

Sexual abuse

Abandonment

Sexual Exploitation

• Ark. Code Ann. 12-12-503(6)

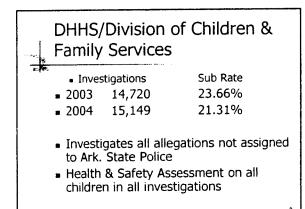
Neglect



Arkansas Child Maltreatment Investigations

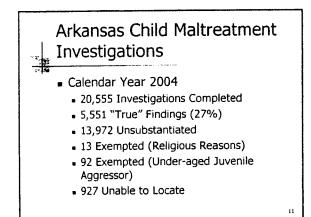
- Arkansas State Police
 - Sexual Penetration
 - Subdural Hematoma
 - Suffocation or Interfering with Breathing
 - Any investigation when foster parent or foster child named as alleged offender or under-aged juvenile aggressor, or when incident occurs in an HDC or DYS facility

Arkansas State Police Investigations Sub Rate 2003 5,617 41.5% 2004 5,859 43.8% 63 budgeted positions 61 filled positions 146 cases referred to CID in 2004



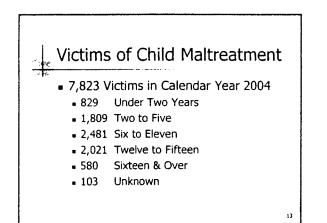
, Arkansas Reports by Source

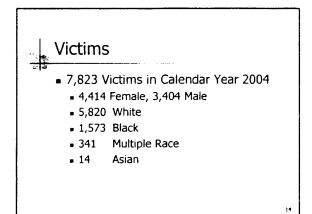
	CY 2003	CY 2004
Education	3295	3261
Relative	2550	2313
Law Enforcement	2183	1960
Parent/PRFC	1353	1736
Neighbor/Friend	1679	1429
Medical	1446	1405
Mental Health	1184	1235
Social Services	1661	1009

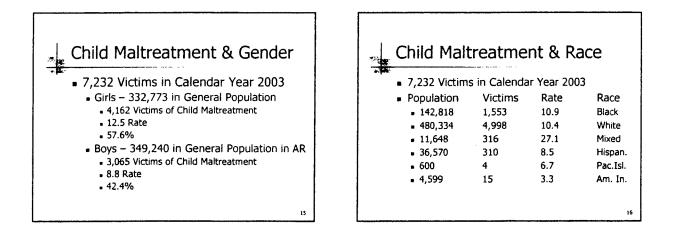


Types of Maltreatment

- 5,551 True Reports in CY 2004
 - 2,405 Neglect
 - 1,724 Sexual Abuse
 - 1,002 Abuse
 - 216 Abuse & Neglect
 - 140 Neglect & Sexual Abuse
 - 48 Abuse & Sexual Abuse
 - 16 Abuse, Neglect & Sexual Abuse

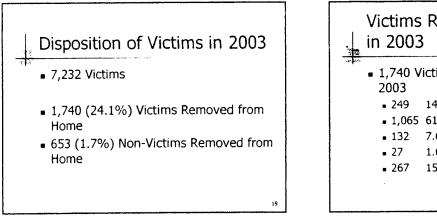


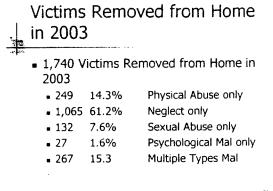


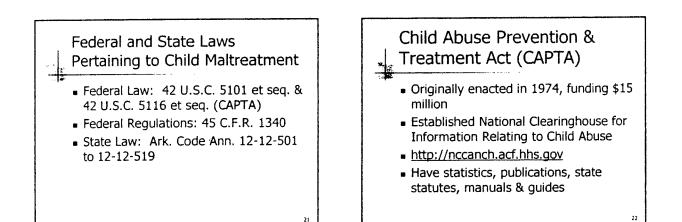


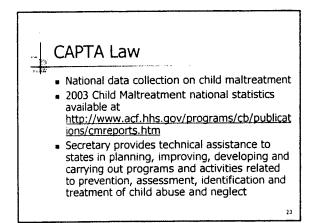
Arkansas Child Maltreatment				
• Gene	ral Population	Victims	Rate	
1999	660,224	7,564	11.5	
2000	680,571	7,479	11.0	
2001	680,618	6,927	10.2	
2002	677,522	7,302	10.8	
2003	682,013	7,232	10.6	
2004		7,823		
			17	

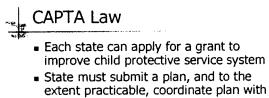
Maltreatment of Children in			
 Children in Foster Care Maltreated by Foster Care Provider 			
• 2000	0.17%		
2001	0.26%		
2002	0.26%		
2003	0.25%		
	18		











part B of IV of Social Security Act
Money is distributed based on population of children under age 18 in each state

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CAPTA Law

 State must certify that it has in effect and is enforcing a state law, or has in effect and is operating a statewide program, relating to child abuse and neglect, that includes a variety of procedures or provisions (see page 11 of CAPTA).

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CAPTA Law Assurances

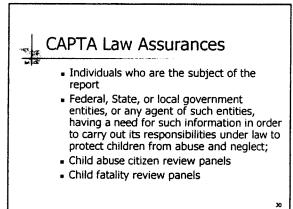
- Provisions or procedures for reporting known or suspected incidences of child abuse and neglect
- Procedures for the immediate screening, safety assessment, and prompt investigation of such reports

CAPTA Law Assurances

 Procedures for immediate steps to be taken to ensure and protect the safety of the abuse or neglected child and of any other child under the same care who may also be in danger of abuse or neglect and ensuring their placement in a safe environment

CAPTA Law Assurances Provisions for immunity from prosecution under State and local laws and regulations for individuals making good faith reports of suspected or known instances of child abuse or neglect

• Methods to preserve the confidentiality of all records in order to protect the rights of the child and of the child's parents or guardians, including requirements ensuring that reports and records made and maintained pursuant to the purposes of this Act shall only be made available to --

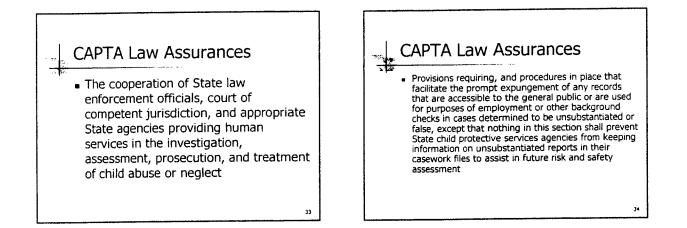


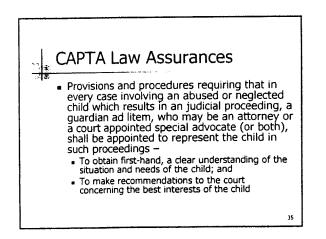


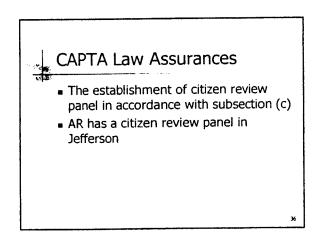
- A grand jury or court, upon a finding that information in the record is necessary for the determination of an issue beofre the court or grand jury; and
- Other entities or classes of individuals statutorily authorized by the State to receive such information pursuant to a legitimate state purpose

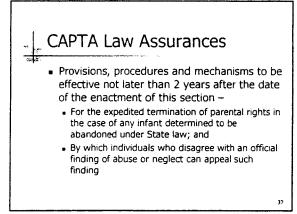
CAPTA Law Assurances

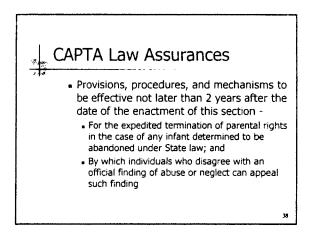
 Provisions which allow for public disclosure of the findings or information about the case of child abuse or neglect which has resulted in a child fatality or near fatality





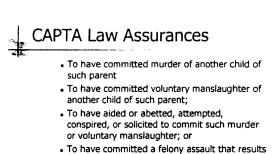


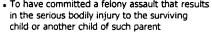




CAPTA Law Assurances

 Provisions, procedures, and mechanisms to be effective not later than 2 years after the date of the enactment of this section that assure that the State does not require reunification of a surviving child with a parent who has been found by a court of competent jurisdiction -





CAPTA Law Assurances Upon the implementation by the State of the above provisions, conviction of any one of the felonies listed constitute grounds under State law for the termination of parental rights of the convicted parent as to the surviving children (although case-by-case determinations of whether or not to seek termination of parental rights shall be

within the sole discretion of the State).

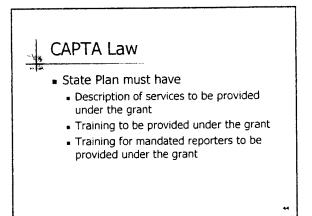
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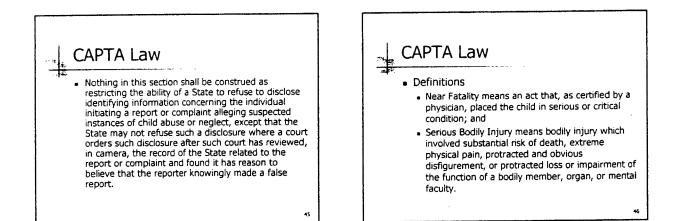
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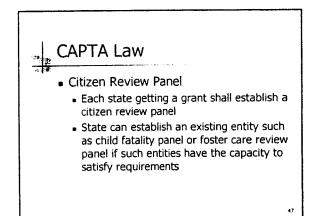
CAPTA Law Assurances The State has in place procedures for responding to the reporting of medical neglect, procedures or programs or both to provide for coordination and consultation with health care facilities and prompt notification by individuals within those health care facilities

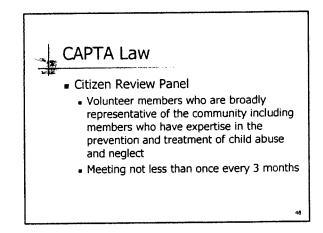
CAPTA Law Assurances

 For authority under state law, for the State child protective services system to pursue any legal remedies, including the authority to initiate legal proceedings in a court of competent jurisdiction, as may be necessary to prevent the withholding of medically indicated treatment from disabled infants with life threatening conditions.









CAPTA Law

Citizen Review Panel

 Panel, by examining the policies and procedures of state agencies, and where appropriate, specific cases, evaluate the extent to which the agencies are effectively discharging their child protection responsibilities

Citizen Review Panels

- Arkansas Commission on Child Abuse, Rape & Domestic Violence "Aggregate Quarterly Report"
- One Recommendation: Eliminate the number of children placed in DCFS custody when there is no neglect or abuse involved.

Each state getting a grant must submit an annual report to the Secretary with The number of children who were reported to the State during the year as abused or neglected Of this number, the number of reports substantiated, unsubstantiated, or

substantiated, unsubstantiated, or determined to be false

CAPTA Law

- Number of children who did and did not receive services
- Number of children removed from their families during the year
- Number of families receiving preventive services
- Number of deaths in the State resulting from child abuse or neglect

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CAPTA Law Number of deaths resulting from child abuse or neglect when the children were in foster care Number of child protective services workers responsible for intake and screening reports Agency response time with respect to each report with respect to initial investigation

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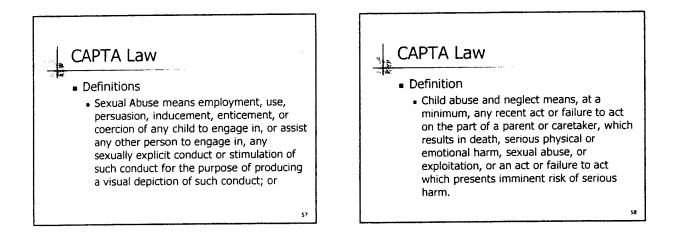
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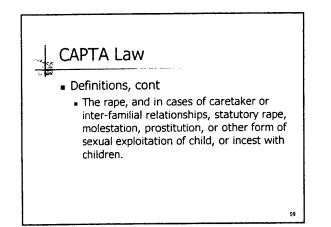
CAPTA Law Response time to provision of services to families where an allegation of abuse or neglect has been made Number of child protective services workers responsible for intake, assessment, and investigation or child abuse and neglect reports relative to the number of reports investigated

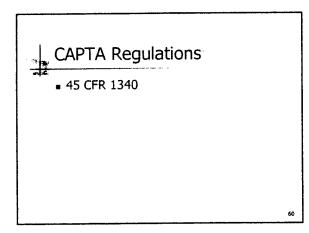
CAPTA Law

 Number of children reunited with their families or receiving family preservation services that, within five years, result in subsequent substantiated reports of child abuse and neglect, including the death of a child.

• Number of children for whom individuals were appointed by the court to represent the best interests of such children and the average number of out of court contacts between such individuals and children.







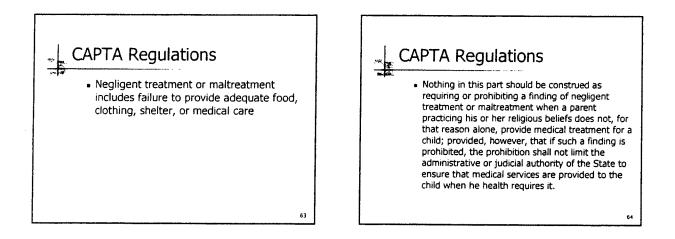
CAPTA Regulations

Definitions

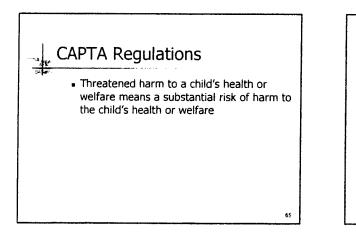
 Child abuse and neglect means the physical or mental injury, sexual abuse or exploitation, negligent treatment, or maltreatment of a child under the age of 18, or the age specified by state law,

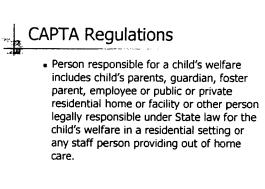
CAPTA Regulations

 by a person including any employee of a residential facility or any staff person providing out of home care who is responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. Includes both acts and omissions



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CAPTA Regulations

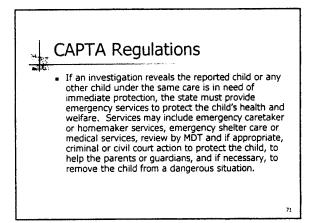
 For purposes of this definition, out-ofhome care means child day care, i.e. family day care, group day care, and centerbased day care; and at State option, any other settings in which children are provided care.

CAPTA Regulations

- State must define child abuse and neglect in accordance with CAPTA regulations.
- State must provide by statute that specified persons must report and by statute or administrative procedure that all other persons are permitted to report known and suspected instances of child abuse and neglect to a child protective agency

CAPTA Regulations CAPTA Regulations State must have a statute or administrative State must provide for the prompt initiation of procedure requiring that when a report of an appropriate investigation by a child protective agency or other properly known or suspected child abuse or neglect involves the agency to which the report constituted authority to substantiate the would ordinarily be made, a different properly accuracy of all reports. May include reporting constituted authority must receive and hotlines, field investigations and interviews, home visits, medical exams, psychological investigate the report and take appropriate and social evaluations and reviews by protective and corrective action. multidisciplinary teams. 69 70

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CAPTA Regulations

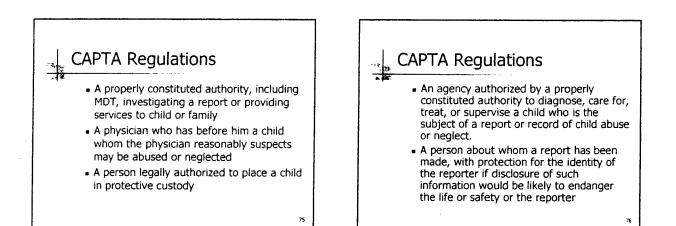
 In every case involving an abused or neglected child which results in a judicial proceeding, the State must insure the appointment of a guardian ad litem or other individual to represent and protect the rights and best interests of the child.

CAPTA Regulations

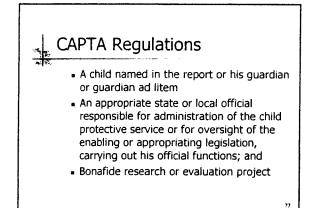
 State must provide by statute that all records concerning reports and reports of child abuse and neglect are confidential and that their unauthorized disclosure is a criminal offense.

CAPTA Regulations

- If a state chooses to, it may authorize by statute disclosure to any or all of the following persons and agencies, under limitations and procedures the State determines
 - Court, under terms identifies in State statute
 - A grand jury

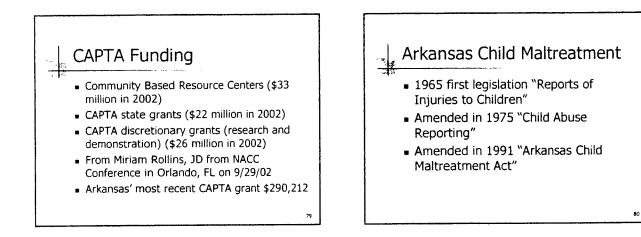


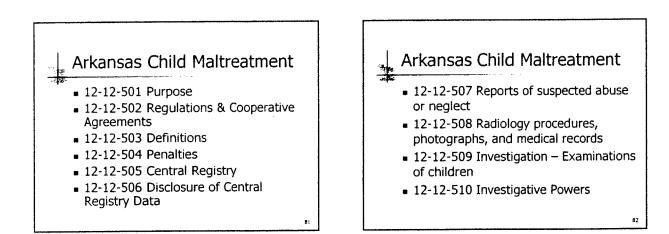
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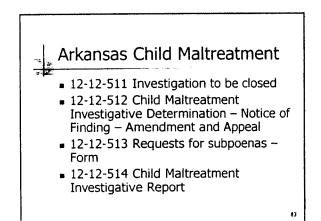


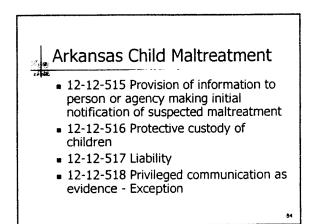
CAPTA Regulations

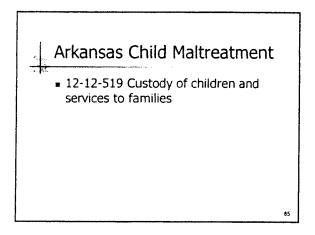
 If a state chooses, may authorize by statute disclosure to additional persons and agencies, as determined by the state, for the purpose of carrying out background and/or employment related screening of individuals who are or may be engaged in specified categories of child related activities or employment.











Findings Exhibit E

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