarly, the multi-disciplinary team evaluations ask participants to rate CAC staff interaction with the child, CAC staff interaction with partner agency representatives, and to rate the overall quality of the investigative process.<sup>46</sup>

There is very little control group research that assesses whether CACs meet various outcome goals such as reducing the number of child interviews or increasing prosecution rates. Kirchner found only three studies that focused on prosecution outcomes with only one study comparing outcomes of cases handled by the CAC with cases handled only by the police or child protective services.<sup>47</sup>

The University of New Hampshire's Crimes Against Children Research Center (CACRC) is undertaking the most comprehensive CAC control group study to date. CACRC describes these advocacy centers as "state of the art intervention for effective, sensitive investigation of allegations of child abuse."<sup>48</sup>

The research center has found that such advocacy efforts have helped law enforcement and social service agencies respond quickly to abuse allegations, coordinate investigations, reduce child and family stress and prosecute offenders. Those who have participated in the centers point to more effective and thorough investigations.

The Crimes against Children Research Center (CACRC) of the University of New Hampshire has begun a, multi-site evaluation to study how CACs work and in what ways they are effective. The study will examine the overall effect of CACs as well as the effects of different program components and types of CACs. It will assess the impact of CACs on children, families, agencies, the court system and communities.<sup>49</sup> Sites will consist of a children’s advocacy center (CAC) community with a matched comparison non-CAC community. Comparison communities are comparable to the CAC community in every way except that they lack the key elements of a CAC that are thought to change the nature and outcomes of child abuse investigations. This will represent the first large-scale CAC study using an actual control group to compare outcomes for one-stop models versus traditional child protection systems.<sup>50</sup>

To date the CACRC study has identified what outcomes are important to professionals working with CACs.<sup>51</sup> The study used a survey instrument with a 0-100 scale to rate the most important outcomes for CACs—with the most important outcome scored at 100. The sample included professionals working in and with CACs from multiple disciplines and agencies. Sixty-nine professionals responded to the CACRC outcome survey. The study divided possible outcomes into investigation and post-investigation outcomes for the child and family, agencies, and the community. Outcomes were rated high if they scored above 70 percent on the combined ratings of the respondents. In general the survey found very high agreement on very important outcomes. For example, every respondent rated more effective interviews greater than 80 on the survey scale.

#### Child and Family Investigative Outcomes

- More effective investigations
- More thorough investigations
- Increased emotional support for child
- Prompt delivery of service
- Increased availability of service

#### Child and Family Post-investigation Outcomes

- Child less likely to experience repeat abuse
- Decreased stress by child

#### Agency Investigative Outcomes

- Accurate decisions
- Increase in shared case information
- Increased inter-agency coordination
- More expertise available
- Better evidence

#### Agency Post-investigation Outcomes

- Increased percent of at-risk children protected
- Increased percent of substantiated cases filed for prosecution
- Increased percent of convictions at trial
- Increased percent of confessions

#### Community Investigative Outcomes

- More resources for investigation
- Greater adherence to best practice standard
- Better coordination of investigations
- Better inter-agency relationships

#### Community Post investigative Outcomes

- Growth in community resources for child abuse
- Growth in public awareness of child abuse



## Part 6

# Recommendations

### A. Tie Future CAC Funding to Specific Performance Measurement

As CACs lobby for more local, state, and federal funding to support CAC activities, government agencies should tie future funding to specific performance outcomes such as reducing child interviews. In order to develop a system of fair assessment, government agencies should hire private contract monitors and independent evaluators to assess the effectiveness of CAC achievements in quantitative and qualitative terms. Contract monitoring is an important component of any government grant or program.

### B. Fund Performance Measurement and Monitoring

A portion of local, state, and federal funding should be used to compile performance data and create reliable information management systems to track data. CAC directors indicated that a lack of resources could be a barrier to accurate performance measurement. Government funding of CACs and traditional child welfare agencies should recognize outcome measurement as a legitimate cost of doing business and require specific funding be tied to outcome measurement. The NCA should be encouraged to analyze data it already collects about CAC members.

### C. Restructure Laws to Encourage District Attorneys to File Charges

Evidence suggests that even when CACs build stronger cases against perpetrators, there is no guarantee that the district attorney will file charges. Child protection laws should be structured to encourage the district attorney to file charges in criminal court rather than juvenile court. In Arkansas and Florida law enforcement officials have had to remove fewer children when they can remove the perpetrator from the home.<sup>52</sup> This is especially true for the "boyfriend abuser" who has no relationship with the children other than the connection with the mother. District attorneys should be encouraged to avoid the "easy out" of filing cases in juvenile court where they only have to show a preponderance of evidence rather than the higher standard of evidence required for criminal cases.

Substantiation rates have plummeted from a high of 61 percent in 1976 to a current low of 31 percent. Yet, even among substantiated cases, less than 20 percent go to criminal or civil court.

Re-criminalization would give both the state and the family clear guidelines. The evidentiary standard would protect the parent from undue state action; and the child would be protected, because the child would not be returned to a parent found guilty of harming him, without the parent having been punished. More importantly, placing maltreatment under the purview of criminal courts also brings with it vital protections in the form of due process rights to the parents involved.

Criminal cases, moreover, are not confidential. It should not be a secret if someone is prone to assault his children. Nor should any of the investigative material be closed to the alleged perpetrator or victim. Fellow citizens, through jury trials, should hear evidence and decide whether or not someone intended to harm his child and whether that harm was severe enough to warrant a sentence. Most states already have criminal laws on their books; it is only a question of enforcing them.

#### **D. Focus on Future Control Group Research**

The most pressing need to validate the CAC model is reliable research comparing case outcomes for traditional CPS investigations and investigations using the CAC multi-disciplinary investigative model. Researchers need to investigate whether the CAC model actually increases prosecution rates and conviction rates or lowers foster care placement rates, and whether CACs shorten the child abuse investigation process from intake until final case disposition. In addition, research needs to investigate the cost per case under both the CAC model and the traditional CPS investigation model.

## **Conclusion**

Child advocacy centers represent a compromise between those who advocate a therapeutic model of child protection and those who favor a criminal prosecution model. Child advocacy centers rightly focus the investigation on the perpetrator while minimizing the trauma to the child and offering therapeutic services and counseling to the child and other non-offending family members. Child advocacy centers embrace the notion that parents should accept responsibility for child abuse, while offering support services to the victimized child and family members. Child advocacy centers represent an important step in changing the child welfare system to an outcome-oriented system that focuses on specific performance measures to reduce child abuse.

## About the Author

Lisa Snell directs the Education Program at Reason Foundation, where she oversees research on child welfare and education issues. Her most recent policy studies include: *Child Welfare Reform and the Role of Privatization*; *School Vouchers as a Legal Sanction*; *Workplace Charter Schools: Florida Blazes the Trail*; *Remedial Education Reform: Private Alternatives to Traditional Title I Private Options to Help Students Read*; and *Innovative School Facility Partnerships: Downtown, Airport, and Retail Space*.

Ms. Snell has published numerous articles and op-eds on child-welfare issues and school choice in newspapers including *USA Today*, *Las Vegas Review Journal*, *Orange County Register*, and the *Los Angeles Daily News*.

Ms. Snell writes a monthly column for *Privatization Watch* on privatization and an annual synthesis of child welfare and education privatization for Reason's *Annual Privatization Report*.

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