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NYC Administration for Children's Services Child Abuse and Neglect Prevention Policies, Program and Laws

Oluropo Abiodun Fele
Walden University

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Walden University

College of Social and Behavioral Sciences

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Oluropo A. Fele

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the review committee have been made.

Review Committee

Dr. Raj Singh, Committee Chairperson,
Public Policy and Administration Faculty

Dr. Paul Rutledge, Committee Member,
Public Policy and Administration Faculty

Dr. Gema Hernandez, University Reviewer,
Public Policy and Administration Faculty

Chief Academic Officer
Eric Riedel, Ph.D.

Walden University
2018

Abstract

NYC Administration for Children's Services Child Abuse and Neglect Prevention

Policies, Programs, and Laws

by

Oluropo A. Fele

MPA, Marist College, 2007

BS, York College, City University of New York, 1994

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

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Abstract

Despite efforts and financial resources invested in the prevention of child abuse and neglect in New York City (NYC), many children are still in danger of being victimized by their parents or caregivers. The general public's assumption is that the NYC Administration for Children's Services (ACS) either does not have efficient policies, programs, or laws to protect at-risk children, or these are not being properly implemented. The purpose of this qualitative study was to provide a thorough analysis of ACS policies, programs, and laws based on information gained from interviews with child welfare experts. Newberger and Newberger's social support theory provided the theoretical framework for the study. The methodology was a holistic case study design in which data were analyzed and collected through semi structured face-to-face interviews with 12 child welfare experts, archival records, and publicly available documents from ACS, the New York State Office of Children and Family Services, and NYC family court websites. Five themes emerged after the data were inductively coded and subjected to a content analytical procedure: implementation of programs, policies, and laws; areas of policies and programs that need improvement; reasons for failure of child abuse prevention; communication problems; and risk factors for child abuse and neglect. The key finding of this study was that child abuse and neglect prevention policies, programs, and laws were not adequately implemented. The study concludes with recommendations to retrain workers and to conduct a reexamination of existing child abuse prevention policies, programs, and laws to meet the needs of NYC at-risk children.

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Dedication

This project is dedicated to Almighty God for His blessing in making me fulfill my dream. I would also like to dedicate this dissertation to my wife, Olubola ‘Yinka Fele, and my children, Kelvin Tolulope Fele and Andrea Ifeoluwa Fele, whose family functions were greatly impacted by my limited participation during my doctoral studies. I would also like to dedicate the research work to the memory of my late father, Joseph B. Fele, whom I promised to celebrate the completion of my doctoral study with but suddenly passed away 2 years ago after a brief illness.

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Chapter 1: Introduction to the Study

Introduction

This study pertained to New York City (NYC) child abuse and neglect prevention policies and programs. The chapter begins with an overview of national child abuse and neglect prevention policies, laws, and programs. I also present national statistics on child abuse and neglect to show how widespread this social problem has become and what efforts have been made by the U.S. government through legislation to reduce the physical and mental injury associated with this phenomenon.

At the beginning of National Child Abuse Prevention Month in April 2012, President Obama stated, “every child deserves the opportunity to grow up with the promise and protection of a loving family” (White House Office of Press Secretary Office, 2012). However, this is not always the case. Many children are deprived of the chance to have positive memories of their youth and instead experience negative memories of maltreatment, abandonment, and abuse. Although these destructive behaviors are directed toward individual children, the unintended effects of child abuse and neglect have negative consequences for the nation as a whole. Both local and federal governments have realized that the economic and the social effects of child abuse and neglect can no longer be overlooked.

The statistics on child abuse and neglect demonstrate how widespread incidents of abuse and neglect are in NYC and around the state. For example, of the estimated total of 57,526 NYC families (representing 88,058 children) investigated for child abuse and

neglect in 2016, 33% had four or more prior reports, with an indicated rate of abuse at 37.6% ($n = 33,109$) of the children investigated (NYC Administration for Children's Services [ACS], 2017).

Of equal significance are NYC child fatality reports. Despite significant financial resources invested in various prevention policies, programs, and laws, cases of child abuse and neglect that have been confirmed by child advocacy groups and family courts continue to increase in number. For example, the budget for preventive services increased from \$223 million in 2013 to \$251.8 million in 2017 (NYC Independent Budget Office, 2018); however, no significant decrease occurred in the number of cases of child abuse and neglect in the same period. The New York State Central Register for child abuse and maltreatment confirmed that 63,575 New York State children were abused or neglected in 2016 (New York Abuse Reporting Hotline). More than 41% ($n = 26,532$) of these abuse cases occurred in NYC, while the city itself only comprises about 38.5% of the state's overall population (Prevent Child Abuse New York, 2017). Between August 2014 and September 2015, there were 123 child fatality reports issued, and a majority of these fatalities occurred after multiple reports of abuse or neglect (Office of the NYC Public Advocate, 2016). According to Richardson-Mendelson (2012), part of the reason for this increase is that the NYC child welfare system is "ill-equipped as a system to address the broader social and economic root of child abuse and maltreatment" (p. 143).

A 2012 randomized control study of 500 NYC children released by Yale University Child Study Center and Safe Horizon showed that child abuse and neglect can

have both short-term and long-term consequences. Society, in general, pays a heavy price for the behavior of abusive parents, and for some of the victims of abuse and neglect, the effects can last a lifetime. Short-term effects may include minor bruises and cuts or critical cases of broken bones. An extreme situation can lead to child fatality. The pain that an abused child endures cannot be ignored, even when abuse and neglect last for only a short period. To help in the recovery of abused and traumatized children from traumatic experiences, Yale University and Safe Horizon (as cited by Brody, 2012, of the *New York Times*) recommended an evidence-based intervention to be implemented at four child advocacy centers in NYC.

Studies of child abuse and neglect conducted by governmental and nongovernmental organizations have identified some of the long-term effects of child abuse (National Institute of Neurological Disorders and Stroke, n.d.). For example, the National Institute of Neurological Disorders and Stroke, (n.d.) identified shaken baby syndrome as one of the long-term effects of physical abuse. According to the organization, this is the “type of inflicted traumatic brain injury that happens when a baby is violently shaken” (p. 7). Shaken baby syndrome can have long-lasting effects, and sometimes a child who has suffered this type of abuse may never fully recover (National Institute of Neurological Disorder and Stroke, n.d.).

Gould et al. (2012) showed that cognitive deficits and impaired brain development may be directly linked to child abuse and neglect. According to the researchers, these deficits occur when important portions of the brain fail to function

properly. The long-term effects of these neurobiological changes, as asserted by Lupien, McEwen, Gunnar, and Heim (2009), can include cognitive problems, difficulty with language, and behavioral problems.

In addition, there are psychological consequences of child abuse and neglect. McCrory, De Brito, and Viding (2012) found evidence of anxiety, poor mental health, and depression among adults who experienced abuse during their early childhoods, while Gould et al. (2012) found that an estimated 35% of abused young adults in their study met the criteria for major depression and posttraumatic stress disorder. In another study conducted by Sugaya et al. (2012), the researchers found an association between child abuse and a significant increase in a wide range of psychiatric disorders, including hyperactivity disorder, attention disorder, and bipolar disorder. According to the researchers, the long-term effects of physical child abuse “underscore the urgency of developing public health policies aimed at early recognition and prevention” (Sugaya et al., 2012, p. 384).

Although not all victims of abuse and neglect will exhibit behavioral problems, a 2012 study conducted in NYC by Richardson-Mendelson showed that a large percentage of individuals in this population develop poor judgment. Chiu, Ryan, and Herz (2011) found that the ratio of arrest among abused and neglected children is 2.2 times higher than that of children with an unsubstantiated report of abuse. Some of these children grow up to be abusers and end up in prison for their destructive behaviors.

Although child abuse and neglect are often considered a family affair, the effects do not stay within the family. In terms of both direct and indirect costs, society pays a heavy price for this crime. The direct costs of child abuse and neglect are those incurred by local and federal governments to maintain child welfare agencies to respond to child abuse allegations and to take necessary measures against the reoccurrence of abuse. Direct costs also include costs associated with enforcing child welfare laws and supporting the judicial system. A 2012 report by Prevent Child Abuse America estimated the direct costs of child abuse to be \$33 billion per year for the nation (Gelles & Perlman, 2012), while the direct cost of child abuse and neglect prevention was \$234 million in fiscal year 2016 (NYC Office of Management and Budget, 2017). The indirect costs of child abuse are those expenses associated with the long-term economic effects of child abuse and neglect. For example, the government (both local and federal) is responsible for the costs connected with juvenile and adult criminal behaviors, which include domestic violence and substance abuse. The long-term costs of child abuse, in particular, include those incurred while providing special education to abused children and with repeated uses of the health care system. Gelles and Perlman (2012) estimated these and other related costs at more than \$46 billion per year.

The Child Abuse Prevention and Treatment Act (CAPTA), originally passed in 1974 (P.L. 93-247), is the only federal legislation exclusively created for the purpose of allocating federal funds to states to prevent, assess, identify, and prosecute child abuse and neglect offenders (Child Welfare Information Gateway, 2011). Since its initial

passage, there have been several amendments to this federal law, with its most recent amendments and reauthorization passed on December 20, 2010, under P.L. 111-320, the Child Abuse Prevention and Treatment Act of 2010.

The CAPTA funding allocates state grants for child abuse prevention. However, states are required to meet eligibility benchmarks to qualify for these grants. Because of this mandate, and because the law offers grants for the prevention of child abuse, all 50 states have passed some type of mandatory child abuse and neglect reporting law under P.L. 111-320. In addition, states are mandated to enact laws that preserve victim confidentiality, establish citizen review panels, and appoint *guardians ad litem* (Child Welfare Information Gateway, 2011). The CAPTA defines child abuse and maltreatment as an act, or failure to act, by a parent or guardian who is in the position to care for a child's well-being that causes that child imminent exposure to serious injury, death, or physical harm. In return for the state eligibility, states are required to maintain this minimum definition.

In compliance with federal requirements and mandates, all states are also required to maintain an adequate number of certain experts and organizations to report suspected child abuse. These experts include doctors, school social workers, school administrators, and other professionals who come in contact with children (Child Welfare Information Gateway, 2011). Most states, including New York, require any individual who has the impression of the existence of child abuse to make a report of his or her suspicion, and mandated reporters can be held criminally liable if they fail to report suspected child

abuse (Kapoor & Zonana, 2010). In accordance with federal law, the National Clearinghouse on Child Abuse and Neglect is obligated to report such abuse information online as well. Therefore, the National Clearinghouse on Child Abuse and Neglect maintains a wide-range library on the Internet. The stored information has to be written in a plain-language format and must report data from each state separately (Kapoor & Zonana, 2010).

NYC Administration for Children's Services

The NYC Administration for Children's Services (ACS) is the agency responsible for providing child protective services for the children and families of the city. Tasked with investigating all allegations of child abuse and neglect and based on an initial assessment of a reported act of abuse, ACS determines whether a report meets the requirements for investigation, intervention, or the imposition of legal action if warranted. The services that fall under the purview of child protective services include the following:

- Investigating and making decisions on all reported cases of abuse or neglect.
- Providing therapy, counseling, and parental training, including parent aid services, for the parents or caregivers of the child.
- Providing therapy and counseling for children at risk of physical abuse or neglect.
- Providing shelter for children who are suspected of being abused or neglected.

- Arranging for financial aid, when necessary, to care for the well-being of at-risk children.
- Providing assistance to the criminal or family Court during all stages of a court proceeding in accordance with Article 6 of the Social Services Law.
- Making arrangement for the provision of necessary rehabilitative services for the children of abuse, including, but not limited to, foster care and preventive services.
- Making provisions, either directly or through referral networks, for day care or homemaker services without regard to financial criteria (NYC ACS, 2010).

Prior to the creation of the NYC ACS on January 10, 1996, ACS was under the umbrella of the NYC Human Resources Administration and was called Child Welfare Administration. Since its inception, ACS has undergone numerous name changes, from the Bureau of Child Welfare, to Special Services for Children, to Child Welfare Administration, to its current name. The funding for ACS is derived from federal funds allocated to the state and then disbursed to the agency. Federal funding for the provision of protective services for children is available at 75% of the total cost (NYC Mayor Management Report, 2012), with New York State adding a further 12.50%. In addition, state funding increases to 50% for protective services when the city exhausts its allocated federal funds (Mayor Management Report, 2012).

The target population for ACS is all the children within the five boroughs of NYC who have been abused or neglected by their parents or caregivers. ACS currently

employs more than 4,000 workers in various categories, and because of the demographics of the city, the organization serves an overwhelmingly minority population, with the vast majority of these children and families from a lower socioeconomic background. For example, in the Borough of Bronx, where most of the reported cases of child abuse and neglect occurred in the 4-year period from 2006 to 2010, the overall poverty rate was 30.2%, with 24.1% of residents living in extreme poverty areas (Richardson-Mendelson, 2012).

Background of the Problem

Efforts by the NYC government to protect children from maltreatment can be traced back to the colonial era; however, it was not until 1875 that the first organization, the New York Society for the Prevention of Cruelty to Children, was established to address various children-related issues (Maschi & Killian, 2011). As a result of public outcry about the maltreatment of young children, the New York Society for the Prevention of Cruelty to Children and the president of the American Society for the Prevention of Cruelty to Animals agreed to join forces to combat the unexpected rise in the rate of child maltreatment. The alliance between these two organizations led to the first enforcement of the New York State legislation to protect children (Maschi & Killian, 2011). The state of Illinois followed New York's lead in 1899 by establishing a juvenile court to protect children from abuse and neglect, as well as to address issues of delinquency. Thereafter, a White House conference held in 1909 resulted in the establishment of the Children's Bureau at the federal level (Maschi & Killian, 2011).

The beginning of the 20th century marked an increase in government involvement in child protection and social services in general. In the 21st century, however, the ability to secure funding depends solely on compliance with state and federal mandates, and NYC ACS has been at the receiving end of allegations of not doing enough to prevent some incidents of abuse and neglect. The agency has continued to receive negative evaluations of its performance, its policies, its programs, and its laws from the citizens of New York and the media (Maschi & Killian, 2011).

Several changes have been made in ACS, including seemingly constant replacement of its commissioners and top management personnel. However, some child advocacy groups argue that the areas of dysfunction within the organization have not changed and that the minor changes that have been made have occurred because of external forces, such as politicians who have demanded better ways of dealing with child abuse or negative media coverage when a child fatality occurs. Most journalists creating television coverage and newspaper articles on child fatalities related to abuse have blamed ACS for what they assert is the ineffectiveness of the organization's policies, programs, or child welfare laws. For example, McGinty (2012) of *The New York Times* described ACS as "a symbol of a dysfunctional bureaucracy, one that allowed a drug addict to retain custody of her daughter despite numerous reports of abuse" (p. A21).

The first major public protest against the ACS's mishandling of child abuse cases occurred in 1987 and involved Lisa Steinberg, whose adoptive father was found guilty of being responsible for her death despite ACS's involvement. Following the death of Lisa

Steinberg were the deaths of Elisa Izquierdo in 1995 and Nixmary Brown in 2006. After each of the first two cases, ACS underwent a change in name and management, promising major reforms to prevent such incidents in the future. Furthermore, these cases resulted in massive reassignments or terminations of low- and mid-level staff who may have had little to do with the adoption of policy but whose functions were important to the safety of the vulnerable children of NYC. Among other functions, the staff performed duties such as safety assessments of at-risk children and emergency protective removal of abused or neglected children to foster care or another danger-free environment (McGinty, 2012).

For every child fatality case with media involvement, reporters argue that ACS applies a band-aid approach to solving problems before returning to the old way of doing business. The purpose of such cover-up responses by ACS, many argue, is to give an impression that much is being done to rectify the problem and to convince the public and political leaders that such fatalities will not happen again. In response to McGinty's (2012) report on lack of transparency in ACS, Jeffrey Binder, press secretary for State Senator Roy Goodman (as cited by McGinty, 2012), said, "it is like back to the future . . . we were trying very hard to remove the veil of secrecy" (p. A21).

Because of public demands for accountability and media involvement in most child abuse fatalities, numerous reforms and policies changes have been made. One of the most significant child welfare laws, Elisa's Law, was named after a 6-year-old child, Elisa Izquierdo, who was murdered by her mother (New York Social Services Law

Section 422-a); the state enacted this law on February 13, 1996 (NYC ACS, 2010). This law marked the first major turning point in child welfare laws since the enactment of the Child Protective Service Act of 1973, which mandated that certain professionals or organizations report suspected cases of abuse or neglect (New York State OCFS, n.d.).

The major provisions of Elisa's Law include the following:

- The law allows for the disclosure of child protective services information when such disclosure is not contrary to the child's best interest.
- Child protective services are obligated to legally seal and retain unfounded reports of abuse and maltreatment until 10 years after the 18th birthday of the youngest child named in the report.
- The sealed records are opened in the event of a later child protective services investigation.
- Information should be shared among all the stakeholders (child protective services, health care providers, schools, etc.) for the objective of watching family services and situations.
- The state is permitted to respond to child-specific fatality reports.
- The head of the child protective services agency is "entitled to good faith immunity defense in any proceeding" resulting from the disclosure of information (NYC ACS, 2010).

Although Elisa's Law carries some influence because all of the stakeholders agreed that more needs to be done to prevent the senseless deaths of innocent children, no evidence

proves that ACS reforms and programs created in the wake of other deaths have been successful in changing the organizational environment that helped to foster the abuse and neglect of children in the first place.

The enactment of Elisa's Law, for instance, did not prevent the continued abuse of 4-year-old Marcella Pierce, who was beaten to death by her mother on September 2, 2010 (Buckley, Carr, & Whelan, 2011). This fatality occurred despite the family's previous interaction with ACS and the assignment of a social worker to monitor the family prior to the fatal incident (Buckley et al., 2011). The mystery of this fatality—and what ACS management has failed to explain—is whether the child care specialist assigned to the Pierce family followed ACS standard procedures or whether there are simply no clear policies or laws to follow when a child is in imminent danger and the evidence of abuse is clear.

Nonetheless, the child abuse and neglect reporting system has improved significantly. Letarte, Normandeau, and Allard (2010) examined the reporting systems in place and identified positive changes in the attitudes and behaviors of some abusive parents. However, evidence-based studies in this area are lacking; thus, information is needed regarding the effectiveness of child prevention services, particularly their policies, programs, and laws in NYC (MacMillan et al., 2009). Compounding this lack of data were an estimated 14% city-wide rate of recurrences in 2016, compared to a 5.4% national standard rate of recurrences for 2016 (Office of the New York State Comptroller, 2014), and 94 substantiated cases of child fatality documented in 2016 (NYC Public

Advocate Report on Child Deaths, 2017). This dearth of information highlights a critical gap in the research.

Without adequate evidence and research, the general public and researchers continue to have reason to believe that ACS either has no clear policies, programs, or laws to guide it, or that if such policies, programs, or laws exist, they are not being properly implemented. Daniel, Taylor, and Scott (2010) asserted that evidence shows that child abuse prevention professionals have the ability to see the signs of abuse and maltreatment but that they do not always know the appropriate response to the issue. As Daniel et al. argued, a gap in the evidence exists regarding the best way to respond to confirmed incidents of child abuse.

Problem Statement

The available background information suggests a problem in the policies, programs, and laws designed to prevent child abuse and neglect in NYC. With 33,109 reports of child abuse and neglect in 2016 (New York State OCFS: Bureau of Research, Evaluation and Performance Analytics, 2017) and 123 child fatality reports released in 2016 (Office of the NYC Public Advocate, 2016), the current rate of abuse, neglect, and child fatalities is the same, if not higher, than it was decades ago when ACS was first established for the sole purpose of protecting the well-being of children. The organization reduced worker caseloads, hired more employees, and claimed to put several policies and programs in place. However, child abuse continues to be in the news while incidents of child fatalities persist. The population most affected by this problem is children between

birth and age 12 whose parents are living in poverty or are addicted to drugs (Office of the NYC Public Advocate, 2016). The majority of victims who survive grow up to be self-destructive and to perpetrate abuse as well (Daniel et al., 2010). This negative outcome has created a significant social cost for society. Some factors identified as contributing to this problem include an inability to understand the appropriate response to the issue of child abuse, poor assessment, inadequate social support, and worker and child welfare agencies violating policies (Daniel et al., 2010; Daro & Dodge, 2009; Golden, 2009; Perrone, 2012; Richardson-Mendelson, 2012). The focus of this study was on investigating the effects of ACS's preventive policies, programs, and laws on the occurrence or recurrence of child abuse and child fatalities in NYC.

Research Questions

Reducing the incidence of child abuse and neglect in NYC has been difficult, and finding answers to what seem to be simple and important questions is even more challenging. However, answering these questions may be the key to solving the problems that ACS faces. Based on the problem statement, the following research questions guided this study.

- RQ1: How have the ACS policies, programs, and laws affected the prevention of child abuse and neglect in NYC?
- RQ2: What policy, program, and law changes are required by ACS to make the system more effective and efficient?

RQ3: What changes in NYC laws will make child abuse and neglect prevention more enforceable?

RQ4: What are the general causes and risk factors associated with child abuse?

Purpose of the Study

For decades, various efforts have been made to prevent the abuse and neglect of at-risk children; however, little comprehensive understanding of child abuse and neglect prevention policies, programs, and laws exists. The purpose of this qualitative study was threefold:

- To analyze current ACS child abuse and neglect prevention policies, programs, and laws.
- To recognize lessons learned from experts in the field of child welfare.
- To recommend alternative or additional policies, programs, and laws that may help ACS perform better. In addition, ACS administrators had an opportunity to make an independent evaluation of the organization's policies and programs to institute better alternatives that would benefit children and the community.

Significance

Despite the observation that abuse and neglect, for the most part, happen within the family, the effects of child abuse go beyond the home. Child abuse is a social problem. Both the government and society carry the heavy burden of crimes committed against vulnerable children. To find ways to make it impossible for child abusers to

continue their behavior, one must first understand the meaning of abuse and neglect, recognize its increase during the past few decades, and understand the reasons behind this increase.

The findings of this research may support social change by improving child welfare organizations' ability to identify policies, laws, and program changes that are needed to reduce or prevent the further abuse and neglect of children in NYC. Moreover, this study represents a needed contribution to the body of literature in the area of child abuse and maltreatment prevention policies, programs, and laws, which are presently minimal. Public administrators, particularly those in the field of child welfare, can use the information provided in this research to change their policies and programs if necessary.

Theoretical Framework

The theoretical framework for this study was based on Newberger and Newberger's (1982) social support theory of abuse and maltreatment. These authors emphasized that poor assessment and inadequate social support will most likely lead to parents' and guardians' continued destructive behavior. The researchers asserted that parents and caregivers are capable of providing a safe environment for their offspring but that the ability to do this requires adequate social supports, especially for those parents who have displayed symptoms related to abusive behavior, such as drug addiction or high levels of stress. Mapp (2006) concurred with this theory and further argued that a depressed parent with no social or emotional support is more likely to be aggressive,

rejecting, and hostile. Chapter 2 includes further detail regarding the theoretical framework for this study.

Nature of the Study

This research involved a qualitative, holistic, case study design. Qualitative research is useful for understanding the effects of implementing child welfare programs, policies, and laws (PPLs) for the purpose of child abuse and neglect prevention. To understand clearly how to solve the problem of child abuse and neglect, it is important to analyze the effectiveness of existing programs and to find out which PPLs need to be replaced. The use of the qualitative research method made possible the collection of data from selected interviewees who were also experts in the field. Data obtained from these interviews were analyzed by building on their particular themes to identify general themes and patterns, which enhanced my ability to form interpretations of the themes' meanings (Creswell, 2009).

Definition of Terms

The following definitions of terms support the purpose of this study.

As defined in Section 412 of the Social Services Law and Section 1012 of the Family Court Act, *child abuse* comprises serious harm inflicted and committed against children. An *abused child*, therefore, is a child whose parent or caregiver initiates substantial violence against, or inflicts serious physical harm upon, him or her (New York State OCFS, n.d.).

Child maltreatment occurs when a parent or caregiver carelessly harms a child or places a child in imminent danger through failure to provide the necessary level of care, which includes providing the child with clothing, food, education, and medical care when able to do so financially (New York State OCFS, n.d.).

Neglect, for the purpose of this study, is used interchangeably with *maltreatment*, as these are defined in Section 1012 of the NYS Family Court Act and Section 412 of the NYS Social Services Law in the same way (New York State OCFS, n.d.).

The *child welfare system* refers collectively to those parts of social service agencies established for the sole purpose of protecting the rights of children (New York State OCFS, n.d.).

Limitations of the Study

As with most studies, the geographical location of the sample population may have shaped the responses to the research questions and therefore the outcome of this study. Because the sample population was recruited from the five boroughs of NYC, the findings most indicated the effects of child abuse and neglect prevention policies, programs, and laws within the NYC metropolitan area. Future researchers should conduct interviews with the child welfare experts from the entire state or nation in order to draw generalized conclusions.

Another major limitation of this study was sensitivity regarding the issues of child abuse and neglect. Even though the subjects interviewed were professionals and experts in the field of child welfare, there is a tendency for people to be emotional and prejudiced

in their responses to research questions on such sensitive topics. Therefore, the identities of the participants were coded to encourage the authenticity of their responses and the validity of this research. Still, a remote possibility existed that these experts were not completely truthful when answering the research questions. Child abuse and neglect as described in this study applied exclusively to physical child abuse and neglect. Other forms of abuse (e.g., sexual abuse) are mentioned in the context of abuse in general but were not the focus of this study.

Summary

Chapter 1 included an examination of the purpose of the research and provided a discussion of the history of government involvement in child abuse prevention through the enactment of policies and laws. I also addressed the short- and long-term effects of child abuse on both society and government policies and discussed the limitations of the study. Chapter 2 provides a review of literature related to issues of child abuse and neglect, and Chapter 3 presents a description of the qualitative research method and its justification for this research in more detail. In Chapters 4 and 5, I present the findings, draw conclusions, and offer suggestions for further research.

Chapter 2: Literature Review

Introduction

This literature review provides an in-depth examination of the latest research efforts in which child abuse preventive measures have been discussed. The purpose of this chapter is to evaluate the ways in which some of these measures can be effectively applied within the child welfare system.

Despite the importance of various existing policies, programs, and laws that guide the official operation of child abuse and neglect prevention, the most researched and talked about preventive policy or program is the mandatory reporting system. Although a brief discussion of the possibility of the administration of this mandatory reporting policy in NYC was available, this literature review focused primarily on current ACS policies, programs, and laws and their effects on child abuse and neglect prevention.

I review research on both existing hypotheses and theoretical frameworks for understanding and addressing child abuse and neglect. The effectiveness of law enforcement, particularly related to the question of whether NYC police personnel have the proper training to deal with this problem, is also discussed, along with how the NYC press's portrayal of ACS may have shaped some of its existing policies.

ACS Mandatory Reporting System and Policy

In the NYC mandatory reporting system, reports of child abuse and neglect are made to the State Central Register, either by the city's mandatory reporting agencies, which include schools, hospitals, personal physicians, welfare agency, etc., or by

individual citizens who suspect incidents of child abuse and neglect. The State Central Register, in turn, decides whether such a report warrants an investigation, and if so, the State Central Register sends the case to ACS (NYC ACS). ACS contacts the child's family within 24 hours and completes its investigation within 60 days of the initial report (Perrone, 2012; Richardson-Mendelson, 2012). Such investigations result either in findings of a probable indication of child abuse and neglect (indicated) or insufficient evidence that abuse occurred (unfounded; Richardson-Mendelson, 2012). According to Richardson-Mendelson (2012), the fact that 9,862 original petitions of child abuse and neglect allegations were received by the NYC family court system in 2011 was evidence that ACS was complying with the New York State mandate to investigate child abuse allegations as soon as such reports were available.

According to Stagner and Lansing (2009), this policy is different from that of the traditional welfare system of decades ago, when the primary purpose of reporting child abuse was to prevent a recurrence of abuse once it had already occurred. Rather than only reducing harm done to a child, Stagner and Lansing emphasized that the new reporting policies are aimed at strengthening the abilities of parents and communities to care for their children. This is not to say that society encouraged child abuse in the past; however, the authors argued the school system, medical practitioners, and social workers were all aware of it but had, and still largely have, no clear knowledge of how to help parents build family and social networks for the purpose of reinforcing their parenting abilities.

Given that 66% ($n = 35,891$) of the 53,653 reports of child abuse received in 2013 were received from mandated reporters (New York State OCFS, 2017), and based on the 33,109 “indicated” cases of abuse or neglect registered in 2016, of which more than 39% were received from mandatory reporters (New York State OCFS, 2017), the first part of the mandatory reporting policy has been successful. This success has been a result of the willingness of mandatory reporters and ordinary citizens to help eradicate this centuries-old social problem. Child health care and other professionals have been able to overcome many of their past difficulties with detecting the signs or symptoms of abuse. According to Dubowitz et al. (2011), professionals who work with children can more easily identify the risk factors for abuse and neglect, understand an abused or neglected child’s behavior, and become thoroughly informed about normal child development.

The second part of the mandatory reporting policy directly involves how the ACS investigates reported incidents of abuse and the follow-up processes it uses. If credible evidence of abuse is found because of an investigation, the policy mandates that a thorough assessment be made and that the child care specialist identify the appropriate preventive services or programs necessary to prevent further abuse and to protect the child. If available, community preventive services or programs are offered, or, if ACS determines an imminent risk to a child’s well-being, the child may be removed from the home and placed in foster care (NYC ACS, n.d.).

Depending on the outcome of ACS investigations, any of the following programs may be offered:

- A parenting skills program that provides training for parents and caregivers when evidence of abusive and neglectful behavior exists.
- A family rehabilitation program designed for parents who, because of drug abuse, may have abused their children or have potential to abuse their children. Most of these parents have had previous contact with ACS and are being monitored.
- Housing subsidies made available to parents under ACS supervision. The purpose is to stabilize parents whose children are at risk of being removed because of neglect or abandonment and lack of permanent housing.
- Family preservation programs, which enable trained caseworkers to provide “at home crisis intervention” to families with a history of child abuse and neglect, particularly for parents with open ACS cases.
- Family services programs, which provide specialized counseling, monitor families, and help coordinate various available preventive services.
- The Teenage Services Act program, which provides various services to pregnant teenagers or parents under the age of 20 who receive public assistance.
- A family violence prevention program, which offers assistance to families in which adult members are dealing with domestic violence that may be or is causing abusive behavior toward their children.

- Family home care services, which provide personal care, child care, and home management services to families to help parents provide a safe environment for their children. (NYC ACS, n.d.)

The volume or number of child abuse reports from mandated reporters constitutes evidence that the first stage of the mandatory reporting system has been successful in NYC. The second stage—the investigation of child abuse and the implementation of relevant programs—has failed to meet stakeholders’ expectations, in that there has been no noticeable decrease in the number of child abuse and neglect cases confirmed. Meanwhile, a 2016 report on child deaths released by the office of the NYC Public Advocate reported an unexpectedly large number of child fatalities in the 3-year period from 2013 to 2015. According to Pelton (2013), this ongoing problem is not limited to NYC. To prevent further abuse, approximately 1 million children were placed in the foster care system in the United States on a daily basis in 2011, which was a number “higher than at any point throughout the previous century” (p. 1816). Hooft, Ronda, Schaeffer, Asnes, and Leventhal (2013) also found that a lack of significant improvement continues in child abuse documentation despite official recognition of its seriousness.

If recognizing the signs of abuse and reporting suspected cases are not the problem, where is the gap? Where is the breakdown in the process? And why is the success of the mandatory reporting system not having the desired effect? The purpose of this study was to unveil this problem and identify solutions.

Detect and Remove Policy

In 2011, ACS shifted from what it called a policy of “detect and investigate” to one of “detect and remove” to reduce the recurrence of child abuse and neglect, as well as prevent fatalities. Under this policy, the agency places emphasis on removing the child from the parents’ home at any point during an investigation or court date if staff determine that the child is not safe at home (NYC ACS, 2011). This process is reminiscent of the early era of child abuse and neglect prevention, when the Society for the Prevention of Cruelty to Children (SPCC) focused on removing children from dangerous environments (Bell, 2011). However, compared to a century ago, the objectives of child abuse and neglect prevention policies have changed and are now divided into three distinct levels: a primary level, a secondary level, and a tertiary level (Dubowitz, Felgeman, Lane, & Kim, 2009).

According to Armstrong, Swanke, Strozier, Yampolskaya, and Sharrock (2013), the aim at the primary prevention level is to prevent the initial occurrence of child abuse or neglect by developing “strategies and resources to provide assistance to families in the community before they enter the dependency system” (p. 1715). Primary-level prevention strategies include increasing parents’ knowledge and understanding of child developmental stages, redirecting the child care burden, and increasing health care and social services. These activities are tailored toward community social change and not necessarily toward removing children from their parents. Some of the parents, in fact, have no idea that their actions will have negative effects on their children.

Most child welfare experts believe that parents who unintentionally hurt their children need help from the government, not punishment. For example, Armstrong et al. (2013) argued that most child abuse cases are borderline cases and suggested that for children involved in such cases, the best alternative is to remain in their homes while the child and parents receive support services. Based on their study, these authors indicated a positive short-term outcome for young adults who had participated in programs that focus on family interventions (Armstrong et al., 2013). For this reason, Armstrong et al. contended that it is unjustified to take children from their parents because of previous abusive behavior or previous child removal without a new evaluation of the parents' ability to care for their present children. Pelton (2010) is also among the growing number of authors who argue that the child welfare system is structured in a way that makes promoting family preservation difficult, if not impossible. In NYC, according to Perrone (2012), most ACS workers are not qualified to make sensitive child abuse decisions because of their lack of adequate credentials or expertise. This researcher emphasized that a child protective specialist caseworker only required a bachelor's degree with 24 credits in any combination of social science courses.

The ACS detect-and-remove policy may not produce the best outcomes at the primary prevention level because it is not designed to prevent the recurrence of child abuse. The purpose of primary-level prevention is to educate parents on how to avoid unintentional abuse or neglect and, by doing so, to stabilize families. Barth (2009) pointed to a substantial body of evidence showing that programs tailored to enhancing

parents' effectiveness with their children can also improve their chances of recovery from substance abuse and of addressing underlying mental health issues. The author recommended that the public support more studies to compare the effectiveness of prevention programs tailored toward educating parents to focus on "reducing related risk factors" (p. 95). Although the detect-and-remove process may be effective in some situations, it may not always be the most appropriate policy.

Secondary-level prevention programs consist of interventions aimed at preventing child abuse or neglect among individual parents at risk of abusing or neglecting their children (Armstrong et al., 2013). This population includes teenage parents, parents who lack family or community support, and the parents of disabled children. The objectives of secondary prevention services are to enhance parents' understanding of how their upbringing may have influenced their parenting skills and to increase at-risk parents' access to community services (Armstrong et al., 2013). Secondary-level programs also help train parents on how to cope with the stress of caring for children with disabilities. To achieve their objectives, parenting education programs must be made available to parents who are known to child welfare agencies as being at risk of abusing their children (Child Welfare Information Gateway, 2011).

Because removing a child from his or her parent may not be appropriate at the secondary prevention level, child welfare agencies must provide help and monitoring for families. In addition, because it is not uncommon for abusive parents to need multiple intervention programs, offering only one prevention program may not be enough to

successfully prevent abusive behaviors. Richardson-Mendelson (2012) argued that NYC family court judges can only “issue disposition orders from a standard and limited menu of services . . . without a true understanding of which interventions work for which of the family we serve and why” (p. 149). This researcher emphasized that the decision makers does not look at outcome enough to determine whether the interventions they are presently employing are making a positive difference in the abused children’s lives.

Tertiary child abuse prevention consists of activities directed toward families that have had previous encounters with a child welfare agency, either for an “unfounded” or for an “indicated” child abuse and neglect report (Armstrong et al., 2013). These families already have a history of child abuse, and a child welfare agency’s intervention is warranted, regardless of whether or not there is supervision. The main goal of tertiary prevention is to at least decrease the recurrence of child abuse and neglect. To achieve this objective, a child may have to be removed from the perpetrator and placed into foster care or with family members, pending an investigation of the alleged abuse. This may be the only situation in which the detect-and-remove strategy is applicable (Armstrong et al, 2013).

Buckley et al. (2011), however, warned that some intervention programs have fallen short of meeting expectations. They argued that any child abuse intervention should start by assessing a family’s willingness to make recommended changes specific to members’ needs. Many families “view the execution of a child protection plan more as a coercive requirement to comply with tasks set by workers than a conjoint effort to

enhance their children's welfare" (p. 101). For reasons like these, Armstrong et al. (2013) asserted that child welfare policies should focus on family-centered practices. The purpose of a family-centered strategy is to prevent irresponsible child placement, to plan a permanent living arrangement for foster care children, and to place at-risk children in the least detrimental environment (Armstrong et al., 2013).

Together, Armstrong et al. (2013) and Buckley et al. (2011) implied that removal of children from their parents to prevent further abuse is the best policy only after proper assessments have been made and other solutions considered. Likewise, Brandon (2009) questioned the frequent use of high-profile child fatality cases as a yardstick for formulating new child welfare protection policies. Instead, Brandon stated that child abuse prevention measures should tap into policies and services to improve the living situations and general well-being of abused children and their caretakers. Based on an evaluation of community programs for child abuse prevention, O'Reilly, Wilkes, Luck, and Jackson (2010) affirmed that the success of physical abuse prevention programs largely depends on how well a combination of intervention programs is applied simultaneously. Moreover, some child welfare experts believe that the skills of social workers are especially important in this regard, and that calling on their resources should be a high priority for police and child protective agencies. In general, the civil rights of parents have to be respected; they are innocent until proven guilty.

An Argument for Parental Rights Termination vs. Family Reunification

Furthering complicating the problematic dynamics of detect and remove policies, some researchers believe that although parents should be given a chance to correct the atrocity they have committed toward their children, there should be a limit on the opportunities extended to them to do so. For parents who have committed multiple incidences of child abuse, there should be no reason why their privileges as parents should not be taken away. This outlook is particularly strong in states that operate under “three strikes” policies, with proponents of parental rights termination such as Wallace and Pruitt (2012) arguing that the same “three strikes” policies should apply to the perpetrators of child abuse. They further argued the continuing increase in the recurrence of child abuse cases that result in the deaths of children should make people question why parental rights advocates continue to emphasize family preservation or reunification. Responding to those who continue advocating for reunification, Wallace and Pruitt (2012) warned that a delicate balance must be maintained between the benefits of removing the child from the home and preserving the family.

The supporters of family preservation or reunification strategies such as The National Family Preservation Network (2014), though, make a strong case for their point of view. The assumption of such strategy is that children raised by their natural parents are better off in the long run than those thrown into an overcrowded foster care system where children are left feeling of abandoned. However, there are occasions when the child’s well-being and safety may be better served in another living arrangement.

Wallace and Pruitt (2012) claimed parental termination and adoption is clearly a better alternative than “rescuing the child from physical or emotional abuse-and possibly from death” (p. 34), particularly in situations where, based on assessment, child abuse seems likely to reoccur.

Critics of parental rights termination argue that family reunification is not as complicated as people make it out to be and that government and the legal status quo, rather than parental behavior, create most of the obstacles to family reunification. The passage of the Adoption and Safe Families Act (ASFA), for example, allows states to terminate the rights of parents with children in foster care after 22 months to expedite the adoption process. However, in doing so, Wallace and Pruitt (2012) argued, the government fails to consider that a large percentage of child welfare agencies do not have reliable assessment procedures for justifying child removal.

According to Perrone (2012), child protective service caseworkers in NYC are willing to place children in foster care for fear of being blamed for abuse that occurs after they have taken action to prevent further abuse. Although this may be true, Perrone did not further explain whether NYC child care policy was written in such a way that a caseworker may face disciplinary action for failure to remove a child if the child is later found to be abused. Meanwhile, government legislators have failed to consider what effect terminating parental rights will have on the intended goal of ASFA. Wallace and Pruitt (2012) asserted one of the keys to successful family reunification is for case

workers or court-appointed advocates to gain the client's trust, giving reassurance that their intention is to help struggling parents to become a family unit again.

When making the decision to remove a child from the parent, Pepiton, Zelgowski, Geffner, and deAlbuquerque (2014) implored case workers and court-appointed advocates to ensure that ethical considerations be taken into account. Applying ethical standard in such a crucial decision will enable advocates to take the right course of action, making a child-centered decision designed to create a safe environment. To accomplish this, intervention in child abuse situations requires the total commitment of child welfare agencies as well as clear correction strategies. The current prevention measures are simply not adequate and, according to Schilling and Christian (2014), a disaster is imminent when programs to prevent child abuse remain fragmented and guided by unclear or ineffective government policies. The researchers claimed parental rights advocates are too preoccupied with protecting the rights of parents instead of engaging themselves in how to implement comprehensive measures actually capable of preserving the well-being of children (Schilling & Christian, 2014).

Although a problem may exist with taking children away from their natural parents permanently, parental termination is sometimes the only feasible alternative. A line, therefore, should clearly be drawn regarding the rights of parents. According to Randal (1990), any action to remove a child from an abusive parent must be taken only after all efforts are made to help the parent, including providing the required interventions

to help prevent further abuse and properly diagnosing the child to provide the appropriate medical treatment.

Finally, one of the common misperceptions of abuse is that child abuse and partner abuse are separate behaviors. Both are often unintended results of substance abuse and abusive behavior can be resolved in some cases once an addiction is treated. Postmus and Merritt (2010) argued that both the general public and child care professionals need to become more educated regarding the relationship between domestic abuse and child abuse. To solve the problem of child abuse, one must also resolve the issue of spousal abuse while ensuring that abusive parents receive the support necessary to enable them to care for themselves and their children (Postmus & Merritt, 2010).

Although many researchers argue that the best solution to all of these forms of abuse may be to remove a child from his or her family, Perrone (2012) emphasized that child protective service agencies in NYC contradict the policy goals of Nicholson if they remove children from the victims of domestic violence parents primarily because the children are exposed to domestic violence. Perrone cited, "In Nicholson, the Court of Appeals of New York held that victims of domestic violence cannot be found guilty of neglect solely because their children have witnessed their mothers' abuse" (p. 643). Perrone may be interpreting a narrow definition of Nicholson because it is possible for an individual to be a victim of partner abuse and at the same time be an abusive parent. Protective service agencies should be able to investigate the entire household to find out if there is a separate and credible ground for suspecting the nonviolent parent of abuse

and neglect. The hope, however, is that children and families can be ultimately reunited and, when possible, remain together in the same home with enhanced social support to address the underlying issues that led to child abuse and neglect.

Theoretical Framework

Prior researchers have applied many assumptions and causal theories to explain the link between human and environmental conditions and the etiology of child abuse and neglect. However, a review of literature on child abuse prevention provided evidence that a large amount of modern child welfare work has been guided by only a few of these theoretical orientations. The most frequently referenced theories are the interspersed functioning theories, such as learning and psychodynamic theories. There is also a social explanation of child abuse and neglect, such as the theory of poverty and stress (Newberger & Newberger, 1982).

Daro and Dodge (2009) reviewed the dominant theories that explain the reasons for child abuse and neglect and systematically grouped the theoretical frameworks into four categories:

1. Psychological theory, which suggests that the rate of child abuse will decrease if parents understand themselves and their parental roles.
2. Learning theory, which suggests that the rate of child abuse and neglect will decrease if parents or caregivers understand multiple ways to care for their child(ren).

3. Environmental theory, which suggests that the rate of abuse and neglect will decrease if parents or caregivers are adequately supported with resources, including social and material support to address a specific set of situations.
4. Ecological theory, which suggests that the rate of abuse will decrease if correlated services are available for parents to serve as a counterbalance for their shortcomings, whether their problems are individual or environmental in nature.

In psychodynamic theory, the psychological characteristics of parents or caregivers are viewed as the primary determinants of child abuse and maltreatment. Abusive parents are considered to be ill and, as such, their psychological states need to be taken into consideration in any child abuse prevention treatment (Newberger & Newberger, 1982). This theory holds that most abusers have suffered abuse themselves and often display a lack of empathy. The solution to this problem, according to Newberger and Newberger, is treatment that focuses on enhancing the ability of parents to relate to other people.

Advocates of social support theory claim that a parent's abusive behavior may be the direct result of inadequate social support and incorrect assessment. These theorists hold that most parents possess the knowledge required to raise their children in a safe environment, but that the provision of this safety requires appropriate social support. Social support theorists also claim stress and drug addictions are partly responsible for child abuse and neglect (Meyer, McWey, McKendrick, and Henderson, 2010). For

parents who display the symptoms of abusive behavior and vulnerable personalities, Meyer et al. (2010) recommend treatment include finding out the conditions and situations that have caused the stress or addiction and counsel parents on issues of personal adaptation.

Learning theorists assert that abusive behavior is mostly learned from the experience of being abused as a child (Wareham, Boots, and Chavez, 2009). Such abused individuals, they believe, will most likely enact abusive behavior to impose discipline on their children. The remedy to this behavior, learning theorists argue, is parenting education on techniques for avoiding abusive reactions. However, Qverlien (2010) questioned whether the current research in the field of learning theory is sufficient to justify these conclusions and pointed out the need for qualitative research that addresses research ethics and current methodological limitations.

Social ecological theory, the fourth theory noted by Daro and Dodge (2009), suggests that unfavorable and stressful environmental conditions, such as living in an atmosphere that is not conducive to psychological development, can lead to an increase in the number of occurrences of child abuse and neglect. Instead of focusing on individual solutions, Pancer, Nelson, Hasford, and Loomis (2013) suggested child care agencies provide community-based initiatives in an effort to prevent isolation and establish a sense of belonging for the purpose of solving problems as a community. The ecological perspective, however, has not provided an answer to the question of why families that share similarities in all major respects, ecologically speaking, respond differently in

stressful situations. Although most ecological theorists admit that there may be some difficulty in proving the validity of ecological theory, they draw attention to the possibility that poorer communities have higher incidents of child abuse than wealthier communities because they are being more closely watched by policymakers (Merritt, 2009).

As mentioned in Chapter 1, most child welfare agencies across the United States focus primarily on the identification and reporting of the incidences of child abuse, and in the process, pay little attention to the prevention of child abuse. In NYC, for example, changes in child abuse prevention policies mostly occur following public debates of child fatality scandals and lawsuits from advocacy groups. Based on an analysis of 3 years of spending and legislation data collected from various U.S. states, Gainsborough (2009) concluded that although no increase in state spending levels occurred during the study period as a result of a scandal or a lawsuit, an increase in the amount of child welfare legislation being enacted did occur. This finding suggests states have been reactive instead of proactive when enacting legislation on child welfare (Gainsborough, 2009, p. 325).

Furthermore, a review of the literature on child abuse suggests most modern child abuse prevention programs are still based on a unitary hypothesis, which may have given rise to ineffective assumptions about the causes and prevention of child abuse, therefore hampering efforts to administer effective programs to reduce the number of abused children. Mapp (2006) claimed the dominant attitudes toward the prevention of child

abuse and the unwillingness of intellectuals to form a consensus on the causes of child abuse “may be more responsible for the failure of prevention programs designed to treat child abuse than lack of intervention resources” (p. 444). For prevention programs to be effective, Mapp insisted that child welfare professionals need to understand the etiology of child abuse and be willing to come to “terms with the assumptions and limitations implicit in various theoretical approaches” (p. 444).

Daro and Dodge (2009) underscored that most prevention efforts are unfortunately confined to a limited number of causal agents responsible for crafting and administering prevention services, further hampering efforts to address the problem. Like most child welfare agencies, it is clear that ACS has various programs in place. However, it is not clear if these programs are being appropriately utilized. In this study, I examined various ACS programs to find out how effective they are at preventing occurrences and reoccurrences of child abuse and neglect.

Child Abuse and the NYC Family Court System

The majority of the cases under the NYC Family Court System during the years have been repeat cases of child abuse and neglect. In most instances, the court system found shortcomings in the ways these cases were handled by the ACS child care workers, alleging that despite red flags and evidence that some parents were abusing their children, little or nothing was done on behalf of these abused children. In some cases, the actions of ACS child care workers have been referred to the NYC district attorney for prosecution under child endangerment laws, such as in the case of the Brooklyn District

Attorney's arrest and investigation of ACS case workers and their supervisors for allegedly falsifying information and failing to make required regular visits, leading to the continued abuse and eventual death of 4-year-old Marcella Pierce. According to District Attorney Charles Hynes, the death of Marcella provided "evidence of system failure in New York City's welfare agency" (Kleinfield & Secret, 2011, p. A19). Child welfare agencies and workers found violating the policies of their organizations are not limited to ACS. According to Golden (2009), a large percentage of child welfare agencies have been temporarily placed under court supervision within the past 15 years as a result of child welfare litigation. Golden (2009) indicated that in 2008, six District of Columbia child welfare agency workers and their supervisors were fired for mishandling a child abuse investigation, which led to the death of four children.

The failure to stop the increase in the number of cases of child abuse and fatality has led critics to argue a shortage exists in the number of family court judges required to handle child abuse cases. For example, Ronald Richter, a former NYC family court judge, argued that the family court has become an emergency court where only a handful of judges are available to adjudicate on urgent cases of abuse and neglect (Kleinfield & Secret, 2011). According to Richardson-Mendelson (2012), although people rely on the NYC family court judges to make critical child abuse decisions, they are neither doctors nor social workers. These judges are individuals who are limited to their constitution role of addressing the legal issues appearing before them. Along the same lines, Boyas, Wind, and Kang (2012) concluded that overloading the child protection system to an

unsustainable capacity is not only dangerous for vulnerable children, but also will likely lead to ineffective service and create fatigue among child care workers. As a solution, Boyas et al. suggested the system must focus mostly on a preventive approach that can assist workers to better deal with the demands of child protection work instead of concentrating efforts and services primarily on high-risk children who meet the eligibility for government-imposed intervention.

Advocacy groups, however, accuse the NYC family court system of playing by a double standard in which the system tolerates a backlog of cases partly because low-income families represent a large percentage of the families brought to court to defend against charges of abuse or to petition the court for family unification. Although this may be an overreaching statement, because no evidence has been provided of an NYC family court bias against low-income families, evidence shows child abuse cases are not being adjudicated in a timely manner because family court judges are overwhelmed (Kleinfield & Secret, 2011). If this portrayal of NYC family court system is true, then the family court is not providing an effective service to children.

Influence of NYC Law Enforcement in the Prevention of Child Abuse

It is clear that no single government agency has all the resources and legal mandates needed to effectively prevent child abuse and neglect. Instead, the effectiveness of child welfare PPLs depends on how well multiple agencies coordinate their expertise and assignments. For example, in their review and analysis of incidences of domestic violence referred to child protective services, Stanley, Miller, Foster, and Thomson

(2010) found strong evidence that maximizing opportunities for social workers and police to share agency information will result in the most suitable way of “achieving an informed decision about the appropriate level of services responses to children and families experiencing domestic violence” (p. 2372).

Johnson and Rhodes (2009), in an effort to establish the proportion of police officers’ duties that constitute administering de facto social services, examined data from service calls provided by three urban municipal and three small town police departments in the United States during a 2-month period. The researchers found police departments, particularly small town police precincts, receive proportionally more social services related calls ranging from cases of juvenile offenders to child abuse and neglect. For their policies and programs to be efficient, ACS, therefore, needs to form a child abuse prevention team with the NYC Police Department. Both police officers and child welfare workers need to combine their efforts and be on the same page when conducting investigations regarding child abuse allegations.

The traditional role of a child welfare worker is to work with the purported victim’s family, investigate the reported case of child abuse, and, based on the findings, make a decision that will benefit the victim. A law enforcement officer’s role, on the other hand, is to view a child abuse case as a criminal offense, and these officers tend to concentrate their efforts on the collection and preservation of evidence for the purpose of criminal prosecution (U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2010). The processes for resolving the reports of child abuse

and neglect in these two government agencies are different. Like most police departments in the United States, it is not clear whether the NYC police officers assigned to child abuse investigation or prevention were trained on how to deal with a child abuse investigation or whether written policies and programs that guide them in dealing with child abuse and neglect prevention issues exist.

Experts continue to raise the question of how police department and child welfare agencies can better work together in child abuse prevention. For example, in a study conducted by Gurevich (2010) on the latest legal remedies for dealing with incidences of abuse and neglect, the author concluded evidence of multidisciplinary and comprehensive approaches exists and involves cooperation between child welfare agencies, police, prosecutors, and medical practitioners. However, Gurevich also expressed concern that present policies are leaning more towards parental prosecution than child protection (p. 18).

Nash and Walker (2009) revealed that despite evidence showing collaboration between the police and other agencies, including child protective services, improves the effectiveness and benefits of intervention, there seems to remain an element of unresolved friction between the agencies, resulting in poor information exchange, lack of trust among the agency members, and inadequate inter-agency cooperation training. Along the same lines, Powell, Wright and Clark (2010) indicated law enforcement officers possess limited knowledge regarding how to identify the signs of child abuse and neglect. Nash and Walker argued most officers lack basic knowledge of the appropriate

interview techniques mostly because they do not adhere to “guidelines regarding conducting interviews” that are needed to effectively resolve child abuse allegations (p. 211).

The fact that victims of child abuse and neglect are children mandates and compels the NYC Police Department to train those officers who investigate abuse allegations on how to properly handle such sensitive assignments. According to the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (2010), it would be most appropriate for officers and social workers to follow the same policies, programs, and laws for the purpose of working as a team and to avoid redundancy. Police officers must be trained on how to be objective, proactive, and answer questions pertaining to who, what, when, where, and why (U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, 2010).

The unit in the police department investigating cases of child abuse must also be trained to appreciate the expertise of the child protection workers and other professionals who deal with child abuse prevention. Officers should see these experts as part of a team working together for a common purpose and who have written child abuse prevention policies aligned with ACS policies and procedures. In support of this multidisciplinary team concept, Rose (2011) asserted child abuse and neglect policies and programs can only be efficient and cost effective through the resolution of dilemmas regarding professional identity, power, territory, and expertise. It is only through team effort and some degree of self-sacrifice that professionals can pool their individual skills together to

make accurate assessments and take the most appropriate action to benefit the victims of abuse and neglect.

This teamwork concept is directly contrary to what was reported by Weichselbaum (2010) of the New York Daily News. The reporter wrote that two ACS social workers (Virginia Thomas and Virginia Vaca) claimed two NYC police officers they called as their backup when they were sent to remove two children (who were 4 and 9) from an abusive home ended up causing more trouble than anticipated. According to the two workers, the officers “failed to follow protocol on child removal that led to violence” (Weichselbaum, 2010). Instead of making an effort to investigate what actually happened and coming to a joint decision with the social workers on the action to be taken, the officers, they claimed, argued with the abused children’s mother for almost 30 minutes and allowed her to call the children’s irrational father, which resulted in unnecessary confrontation and violence; in the process, the two social workers were injured (Weichselbaum, 2010). Although the mishandling of this particular incident may not be unique to the NYC Police Department and one incident does not reflect the actions of the entire police force, if there is any truth to the workers’ statement, it demonstrates that the two agencies still have a lot of work to do. Works from both agencies need to follow the same procedures and be guided by the same policies.

Media Coverage of Child Abuse and Fatalities

One of the major criticisms leveled against ACS is its lack of transparency in dealing with cases of child abuse and neglect. Critics of ACS policies and programs,

particularly those who have been vocal about the ineffectiveness of the policies in reducing the incidences of child fatalities, believe ACS actions should be overseen by outside entities for major changes to take place. Neither media nor the critics of the ACS policies believe ACS management is doing all it can to prevent the incidences of child abuse, neglect, and fatalities in NYC. The *New York Times*, in particular, has been critical of the way ACS has handled child abuse and fatalities. For example, in response to the deaths of 6-year-old Elisa Izquierdo, 4-year-old Marchella Pierce, and other subsequent child fatalities in which most of the children were beaten to death by their mothers, McGinty (2012) wrote these children became a “symbol of a dysfunctional bureaucracy, one that allowed an abuser to retain custody of the child despite reports of abuse.” This article and other writers have portrayed ACS as an ineffective agency that needs to be overhauled.

Proponents of ACS’s policies such as NYC government top officers, on the other hand, see the media coverage of child abuse, especially when the abuse leads to fatality or serious injury, as misleading. In most situations, they argue that the media has jumped to conclusions when claiming that such incidences were the result of the inability of ACS to act appropriately and in a timely manner. This argument gets reported to the NYC public, according to ACS management, without any formal investigation of what actually led to the abuse and what role ACS played. Scholars such as Thomlison & Blome (2012) agree that to some extent, the views reported have been biased and have noted that, at worst, they have forced child welfare agencies to make ineffective decisions or rush to

judgments. According to Thomlison and Blome (2012), the role of the media to provide information promptly can be at odds with the child welfare agency's desire to improve services for children. The authors pointed out that the challenges facing the child welfare system in the new century along with ill-informed reporters have forced a focus on quick-fix solutions and have caused excessive bureaucratic regulation (Thomlison & Blome, 2012). The media has been especially criticized for either making light of the issue of child abuse or being extremely harsh. Depictions of child abuse in the popular culture are also compounding problems.

The media culture generally portrays child abuse as a serious social problem; however, it also sensationalizes the issue, not always to the victim's advantage. For example, as reported on CBS evening news, to shift the blame solely to her parents and clear her client's name in the death of Marchella Pierce, Julie Clark, the attorney for the grandmother, purportedly accused the parents by saying,

The government has been trying to portray that the father did not live in the house . . . And he clearly – from the words of his own son – was living in that house, taking care of the children. And they are now trying to shift the legal duty on my client. This is the legal duty of the parent.

By focusing on the perpetrator of child abuse as opposed to the abused child, this type of reporting, though serious, may be seen as minimizing the significance of this crime.

Some television shows also depict violent incidences of crimes against children. For example, the show *Law and Order SVU* (Special Victims Unit) focuses largely on

crimes against children, and in most cases, the child abuse investigation is sensationalized. One episode depicted a member of the investigative unit who himself turned out to be a child abuser. He purposely derailed the investigation because, in his mind, parents have the right to punish their children for insubordination in any way they see fit. It is obvious that the popular culture, at times, does not take the issue of child abuse as seriously as it should. However, a parody of the issue does not nullify its seriousness; some even highlight the foolishness of a culture that ignores child abuse.

Chapter 2 Summary

Overall, the literature on child abuse and neglect suggests that more needs to be done to help the victims and sometimes the perpetrators of child abuse. The literature also supports the idea that child abuse is becoming a bigger problem and continuing to get less recognition than it deserves. In NYC, ACS is currently being blamed for the increase in the incidences of child abuse and neglect. For example, Richardson-Mendelson (2012) asserted the NYC child welfare system is “ill-equipped as a system to address the broader social and economic roots of child abuse and maltreatment” (p. 143). The agency has been accused of not being proactive in its efforts to prevent the abuse of children and of only addressing the issue when a child fatality incident occurs. Most of those critics further concluded that too many policies and programs are only enacted or created as a result of lawsuits by advocacy groups and scandals sensationalized in the media.

Media treatment of the issue of child abuse and neglect, to some extent, reflects the academic literature. For example, based on 3 years of existing data obtained at the

state level, Douglas (2009) examined the role that news stories, state characteristics, and welfare policy practices played in the passage of new child welfare legislation. The results indicated intense media scrutiny played a significant role in encouraging new welfare policies that are preventive in nature. However, while educating the public, the media also seem to overreach to generate higher ratings, as the words *child abuse* incite a negative response among U.S. viewers. Citizens want justice for the victims of the crime, and newsmakers know that these stories grab attention.

The media have, to some extent, reported responsibly, given that its views are corroborated by the literature on the subject. Still, the tactics used in reporting can be scary and sometimes blow the issue out of proportion. Fair or not, there is no doubt that the cases of child abuse reported in newspapers and television programs have resulted in several policy changes in most child welfare agencies. In the next chapter, I detail the methodology for this study.

Chapter 3: Research Method

Introduction

Despite the significant resources invested in child abuse and neglect prevention in NYC, politicians and other stakeholders are not sure whether ACS policies, programs, and laws are the most effective in preventing either the onset or the reoccurrence of child abuse and neglect. Considering that approximately one-third of the families investigated for child abuse and neglect in NYC in 2013 had four or more prior reports (NYC ACS, 2017), and that there were 123 reports of child fatalities in 2016 (Office of the NYC Public Advocate, 2016), it is hard to justify a claim for the success or effectiveness of the policies. To examine this problem, my research approach was a qualitative methodology with a case study design in which data collection took the form of face-to-face interviews, documentation, archival records, field notes, and journals and logs, as suggested by Yin (2003, 2009). I analyzed archival records, such as information stored in electronic records, television, mass media, and family court records. Additional documentation reviewed included newspaper articles and public records.

I designed the questions in such a way that the privacy of the respondents and their clients, the abused children, were protected. The design was easy to understand and allowed respondents to provide valuable answers and, at the same time, to provide any additional information that might be beneficial to the study.

Justification for the Chosen Methodology and Design

The main purpose of every research study is to generate the outcome that will best help to resolve the targeted research problem. Therefore, the best way to investigate reasons for the increases in child abuse and neglect in NYC was the use of a qualitative method. This method is beneficial when the study design is a case study and the researcher analyzes reliable archival records, reviews relevant documents, and conducts face-to-face interviews with participants who are stakeholders in finding solutions to the problem.

A main benefit of face-to-face interviewing, according to Creswell (2009), is that this method gives researchers the opportunity to have total “control over the line of questioning” (p. 179). Furthermore, interviewing participants is the most useful way to obtain information when direct observation is not possible (Creswell, 2009). One of the flaws of quantitative survey data collection is the resulting inability on the part of the researcher to witness the participants’ mindset when answering research questions. With qualitative face-to-face interviews, however, validity is enhanced by the researcher’s presence, and the researcher becomes an important part of the research process (Creswell, 2009).

Although other designs, such as grounded theory or phenomenology, might have been relevant or I could have conducted the study using multiple strategies—according to Yin (2003), “the various strategies are not mutually exclusive” (p. 9). Yin emphasized that a researcher “should also be able to identify some situations in which a specific

strategy has a distinct advantage” (p. 9). A case study is the most appropriate design when the focus of the study is to answer a *why*, *how*, or *what* question, and when the researcher believes that he or she is pertinent to the phenomenon under study (Creswell, 2009; Stake, 1995; Yin, 2003, 2009). The hallmark of case study research is the ability to collect data from multiple sources (Yin, 2009). Such data are then converged during the analysis process instead of being handled individually.

In quantitative research, generic survey questions are answered by anonymous participants. The researcher’s obligation is to describe and examine cause-and-effect relationships. In comparison, qualitative researchers use a systematic subjective approach to describe participants’ lived experiences in a meaningful way (Yin, 2009). A qualitative approach allows a researcher to go in depth into issues of interest to the participants, and therefore increase the chances of obtaining reliable data. Furthermore, qualitative research is the most appropriate for sensitive topics that often require probing for additional information.

Critics of the case study design such as Miles (1979), particularly those who object to face-to-face interview research, frequently emphasize the limitations of such research with regard to its reliability, holding that it is possible for researchers to introduce their individual biases into the findings or outcome. As a way of addressing this reliability concern, Creswell (2009) suggested that a researcher clarify the bias that he or she brings to the study (p. 192). By doing this, researchers can ensure that unbiased narrative or analysis will resonate better with stakeholders. Further, researchers

conducting case studies that rely on archival data for findings need to be mindful of possible biases and take extra steps to prevent them. For example, with the media, a useful procedure is to choose two different media outlet that are known to have opposite opinions or views. By taking this precaution, a researcher can pursue a balanced outcome. Babbie (2010) also recommended conducting follow-up interviews with participants to give them the chance to comment on the interview transcript and to increase the validity of face-to-face interview findings.

Participants

Participants in this study consisted of 12 individuals selected from four subpopulations, and they included child welfare experts who individually had been working in the field for 5 years or more. The participants included experts from ACS (present and former employees), the New York State OCFS, NYC Family Court attorneys, and child advocacy groups. These participants possessed pertinent information regarding their expertise and experiences. The participants were an example of what Babbie (2010) referred to as a “defined generalized group” interviewed for the purpose of nonprobability sampling, a technique in which the sample population or participants are selected based on convenience, accessibility, and their willingness to participate in the study.

I used snowball sampling techniques to identify the study participants. In the snowball sampling selection process, a researcher may know of a few individuals that he or she would like to include in the study, and then the researcher relies on those initial

participants to provide “information needed to locate other members of that population whom they happen to know” (Babbie, 2010, p. 190). The researcher’s sample increases and becomes larger as the study continues.

Babbie (2010) asserted that there are situations in which the nature of the study makes it inappropriate or impossible to use probability sampling (p. 188). In this study, following Trochim and Donnelly (2008), the individuals selected met the qualifications for a full-scale research study and had the ability to “follow the protocol and define experiences of interest” (p. 48).

Inclusion of Data

According to Yin (2009), archival records, when properly selected, can be a major source of data for case study research and are equal in validity to any other data sources. Data included for analysis in this study were collected from multiple sources, including print and online newspaper articles, transcripts of cable and network news programs, and journals. Also included were documents such as public records (NYC Family Court child abuse data and records maintained by New York State Child Protective Services), field notes, and logs. Data from these archival sources are appropriate for categorization into themes that represent important information for research building (Stake, 1995; Yin, 2009), such as themes connected with child abuse and neglect prevention.

Data Collection Procedure

I conducted face-to-face interviews with child welfare experts who dealt with issue of child abuse and neglect on a daily basis. The semistructured interviews included

prepared questions delivered in the same order to the individual participants. Despite the lack of free flow of friendly dialogue with this type of interview, the researcher gains the benefits of precision and reliability (Creswell, 2009). Using semistructured questions allows a researcher to ask questions in the same way each time, thereby ensuring the effective comparison of data from different participants (Baxter & Jack, 2008; Stake, 1995). Face-to-face observation or interviewing enabled me to capture respondents' body language and have a better observation of their behaviors and emotions.

Participants were asked the following questions:

1. What policies, programs, and laws do you believe are in place at ACS for the prevention of child abuse and neglect?
2. How effective do you think the implementation of these child abuse and neglect prevention policies, programs, and laws by ACS workers has been?
3. What do you believe are the reasons for the inability of ACS laws to prevent the reoccurrence of child abuse and child fatalities in NYC?
4. In your opinion, what effect would changes in ACS policies and programs have on child abuse prevention in NYC?
5. If you believe that the current programs are not achieving the desired results, what programs do you think would be effective in preventing child abuse?

Because individuals from these agencies are experts in the field, they offered a valid critical analysis of the performance of each other's agencies. I followed Creswell's (2009) recommendation that the opening question should be "an ice-breaker question"

supported by four subquestions, which are frequently follow-up questions in a qualitative research study (p. 183). In the same open-ended manner, a concluding question was a probing question that solicited participants' opinions and recommendations.

The sample size was adequate to ensure credibility of the findings. I guaranteed anonymity of all participants; instead of using names, I assigned unique identification codes to the participants. Doing so encouraged honest responses to the research questions. Where possible, I used an audio recorder for authentication purposes. I employed research triangulation in which various independent sources of data were used to validate the accuracy of findings (Creswell, 2009). In addition, I used member checking, which involves the researcher returning to the field at regular intervals toward the end of the data collection period. This process ensures the correctness of the collected data (Baxter & Jack, 2008; Creswell, 2009; Yin, 2009).

The New York State OCFS provided an exceptional pool of documents and data available to researchers. I triangulated documents, such as ACS annual reports of child abuse and neglect, standard operating procedure, ACS performance evaluations maintained by the New York State OCFS, and other documents (e.g., ACS child abuse statistics) to create converging lines of inquiry, as suggested by Yin (2003). I retrieved data from archival records, including ACS and OCFS databases and a child advocacy group's complaint database maintained by the state agency that monitors the operation of ACS. The analysis of these data and documents helped in determining if the policies and procedures were being implemented in accordance with the state and federal mandate.

The easy accessibility of the documents and data provided by New York State and NYC enabled me to retrieve and investigate them within a reasonable time frame. The information collected was useful for inference and corroboration. The majority of the documents were also accessible free of cost on the ACS, NYC family court system, and OCFS websites. The answers provided by the experts, together with data obtained from archival records and documentation, provided a uniform set of recommendations to help resolve the issue of child abuse and prevention in NYC.

Instrumentation and Validity of the Research Questions

For research findings to be credible, effective organization of data is important. Still, in a case study design, the researcher collects an overwhelming amount of data, making management and analysis of such data more difficult. According to Baxter and Jack (2008), a solution to the difficulty of data collection can be accomplished with the aid of a database or data-organizing software. I used NVivo 11 software for coding and data analysis. Using this data-organizing software improved the reliability of the findings by enhancing my ability to code, organize, and track data for easy retrieval at the analysis stage (Baxter & Jack, 2008; Creswell, 2009). In addition, because the core of this study involved face-to-face interviews with the participants, each participant's answers were summarized in answer sheets. I used a tape recorder during most of the interviews with the permission of participants.

Data Analysis

Immediately following the interviews, I summarized and typed the participants' answers to the face-to-face interview questions. In the same manner, I identified and archived all archival record data and documents. As suggested by Baxter and Jack (2008) and Yin (2009), the data analysis included coding and organizing the summarized answers from the interviews and data from other sources into categories and themes that connected all of the data sources. NVivo, computer-assisted qualitative data analysis software, helped in the coding and analysis of open-ended responses from participants. Richards developed NVivo in 1990; this software has been credited with successful use by more than 2,000 academic institutions worldwide (Welsh, 2002). According to Welsh (2002), "NVivo is an easy-to-use qualitative software package because its enabling users to code, retrieve, and conduct analysis of the data" (p. 189).

Similar codes were grouped into large clusters of codes, which became the initial subthemes. Each related code cluster was placed into a category and given a title, which became the overarching theme. Braun and Clarke's (2006) thematic analysis (TA) was used to code the data and create themes. This type of analysis produced the best answers for the questions in this study because expressing or quantifying the outcome in numerical form would have been nearly impossible.

Chapter 4: Results

Introduction

The purpose of this holistic case study was to (a) analyze the current ACS child abuse and neglect prevention policies, (b) recognize lessons learned from the experts in the field of child welfare, and (c) recommend alternative or additional policies, programs, and laws that could help ACS perform better. The data collection method used in this study involved semistructured interviews with 12 child welfare experts. I also conducted a review of documents relating to child abuse and neglect in NYC. The following research questions guided this study.

RQ1: How have the ACS policies, programs, and laws affected the prevention of child abuse and neglect in NYC?

RQ2: What policy, program, and law changes are required by ACS to make the system more effective and efficient?

RQ3: What changes in NYC laws will make child abuse and neglect prevention more enforceable?

RQ4: What are the general causes and risk factors associated with child abuse?

This chapter presents the results of the study, arranged by research questions. The findings in this chapter are reported in a descriptive and interpretive manner. First, I provide a description of the setting. This description includes participants' personal experiences and the organizational conditions during the study period, which may have affected the interpretation of the study results. Next, I describe the participants'

demographics and the process for data collection and analysis. Finally, I present evidence of trustworthiness and conclude the chapter with an analysis of the study results.

Setting

The data for this study were collected from Summer 2016 to Winter 2017, a period when ACS was under scrutiny for accusations of failure to prevent multiple child abuse and neglect cases, and for the occurrence of two back-to-back, and preventable, child fatalities. Communities throughout NYC and politicians criticized ACS for failing to perform its duties effectively. During this same period, the NYC Department of Investigation (DOI) completed a year-long investigation regarding the deaths of two children and one near fatality in April 2016. All three children were previously known to ACS. The DOI found ACS in violation of child welfare laws and noted that ACS had repeatedly failed to comply with policies and procedures in all three cases.

The October 5, 2016 edition of the *New York Daily News* reported the death of a 6-year-old boy whom an ACS caseworker had been accused of allowing to stay with his mother despite multiple allegations of abuse (Durkin, Schapiro, & Slattery, 2016). Carrion, the ACS commissioner at the time, resigned from her job because of a statement she made to WNBS-TV following the boy's death. During the interview, the commissioner said, "we keep children safe, but we can't keep every child safe." Carrion's response to the television interview was deemed highly insensitive. Not 2 months later, the November 30, 2016 edition of the same newspaper also publicly placed blame on the ACS for failing to respond on time for a call to rescue a 3-year-old Brooklyn boy who

was later put on life support with a fractured skull. This crime was allegedly committed by the boyfriend of the boy's mother.

Demographics

The sample for this study consisted of 12 participants who represented a spectrum of child welfare organizations within NYC. Four participants were from the NYC ACS, three were from the New York State OCFS, two were Family Court attorneys, and three were Child Advocacy Group supervisors (one of whom is a manager). These participants represented various positions, as well as diverse experiences and perspectives. Eight participants held supervisory or middle management positions within their organization. The length of time that these participants had been working in the field of child protective services totaled 357 years, with their individual years of service ranging from 10 years to 27 years.

The answers gathered from the participants presented a range of information regarding the current state of child abuse and neglect prevention in NYC. I used this information during data analysis. The data helped me to identify themes in the data that addressed the research questions.

Data Collection

Participant Recruitment

I attended social service employees' union gatherings to recruit members who were interested in this study. After introducing myself and discussing the purpose of my study with the union leaders, I was granted approval to hand out flyers to members, some

of whom were ACS and OCFS workers, and to post flyers on the notice boards, inviting the members to participate in the study. Although I received responses via telephone and email from 11 members who expressed interest in participating, few responded to follow-up calls or participated in the interviews. I also handed out flyers to friends and associates for distribution to child welfare experts who might be interested in this study.

I approached an assistant to the court administrator, who, after I had introduced myself and explained the goals of the research, agreed to distribute flyers to the court attorneys and judges. This person served as a gatekeeper; three attorneys from the NYC family court system responded to flyers, and two participated in the study. I also handed out flyers to people at five nonprofit advocacy group offices within the five NYC boroughs. These people were administrative assistants, managers' assistants, and secretaries who had the authority to distribute the flyers. I received many responses from the advocacy group workers. Although many of them responded after seeing the flyers, only two participated in the study.

I was able to secure 12 participants: four from ACS, three from OCFS, two family court attorneys, and three advocacy group workers. The participants were not pressured to participate in the study, and each was made aware of the minimal risk of participating. All but the two advocacy workers agreed to meet for the face-to-face interviews at a private meeting or conference room in a public library close to their office. The other two advocacy group staff members met with me in the private conference room of their offices. These private meeting rooms were free from noise, distractions, and

interruptions. Participants were informed of their rights and responsibilities. I explained the purpose and benefits of the study to the participants and made them aware that participation was voluntary. I requested that all participants read and sign the consent form before conducting the scheduled face-to-face interviews. I wrote down the responses in my interview notebook. Instead of using names, I assigned unique identification codes to each participant. I assigned these codes to guarantee the anonymity of all participants. Each interview ranged from 30 minutes to 1 hour. The interviews were recorded on a Sony TCM-150 portable cassette recorder, and the transcripts were transcribed into a Microsoft Word file and stored on a portable storage drive and my desktop computer.

Document Review

In addition to the face-to-face interviews with the 12 participants, I reviewed limited documents and data found on the ACS and OCFS websites. A few documents found on the NYC family court system website were somewhat related to this study, but they were unfortunately deemed irrelevant for the study's purpose. Access to these documents did not require permission, and they were available free of charge.

The ACS mission statement indicates that the organization “protects and promotes the safety and well-being of New York City children, young people, families and communities by providing excellent child welfare, and juvenile justice” (NYC ACS, n.d.). From the reviewed documents, it is hard to conclude whether ACS has achieved this mission. ACS Commissioner Mattingly, in his policy memorandum issued on

September 30, 2006, stated, “ACS may not delay filing motion to ask the family court to release the foster care agencies from making reasonable efforts to reunite mother who had been convicted of killing the siblings of the surviving children” (NYC ACS, n.d.). This is because such reunification would be contrary to the ACS mission of supporting safety and the well-being of children. However, the investigation conducted by the city’s DOI after the death of two children and one near fatality in April 2016 found ACS to have consistently delayed filing motions to release the foster care agencies from the obligation to reunite mothers with their children, even when the mothers had been convicted of abusing or killing their children. The DOI found these delayed actions to be a violation of ACS policy.

In the same investigation, the NYC DOI found that ACS, despite credible evidence of repeated abuse and neglect, as well as ample opportunities to adequately address the ongoing abuse in the fatality cases, failed to conduct required investigations in a timely manner. Based on its investigation and other relevant issues, the DOI concluded that ACS failed to identify and address high-risk child abuse issues, particularly issues of repeated abuse and neglect, which pertain to the core policy of ACS.

ACS data on recurrence of child abuse and neglect indicate similar concerns. Data released by the ACS Division of Policy, Planning, and Measurement show that in 2016, 16% of children who were determined to be abused and neglected were reabused within a 1-year period. This percentage was more than double the state target measure of 7%. The

fact that the data for recurrence of child abuse and neglect remained unchanged, or did not decrease, for 4 consecutive years indicates a systemic failure of ACS's ability to adequately implement its own policy.

The data made available to the NYC DOI also show a systemic failure of contracted foster care agencies in terminating parental rights of parents whose children had been in foster care for 15 of the last 22 months, without any documented reason for exception (total of 17 months, 15 months plus 60 days after removal of children from their homes; NYC DOI, 2016). The same data show that for the 3 years between 2014 and 2016, 3,732 NYC children in this category neither had documented exception on file nor had petitions to terminate parental rights within the time frame prescribed by law. This was a violation of, or indicative of disregard for, the Federal Adoption Assistance and Child Welfare Act (AACWA) of 1980, and New York State's ASFA enabling legislation (Chapter 7 of the Law of 1999, enacted February 11, 1999). For 3 fiscal years from 2014 to 2016, 82% of abused children who were in ACS custody for 17 of the 22 months had neither documented exception nor had petitions to terminate the rights of their parents (data provided to the NYC DOI by the ACS, February 2016).

Evidence of Trustworthiness

A research study is considered trustworthy when the researcher adequately addresses the elements of credibility, transferability, and dependability, and when the researcher provides supporting evidence to confirm the statements made. To ensure the trustworthiness of the data, I used member checking, returning to the field at regular

intervals both during and after the interviews, as suggested by Creswell (2009) and Yin (2009). To avoid making incorrect interpretations, in some cases the analysis consisted of the participants' own words.

Credibility

For a research study to be credible, the researcher must take steps to apply rigor in the research. This means that the intended audience must consider the findings of the study credible, believable, and true. One approach employed to ensure the credibility of this study's findings was triangulation of data. Triangulation enabled me to collect data from various independent sources to validate the accuracy of the findings. Through the triangulation of data sources, I created converging lines of inquiry and enhanced the study's credibility.

Transferability

Transferability is the extent to which the results of a research study can be generalized, or transferred, beyond the current study (Lincoln & Guba, 1985). To enhance the transferability of the study, I provided a detailed description of the research context. This process ensured that other researchers who carry out research in similar contexts will be able to follow the procedures developed in this study. The thoroughness of the study will enable readers to make connections between the context of this study and their own experiences. In addition, by providing the methodology, or a detailed description of data collection and analysis, I sought to make the findings generalizable beyond the current study. Furthermore, I ensured that the interview transcripts were the

same as what I had recorded, and I used transcript verification by the participants to ensure the accuracy of the data. Some participants were interviewed twice to clarify the information they provided.

Dependability

Determining dependability in qualitative research involves evaluation of the quality of the data collection process (Lincoln & Guba, 1985). I ensured that the data collection processes were adequately described. I also used triangulation to ensure that the data collection sources were sufficient for a quality data analysis and acceptable research findings. Using semistructured questions enabled me to ask the main or ice-breaker question the same way each time, ensuring effective comparison of data from different participants.

Confirmability

The confirmability construct is the degree to which collected data and interpretations of the inquiry have clear and logical linking associations. I took steps to ensure that the findings were exact words, experiences, and opinions of the participants, regardless of my personal feelings. As suggested by Creswell (2009), I addressed the concern of research objectivity by clarifying the bias that I brought to the study.

Data Analysis

The qualitative data for this research study came from semistructured interviews with a variety of experts on child welfare. Participants A, B, C, and D were either current or former ACS workers. Participants E, F, and G were current OCFS workers.

Participants H and I were family court attorneys, and Participants J, K, and L were child advocacy group workers. I transcribed all interviews into a Word document and uploaded them to NVivo 11 for data analysis. NVivo is a computer-assisted qualitative data analysis tool to assist researchers with the coding and data analysis process. I used Braun and Clarke's (2006) thematic analysis to code the data and to create themes.

There are six steps involved in thematic analysis to move inductively from codes to subthemes to themes (Braun & Clarke, 2006). The first step is for the researcher to become thoroughly familiar with the data. This was accomplished by transcribing, reading, and re-reading the interviews. The second step is to work line by line through the transcripts to generate the initial codes for the analysis. I completed this step using NVivo. Each line of text, or raw data, was read and coded by word or phrase into a unique, descriptive code. Table 1 presents an example of this process.

Table 1

Example of Coding Process in Thematic Analysis Step 3

Raw data	Assigned code
Child abuse prevention is not only the responsibility of ACS alone. School police department, health care professionals; all need to make a difference in the lives and well-being of NYC children.	Better cooperation between all entities involved in child abuse prevention
Funding more programs like "Attachment and bio-behavioral Catch-up" will enable communities to easily spot the sign of abuse and help prevent it from occurring.	Better programming for abuse indicator detection

Step 3 begins after the initial codes are generated, when patterns between these initial codes were explored (Braun & Clarke, 2006). I group similar codes into larger clusters of codes based on these similarities, and then they were given a title, which became the initial subthemes. The coding continued like this until all pieces of raw data were coded and no new codes or patterns emerged from the data. Then, I examined the coded clusters for similarities and patterns. Each coded cluster that was related to another was placed into a category and given a title, which became the overarching theme. Table 2 presents these themes and subthemes.

Table 2

Thematic Structure

Theme	Subtheme	Codes
1. Implementation of PPLs	ACS workers believe that they are trained to implement policies, programs, and laws	ACS workers are inadequately trained or lack proper job qualifications; ACS workers are ineffective in implementation – general; Bureaucratic concerns like too much paperwork and red tape; Lack of monitoring and evaluation of new policies and programs
	Lack of effective implementation	
2. Areas of policies and programs that need improvement	Lack of oversight and accountability of ACS workers and foster care providers	Different programs are needed; Improve handling and monitoring of open reoccurrence cases; Improve intervention and prevention programming; Need programming to support parents and parenting ability; Programs and policies are always works in progress and will always require modifications
	Programs and policies are inadequate	
	Better cooperation between all entities involved in child abuse prevention	
	Focus on hiring and training qualified staff and retaining qualified staff	

(table continues)

Theme	Subtheme	Codes
3. Reasons for failure of child abuse prevention	ACS workers' feeling of helplessness	
	ACS workers lack proper training and knowledge of laws and protocols	Failure to hire qualified people or child abuse law experts; lack of training or improper training
	Child placement problems following cases of abuse or neglect	Based on lack of establishment of risk; Children are in system too long and transferred numerous times; Due to KINGAP subsidies
	Laws are either disregarded or not interpreted correctly	Disregard for law; Incorrect interpretation of law; Lack of ACS workers' knowledge of laws and protocols
4. Communication problems	Problems with family court	Family court judges do not consider child well-being; Family court system is overloaded with cases
	Blaming and scapegoating	ACS and contracted agencies fail to report abuse allegations; ACS underutilizes consultants and outside services; ACS workers disregard laws or do not follow guidelines; ACS workers fail to act in accordance with policies, programs, and laws; ACS workers fail to establish justification for removal by family court; ACS workers lack knowledge of child welfare laws and protocols; Family court does not follow up on cases to ensure implementation of services; Family court judges and attorneys are not prepared prior to court date; Family court judges make poor decisions; Policy makers need to make changes; Problems with law enforcement officials
	Confusion surrounding delegation of responsibilities and division of labor	
	Poor communication	

(table continues)

Theme	Subtheme	Codes
	between ACS and family court system	
5. Risks Factors for Child Abuse and Neglect	Drug and alcohol abuse or addiction Lack of parental support, skill, or ability Mental illness Other forms of domestic violence in home or abuser's past Poverty or financial concerns	

After completing Step 3, I moved to Step 4, which was completed by applying these codes and themes to capture all the interview data to ensure all pieces of data were captured. Step 5 involved finalizing the codes, subthemes, and themes. Last, Step 6 of thematic analysis involved writing up and presenting the results of the data analysis.

The themes that emerged from the data helped answer the qualitative research questions and provided insight into the problem of inadequate child abuse prevention in NYC. Table 3 presents a snapshot of the relationships between the research questions and the thematic structure of this research study.

Results

The overarching goal of this holistic case study was to explore the effect of ACS preventive PPLs on the occurrence or reoccurrence of child abuse and neglect, and child fatality, in NYC. Five themes emerged from the 12 interviews conducted for this research

study: (a) Risk Factors and Causes of Child Abuse and Neglect, (b) Reasons for Failure of Child Abuse Prevention, (c) Implementation of PPLs, (d) Areas of Policies and Programs that Need Improvement, and (e) Communication Problems. Figure 1 and Table 3 present the relationships between these themes. I also present the results of this research study, organized by these themes.

Table 3

Relationship Between Research Questions and Themes

Research question	Theme
1. How have the ACS policies, program and laws affected the prevention of child abuse and neglect in NYC?	2, 3, 5
2. What policy and program changes are required by ACS to make the system more effective and efficient?	2, 3, 4
3. What changes in NYC laws will make child abuse and neglect prevention more enforceable?	2, 3, 4
4. What are the general causes and risk factors associated with child abuse and neglect?	1

Note. Theme 5 and subthemes are cross-cutting and relate to RQs 1–3 to highlight the overall problem of communication that emerged from these interviews.

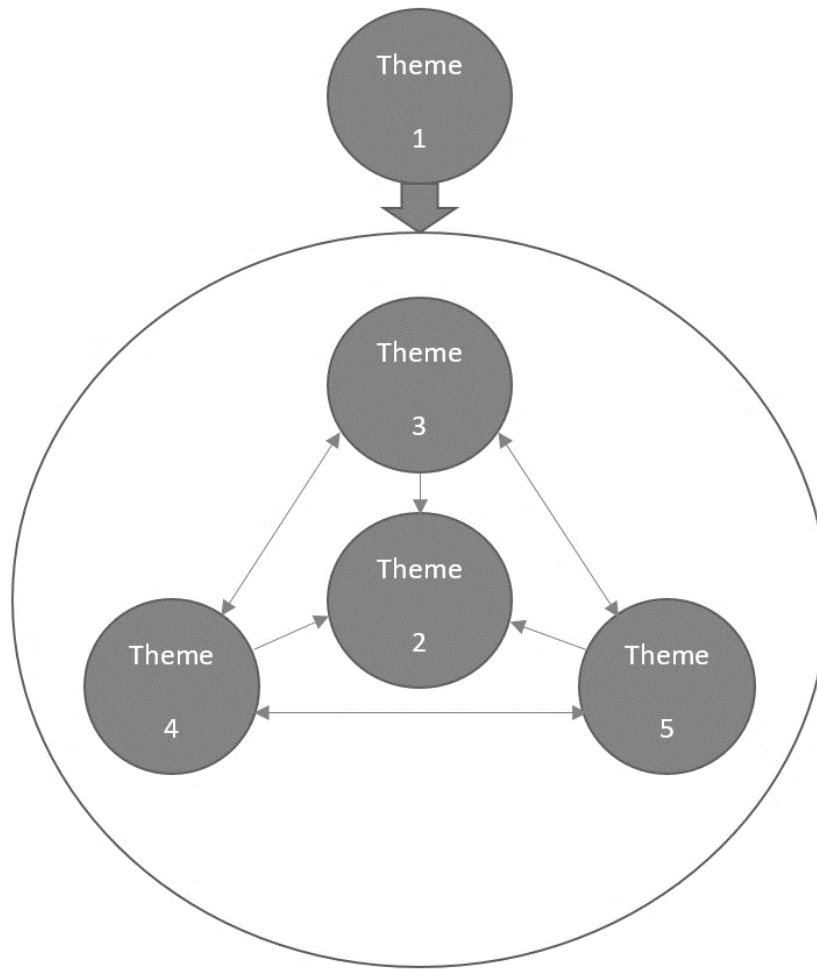


Figure 1. Relationships between themes.

Risk Factors and Causes of Child Abuse and Neglect

The first theme discussed in the results section answers the fourth research question, What are the general causes and risk factors associated with child abuse and neglect? I discuss this first theme because it is important to understand what the risk factors for child abuse and neglect are before presenting the other research findings

regarding why child abuse prevention efforts are not as effective as they could be in NYC.

Table 4

Risk Factors for Child Abuse and Neglect

Risk factor	No. of people	% of participants
Poverty or financial concerns	10	83
Drug and alcohol abuse or addiction	8	67
Other forms of domestic violence in the home or abuser's past	7	58
Lack of parental support, skill, or ability	5	42
Mental illness	4	33

Five risk factors existed for child abuse or neglect that the 12 research participants identified. All participants listed at least two risk factors for child abuse or neglect. All but two interviewees (83%) stated that poverty or some other financial concern was a risk factor. This concern was followed by drug and alcohol abuse or addiction, which 67% of research participants believed to be a risk factor for neglect and abuse. Another important risk factor that research participants identified was that of other domestic violence in the home, or in the abuser's past. Finally, less than half of respondents discussed both the lack of parental support, skill, or ability, and mental illness as risk factors that contribute to child abuse and neglect.

Reasons for Failure of Child Abuse Prevention

This theme addresses Research Questions 1, 2, and 3. Five subthemes emerged from the data that partially answered each of these research questions. The following sections present these subthemes.

ACS workers' feeling of helplessness. Only one passage of text from one research participant was coded to this subtheme. When asked, What do you believe are the reasons for the inability of ACS laws to prevent the reoccurrence of child abuse and child fatalities in NYC?, Participant A (PA), an ACS worker, stated, “no matter how much monitoring, things would happen.” This person felt that a certain amount of child abuse was inevitable, and they suggested a couple of different reasons for this. First, PA believed that because ACS lacked full control of the child abuse prevention process, not all cases of child abuse were preventable. Second, the participant believed the family court judges often returned children to abusive homes, leading to reoccurrence of cases. Finally, PA believed ACS and the family court system were, “not working together as they should.”

ACS workers lack proper training. A perception on the part of some of the research participants existed that ACS workers were not properly trained to handle child abuse cases, and that this was a reason why child abuse prevention efforts in NYC were failing. These statements took two forms: (a) that ACS was not hiring qualified people, and (b) that ACS workers were not properly trained. For example, one family court attorney, Participant I (PI), stated that not only does ACS need to hire child abuse

prevention experts, but ACS also, “needs to do a better job in allocating funds to hire, train, and retain qualified people.” For this participant, the responsibility fell to ACS and its workers to prevent child abuse. This statement contrasts the findings from the previous subtheme, in that the ACS worker (PA) believed child abuse prevention was the responsibility of all involved, but that these different arms (ACS, OCFS, the family court system, and child advocacy groups) were not communicating as effectively as they could. Participant B (PB), who is a current ACS worker, shared this belief. PB thought that ACS workers were not properly trained to investigate cases, nor were they trained to document the investigation. This means that cases are not justified for the family court system, and therefore children may remain in abusive or neglectful households when they should be removed, according to Participant H (PH), a family court attorney.

Child placement problems following cases of abuse or neglect. In addition to problems with ACS and its workers, there are problems with child placement after an instance of abuse that partly explains why child abuse prevention efforts fail. ACS workers believed that these problems resulted from failures in the family court system. As PA stated, “judges will return a child to his/her parent for what they deem as lack of justification as presented by the child care specialist.” This situation can also occur because of, “a small technical mistake made by the child care specialist” (Participant C).

Other placement problems exist as well. Some of these are related to funding, especially for KINGAP placements. Subsidies for such placements result in the children being placed with a family member following an instance of abuse or neglect. Placement

with a family member sometimes means continued contact with the abusive parent. An OCFS worker, Participant F (PF), added, “children are adopted by relatives and later the parents that were TPR are residing with the child and have not completed any of the mandates/treatments ordered by family court.” In addition, a perceived lack of supervision exists within the foster care system. Both Participant PF, an OCFS worker, and Participant L (PL), a child advocacy group worker said that this lack of oversight and supervision led to children being shuffled around within the system or being left in the system, which may lead to reoccurrence.

Laws are disregarded or not interpreted correctly. Two of the three OCFS workers and all three of the child advocacy group workers felt that child abuse prevention efforts failed because the laws were misinterpreted or disregarded. The two OCFS workers attributed this to either ambiguity in the way that laws were written or subjective interpretation of those laws. For example, PF stated, “some child welfare laws are vaguely written and therefore subject to different interpretation by some inexperienced workers,” referring to the ACS workers. The child advocacy group workers had a different perspective, which was that ACS workers were simply not following the laws. One said that there was a, “disregard for the laws,” (Participant J), which Participant K (PK) said was, “just as bad as not having law at all.” PL suggested this disregard could be solved if the NYC family court system was better at follow-up to ensure compliance with court mandates.

Problems with family court. Although the OCFS and child advocacy group workers believed the child abuse and neglect laws were ignored by the ACS workers, the ACS workers felt problems within the family court system were partially to blame for the failure to prevent child abuse. Each of the four current and former ACS workers talked about the role of the family court in this failure. PA stated, “they are not able to fully prevent child abuse partly because of court decisions,” while PB believed the judges and attorneys do not understand their role in making, “decisions that will ensure the well-being of the children in their care.” Participants C (PC) and Participant D (PD) believed that some of these problems could be linked back to a lack of preparation for court hearings. PC said, “the judges are not even reviewing the cases very well before making decisions,” which was echoed by PD, who stated that they, “would personally want attorneys representing our cases and family court attorneys and judges to be more prepared and be better familiar with the cases before the court dates.” PD also said the court system in NYC is overwhelmed with cases, which is leading to delays in hearings and keeping children in potentially abusive situations.

Participant G, an OCFS worker, had a different perspective. PG said, ACS workers will be quick to remove children from their parents for fear that fatality may occur. In situations like this, family court will deny the removal because [the] worker failed to establish that the children were at risk of harm by their parents.

This statement highlights the importance of adequate training for the ACS workers to follow laws and protocols.

Implementation of PPLs

This theme provides information that partially answers Research Questions 1, 2, and 3. Within this, there were three subthemes: (a) ACS workers believe that they are trained to implement PPLs, (b) lack of effective implementation, and (c) lack of oversight and accountability of ACS workers and foster care providers.

One policy and procedure requirement of ACS is that the organization undergoes a comprehensive investigation of alleged child abuse and neglect before determining whether a case is “indicated” or “unfounded.” The outcome of the NYC DOI investigation indicates that in 2016, ACS caseworkers failed to complete the comprehensive investigative steps in a timely manner (ACS DOI, 2016). Further abuse of these children may not have occurred or may have been reduced if allegations of abuse had been implemented or handled adequately. The documents reviewed from the ACS and New York State OCFS websites and the responses from this study’s interviews reinforced each other and helped provide answers to the research questions.

ACS workers believe that they are trained to implement policies, programs, and laws. The first subtheme related to ACS workers’ beliefs about their role in the implementation of PPLs related to reducing the occurrence or reoccurrence of child abuse in NYC. Three of the four ACS workers interviewed, who were the three current ACS workers, believed that they were trained to properly implement the PPLs required of them

and their jobs. As PA stated, “workers are able to implement the policies and procedures because they are trained to do so.” PC echoed this sentiment but appeared more hesitant. PB said that they were implementing these PPLs as much as they were able to, which may indicate that they believe there are areas that could be improved.

Lack of effective implementation. “ACS workers are inadequately trained or lack proper job qualifications.” Despite the belief by ACS workers that they were implementing the PPLs provided by the ACS to the best of their ability because they were trained to do so, others disagreed. The one retired ACS worker interviewed said,

I will be very honest with you, some workers, particularly the newly hired child care specialists, have no experience and are not properly trained to recognize the risk factors and make a life-saving decision of removing children from their parents. (PB)

That ACS workers lacked adequate training to implement PPLs was a concern the research study participants expressed in two ways.

The first concern related to how participants talked about this in terms of training. They believed that the ACS workers lacked training to effectively implement PPLs. Two of the three OCFS workers were concerned with the lack of training. As PF stated, “practically speaking I don’t think they are properly equipped to interpret the policies and laws effectively,” referring to the lack of preparation. Another participant said that most of the ACS workers, “are doing what they were hired to do but some of them still need to be retrained on how to properly implement the policies, programs and follow the child

welfare laws.” One family court attorney, PH, thought that this could be improved by devoting more resources to training ACS workers.

The second concern that the non-ACS worker study participants expressed was the ACS workers lacked the knowledge or understanding required of them to properly implement the skills that they learn in training. This concern was expressed by the OCFS and child advocacy group workers. “Workers can only implement what they understand. The interpretation of these policies, programs, and laws can vary among the workers, depending on how well individual workers understand them,” stated PF, an OCFS worker. Participants K (PK) and PL expressed similar thoughts. PK wondered if the ACS workers were ready for such a demanding job, while PL questioned the qualifications of those hired to work at ACS.

The implications of the lack of training or knowledge of PPLs in general are significant. Because of the lack of understanding of PPLs, or knowledge of these in general, errors in communication and judgment have occurred on the part of ACS workers. This was of concern especially to the family court attorneys. Of the ACS workers, PH said that, “some of them are simply not able to communicate effectively or explain why children have to be removed from their home.” PI also indicated because ACS workers were not staying up-to-date with the PPLs, they could not provide the proper documentation required to remove a child from an abusive home or situation.

“ACS workers are ineffective in implementation.” Participants from each of the four groups of people interviewed (ACS workers, OCFS workers, family court attorneys,

and child advocacy group workers) stated ACS workers were not effectively implementing PPLs. One ACS worker, PD, admitted that other workers deviated to some degree from, “standard policies, and fatalities occurred as a result of their carelessness and disregard for the law and well-being of children.” OCFS workers stated, “ACS workers, whether by fear, coercion, or genuine buy-in, have implemented the policies; however, they are not always effectively implemented” (PE). PK, a child advocacy group worker, stated bluntly that they, “will keep assuming that the workers are not implementing the policies and programs effectively,” because instances of reoccurring child abuse and fatalities still exist. The other child advocacy group worker who spoke about this said that, although the implementation is occurring, it, “is not as effective as it should be.”

Finally, four of the research participants identified problems with bureaucracy surrounding child abuse prevention as impeding effective implementation of PPLs. Two ACS workers identified excessive red tape and paperwork that either slowed down implementation processes or influenced their time available to focus on monitoring and investigating possible cases. PB suggested, “there should be a way to simplify the forms and the process,” which they believed would help them focus on the goal of stopping abuse. Two child advocacy group workers shared these sentiments, but their concerns were focused elsewhere. For PK, the red tape was a result of contracting to private agencies. The participant felt that although these agencies were providing support services and parenting education, “[the] majority of these contracted agencies are not

running the programs effectively.” PL disagreed that the programs the private agencies were providing were adequate. This participant thought the agencies, “hired mostly unqualified workers and are doing the bare minimum,” and that the workers, “need to be thoroughly supervised” (PL).

Lack of oversight and accountability for ACS workers and foster care providers. This subtheme also addressed the first research question. Two of the three OCFS workers, one family court attorney, and one child advocacy group worker spoke directly to this theme regarding the lack of oversight at different levels of child abuse prevention. PG, and OCFS worker, said,

there is also lack of supervision of the ACS contracted foster care providers.

Foster care providers and the facilitators sometimes make decisions to discharge children living in foster home to their parents without proper review of the cases by the appropriate ACS staff.

This means that if ACS workers are trying to implement PPLs to the best of their ability and training, but are not doing this adequately, there is no system of accountability to catch any errors should someone make a mistake.

Areas of Policies and Programs That Need Improvement

The fourth theme address Research Questions 2 and 3. Within this theme were three subthemes: Programs and policies are inadequate, Better cooperation between all entities involved in child abuse prevention, and Focus on hiring and training qualified staff and retaining qualified staff. The research participants shared numerous concerns

regarding ACS PPLs and the ability of ACS workers to implement them effectively. The purpose of this second research question was to ascertain the ways in which these PPLS could be implemented more effectively and efficiently.

Programs and policies are inadequate. Four interview respondents believed that different programs were needed entirely. Two of these participants mentioned that implementing more programs was not the solution. PB, an ACS worker, said that the old way of doing things was going to have to change, and the answer was not to create more programs. PE, an OCFS worker, shared this sentiment, stating, “it is not the programs that are not achieving the results but rather there are too many programs in place at ACS.” A third, PG, agreed and highlighted the need for dynamic and adaptable PPLs because the current system of “one size fits all” programming was not working. The participants believed that different PPLs should be in place to address the myriad risk factors for child abuse and neglect, and that those PPLs that would help abusive parents in situations of poverty be different from the PPLs that would help parents in other risk factor situations.

Several research participants had specific suggestions as to the kinds of programs that needed to be implemented to make the system more effective and efficient. Most of these suggestions were to implement PPLs geared at early intervention, detection, and prevention. One participant, PD, a current ACS worker, said that, “we need more policies and programs that are tailored to prevent abuse before it’s occurred,” and that this could be accomplished by improving funding streams to organizations in the community that can detect abuse and then prevent it. PH also stated that programs geared toward

prevention were key, and more funding should be directed toward these programs.

Similarly, six respondents said that programming to support parents was important for child abuse prevention.

Better cooperation between all entities involved in child abuse prevention.

Two participants, one current ACS worker and one family court attorney, described the lack of communication between the different parties responsible for preventing child abuse. PD, the ACS worker, said that, “school, police department, [and] health care professionals all need to make a difference in the lives and well-being of NYC children.” On the other hand, PI was more targeted and suggested that ACS partner with community organizations in the area to support children’s well-being. The participant was concerned that ACS workers did not receive help from other organizations well, and that instead of acting like those trying to help them were the enemies, they could be more transparent and open to constructive feedback that could help their work.

Focus on hiring, training, and retaining qualified staff. Except for the OCFS workers, at least one respondent from each category of research participants stated a need exists to hire qualified staff, to retain them, and to ensure that they are properly trained. Two ACS workers said they needed more help, indicating more workers should be hired, these workers should be qualified, and there should be an increased focus placed on retaining these people. This sentiment was shared by PI, a family court attorney who stated, “ACS will need to find a way to retain their devoted workers.” PL, a child

advocacy group worker, also spoke about the need for adequate staffing, both in number and in qualification at ACS.

Communication Problems

The final theme to emerge from the data from this research study was that of communication problems. This theme addressed Research Questions 1–3. Of the 12 respondents, 10 made statements that were coded into this theme. Those statements are broken down further into three subthemes: (a) blaming and scapegoating, (b) confusion surrounding delegation of responsibilities and division of labor, and (c) poor communication between ACS and family court system.

Blaming and scapegoating. All of the 10 research participants who made statements under the theme Communication Problems stated something related to blaming or scapegoating another party or agency involved in child abuse prevention. ACS and its workers were most commonly blamed, as six of the 11 coded clusters within this subtheme related to ACS. The most common problem was that workers from the other agencies (OCFS, family court, and child advocacy) said that ACS workers failed to report abuse allegations, disregarded child abuse laws, lacked knowledge of child abuse laws overall, or failed to justify child removal from a home to the family court system. Two ACS workers felt that the family court judges and attorneys placed the blame on them for failing to justify the removal, whereas an OCFS worker stated, “ACS workers will be quick to remove children from their parents for fear that fatality may occur,” but that, “family court will deny the removal because worker failed to establish that the

children were at risk of harm by their parents.” Statements like these relate to the previous themes of qualification and training.

Two ACS workers and one child advocacy group worker placed this blame on the family court system. PL said, “NYC family court system should follow-up and ensure that the services recommended or mandated are implemented by ACS, making it difficult for both ACS workers and parents to just disregard the court mandate.” For this participant, the issue was the lack of follow-up on the part of the family courts, but this was not the same for the ACS workers. The ACS workers thought that family court judges and attorneys lacked preparation ahead of case hearings. For example, PC said, “the judges are not even reviewing the cases very well before making decisions. They are part of the problem.” PA said that ACS was, “not able to fully prevent child abuse partly because of court decisions,” which may be made based on a lack of preparation prior to the hearing.

In addition, there appeared to be a lot of confusion among the research participants regarding the division of labor between these agencies involved in child abuse prevention. PA, for example, spoke about how ACS was not solely responsible for child abuse prevention decision-making, which they stated, “is part of the problem.” This participant felt that if ACS had sole control, child abuse prevention efforts would be more effective. Other similar misunderstandings are evident from the data. One ACS worker said that, “family court judges and attorneys should also understand that they are not parents’ advocates but are there to make decisions that will ensure the well-being of the

children in their care,” communicating the belief that some of these judges and attorneys may overstep their boundaries at times. However, PH, a family court attorney, said that, “we are not social workers; we are lawyers and judges who happen to be dealing with the issue of child abuse prevention,” indicating that workers from other agencies might expect them to take on roles more advanced than those for which they are qualified or employed. Finally, four participants mentioned the poor communication between ACS and the family court system, as just exemplified. PA said, “ACS and family court system are not working together as they should,” and PG said, “ACS, NYC family court and law enforcement are not on the same page, period.” PC used the same wording in that, “family court and ACS are not on the same page.”

Documents

As presented in the analysis section of this chapter, the opinions and suggestions made by the experts (participants) in their responses to the interview questions and documents reviewed reinforced each other. In the same way the experts believed PPLs were not adequately implemented, the documents reviewed also revealed that ACS workers failed to implement PPLs in most cases. Therefore, ACS are not doing enough to protect the well-being of abused children.

Conclusion

In this chapter, I presented an overview of this holistic case study, the purpose of this research, and the research questions I sought to address. I gave a detailed description of the research setting and provided the demographics of the research participants, the

data collection process, and the data analysis process. I also explained how data were categorized and later grouped into themes and subthemes.

The results were based on the responses of the participants to face-to-face interview questions and a review of documents relating to child abuse and neglect from the ACS, OCFS and the NYC Family Court system websites. Based on the responses of the study participants and data collected, it appears that child abuse and neglect prevention policies and programs were not adequately implemented by the ACS workers. These participants also suggested that workers' lack of understanding or disregard for child welfare laws contributed to the recurrence of child abuse or child fatalities in NYC. The participants believed the poor implementation of the PPLs was negatively affecting child abuse prevention and suggested that these PPLs were the reason for the failure of ACS to meet its goals of child abuse and neglect prevention.

A notable exception was the two ACS workers who believed they were implementing the PPLs, but also admitted that there was room for improvement, suggesting their colleagues needed additional training and adequate supervision. The majority of the participants also believed that poverty, lack of parental support, skill or ability, domestic violence, drug and alcoholic abuse, and parent abuse as a child are risk factors associated with child abuse and neglect.

In chapter 5, I will provide the interpretations of the findings of this research, discuss the limitations of the study, and present the implications for social change. Chapter 5 will also include recommendations for future research.

Chapter 5: Discussion, Conclusions, and Recommendations

Introduction

Hundreds of children are being abused and neglected in NYC yearly. According to the participants in this study, majority of the abusive parents are either too poor to care for their children, abusing drugs, or out of control for lack of social and family supports. Some of the abusive parents were themselves exposed to violence as children. Most of these parents need help to care for their children. As evidenced by the participants, NYC citizens are hoping that the ACS will adequately implement its child abuse and neglect prevention PPLs. The purpose of this study was to examine the ACS child abuse and neglect prevention PPLs. This examination included the research participants' responses to interview questions, the ACS mission statement, and the data collected from document review. The data from document review included information gathered from the April 2016 investigation of ACS operational practices by the NYC DOI pertaining to why child abuse and neglect, and child fatalities, persisted despite ACS staff claiming they had solutions to solve this problem.

Prior to this study, little empirical research had been undertaken with regard to examining the PPLs intended to guide the implementation of child abuse and neglect prevention. No recent researchers have examined ACS and specifically looked at its policies and programs. It was therefore necessary and beneficial to conduct this study. To bridge the gap in the professional literature in this area of child abuse prevention, I used a holistic case study design that included in-depth face-to-face interviews and review of

documents found on ACS, OCFS, and Family Court websites. I selected this design because it allowed me to collect data from selected participants who were experts in the field of child welfare. From the analysis of data obtained, I was able to explore pertinent themes and then extract common or general themes and patterns. This approach enhanced my ability to interpret the themes' meanings.

My main goal in this discussion section is to present an assessment and interpretations of the research findings based on participants' answers to the interview questions and data obtained from document review. Additionally, I revisit prior research findings that pinpointed reasons for child abuse and presented potential solutions to the research problem. These prior findings enhanced my ability to detect and bridge a gap in child abuse and neglect prevention research and make recommendations for further research.

Interpretation of the Findings

Interpreting the findings of this study enhanced my ability to answer the research questions posed for this study and made it possible to recommend potential solutions to the challenges faced by the ACS resulting from the inadequate implementation of its PPLs. Newberger and Newberger's (1982) social support theory of child abuse and maltreatment and Daro and Dodge's (2009) ecological theory of child abuse and neglect provided the theoretical framework that guided this study. The following discussion pertains to the meaning of the themes that emerged from responses to the interview questions and review of documents relating to the NYC ACS child abuse and neglect

prevention PPLs. Twelve participants from ACS, OCFS, the NYC family court system, and child advocacy groups were each asked four research questions. Participants were organized into groups based on their organizational affiliation. Five themes emerged during the data analysis. I provide a detailed discussion of these themes and their meanings in the following section.

Risk Factors and Causes of Child Abuse and Neglect

Based on participants' responses to the research questions, I determined the risk factors for child abuse and neglect. Participants identified poverty and financial difficulties as the highest risk factor (83%), followed by drug and alcohol abuse or addiction (67%). Of the participants, 58% also identified domestic violence as a factor responsible for child abuse. However, I cannot state, based on participants' responses, that these risk factors are also the causes of child abuse and neglect because I did not perform any experiment or statistical analysis that would yield this information. I can, however, say that these respondents believed that these are the risk factors for child abuse and neglect.

In addition, less than 50% of the respondents said that lack of parental support or ability was a risk factor; when respondents identified programs that could be implemented to help mitigate abuse and neglect, these were the kinds of programs that they identified. Participants recommended that parents who already displayed risk factors, such as financial difficulty, dealing with drug or alcoholic addiction, and lack of support or ability to care for their children, must be educated and informed before and

after their babies are born. This finding relates to Daro and Dodge's (2009) ecological theory of child abuse and neglect, which suggests that the rate of abuse will decrease if correlated services are available for parents to address their shortcomings.

It is common for parents who are dealing with issues such as drug addiction, financial difficulty, or domestic violence to feel that they are alone in the role of parenting. Social service programs that are respectful of and sensitive to parents' needs would make a difference and have a positive influence on these parents' lives.

Reasons for Failure of Child Abuse Prevention

Consensus among ACS workers and participants exists that regardless of what they do, some sort of child abuse and neglect will occur. This feeling of helplessness was echoed by PA, an ACS worker, who stated, "taking appropriate actions can be 50/50 catch because actions are taken at workers' discretions." This participant believed that the NYC family court system was not always on their side and felt that there was no guarantee of the family court's support for any child abuse prevention decisions that they made. Three of the four ACS participants interviewed said their decision to remove children from their abusive parents was not always the final decision. In some cases, these children were returned to their abusive homes by the family court judges for what the workers believed was an omission of minor legal procedures. One ACS worker asserted that court judges do not consider the well-being of children in making decisions. However, the majority of participants who were non-ACS workers believed NYC court judges were not to be blamed. This point of view was shared by Richardson-Mendelson

(2012), who posited that the NYC family court judges are only able to “issue disposition orders from a standard and limited menu of services” (p. 148). In the participants’ opinion, ACS workers were not properly trained, and many of them lack basic knowledge of child abuse laws and protocols. In addition, these non-ACS participants believed that judges and attorneys were forced to make these decisions because some ACS workers lacked qualification, were not able to interpret the laws correctly, or were not properly trained to do the job. Even when ACS workers were competent, participants believed that they sometimes disregarded child welfare laws. Participants’ responses were consistent with the perspective held by Perrone (2012) that most workers are not qualified to make important child care decisions because they do not have credentials or expertise.

Both ACS and the NYC family court system acted more as adversaries than as child guardians in many instances. This resembles a situation in which ACS is more responsive to the NYC family court attorneys and judges than to the well-being of children. These two agencies need to work together for the benefit of the children they are both charged to service and for the successful implementation of NYC child abuse and neglect prevention. According to the participants, ACS needs to hire more qualified workers and train the existing ones. Family court judges, on the other hand, may need to fully understand the effects of child abuse and the associated dangers a child will face when decisions are made that disregard an ACS worker’s recommendation and send a child back to abusive parents. Family court rulings need to be consistent, and there should be timely hearings and a guarantee that recommended treatment plans for abusive parents

are followed. In addition, judges should have ongoing child welfare education, there should be an accountability system for everybody making child well-being decisions, and the NYC family court system should hire more judges to accommodate an increase in child abuse and neglect cases that the judges and court attorneys are dealing with on a daily basis.

Child placement problems have occurred following cases of abuse and neglect, particularly involving the placement of abused children with family members, which ACS considers the best alternative to placing a child with strangers. ACS refers to this as the Guardianship Assistance Program (KinGap). The purpose of this program is to help strengthen families and create a social support system within the family. However, the participants, particularly the experts from advocacy groups, contended that often, monetary subsidies are the reason that family members allow their relatives' children to be placed in their homes. In most cases, these children end up living with relatives who allow these abusive parents access to their children. For some children who achieved permanency through KinGap or who were adopted by relatives, the abusive parents ended up residing with them without completing any of the mandated treatments ordered by family court. According to PE, "sometimes the permanency is achieved with KinGap even when the children have not shown any sign of progress in Kinship homes." Kinship placement is too flexible, and family court judges often sign off on this placement without hesitation. This finding supports the argument by Richardson-Mendelson (2012) that family courts sometimes issue dispositions without an understanding of which

interventions work for the individual families they serve. Kinship or not, ACS, with the approval of the family court, cannot place children with no appropriate oversight or proper evaluation of services. Although it is understandable that placing a child with a family member has an advantage and can be appropriate for the well-being of the child, ACS cannot assume that placing a child with kin will prevent further abuse and neglect; adequate supervision is still necessary.

Implementation of PPLs

Abuse usually occurs because of (a) the abuser having absolute control of the abused individual, (b) lack of control by an individual being abused, and (c) the failure of professionals to use their authority to prevent the abusive situation. Professionals can identify an unhealthy and abusive environment if adequate evaluation is done. Removal of allegedly abused children should be the priority when visible evidence of unhealthy behavior is obvious or once an environment that can cause an imminent danger has been confirmed. By doing this, professionals are strengthening the level of opportunity that victims have to avoid being victimized. Therefore, for effective evaluation of child abuse and neglect prevention, a worker needs extensive training, qualifications, and experience.

At least one ACS worker participant believed that staff are trained to implement child abuse prevention PPLs. However, despite the training, the problem of child abuse persists. If one has to believe that ACS workers are trained to perform the job of child abuse prevention, then one also has to believe the opinion of the majority of the participants, who contended that child abuse and neglect prevention PPLs lack effective

implementation by ACS workers. It is one thing to train workers; it is another for workers to adequately implement the skills acquired from training. Some participants believed that the lack of implementation occurred because workers were either inadequately trained or lacked proper qualifications to do the job. In addition, participants, particularly ACS workers, expressed that bureaucratic blockages, such as too much paperwork and lack of monitoring and evaluation of new policies and programs, were among the reasons for the ineffective implementation of child abuse prevention.

Oversight and accountability are crucial for the successful implementation of the organization's policies and programs. The responses from participants suggest a lack of oversight and accountability of both ACS workers and foster care providers. Because of this lack of effective implementation, coupled with a lack of oversight and accountability of ACS workers and foster care providers, abused children are not receiving the appropriate social support they need and deserve. The result is further abuse and child fatalities. This finding relates to Newberger and Newberger's (1982) social support theory of abuse and maltreatment, in which the theorists emphasized that poor assessment and inadequate social support will most likely lead parents to continue destructive behavior. The author asserted that parents are capable of providing a safe environment for their offspring but that the ability to do so requires effective social support, particularly support for parents who have displayed symptoms related to abusive behavior.

The central goal of ACS child abuse prevention PPLs is to detect the signs of abuse and rescue victims from abusers, thus shifting the abuse prevention focus from

reactive to proactive. ACS should adequately train its front-line staff and ensure that child care specialists are able to identify abuse symptoms, because early detection is the key to child abuse prevention. ACS child care specialists will continue to misdiagnose child abuse situations unless proper or appropriate training is provided.

Areas of Policies and Programs That Need Improvement

Most participants in this research believed that ACS policies and programs are inadequate and need improvement. The participants suggested that different or additional programs are needed to deal with the ineffectiveness of the current ones. It was also participants' opinion that improvement is needed in handling and monitoring open reoccurrence cases. The system should pay more attention to repeated offenders who may need to be stripped of their parental rights; often, these cases are closed prematurely. Although terminating parental rights should be an option, ACS also has to improve its intervention and preventative programs. These programs are mechanisms put in place to help abusive parents, but according to participants, the intervention and preventative programs are not adequately monitored. ACS needs to test and monitor these programs to ensure their appropriateness in supporting parents and parenting ability. Policies and programs designed to further educate child care specialists and their supervisors regarding the connection between child abuse, poverty, and drug addiction—which participants identified as the leading factors associated with child abuse—will help to avoid potentially dangerous and fatal results for children who are being abused. Therefore, stressing the implications of parents' poverty and drug addiction for children

during training will equip child care specialists with the ability to respond appropriately to abused children who are in life-threatening situations.

Participants questioned the ability and the qualifications of the ACS caseworkers who are entrusted with the difficult task of child abuse prevention. This concern was shared by Perrone (2012), who posited that a child protective specialist (caseworker) is only required to hold an undergraduate degree with only 24 credits in any combination of social science courses. For successful implementation of policies and programs, participants suggested that ACS should focus on hiring and training qualified staff. Not only did they suggest the hiring of competent workers, but they also noted the need to retain workers who are able and willing to put the interests of children first. Compensating competent workers with decent wages is one way to curb frequent employee turnover, and ACS may need to be mindful of this.

ACS having PPLs on paper is not enough if they are not adequately implemented. ACS also cannot eradicate child abuse and neglect without joint effort and cooperation with other stakeholders. The NYC family court system, foster care agencies, and advocacy groups have to join their efforts to combat child abuse. In addition, politicians need to enact positive legislation that supports the well-being of children. ACS and the family court system simply blaming or pointing fingers at each other for the breakdown in child abuse prevention, as indicated by the participants, is not going to resolve the problems of child abuse and neglect in NYC. Instead, these agencies should join forces and implement PPLs that will make the system work for the benefit of the victims of

child abuse. Changes in the interaction between the ACS and NYC family court system require the family court system to frequently offer to train ACS caseworkers on how to legally process and properly document the removal of children who are in imminent danger from their parents' home without the risk of judges returning such children to their abusive parents. The court system should further modify laws to limit the entire time for court proceedings of child abuse and neglect cases. Results of face-to face interviews indicated that it was possible for several judges to preside over a single child abuse case before such a case was finalized. A judge with limited knowledge of prior court activities might not be able to make a decision that will benefit the victim. The NYC family court system should mandate that the entire child abuse proceeding be handled by the same judge until the case is finalized.

As part of its policies, ACS refers families to various programs and services to seek the help of professionals. When abuse is properly diagnosed and appropriate referrals are made, such policy can be beneficial. The NYC family court system and judges would be better served in dealing with child abuse cases if programs with qualified psychiatrists and addiction counselors were employed for immediate diagnosis and treatment of abusive parents and their children. Implementing such programs will help the judges and court administrators because the majority of have limited knowledge of what constitutes child abuse and the appropriate programs and services to be recommend for the family. Whether abuse and neglect are prevented exclusively by ACS or whether ACS gets other agencies involved and shares the credits is not important,

because what is important is to ensure that cases of child abuse are tracked to the point that the well-being of children is guaranteed.

Communication Problems

Communication problems have been a barrier between ACS and the NYC family court system and will continue to be an obstacle to the efforts to prevent child abuse and neglect in NYC unless a viable solution is provided. Most participants in this study blamed ACS and its workers for the largest share of the problems. They believed that some ACS workers do not always follow the policies and laws in making child abuse prevention decisions, and in some cases, the justification for removing children from their parents are not satisfactorily communicated to the family court judges. On the other hand, two ACS participants also blamed family court judges and attorneys for their failure to cooperate with ACS in making decisions that will save children's lives. ACS worker participants believed that the NYC family court system is part of the problem because they often do not agree with most decisions made by ACS to remove children from abusive parents, often prioritized the legal remedy of termination of parental rights, and are unwillingness to impose strict penalty on parents who failed to comply with mandated treatment programs. New York State OCFS participants blamed both the ACS and the family court for their lack of adequate collaborations, which sometimes resulted in reoccurrence of abuse or child fatalities.

Considering the concept of strength in numbers, instead of blaming and scape-goating, all the stakeholder organizations probably could have accomplished the goal of

total child abuse prevention by coordinating, cooperating, and collaborating with each other. ACS and the NYC family court need to modify their activities in an effort to provide better services and protect the well-being of NYC children. The agencies involved in NYC child abuse prevention should share information needed to help each other do a better job. According to Himmelman (1992), a group “is a relationship in which each organization wants to help its partners become the best that they can be.” Through collaboration, the NYC ACS and family court system can begin to see each other as partners working for the well-being of children rather than as adversaries.

Participants believed the challenge faced by ACS was their systematic approach to child abuse and neglect prevention, which is reactive responding after abuse occurs. Participants believed ACS prevention programs are generally designed to be delivered after the occurrence of child abuse, without implementing overall strategies to collaborate with partners or the stakeholders. ACS must be more proactive and make decisions in collaboration with stakeholders, particularly the NYC family court. The concept of joint efforts to safeguard children and family support services should be central to the ACS approach to dealing with child abuse prevention. To some extent, ACS and the family court have a documented history of working together; however, more cooperation is needed to fulfill the goal of total child abuse prevention and to meet both the policy and legal requests of ASFA and other city and state child welfare laws. A new assessment may need to be conducted to determine the training needs of ACS caseworkers and NYC court officials. Based on the assessment, authority must develop a series of joint training

for both agencies. Dissemination of solution to communication problems, collaboration between agencies working together, and best practices in child abuse prevention should be major components of such trainings.

Document

Through investigation of ACS (mentioned earlier in document reviews), the NYC DOI found that ACS repeatedly failed to adhere to New York state law that requires workers to immediately contact and report child abuse to the state central register. The agency also failed to follow basic policies and “casework practice requirements intended to ensure child safety and well-being” (NYC DOI, 2016, P. 10). Instead of a one-time investigation, I recommend an oversight of ACS operations on a constant basis. Frequent evaluation of the implementations of its PPLs may be one way to ensure compliance with its own rules and regulations. The allegations of wrong doing and failure to follow basic policies and laws in the death of two children and a near fatality of a child triggered the DOI investigation in April, 2016. Investigation like this is necessary to determine if ACS is adequately implementing its PPLs, and if not, to find viable solutions that are necessary for ACS to meet its obligation of protecting children and their families.

Limitations and Delimitations of the Study

This study was delimited to the opinions and experiences of participants who were connected to the implementation of child abuse and neglect prevention in the five NYC boroughs. The views of the participants in this study may not necessarily reflect the views of all NYC child welfare experts. Nevertheless, narrowing the focus to participants

or experts who were connected to child abuse and neglect prevention in the five boroughs of NYC was deliberate, as was narrowing the scope of the study to the representative sample of those who have been involved in efforts to resolve the problem of child abuse prevention (i.e., child care advocacy groups and NYS OCFS) or those who have been individually part of the system (i.e., the ACS workers and NYC family court attorneys). The results of this study benefit general child welfare workers and advocate groups who are dealing with the issue of child abuse and neglect implementation in NYC.

The limitation of this study was that only 12 participants were interviewed, a using sample of convenience, as opposed to a random sample. The views and opinions of these 12 participants may not reflect the views and opinions of the entire NYC child welfare expert community. However, it was necessary to narrow the number of participants for practical purposes. For this reason, the results of this study cannot be generally applied to the entire New York State or other regions across United States, but the results can be used as a basic measure. I conducted this study when ACS was under public scrutiny for failure to adequately prevent the occurrence of child abuse and neglect. I could not guarantee 100% honest responses from participants because the situation occurring during the study period may have created skewed sentiments and reflections in participants' responses to the research questions. However, these child welfare experts are professionals who individually have been working in the field for 10 or more years. Therefore, I assumed that they would not let the events of the moment affect their judgments to be objective in their answers to the research questions. The

research questions were also asked in such a way that interviewees' responses were based on their past experiences not just on issues that occurred during the interview period.

Recommendations

A review of literature showed that various studies have been conducted on child abuse and neglect prevention, particularly in the area of the recognition and reporting of child abuse and neglect. Little research has been devoted to the influence of PPLs on child abuse and neglect prevention, and I have not been able to find similar study devoted to NYC ACS child abuse and neglect prevention. Additional research that provides a better understanding of some of the challenges child welfare organizations in the entire New York State are facing with respect to child abuse and neglect prevention policies and procedures was therefore necessary and timely. The lack of clarity and inadequate implementation of PPLs places children in danger and hampers ACS workers' efforts to provide effective services and meet the goal of total child abuse and neglect prevention impossible.

A study sample that includes only the ACS, OCFS, family court attorneys, and advocacy groups may not reflect the views and opinions of the entire stakeholder population regarding the topic under study. Harder and Haynie (2012) indicated more awareness of the problem of child abuse and neglect is needed by legislators for better legislations of this problem. Further research is therefore recommended to include the legislators who need to vote and adopt stronger child welfare legislations, the former

abusive parents who can shed more light on the effectiveness of mandated treatment programs, and other child abuse policymakers and community leaders.

The numbers of participants in this study was relatively small, thus it may be inadequate to address the problems of child abuse prevention stated in this study from every perspective. I recommend a statewide study of child abuse and neglect prevention PPLs that include other child welfare experts throughout the state, using random sampling data collection to yield results that can generally be applied to a larger population.

I found a lot of blaming and scapegoating among the stakeholders, particularly between the ACS and NYC family court system because of the lack of collaboration and cooperation among the two agencies. I recommend that future researchers take into consideration this study to address the effect of the lack of collaboration and cooperation among the agencies charged with prevention of child abuse and neglect. Every agency and the individuals working for child welfare agencies need to be held accountable for the actions and decisions they make, otherwise children's well-being will continue to be ignored.

All but two interviewees (83%) stated that poverty or some other financial concern was a risk factor of child abuse and neglect. Although poverty and financial concerns was believed to be most consistent correlate of child abuse and neglect, there is still little knowledge pertaining to how income and poverty affect the risk of abuse and neglect. I recommend a study that involves analyzing the role of poverty or income on

child abuse and neglect. It would be valuable to learn whether poverty or income by itself has a central role in the etiology of child abuse and neglect.

Implications for Social Change

The findings of this research may promote social change by improving ACS and other child welfare organizations' abilities to recognize the appropriate child abuse and neglect PPLs that are most effective and needed to reduce the danger faced by children, especially children who are currently the victims of abuse in the hand of not only their abusive parents, but also the child welfare agencies that are not adequately equipped with the necessary tools to help them.

This study contributes to the body of literature in the area of child abuse and neglect prevention PPLs, which are currently minimal. The policymakers, politicians/ or legislators, child welfare organization executives, and family court administrators will be able to use the information provided in this study to determine which policies and programs should be adopted and which child welfare laws are needed to be enforced. The information provided in this study may be highly crucial to the successful implementation of child abuse and neglect prevention. Not only does the information provided meet the immediate needs of ACS for reviewing its child abuse and neglect prevention PPLs, but also the goal was to share the findings with other stakeholders who are equally committed to child abuse and neglect prevention. By sharing the information broadly, the study will help child welfare agencies determine if new strategies are needed to substantially reduce

child abuse and neglect, or if existing strategies are beneficial but needed to be implemented more widely.

The purpose of Newberger and Newberger's (1982) social support theory of child abuse and maltreatment is to emphasize that poor assessment and inadequate social support will most likely lead to abusive parents and the continuation of destructive behavior. The theorists also gave an assurance that most parents are capable of keeping their children safe but need adequate social supports, particularly for parents who already display symptoms of abusive behavior. By using this theory as a theoretical framework, ACS will have to realize that inadequate knowledge and poor assessment will ultimately result in failure to properly implement child abuse prevention PPLs, thus leading to inadequate social support for the abusive parents and their children. Results of this study, therefore, offer insights into what type of trainings are needed for both child welfare workers and other stakeholders to achieve the goal of child abuse and neglect prevention.

Conclusions

Abused children need help and adults should be there to ensure their well-being and safety. However, only the government has the manpower and resources to eradicate child abuse and neglect in U.S. society. To achieve this goal, government (local, state, and federal) should establish a child welfare agency to ensure that the goal of child abuse prevention is achieved. In NYC, that agency is the ACS. Through this study, I analyzed the PPLs that the ACS uses to implement child abuse and neglect prevention in NYC. The study was designed to answer four research questions. The findings strengthen the

scholarly knowledge regarding the issue of child abuse and neglect prevention in NYC. I interviewed 12 participant experts with the goal of determining the influence of PPLs on the implementation of child abuse prevention. I also examined how the social support theory of child abuse and maltreatment and the ecological theory of child abuse and neglect can provide explanatory or predictive value to the implementation of PPLs. Previous research on child abuse prevention mostly concentrated on the effect of detection and reporting incidences of abuse and neglect, but prior researchers did not take into account the PPLs framework guiding the implementation of child abuse prevention. The research findings suggested that Newberger and Newberger's (1982) social support theory of child abuse and maltreatment can be used as a model to evaluate and examine the effect of inadequate child abuse and neglect prevention implementation and the PPLs framework guiding such implementation.

In evaluating the credibility of the data collected, the participants were chosen based on their expertise in the field of child welfare: ACS workers, NYC family court attorneys, OFCS workers, and advocacy group workers. Certain themes emerged from the interviewees' responses that showed consistency and logic. The 12 participants were asked four interviewed questions each. The questions were asked in such a way that in some instances left room for probing follow-up questions, and the responses lead to new areas of research interest, which should be explored by future researchers. As a researcher, I carefully worked against influencing the participants with my values and biases.

The results and findings of this study are similar to what researchers have previously reported in the literature about child abuse and neglect prevention strategies. The findings suggest that failure of ACS child abuse and neglect prevention is a result of its inadequate implementation of PPLs. Participants believed that some workers lack full understanding of the policies and programs, while others disregarded the PPLs altogether. This lack of adequate knowledge coupled with workers' disregard for laws, poor assessment, and lack of cooperation among the stakeholders has resulted in the failure of ACS to deliver social services to abusive parents and their abused children. This finding supports the argument made by Newberger and Newberger (1982) that poor assessment and inadequate or lack of social support will lead to, or further contribute to, abusive parents' destructive behavior. ACS has been solely blamed for the abuse, neglect and child fatalities that have occurred in NYC. Participants blamed ACS for its inability to provide the necessary support for abused children and their parents, particularly parents who already displayed risk factors, such as drug addiction and poverty or financial concern.

In conclusion, for ACS to be able to achieve its goal of safeguarding the well-being of NYC children, many steps need to be taken. ACS must enforce the child welfare laws and adequately implement child abuse and neglect prevention policies and programs. They also need to make changes or add new prevention strategies. The changes must include adopting the policies that will encourage better communications among the stakeholders, as well as joint innovative training for ACS and the NYC family

court system personnel, including attorneys and judges. Policy makers and stakeholders need to draw from the Newberger and Newberger's (1982) social support theory of child abuse and adopt policies and programs that promote social and economic support for the parents who have a history of abusive behavior or already display risk factors of child abuse, and their children.

Participants believed that most of the policies and laws guiding the prevention of child abuse and neglect will be effective and efficient if adequately implemented and if qualified workers were employed and trained to implement them; however, the policy of "detect and remove" had an unintended negative effect on the efforts to prevent child abuse and needs to be changed. As defined in chapter 2, detect and remove is the process in which a child is removed from his or her parents' home before the completion of abuse investigation (NYC ACS, 2011). This removal is done without properly adhering to the laws guiding the removal of abused children and before the completion of the ACS's due process policy. Such removal can happen during an investigation or before the court date without meeting the legal requirements intended to determine whether a worker can remove a child without legal ramifications

According to Armstrong et al. (2013), the policy and law that permit removing a child from his or her parents' home works best only after the appropriate investigations and assessment have been conducted. According to the participants in this research, one of the reasons for the failure of the NYC child abuse and neglect prevention was that ACS workers' decisions to remove abused children from their home are often revised by

the family court judges. Family court attorney participants posited that the reason for the judges' decisions was that child removal laws were not followed. Not only that, some workers failed to follow their own agency policy of due process. To remove a child from home, ACS worker must have established that the child was in imminent risk of harm in the home

Most participants believed that for fear of being fired from their jobs, a worker will rather remove a child from his or her parents' home before the confirmation of abuse or take a risk of being terminated from his or her job for failure to prevent abuse or child fatality. One participant doubted if any worker has ever been fired for removing a child from their parents' home but many lost their jobs for failure to prevent abuse or fatalities. To avoid returning abused children to their abusive parents' home, there should be a new policy that compels workers to do a thorough assessment, proper evaluation, abide with their agency policy, and follow the family court's child welfare laws and procedures. Such policy needs an adequate oversight by the supervisors and managers.

Child abuse and neglect prevention in a big city like New York can be a difficult task. These workers are operating under significant pressure, but achieving the goal of total child abuse and neglect prevention will require a lot of effort and dedication. According to Theodore Roosevelt, "Nothing in this world is worth having or worth doing unless it means effort, pain and difficulty." Achieving child abuse prevention is a difficult task, but it is achievable.

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