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On August 15, 1996, Presidential Candidate Bob Dole said, "The state is now more involved than it has ever been the raising of children and children are now more abused and more mistreated than they have been in our time. This is not a coincidence and, with all due respect, I am here to tell you, it does not take a village to raise a child. I takes a FAMILY to raise a child."

Recently, the Louisville, Kentucky, *Courier Journal* reported that the social services system falls short of fulfilling it's mandate to protect children. It cited such things as unqualified workers investigating cases, lack of proper follow-up on reports of child abuse, falsified documents, and the appalling statistic that 43 Kentucky children who were under social services supervision died between 1990 and 1994. It seems that Dole was right. The 'village' of Kentucky makes a dreadful parent.

The truth of the matter is, that it's even worse than what was revealed in that disturbing report. The report never even touched on the most horrifying aspect of social services failure to follow the child protection mandate: The fact that the vast majority of children in foster care don't even belong there and that these agencies are actually causing more harm to the families and children they are supposed to be protecting than good.

These are children who have been illegally seized from their parents through the mechanism of false allegations of child abuse. False allegations are often employed in divorce cases to quickly resolve a custody dispute. They are used by feuding neighbors to 'get even.' Children will make a false allegation in an attempt to force the parents to comply with their wishes, and it often works. Too frequently, a perfectly legal religious or cultural parenting practice is erroneously construed to be abuse. And sometimes, nobody knows what caused the allegation. However, the outcome is the same, the child is generally removed from the home. The child is then held hostage for the parents' cooperation in a 'treatment plan' and/or an admission of guilt in court.

And while the caseworkers are busy violating the rights of innocent children and their parents, the children who really do need to be protected are forced to suffer in their abusive homes, ignored by the very agency that is mandated to protect them.

The state attorney general's reported recommendations are not the solution to the problem. Hiring more social workers will only make the problem worse - the 'village' of Kentucky doesn't need more 'village idiots' telling good parents how to raise their children, the social workers simply need to concentrate their efforts on protecting the truly abused and leave the innocent families alone. They could then fire two-thirds of the case workers and the job would be done better.

Improving training should include intensive study into the laws governing child protection. As it stands now, most time these laws are not followed and innocent families suffer from unnecessary interventions while abused children die.

Making it easier to remove children from abusive homes would also victimize more innocent families. The laws in existence now are adequate to protect abused children, as long as they are followed by the social workers. The sad fact is that they are not followed. It would be better to simply provide criminal and civil remedies for cases where the social worker 'knew or reasonably should have known' that abuse did in fact exist and a child suffered continued abuse

due to the inaction of the department.

Clarifying supervisors' roles should include holding the supervisors responsible for the decisions made by their subordinates. Additionally, all social workers should be held accountable and liable for their actions or inaction during interventions that cause harm to any member of the client families.

Finally, instituting cross-training is probably a 'feel-good' solution, but is really quite ridiculous. If each participating department member did their job properly, there would be no need to cross-train. Since the current training has been deemed inadequate, why on earth would someone recommend additional training that wasn't part of the job description? It seems to me that the relevant training would be that which pertains to the position held by the person, not superfluous training on how everybody else should be doing their jobs.

None of these recommendations even touch on the most important issue involving child protection: that of falsifying records related to these cases. The department in the report admitted to falsifying documents in only one case. I have in my possession, documents from another Kentucky case - Kinsey vs. Kinsey - where a case worker lied on an affidavit and actually admitted that the affidavit was incorrect while on the witness stand. This falsified affidavit was instrumental in denying the father, Boo Kinsey, the right to see his children for an entire year. Add this case to your list Mr. Attorney General and investigate it if you dare. If your office were to conduct a real investigation, you will find that lying and falsifying records actually happens in virtually every case.

Not only are false reports made to the court, but social workers routinely lie on the stand during court hearings. Parents are beginning to document these lies by secretly recording their interactions with social workers and making them confess to the lies while they are witnesses on the stand. However, when perjury is exposed, it is never prosecuted, especially if a state employee is involved. Is this justice?

If social services needs to lie to substantiate a case of abuse, they clearly don't have a valid reason to intervene. Yet, it happens on a wholesale basis nationwide. Parents whose children are held hostage in foster care don't dare speak up for fear of being completely cut off from their children by an agency whose main agenda is to cover its own mistakes. Once the children are returned, the parents still maintain their silence under the tyrannical threat of having their children taken again.

You want to solve the social services problem? It takes FOUR steps:

- 1) Eliminate the confidentiality laws that protect the dark, dirty secrets of what really goes on during an intervention. Open these records and hearings to the light of public scrutiny with only the names of the children redacted to protect their privacy. Criminal acts of child abuse are already public record and the child victims have not suffered as a result of that.
- 2) Have meaningful public oversight over the county departments of social services in the form of a citizen's review panel that addresses every complaint against the department and investigates ALL allegations of abuse that occurs against children in state custody. Give them power to compel evidence and testimony and make it mandatory for CPS to follow their recommendations.
- 3) Eliminate the absolute immunity for criminal and civil remedies for mandated reporters, social worker, and guardians ad litem. Hold all case workers and GALs accountable for their professional actions or inaction.
- 4) Require all child abuse investigations be conducted by law enforcement. Child abuse is a crime. Treat it as such. The agency that provides services cannot be the agency that investigates the

allegations. That is a conflict of interest.

These four items don't cost anything to implement, and will go much further than the attorney general's recommendations toward correcting the problems in the child protection system.