

Executive Summary

Child Sexual Abuse and Exploitation in Pennsylvania

By:

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This research reviewed more than 2,000 Pennsylvania Children and Youth Services (CYS) reports of child sexual abuse or sexual exploitation from 2016 and 2017 across 10 Pennsylvania counties. The research was conducted initially to understand the characteristics of Commercial Sexual Exploitation of Children (CSEC), and how it is identified and investigated by CYC caseworkers.

The research identified challenges in multiple steps of the CYC process, from the initial screening of child abuse reports to the actions of the State Commonwealth Court. Ultimately, the research turned into a more thorough review of reporting and investigative practices in child sexual abuse and exploitation cases.

The researchers acknowledge the work of the Office of the Auditor General and the state's recent Child and Family Services Review that identify concerns with CYC resources and practices. However, those efforts focused largely on fatalities, near fatalities, and children in foster care, which represent a small proportion of children at risk of, or victims of, maltreatment. Child sexual abuse is almost never lethal and rarely results in foster care placement due to the presence of a non-offending parent. Therefore, sexual abuse cases are poorly represented in most oversight and evaluation efforts.

The authors commend the leadership of the Office of Children, Youth, and Families (OCYF) and the 10 Commonwealth counties for their participation in data-driven efforts to identify problems and arrive at solutions. Solving these issues requires a coordinated response by OCYF, county CYC leadership, the legislature, and the courts, as well as research and evaluation partners. The researchers offer six recommendations that, taken together, could position Pennsylvania as a national model for child protection. Each of the recommendations are intended to improve the quality of the child welfare system in Pennsylvania. Although the research findings may not reflect the circumstances of all 67 counties, these recommendations focus on strategies that can support and enhance child protection work statewide.

Look Beyond Fatalities and Foster Care Placement

Focusing on rare cases can misrepresent the scope or nature of system problems. System-wide concerns involving screening, training, and case documentation were identified that would not be discovered in a fatality review. A statewide systematic review of county child maltreatment screening decisions and investigations, irrespective of whether an intervention occurred, will provide



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additional insight into the capacity of CYS agencies to detect child maltreatment, intervene where necessary, and keep children safe.

Stop Deleting Data

Pennsylvania's statutory requirement for expungement of CYS cases dispositioned as "unfounded," "invalid," or "screened-out" without an investigation, can create numerous barriers to CYS's ability to keep children safe. While counties are now permitted to retain these records for some uses, it is not required. CYS workers may be unable to retrieve records that may elicit patterns of abuse among different child victims, reports by different reporters, or an opportunity to review statements and findings from past investigations that may provide additional facts or context about new allegations. This may result in wrongly-accused persons being repeatedly subjected to investigation for allegations that were already investigated. This also may re-traumatize children, waste caseworkers' limited time, and be unfair to the alleged perpetrator in circumstances of false allegations. Moreover, expungement does not permit child welfare workers to consider the accumulation of allegations, patterns, and evidence across multiple reports over time, which is often required to expose serial perpetrators. The authors recommend the state consider means of retaining records while protecting individuals' confidentiality and due process rights.

Improve, Standardize, and Streamline Statewide Practice Standards

The researchers identified high variability in the rate at which reports were screened out across counties, potentially resulting in disparate access to protective services depending on one's address. Centralized screening with highly trained and experienced staff would reduce the duplication of effort at the state and county level, and increase consistency.

Current practices also result in duplication of effort, wasted resources, and diffuse documentation. For example, one report per child is required for Child Protective Services (CPS), even if there are multiple alleged child victims in the home, and additional separate reports may be required for concerns that fall under General Protective Services. Thus, a single household reported by one source may result in multiple separate reports all of which overlap and may run concurrently. The

consequences of this approach include duplicative data across records, higher caseloads for caseworkers, as well as individual records that appear incomplete without information from other records. One family-level report and centralized screening (using ChildLine) with highly trained and experienced staff would reduce the duplication of effort at the state and county level, and increase consistency.

The Electronic Record Stands Alone

Pennsylvania lags behind other states in comprehensive electronic recordkeeping. Critical aspects of CYS cases are inconsistently documented, or are scattered across paper forms and other data systems. A comprehensive and high quality electronic case management system that eliminates external documentation or paper forms is a critical need: such systems are more secure, efficient, and reliable, and facilitate supervisory oversight. Employed effectively, they can also guide caseworkers' processing of complex information through the use of a logical and consistent organizational framework, mandatory fields, and decision tree branching logic.

Enhanced Service Response

Pennsylvania, like most of the country, faces a shortage of qualified interviewers and medical evaluators for child sexual abuse in every community, especially rural areas, which may delay timely, quality interviews, and medical examinations for suspected victims. Child advocacy centers (CACs) provide interviews and exams that meet the needs of CYS and law enforcement investigations and court proceedings, and are non-traumatizing for children. The researchers confirmed the use of CACs interviews in just over 1/3 of investigated cases and medical examinations in only 11 percent of cases. Targeted state-level investment and cross-county coordination of CACs could increase capacity, and statewide guidance for procuring and documenting CAC services in CYS investigations would address underutilization.

Post-investigation, many families need services to address underlying risks and support the healing of child victims. The research found that CYS intervention was rare. Even when there was a finding by CYS that sexual abuse occurred, intervention occurred in only about one in five cases. The authors recommend statewide tracking of evidence-based services that prevent sexual

abuse, treat offenders, and support victims and non-offending parents to identify critical service gaps. In addition, Pennsylvania requires the highest standard available in civil proceedings – clear and convincing evidence – for dependency, which allows the court to mandate families to comply with services to retain custody of their child, or to remove the child from the home. However, consistent with almost all other states, Pennsylvania’s CYS uses the lower “preponderance standard” to determine whether maltreatment occurred, creating a mismatch between the threshold for concluding maltreatment occurred and the threshold for involuntary intervention. This may inhibit CYS’s ability to provide treatment to victims, monitor and address perpetrators’ propensity to harm children, and equip non-offending parents with the skills and information needed to support and protect the victim. A detailed study of the uptake or refusal of CYS service recommendations would clarify the factors leading to low rates of service provision.

Finally, the authors note that the rate at which cases indicated by CYS are overturned on appeal is high, which may both affect and reflect the concerns raised in this research pertaining to the quality, scope, and documentation of investigations. According to the 2018 Annual Child Protective Services Report, over 70 percent of child abuse cases ruled on by the Bureau of Hearing and Appeals (BHA) were overturned. A deeper review of this issue is warranted.

Invest in The Workforce

The authors found that documentation from ChildLine and county workers was not consistent with expected investigative procedures, including inaccurate interpretations of legal standards, poor writing quality, and unfocused interviews. Myriad factors may explain this, including low hiring standards, a lack of rigorous and skills-based training, inadequate supervisory support, the challenging nature of working in the child welfare system, low salaries, and high caseloads. Each person responsible for investigations should receive skills-based training on how to interview and document interviews with all relevant parties; when to request a medical exam and what to expect from one; and how to assess non-offending parents’ protective capacities. More broadly, the researchers recommend (1) an assessment of basic writing skills pre-hire, and (2) integration of the training course on documentation skills into the required pre-service training. Pennsylvania OCYF is currently implementing changes to hiring criteria, but higher salary standards are likely needed to improve recruitment, especially recruitment of bachelors- and masters-level social workers. The authors also acknowledge current state efforts to implement new caseload standards. However, enhanced hiring standards, enhanced salaries, skills-based training, competency assessment, and reduced caseloads must occur in tandem to be successful.

Note on the Original Focus of the Research

This study initially focused on the identification of commercial sexual exploitation, or sex trafficking, among children involved with, or reported to, a Children and Youth Services agency in Pennsylvania. Ultimately, concerns with investigation practices of Pennsylvania’s child welfare system that could have an impact on the safety of maltreated children were discovered. Following consultation with the Center for Rural Pennsylvania and the Office of Children, Youth, and Families, the goals of this study were realigned to better serve the commonwealth and its counties to focus on screening, investigation, and intervention procedures for child sexual abuse and exploitation allegations. Using the original sampling parameters and data, the researchers expanded the case documentation procedures to include detailed information regarding screening and investigation practices and procedures. Thus, the full report consists of two main parts: Part I, which focuses on the procedures and findings related to commercial sexual exploitation of children; and Part II, which includes the broader findings about the child welfare response to sexual abuse and exploitation.

The full report, *Child Sexual Abuse and Exploitation in Pennsylvania*, is available on the Center’s website at www.rural.palegislature.us.

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