CHILD PROTECTIVE SERVICES

This is an exploratory study of the history of Child Protective Services and an empirical research of DeKalb County Department of Social and Children Services, the Child Protective Agency of DeKalb County, Georgia.

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ABSTRACT

This is an exploratory study of the history of Child Protective Services and an evaluative research of DeKalb County Department of Family and Children Services, the Child Protective Unit in Decatur, Georgia. The general purpose of this study has been to evaluate this unit in terms of their service delivery, focusing upon the Black community, compared to the expected service delivery components outlined by Georgia's Department of Human Resources.
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Introduction to the Study

American society has often been described as child-centered. This idealized image seems, however, contradicted by various destructive aspects of child life in the United States, such as widespread poverty, hunger, malnutrition, neglect and exploitation, inadequate health care; an ample measure of physical violence inflicted upon children in their homes, schools, and various child-care institutions. There can be little doubt that all these phenomena tend to block opportunities for millions of children, and that they prevent the realization of their innate human potentialities.¹

The maltreatment of children has attracted considerable interest during recent decades in this country. Yet, in spite of this widespread interest and concern, which is reflected in numerous studies and demonstrations, projects, conferences, seminars, articles and books, the underlying dynamics of abuse and neglect and its real incidence and prevalence rates through the population and among various

population segments, are unknown. For more than one hundred years, agencies have been trying to protect children from neglect and abuse. During these years, concerns for children have grown. As the awareness of the widespread suffering and deprivation of a large proportion of American children developed, a heightened sense of societal responsibility developed for their protection. The system, Child Protective Services, was then established.

According to the Georgia Department of Human Resources, child protective services are defined as follows:

"Child protective services are specialized services which carry a delegated responsibility to offer help in behalf of any child considered or found to be neglected, abused or exploited. These services have the general purpose to help parents recognize and fulfill their parental roles more adequately. The focus of these services is preventive, rehabilitative and impunitive, with efforts directed towards identifying and treating the underlying causes of neglect, abuse or exploitation. In the event rehabilitative efforts are not successful and home conditions pose serious or hazardous consequences for the child, appropriate action may be initiated either with parental cooperation and consent or through petition to the court to obtain substitute care for the child. This step, however, should be considered carefully and cautiously with the recognition that separating a child from his parents may have serious and lasting emotional effects."  

Protective services are to be initiated for a child whose parents or the person responsible for his care, willfully or otherwise, fail to meet the child's basic need for love,

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3Ibid.

care, protection and guidance and there is substantial indication that the child's physical well-being and/or his personality development is being damaged by the conditions in the home. ⁵

In the broader meaning, the neglect of children may result from either acts or failure to act on the part of parents. Examples in these two categories might be leaving the children for substantial periods of time without proper supervision; abandoning the children; excessive drinking; exposing children to immoral acts; cruelty such as beatings and extreme forms of punishment; failure to provide needed medical attention, clothing and food; failure to give a child the love and affection, the sense of belonging and security which is essential to healthy personality development; and exploitation by using small children to beg or using girls under seventeen for prostitution. The list of situations that may constitute neglect is not inclusive and should not be used as a guide in evaluating complaints of neglect. This list does not mean that these conditions are present that neglect always exists, but these examples do serve to point out how parents by their acts or by failure to act can neglect children. The real test of whether neglect exists should be based on an evaluation of whether parental behavior and attitudes or the conditions to which the child is exposed is causing or may cause severe

⁵Ibid.
or permanent damage to the health, moral or physical
welfare or emotional well-being of the child.

The Georgia Department of Human Resources continues
defining Child Protective Services by stating:

"Protective services should also work toward
identifying and improving conditions in the
community which contribute to or fail to avert
neglect or abuse of children."\(^6\)

The writer found the above statement very interesting
and there is the focus of her investigation. It is the
writer's interpretation of this quote, that one major goal
of protective services is stated to be prevention of the
neglect and abuse of children, and that involves improving
a family's quality of life or circumstances in which one
lives within the community that may produce these problems.
They should be geared to insure adequate standards of living
for the disadvantaged segment of the population that produces
the neglected and dependent children. Neglect may result
when the community lacks vital health and social welfare
services to support family life, fails to provide opportunities
children should have or fails to improve those conditions
which affect children adversely such as inadequate housing,
insufficient public assistance grants, lack of medical
attention, or educational, vocational training and employment
opportunities. The community, therefore, is responsible for
providing a setting in which children can achieve optimum
development, physically, emotionally, mentally and spiritually.

\(^6\)Ibid.
When the well-being of a child is threatened, it is also the responsibility of the community through the agency to whom it has delegated responsibility for child protective services to intercede in the child's behalf to correct the conditions causing the neglect or abuse.

It is the writer's belief that Georgia's protective services units are not addressing themselves to correcting conditions within the community that may indeed cause the neglect or abuse of our Black children in DeKalb County. Hopefully, findings from this study will give some information about what indeed they are doing and what is needed to make modifications, if indicated, in their system's operations and to seek improvements in their agency environment.

Historical Facts About Protective Services

It may prove helpful if at this point a brief account of the origin and growth of child protection in this country is discussed.

In a general way, the neglected child has been an object of concern in America. But the agencies concerned with child protection trace their origin to the dramatic New York case of Mary Ellen in 1875, through the efforts of Henry Bergh and Commodore Elbridge Gerry of the Society for the Prevention of Cruelty to Animals. Thus, at that time, there seemed to

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to be no legal measures available to protect her. Neither
the police, the District Attorney's office nor any of the
agencies which were turned to for help were able or
willing to go to Mary's aid. In sheer desperation, community
leaders concerned with the situation, appealed to the Society
for the Prevention of Cruelty to Animals (S.P.C.A.). This
organization brought Mary Ellen to the attention of the
court as an "animal" who was being mistreated since she
had no rights as a human being.

On this specious argument the S.P.C.A. took action and
after an investigation the parents were haled into court
and Mary was placed in a foster home. The child was removed
from the parents' custody and they were given a term in a
penitentiary.\(^9\)

The first step in child protection was thus taken by
an animal society. From this early beginning, it can be
seen and understood how it came about that for many years
in many areas of the country child protection was so closely
allied with the protection of animals. Numerous humane
societies, which had been originally organized for the
protection of animals, sought modification of their charters
so as to provide a similar service to abused and cruelly
treated children who otherwise could not receive the protection
of the law.\(^10\)

\(^9\)Ibid.

\(^10\)Ibid. p. 5
The organization of the New York County Society for the Prevention of Cruelty to Children (S.P.C.C.) in 1875 was a signal for the development of similar societies elsewhere. However, many new organizations were created with responsibility solely for the protection of children. The incorporation of the New York S.P.C.C. was followed rapidly by the incorporation of the Rochester, New York, S.P.C.C. later the same year; the Portsmouth, New Hampshire, and California S.P.C.C.'s in 1876; the Pennsylvania S.P.C.C. in 1877; the Buffalo, New York, and Delaware S.P.C.C.'s in 1879; and the Brooklyn and Richmond County S.P.C.C.'s in 1880. As a matter of fact, by 1880 there were thirty three societies for child protection in the United States.\footnote{Folks, The Care of Destitute, Neglected and Delinquent Children, p. 173.} In 1922, according to William J. Shultz, there were fifty seven societies for the Prevention of Cruelty to Children, and many of the three hundred and seven humane societies combining child and animal work devoted themselves almost exclusively to child protection.\footnote{Annie L. Sandusky, "Protective Services," Encyclopedia of Social Work (New York: National Association of Social Workers, 1964), p. 579.} These were the agencies which built up the tradition in child protection and whose combined experiences produced the lore in this field.

These pioneering groups began operations in an era before the science and practice of social work was born. In its early beginnings, the child protective movement saw as its
major responsibility that of law enforcement and child rescue. Nurtured under what were tantamount to police powers, their orientation was legalistic. The agency uncovered the cases of children who were neglected, abused, or exploited, and worked to remove the children from their homes. The emphasis was on legal action and the agency agitated for, and supported efforts to enact legislation for the protection of children and to enforce these laws. This early adherence to a law enforcement approach met the needs of the times and produced the kind of relief which was contemplated by the enabling legislation which authorized their creation. With the turn of the century and with the growing public consciousness that prevention is a better cure than punishment, leaders in the field of child protection turned the emphasis away from prosecution and toward the application of remedial measures. 13

During the Twentieth Century these agencies were beginning to move away from the more limited concept of child protection as an arm of the law toward the recognition of responsibility for providing more than a purely investigatory and prosecutory type of service. The transition from law enforcement to casework was a slow one. It was slow not only because the new science of social work was itself slowly developing its own body of knowledge, but because the transition was made slow also by the fact that the change required a realignment and a refocusing of thinking in terms of seeing

child protective work not solely as a method of "rescuing" children from neglect but that it could be employed as a helping process to lift the family to a more acceptable standard of living.\textsuperscript{14} Thus, the recognition that it was not enough to rescue the child but rather that effort must be made toward preserving the home for the child. This meant working with parents, helping them with their problems of adjustment, so that they might more adequately meet the needs of their children.

The continuing influence of the casework method and the rapid growth and expansion of all social work programs suggested that the primary rationale of protective services was to help the parents, not to punish them, to keep the family together rather than to disrupt it. This orientation was given considerable emphasis by the first White House Conference on Children in 1909, in its declaration that the child should not be removed from the home for reason of poverty alone. It was given further impetus by the growing recognition, based on the developing science of child psychology, of the importance of the home to the child.\textsuperscript{15}

However, despite the fact that the current definitions of protective services express a social work rather than a legal emphasis -- "protection of child through strengthening the home" .... "preventive, non-punitive service geared


\textsuperscript{15}Ibid.
towards rehabilitation" -- the two points of view are inherent in the operations of all agencies. What has been achieved is the greater stress of one emphasis, not the elimination of either.

The above historical account of child protective services characterizes developments to serve mainly the white population of American society, and not for the most part for our Black children.

Since slavery days, the typical homes and opportunities of many Black children have been quite deplorable and inadequate. Throughout history, beginning with slavery, homes for Blacks were small, roughly-constructed, one-room log cabins. They were generally without windows, the single door serving for light and ventilation as well as for entrance and exit, and they had no sanitary provisions. The conditions under which Black children have been reared represent a constant threat to their health.16

During the period of the Emancipation and Reconstruction, Blacks began striving for a better quality of life. They removed women and children out of the fields, insured family settings for children, developed councils for the aged, and put up model schools for their community members.17 At the turn of the century, when child welfare agencies in the United


States did begin to notice Black children, in resulted
in the children being removed from their families and
herded into large, deplorable, and impersonal institutions --
namely, almshouses and orphanages. Many times the conditions
of the institutions were much worse than their own homes.
Not only did these institutions house children but also
served adults who could not care for themselves, like the
blind, lame and insane. This type of intervention was
neither healthy nor beneficial for the children.

Since perennially the Black community has been the
victim of a double standard in terms of wealth, housing and
services rendered, the Black family and the Black church
have assumed the responsibility of providing both maintenance
and developmental influence in the social, cultural, and
psychological maturation of Blacks since the public agencies
were not adequately assisting them. Through the church,
education found its basis, as did private charities and
private services for children, day care centers, hospitals,
libraries and a variety of other social services.18

"From the beginning of the United States history,
Black children have been at least partially excluded
from welfare services. Fortunately, Black children
were not totally dependent upon the institutions of
the broader society; they have always been able to
rely on their own people. The long struggle on the
part of the Black community to provide for those of
its children whose parents could not adequately care
for them is one of the strong features of the Black
experience in this country. These self-help efforts

18Daniel Thompson, Sociology of the Black Experience
have never been adequately chronicled; indeed, they have been virtually ignored in the child welfare literature because it displays the efforts Black people made to provide for the children inadequately cared for by the child welfare system."

**Legal Base for Providing Protective Services**

The agency providing protective services must have certain defined powers and responsibilities derived from the statutes which require it to receive and inquire into reports of neglect, abuse, or exploitation, and in the interest of the child to enter into situations where services have not been requested and to provide the care and the responsibility the child needs.

Child protective services as a responsibility of public welfare agencies began with the Social Security Act of 1935, which included provisions for services "...for the protection and care of homeless, dependent, and neglected children...." Subsequent amendments to the Social Security Act have reinforced and provided for the expansion of protective services as a vital area of responsibility for the public welfare agencies.

Under the 1962 amendments to the Social Security Act, child welfare services were redefined in a manner that specifically charges child welfare agencies with designing

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20 *Social Security Act (1935)*, Title V, Part 3, Section 528.
programs to prevent the neglect and abuse of children.

The act now states:

"Child welfare services mean public social services which supplement or substitute for parental care and supervision for the purpose of preventing or remedying or assisting in the solution of problems which may result in the neglect, abuse or exploitation, or delinquency of children."

In 1963, the Children and Youth Act further clarified the responsibility and authority of the department by...

"...protective services that will investigate complaints of neglect, abuse or abandonment of children and youth by parents, guardians, custodians or persons serving in loco parentis and on the basis of findings of such investigation offer social services to such parents, guardians, custodians or persons in loco parentis in relation to the problem of bringing the situation to the attention of a law enforcement agency, and appropriate court, or another community agency."

In January 1974, the Federal Government enacted Public Law 93-247, which outlined certain requirements each state must need to be eligible for Federal funding of their programs for prevention and treatment of child abuse and neglect. Many of these laws, however, are limited in their scope, and consequently their impact.

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22 Ibid.

23 Ibid. pp. 16-18.
The primary purpose of this law is to provide Federal financial assistance for the prevention, identification and treatment of child abuse and neglect. For a state or its political subdivisions to qualify for funding under PL93-247, ten requirements must be met:

1) A state must provide for the reporting of known or suspected instances of child abuse and neglect.

2) A state must provide, upon the receipt of a report of known or suspected child abuse and neglect, an investigation of that report by a properly constituted state authority. Each investigation must be initiated promptly; however, the properly constituted authority must be an agency other than the agency, institution or facility involved in the acts or omissions, if the report of child abuse and neglect involves the acts or omissions of a public or private agency or other institution or facility. In addition, a state must provide, upon a finding of abuse or neglect, for immediate action to protect the health and welfare of the abused or neglected child and of any other children who may be in danger in the same home.

3) In connection with the enforcement of child abuse and neglect laws, and the reporting of suspected instances of child abuse and neglect, a state must demonstrate that there are, in effect, administrative
procedures, trained personnel, training procedures, institutional, and other facilities and multi-disciplinary programs and services sufficient to assure that the state can deal effectively and efficiently with child abuse and neglect. At a minimum this must include a provision for the receipt, investigation and verification of reports; provision for the determination of treatment or ameliorative social service and medical needs; provision of such services and, where necessary, resource to the criminal or juvenile court.

4) A state must have, in effect, a child abuse and neglect law that provides immunity for all persons who in good faith report instances of child abuse or neglect (immunity to apply both civil and criminal prosecution that might arise from such reporting).

5) A state must preserve confidentiality of all records concerning reports of child abuse and neglect by having, in effect, a law that (a) makes such records confidential and (b) makes any person who permits or encourages the unauthorized dissemination of such records or their contents guilty of a crime.

6) A state must establish cooperation among law enforcement officials, courts of competent
jurisdiction and all appropriate state agencies providing human services for the prevention, treatment and identification of child abuse and neglect.

7) In every case involving an abused or neglected child, that results in a judicial proceeding, a state must provide that a guardian ad litem be appointed to represent the child in such proceedings.

8) A state must provide that the aggregate of state support for programs or projects related to child abuse and neglect shall not be reduced below the level provided during the fiscal year 1973.

9) A state must provide for public dissemination of information on the problems of child abuse and neglect, as well as the facilities and the prevention and treatment methods available to combat child abuse and neglect.

10) A state, to the extent feasible, must insure that parental organizations combating child abuse and neglect receive preferential treatment. 24

The Georgia State Department of Human Resources is the legally sanctioned agency for receiving and investigating complaints of abuse and neglect of children. It operates through its various County Departments of Family and Children Services (DFCS). The philosophy of DeKalb County's Department of Family and Children Services is to preserve family life by

24 Ibid. pp. 16-18.
keeping the child in his own home, unless he is in extreme danger, and to correct family and community conditions that produce these problems so as to prevent further neglect and abuse of children.

Once again, it is the writer's belief that DeKalb's protective service workers are not addressing themselves to correcting conditions within the community that may indeed cause the neglect or abuse of our Black children in DeKalb County.

Methodology

This is an evaluative research study of the DeKalb County Department of Family and Children Services, the Child Protective Service Unit in Decatur, Georgia. The general purpose of this study has been to evaluate this unit in terms of service delivery as mandated by Georgia's Department of Human Resources, focusing upon the Black community.

The data for this study was obtained from literature written on child protective services and child abuse and neglect, informal interviews, and information gathered by the writer while on her six-month internship in the Protective Service Unit in DeKalb County. Interviews were individually conducted with ten full-time employed child protective service workers of DeKalb County. Of the ten interviewed, one was black, eight were thirty years or under in age, one was approximately forty years of age, and one was over sixty years of age.
Findings

It is the writer's findings that DeKalb County's Child Protective Service workers are not addressing themselves to improving community conditions of the Black community. These findings agree with Andrew Billingsley, who states, "Services designed to alleviate social and environmental stress on families are virtually nonexistent in this country,"²⁵ and with Vincent De Francis, who believes, "...no state and no community has an adequate Child Protective Program; that much of what is available renders only lip service to the concept of child protection...."²⁶ These authors have also questioned the underlying philosophy of the present child welfare system with their actual service delivery to the individuals and families who need them most and are entitled to them by law.

According to the protective service workers interviewed, eight felt they were identifying the existing hazardous conditions within the client's community but their treatment is mainly crisis intervention, where their focus is to help the family cope or adapt to current circumstances of living; very seldom do they attempt to change or correct them. These workers stated that at times they will assist families living

²⁵Billingsley and Viovanni, Children of the Storm, p. viii.
in deplorable conditions to relocate to a better environment but no attention is given to their old place of residence, as far as having the health department condemn the house, having the landlord make adequate repairs, or having necessary community resources developed within the given community. With the old house, now vacant, another family only moves into it, and/or out of it, and it continues throughout time.

These workers also stated that a great deal of the times when a family's environment in their opinion, is so inadequate, they find themselves removing the child from their families and out of the threatening environment. With the child out of the home, the community's conditions may no longer be the protective service worker's concern.

When the workers were questioned as to why they did not indeed attempt to correct conditions within the community to improve families' quality of life or perhaps keep a family together, the overall response was that they did not have time or knowledge to specifically work with the community as a whole. The majority of their time is spent investigating in-coming calls and attending court in behalf of a child. They do, however, feel that work within the community is needed, as well as society transformation addressing the communities in need.
Recommendations and Conclusion

If a system of child welfare services is to serve Black children adequately, it must abandon the residual approach in which child welfare programs are designed and operated primarily to rescue unfortunate children whose parents have failed them and who have thus fallen through the cracks of an otherwise well-functioning social order. The programs must be based instead on the fact that the present social order is not functioning properly. Furthermore, in its attempt to improve the well-being of all of the nation's children, the system must be oriented toward prevention of child-care problems as well as toward curative and corrective measures; it must focus on preserving and enhancing family life of children rather than on rescuing children from families that are considered malfunctioning. These are the more general features of our concept of child welfare.27

"A system designed to serve Black children must have not only an historical perspective and a social perspective, but a Black perspective. The Black child must be the central focus of the system rather than the incidental or accidental recipient of services designed and operated by and for other people. What this means is that child welfare services must be based on the historical experience out of which Black children have emerged and within which they are still enmeshed. The social perspective requires that the network of relationships between Black children and the various levels of social reality in which they exist must be fully understood. Black children cannot be effectively helped to healthy, functioning lives if they are viewed in isolation or in a limited context. They must be seen

27Billingsley and Giovanni, Children of the Storm, p. 5
as members of Black families and Black communities in all their variety and complexity; and the relationships between the larger, white society and the Black community must be explicitly recognized, analyzed, and changed."28

If the tide of abuse and neglect is to come to an end, preventive programs directed towards families throughout the community must be devised. Preventive services implies taking advance measures against something probable or possible; dealing with it beforehand; keeping it from happening or existing. Thus, in their broadest sense, preventive services would be services used by parents before the fact of neglect or abuse and which would carry a different connotation since presumably the use of such services would not imply failure on the part of parents. Presumably, preventive services would be sought by parents who are aware of difficulties and who wish to forestall further problems which might result in neglect and abuse. This is not to say, however, that preventive services could not legitimately reach out and offer help to parents who may encounter or have already encountered problems.29

Within preventive services, more comprehensive support systems must be built for families and children. Support systems should exist in all areas: economic, to provide some

28 Ibid.

form of adequate guaranteed income; medical, to provide preventive services such as universal immunization programs on a larger scale throughout Black communities; child care to make available a wide range of day care and home care services for children; and categorical services for children with specific physical and emotional needs.

It is also of vital importance for training institutions to provide their students with the necessary skills and techniques to work with all clients of child protective services. Curriculum should include:

1) Courses on growth and behavior that give more attention to sociocultural factors and more historical background information;

2) Methods courses should include practice materials which deal with the multi-problem and unmotivated client;

3) Field placements should include settings providing for work with other than well-motivated clients with ego strengths;

4) Social services should give attention to policy planning related to preventing neglect, dependency and deviance;

5) Emphasis should be placed upon social-political analysis affecting social service delivery.30

Before any of the above recommendations can be implemented there must first be a neighborhood needs assessment of the Black community in question. An ecological systems approach permits an explanation of transactions that are both internal and external to the community. Of course internal assessments are crucial but an exploration of the transactions between the Black community and the larger environment is vital. Planners should be aware of resources which surround the community in question, as well as of pending policies and plans for the future. Since most developments stem from forces outside of a community, reciprocal communication and knowledge of the larger environment may prove beneficial. An assessment of what exists or what needs to exist will be the beginning for community organization to provide adequate services to Black communities.

The major concern of this study has been to explore the history of Child Protective Services and to evaluate the DeKalb County Department of Family and Children Service, Child Protective Unit, in Decatur, Georgia. The findings exhibit growth and expansion of services throughout the historical background but revealed that DeKalb County's Child Protective Service workers are not fully addressing themselves to Georgia's standards for child protection. It is clear that much yet remains to be done if adequate protection for the
nation's children is to be achieved. The philosophy that a child's own home is the best place for him, if it can provide adequate physical and emotional nurture, is widely accepted, yet the services are sadly lacking. The needs of children demand our highest ideals and most enthusiastic planning and action to in fact make tomorrow's programs in the field of child protection effective.
Bibliography


