

ABSTRACT

The Evolution of U.S. Child-Protective Services, with Emphasis on the Experience of New York and Texas

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This thesis investigates the history of the prevention of child abuse and neglect in the United States from the colonial period until recent times. It also provides information on how selected other countries have dealt with child abuse, in particular Canada, Mexico, England, Norway, the Netherlands, and Germany. This study highlights the development of the child-protective services in the United States and studies the states of New York and Texas as pertinent examples. It places the US experience into an international contexts and highlights differences in the way individual states have tackled the problem of child abuse and neglect historically.

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THE EVOLUTION OF U.S. CHILD-PROTECTIVE SERVICES, WITH EMPHASIS
ON THE EXPERIENCE OF NEW YORK AND TEXAS

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DEDICATION

I would like to dedicate this thesis to my loving parents who are a constant blessing in my life and who have supported me in all of my endeavors. I would also like to thank my Thesis Mentor, Dr. Eric Rust, for all of his advice and the time he put into this work. Without the support of these people, this thesis would not have been possible.

CHAPTER ONE

Introduction

This thesis takes a historical approach on child protection in the United States as well as a select set of other countries—Canada, Mexico, England, Norway, the Netherlands, and Germany. Its aim is to describe and analyze the different waves of child protection measures that washed over the United States and manifested themselves in national and local legislation. One can thus see where the most progressive reforms occurred and which specific programs triggered social change elsewhere. Readers will be able to view the development of child protection in the United States over time and in an international context.

The thesis first provides an investigation of the development of child welfare in the United States through four time periods: the colonial and early national period to 1874; 1874 to 1900; 1900 to 1962; and 1962 to the present. This offers a chronological overview of how the United States has dealt with child abuse in its history. The next section covers what certain states within the United States have done individually when dealing with child welfare. This is significant because it allows the reader to see which states were leaders in child welfare reform. The next part shows what other countries have done. This component provides a global or at least western comparison. The use of statistics was omitted from this thesis because of lack of validity with the numbers and types of abuse counted by each state or country.

The following two chapters concentrate closely on how two particular states—New York and Texas—have addressed child welfare. Comparing these two states is

significant because the methods these states used were different and yielded diverse results, thus providing a useful comparison of two different approaches to child welfare. After these two chapters the conclusion sums up the findings of this project.

New York and Texas were chosen because they provide a strong contrast of how different states addressed such complex issues as child abuse and maltreatment. The two states were also chosen because they are from different areas of the country, providing a different viewpoint from differing regions. New York was one of the leading states in child welfare reforms, whereas Texas was chosen because it is the state where the researcher is from. The European countries were chosen because they prominently influenced the United States on issues such as social reforms. Canada and Mexico border the United States and are close to New York and Texas.

This research is important because the subject of child protection services and child welfare is relatively new. Internationally, reporting on child maltreatment did not occur until recently around the world. Therefore, finding historical information about child maltreatment from any part of the world is difficult. There is a need for more comprehensive resources on the history of child welfare services and the prevalence of child maltreatment in the past. It is challenging to compare states as well as countries because each place has its own rules and regulations as well as varying definitions regarding child maltreatment and the policies used to address such maltreatment.

The results of this investigation suggest that the United States has done a lot of research on child maltreatment; however, this has only become prevalent in the recent century. It can be concluded from this study that other countries had an impact on the

development of social facilities in the United States. Norway has been one of the most influential countries on the United States policy in this area. However, Germany was the first country to really focus its attention on this issue and to develop social systems to help prevent and limit child maltreatment in the early seventeenth century.

CHAPTER TWO

History of the Child Protective Services in the United States

Child Protection from the Colonial Period to 1874

The first efforts at child protection in the United States date to the colonial period (Myers 11). During this time, the majority of colonists lived in rural areas, i.e. in small villages or on farms (Myers 11). Living in such small communities led to an increased ability to interact with one another, which would otherwise be impossible to do in overcrowded, densely populated cities. Because of this high level of interaction between citizens, the importance of the community increased. The status of each family was of great value during the colonial period, and therefore each community determined closely what its citizens could and could not do. Consequently, when parents abused, neglected, or were no longer able to take care of their children, they would first seek help from their family and friends and only then approach their community and church for help (Myers 11). Even though there were no formalized child welfare programs during this time, orphaned children required attention within the community and their well-being was often a source of discourse (McGowan 11).

However, when these options were no longer available, local authorities intervened, typically based on the principles of the English Poor Law (Myers 11). This code provided aid to and helped relieve the poor, as well as sometimes abused and neglected children (McGowan 13). There were three available options during the colonial period under the principles of the English Poor Law: outdoor relief, apprenticeship, and indentured servitude (Myers 11).

Outdoor relief was given to the families who were deemed deserving by their local town officials but could not properly provide for all members of their family (Myers 11). The community usually provided small financial stipends in order for the family to stay intact and survive within the community (McGowan 12). Apprenticeship was offered to children either voluntarily or involuntarily (Myers 11). Under voluntary apprenticeship a master taught children a particular marketable skill (Myers 11). This was a practical option for many families who wanted to educate their children since public education was not offered to many communities during the colonial period (Myers 11). As well as an education, masters also provided their apprentices with board, religious teaching, and a place to stay (Myers 11). Often the apprenticeships lasted for seven years and were eligible to children of all ages (Myers 11). Involuntary apprenticeship occurred when children were being abused or neglected (Myers 12). Local authorities would remove the child from its family and place it with a master, so that it would learn a marketable skill that it could use in adulthood (Myers 12). These options were made available to mostly white males during this time. Under indentured servitude a child agreed to work for an adult in exchange for room and board (Myers 12). Many poor children were indentured servants because they could not afford to pay for instruction by masters and their parents could not provide for them at home (Myers 12).

The notion of a carefree childhood was not known to early American settlers. During colonial times, children worked as soon as they were able to be self-dependent (McGowan 10). Those who were considered dependent children were mainly infants and toddlers (McGowan 10). So, the notion of child labor as a form of child abuse and

maltreatment was not a common issue and it was certainly not something many worried about during this time (McGowan 10).

During the colonial period, the distinction between poor children and neglected or abused children was undefined. Often these children were grouped together and labeled as dependent (Myers 12). Being a dependent child meant that local authorities could remove it from its family and apply the English Poor Law (Myers 12). It was not until the mid-twentieth century that people began to distinguish between poor and maltreated children (Myers 12). However, even though there was no distinction between the two during this earlier time, there was progress in the treatment and well-being of children (Myers 12). During colonial times, it was against the law to treat an apprentice or indentured servant cruelly (Myers 12). In fact, in some communities there were even laws that required local officials to intervene in cases where the child was being mistreated (Myers 12). These laws, however, varied from community to community and were enforced depending on the laws and regulations of the particular place (Myers 12).

During the early eighteenth century, the colonial population grew exponentially, so much so that it was difficult for people to take care of their entire family (Myers 13). It became necessary for all able bodies to work so that families would have the most amount of money to take care of everyone (Myers 13). The question of what to do with those individuals who could not work (i.e. the mentally challenged, the elderly, and dependent children) became a major dilemma for the colonists (Myers 13). Dependent children were either placed in apprenticeships or made indentured servants, or their family was given outdoor relief (Myers 13). Almshouses were then created for the

mentally ill, the elderly, and those dependent children who were not given an apprenticeship, outdoor relief, or indentured servitude (Myers 13). Almshouses were created and managed by the public authorities in the large cities to aid the dependent people of their town (McGowan 12). Almshouses, or as they were called in the colonial period, indoor relief, was America's first institution to house a large number of people in need of relief (Myers 13). Almshouses provided dependent colonists with a place to eat as well as somewhere to work and stay (Myers 13).

It was not until about 1825 that people began to recognize the importance and need for local officials to intervene on behalf of maltreated children (Myers 13). This concept may have developed due to the growth of cities (Myers 13). Once people began to live closer to one another, the need for public intervention in cases of parental maltreatment became more apparent to the community (Myers 13). This idea that children must be protected from maltreatment also grew with the rise of almshouses (Myers 13). Almshouses, once believed to be superior to the other options of relief, were soon realized as inadequate and not suitable for children in the late eighteenth century (Myers 14). Conditions for children staying in almshouses were horrific and often unsanitary (Myers 14). This was because children were surrounded by alcoholics, prostitutes, drug users, and others who were not good for the children to be around.

With the discovery of the unsatisfactory living conditions of almshouses, orphanages became the newest and most sought-out improvement to house dependent children (Myers 14). The first orphanage in America was built in New Orleans in 1728 by a group of Ursuline nuns (Myers 14). These private orphanages continued to grow for the

next decades with support from generous donations by private citizens (Myers 15). It was not until 1790 that the first public orphanage was established in Charleston, South Carolina (Myers 14). However, public orphanages were only available for white children; blacks were not permitted (McGowan 14). By 1800, only five public orphanages had been built and were operating in America, thus most dependent children continued to rely on outdoor relief, apprenticeship, indentured servitude, and almshouses for aid (Myers 15).

During the nineteenth century, the number of orphanages began to grow due to the increased number of immigrants coming to America, economic troubles, disease, and increased poverty (Myers 15). Burdened by the higher cost of the standard of living in America, families began to send their children to orphanages in order for them to be provided for (Myers 18). By the mid-nineteenth century, more than 70 orphanage asylums existed in America, with a majority of them associated with either religious institutions or various charity organizations (Myers 18). Most of the relief provided to the people was not governmentally issued, but instead provided to the people through local organizations, such as churches and individual donors (Myers 18).

Throughout colonial times, children of color were not given the same opportunities as white children. Often white children were offered the first opportunity for aid, while children of color were usually excluded from asylums, orphanages, almshouses, apprenticeships, and outdoor relief (Myers 15). It was not until 1822 that the first orphanage for children of color was opened (Myers 15). This orphanage, the Society

of Friends, was built in Richmond, Virginia out of necessity for the growing number of African-American children who were in need of help and protection (Myers 15).

The Civil War left thousands of children orphaned and created the need for more orphanages around America (Myers 15). By 1900, there were 100,000 children living in orphanages across the country (Myers 15). It was evident that the growing number of children who were in need of help required some place in which they could find safe refuge. Although Americans during this time addressed the needs of orphans, there was never a time when children were truly and completely protected from maltreatment. This was because American colonists were more concerned with fighting for independence from Great Britain than to protect children from their abusive caretakers. However, Americans were beginning to recognize and address the problems of child abuse and neglect. Excessive abuse of children was against the law in the New England colonies during this time and those who committed this crime were criminally prosecuted (Myers 26). Local officials also had the ability to intervene in family households that were mistreating their children (Myers 26). Communities were also able to provide outdoor relief for families who needed it and orphanages provided refuge to children who were abused, neglected, or abandoned (Myers 26).

Child Protection from 1874 to 1900

Organized child protection was not developed until 1875 in New York with the creation of the Society for the Prevention of Cruelty to Children (NYSPCC) (Myers 27). This organization was established in response to the horrific child abuse case of Mary Ellen Wilson in 1863 (Myers 27). Wilson was emotionally and physically abused by her

mother every day (Myers 28). She was kept inside and not allowed to play with other children with only one outfit to wear (Myers 28). This case and the NYSPCC gave rise to many more privately funded child-protective services across America (Myers 37). From this time until the early 1900s, privately run organizations of child-protective services were the leading relief aids to children (Myers 37). In fact, it was only in the mid-1900s that government agencies began to get involved in child welfare services (Myers 37).

In the 1860s, there were no public or private services to help abused or neglected children. In order to remove a child from its family, one had to follow the specific regulations of the city and the laws recognized by the local authorities (Myers 35). In the case of Mary Ellen Wilson, a child was being abused privately in her own home, but since there was no public proof of abuse, local officials could not intervene (Myers 35). However, during this time the American Society for the Prevention of Cruelty to Animals (ASPCA) was established to prosecute those who were cruel to animals (Myers 35). Through this organization, lawyers and local activists were able to save children and place them in a more satisfactory environment (Myers 35). With the help of the ASPCA, organizations such as the NYSPCC were able to expand to many cities throughout America (Myers 35).

The NYSPCC had the ability to criminally enforce its laws against child maltreatment; however, the organization also sought to use its influence in the community to pressure parents into non-abusive styles of parenting (Myers 35). The organization was the first to teach parents better ways of connecting to and parenting their children (Myers 38). Agents of the organizations had social and financial resources

to reach out to families in the community and help lessen the families' stressors of raising children (Myers 38). The NYSPCC was the first organization to use temporary housing for children of neglect (Myers 38). These temporary housing units were the inspiration for modern foster homes (Myers 37). The NYSPCC was also the first privately funded organization to seek legislation against children who were forced to beg on the streets as well as children who were exposed to prostitution and saloons (Myers 40). This organization also pioneered court-ordered child support and prosecuted parents who did not pay (Myers 40).

The successes of the NYSPCC and the ASPCA led many social reformers from other cities across America to expand their local animal protection services to cover the protection of children. These non-governmental child-protective service organizations expanded so quickly that they became the forerunners of child welfare services and aid during this time (Myers 37). By 1880 there were 37 non-governmental child protection services in the United States and by 1922 more than 300 (Myers 37). However, these SPCC organizations were mainly rooted and used in urban areas, whereas there was little protection for children in rural cities (Myers 37).

During this period many states began to issue and enforce a wide range of laws prohibiting child abuse. These laws were crucial for organizations like the SPCC to enforce its regulations in the communities where they were founded (Myers 37). However, these rules and regulations were not universal and they varied depending on where one lived (Myers 37). Because of this, the leader of the NYSPCC proposed that childcare providers in every state should have a license to enforce child welfare laws

(Myers 40). This would unite all social agencies into enforcing similar and cohesive laws in every state (Myers 40). However, this regulation would not be passed for some time.

In the late 1800s, the United States was experiencing increased levels of immigration. With the heightened number of immigrants Americans were experiencing new-found issues such as *padrones*, child beggars, medical neglect, and sexual abuse (Myers 43). *Padrones* were men who promised Italian families that they would take their children to America as indentured servants and find them work and a skill so that they would be able to make money and have a better life in America (Myers 43). Unfortunately, once the children came to America the *padrone* would force them to work only for him and they would not make any profits for themselves (Myers 43). In 1874, the US government created a federal law that aimed to decrease this practice and would prosecute any *padrone* who was caught (Myers 43).

Child begging also became a serious problem in the United States. Many immigrant children, as well as many poor children, were forced to beg on the street in order to get money and food for their families (Myers 43). In 1877, New York passed a law stating that any child under the age of fourteen was not allowed to beg or peddle (Myers 43). Another issue was medical neglect (Myers 44). In the early nineteenth century, there were no laws providing for necessary medical care to children; however, an 1880 case made it obligatory for parents to provide medical care to their children in New York (Myers 44). During this time, there were numerous laws passed to provide better protection to children.

Child Protection from 1900 to 1962

The Progressive Era played a crucial role in advocating social reforms in the early twentieth century (Myers 49). With the increase of the population in the late nineteenth century, the United States had to address many social problems, such as urban poverty and child labor that became more apparent with the Industrial Revolution and the rise of city life (Myers 49). The progressive reforms were a response to the negative aspects of industrial work, poverty, and other social injustices (Myers 49).

In the early 1900s there existed no organized profession, such as social workers, that worked for child-protective services (Myers 50). Those who intervened on the child's behalf were either local officials or volunteers (Myers 50). The late nineteenth century produced the first Charity Organization Society (COS) in New York (McGowan 17). This was one of the first organizations that took a structured approach to child welfare services (Myers 50). With the creation of the COS, an expansion of private child welfare programs was quickly created (McGowan 17). The COS replaced volunteer workers with a full-time, trained staff (Myers 50). For the first time child-protective services chose and hired people who were best equipped to deal with the maltreatment of children (Myers 50). However, the training of child protection for such employees was informal, essentially taught-on-the-job. Nevertheless, training employees was a progressive step towards our modern services (Myers 50).

The Settlement House was also a product of the Progressive Era (Myers 51). The Settlement House movement was created by the middle class in order to improve urban areas (McGowan 17). The first settlement house was built in the late 1800s in London,

England (Myers 51). It gave the poor a place to stay as well as a location to interact with society's more affluent members (Myers 51). The first settlement house in the United States was in New York City in 1886 (Myers 51). These houses grew rapidly, and by 1920 there were more than 500 of them across America (Myers 52). The settlement movement gave rise to many social systems, such as "kindergartens, child-welfare clinics, homemaking programs, handicrafts, play groups, and the involvement of workers in preschool education, juvenile courts, and child and labor legislation" (Myers 52). The settlement house was a huge catalyst during the Progressive Era and provided many child welfare reformers with a platform for their next projects (Myers 52).

The juvenile court movement began in 1899 and advanced through the early twentieth century (Myers 52). During this time the Chicago Juvenile Psychopathic Institute was established (Myers 52). The institute analyzed children who were convicted of crimes and later advised judges of its findings (Myers 52). This represented great progress in the psychological field and for the benefit and treatment of children (Myers 52). These courts were deemed necessary by reformers because they felt that children who committed a crime were being persecuted too harshly in adult courts (Myers 54). The number of these courts grew rapidly as child welfare reforms increased (Myers 54). By the early twentieth century, judges of these juvenile courts were allowed to remove maltreated children from their abusive homes and put them under the supervision of one of the court's juvenile probation officers (Myers 54).

This institute quickly became a model for other judiciary courts (Myers 54). These institutes spread across the United States rapidly (Myers 54). Simultaneously, a

new charity called the Commonwealth Fund was established In New York City in 1918 (Myers 54). Its main goal was to decrease delinquency for children and recidivism for juvenile delinquents (Myers 54). It accomplished this goal by revolutionizing the way people treated juvenile delinquents (Myers 54). The Commonwealth Fund set up a group comprised of a psychiatrist, a psychologist, and a social worker to evaluate the juvenile (Myers 54). This group looked at the child's environment and its situation to provide as much understanding of the child's circumstances as possible (Myers 54). It was not until the 1930s that child mental health was completely taken into account and used in the court system (Myers 54).

With the Industrial Revolution, children began working in hazardous labor conditions (Myers 54). At the height of the Progressive Era, the child labor movement caught many social reformers' attention. Even though the first labor laws were established in the mid nineteenth century, child labor reformers did not prevail until the 1930s (Myers 54). These reformers set laws addressing working conditions, minimum wage, and retirement age (Myers 54).

Orphanages also gained esteem during the Progressive Era (Myers 55). Reformers compared orphanages and foster homes (Myers 55). Those who favored orphanages stressed the structure that they provided for the children as well as a clean place to stay, along with discipline, education, food, and clothes (Myers 55). Opponents believed that orphanages did not provide the nurturing and love needed for a child (Myers 55). However, both groups believed that these options were better than sending children to almshouses (Myers 55). Eventually, foster homes became the preferred method of

treating the majority of maltreated children (Myers 55). Strategies, such as the cottage plan that sent a small group of children to live in a home resembling a modern family structure, became more prevalent (Myers 55). This model of child protection is still used today.

From the beginning of child welfare services, maltreated children were the responsibility of local authorities as well as charitable organizations (Myers 58). However, by the late nineteenth century, state governments began to assume responsibility for child-protective services (Myers 58). This became apparent during the White House Conference on the Care of Dependent Children in 1909 (Myers 58). This conference conducted by President Theodore Roosevelt prescribed thirteen formal recommendations concerning child welfare services (Myers 58).

The first was that children should not be removed from their homes if their parents cared for them, but were somehow not able to provide for them fully (Myers 59). In cases such as these, the representatives of the conference suggested offering outdoor relief and mothers' pensions (Myers 59). The second recommendation suggested that Americans should address the reasons why children became dependent (Myers 59). This recommendation gave rise to insurance and welfare because this was when people started looking for how to prevent child maltreatment and what sort of aids could help stop child abuse (Myers 59). The third recommendation insisted that dependent children should be looked after by families, not institutions (Myers 59). The fourth recommendation was that the cottage plan of dependent child placement should be used first (Myers 59). The fifth through seventh recommendations supported supervision and inspection of child welfare

institutions (Myers 59). The eighth recommendation sought to improve the way child-protective services kept records of dependent children (Myers 59). The ninth recommendation proposed that every dependent child have medical coverage (Myers 59). The tenth recommendation emphasized the necessity of all independent child welfare organizations to work together (Myers 59). The eleventh recommendation suggested that dependent children be allowed to be transferred to other states (Myers 59). The twelfth recommendation proposed that an organization be formed to make sure that all of the recommendations from the conference be utilized and not abused (Myers 59). This led to the formation of the Child Welfare League of America in 1920 (Myers 59). The last recommendation suggested that a child federal bureau be created (Myers 59).

These recommendations led to many child welfare reforms throughout the United States, such as the creation of mother's pensions (Myers 60). Essentially, mother's pensions were the same as outdoor relief; however, outdoor relief was not used much because it had to be supplied by taxes from the community (Myers 60). Mother's pensions worked because the funds came from private and charitable dollars (Myers 60). Soon, however, private funds were not substantial enough to support all the needy families, so state governments provided the residual financial needs (Myers 61). During the Great Depression there was a huge surge of those who needed mothers' pensions (Myers 61).

President William Taft signed the law that created the Children's Bureau in 1912, just "three years after the first White House Conference on Children" (McGowan 19). This agency was responsible for all aspects of child welfare, including juvenile courts,

orphanages, health, child labor, and legislation dealing with children (Myers 61). This bureau recommended that \$1,500,000 be set aside every year to help provide aid to welfare departments in each state (Myers 63). The Children's Bureau was established in response to the increase in infant mortality, birth rates, and in the number of orphans and juvenile delinquents during this time (Myers 61). This government department was a progressive agency for child protective services during its time; however, the bureau rarely focused its attention on the maltreatment of children (Myers 62). This government bureau worked with the states and local agencies and organizations to establish programs that emphasized preventative measures against child abuse (Myers 62). The Children's Bureau was responsible for directing and controlling federal child welfare programs (Myers 62).

Particularly because of the Great Depression, the number of families in need outweighed the financial resources of the state governments, so under the direction of the Children's Bureau congressmen passed the Social Security Act in 1935, which included the Aid to Dependent Children (ADC) program in order to provide relief to needy families (Myers 62). This act was the first time in the United States that the federal government became significantly involved in child-protective services (Myers 63). For states to receive federal funds, they had to provide the government with a plan of how they were going to run their local Aid to Dependent Children (ADC) program, as well as promise to follow the conditions of the agreement set forth by the federal government (Myers 63). The Social Security Act also provided financial health support for children under the Sheppard-Towner Act (Myers 63). This act financially assisted mothers and

provided them with aid for childcare. Under this act, the United States began building Women's Health Clinics and publicly supported families who needed healthcare (McGowan 20).

The post-Depression time period marked a crucial shift from nongovernmental to governmental child-protective services. This was a necessary change because there were many communities and rural areas in which there were no organizations that provided aid for needy families (Myers 63). The services of the federal government reached and applied to all American families, whereas nongovernmental organizations and services only applied to those in the specific community in which the organization was created (Myers 64). One of the main reasons why nongovernmental services, which relied heavily on charitable donations, failed in the United States was the Great Depression (Myers 64). Although governmental organizations for child protection were more beneficial in deterring the maltreatment of children, they still had many flaws. Every state had a child-protective organization; however, not all of the state was completely covered by these organizations (Myers 64). Most organizations also did not have twenty-four hour service (Myers 76). Additionally, the shift to governmental services decreased the attention to child protection that nongovernmental organizations spotlighted (Myers 76). For many, governmental child-protective services blended in with all the other functions and departments within the federal government (Myers 76). Unfortunately, it was not until the mid-twentieth century that every state received adequate, full coverage of child-protective services (Myers 76). This was also true for racial minorities. Until the 1960s, black children were often overlooked by the child welfare agents of the time (Myers 77).

Overall this period, thanks in part to the Progressive Era and the Great Depression, gave rise to many social reforms in child welfare. However, the attention given to the child welfare movement during this time was minimal and literature on the topic almost nonexistent. Therefore the medical field had no way of studying the effects of abuse, which in return did not provide it with the essential skills needed to determine if a child was abused or neglected (Myers 80).

Child Protection from 1962 to the Present

It was not until the 1960s and 1970s that American reformers focused their attention on child abuse (Myers 81). The surge of attention on the maltreatment of children was due, in part, to the media attention given to the topic, as well as doctors being educated in how to spot child abuse (Myers 81). With the published accounts of what doctors called “battered child syndrome,” the public began to become more knowledgeable about the issue of child abuse and neglect in America (Myers 83). In 1974, the United States Congress passed the Child Abuse Prevention and Treatment Act (CAPTA) (Myers 81). It provided federal funding to organizations that helped treat, prevent, and aid those affected by child abuse (Myers 81).

Under CAPTA, each state, following the regulations of the federal government, offers its own definition of child abuse and child neglect (Child Welfare Information Gateway). This act also supported the establishment of child abuse prevention programs such as public awareness programs (i.e., PSAs, brochures, etc.), skills-based curriculum to teach preventive measures to children, parent support groups and education, crisis care programs, home visitation, and family resource centers (Child Welfare Information

Gateway). CAPTA provides government funds to support and run programs like these in every state (Child Welfare Information Gateway).

With more public attention centered on preventing child maltreatment, the United States Congress made several amendments to the Child Welfare Provisions of the Social Security Act (Myers 86). In 1962, Congress decided to expand its definition of child protection services to include

public social service which supplement, or substitute for, parental care and supervision for the purpose of (1) preventing or remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation, or delinquency of children, (2) protecting and caring for homeless, dependent, or neglected children, (3) protecting and promoting the welfare of children of working mothers, and (4) otherwise protecting and promoting the welfare of children, including the strengthening of their own homes where possible or, where needed, the provision of adequate care of children away from their homes in foster family homes or day-care or other child-care facilities (Myers 86).

This new definition was essential because it concentrated on services aimed at child abuse and neglect (Myers 86). Another amendment to the act stated that all states had to pledge that they would establish child welfare services in their state and have it available to all of its citizens by 1975 (Myers 87). If states failed to agree to this pledge, they would not receive federal funding for child welfare (Myers 87).

By the 1960s, there were numerous media reports about abused children (Myers 87). The American public was being bombarded with news reports about children with battered child syndrome, causing the government to take the problem of child abuse more seriously (Myers 87). This led Congress to pass more legislation on the topic, as well as prompted an increased number of scholars to write about the maltreatment of children (Myers 87).

By then, child welfare services in the United States believed there should be laws in effect that required any person to report cases of child maltreatment to the authorities. The first reporting laws focused only on the physical abuse to a child (Myers 89). These reporting laws were geared towards medical professionals and physicians and the differentiated between abuse and neglect (Myers 89). They provided Congress and the American public with the first real glimpse at the prevalence of child abuse and neglect in the United States (Myers 89). These reporting laws revealed the startling truth that child abuse was more prevalent in the country than once believed (Myers 90). In the mid-1970s there were about 60,000 cases of child abuse reported; by 1980 there were over one million cases reported; by 1990 there was double that number, and in 2000 there were three million cases of child abuse manifested in the United States (Myers 90).

With cases of maltreatment now being reported, the issue of neglect emerged as a new form of child maltreatment to prevent (Myers 90). It was found that neglect was the most prevalent form of child maltreatment in the United States (Myers 90). In the late twentieth century, child protective services decided to define neglect when a child is intentionally or unintentionally not provided with the essentials (i.e., shelter, clothing, food, medical care, or love) needed to survive and prosper (Myers 90).

Even though neglect occurred most frequently in cases of child maltreatment, physical abuse was the spotlight issue in the 1960s, followed by sexual abuse in the 1970s and 1980s (Myers 91). Physical and sexual abuse of children gained more media attention during these times because these were seen as the most gruesome and unbelievable that someone could do to a child (Myers 91). However, in 2003 the United

States Children's Bureau released a report that informed the public that more than 60 percent of child maltreatment cases were children who were neglected, 20 percent were physically abused, 10 percent were sexually abused, and 5 percent were psychologically abused (Myers 92). These numbers stress the importance and prevalence of child neglect in the United States.

Although the federal government was in charge of child welfare services, it played only a minor role prior to the 1970s (Myers 94). With the introduction of the Children's Bureau in 1912, the United States government took the necessary steps to decrease the amount of child maltreatment; however the government did not devote much attention or focus into this bureau until the 1960s (Myers 94). The United States government did not play an influential role in child maltreatment prevention until the passage of the Child Abuse Prevention and Treatment Act (CAPTA) in 1974 (Myers 95). With the passing of CAPTA by President Nixon in January 1974, Congress increased federal funding for services that responded to the maltreatment of children (Myers 98). This act also provided federal funds for the training of professional staff, for multidisciplinary agencies for child maltreatment, and for demonstration projects (Myers 98). The money provided for these new additions in child welfare services flowed through the newly established National Center on Child Abuse and Neglect (NCAAN) (Myers 98). In order for states to receive this funding, they had to obey the federal regulations provided by NCAAN (Myers 98). Such regulations included: more extensive child maltreatment reporting laws, provisions for noncriminal inquiries into child

maltreatment reports, immediate protection for abused children, and rehabilitative facilities (Myers 98).

In 1978, the United States government passed the Indian Child Welfare Act (ICWA) in response to the high number of Native American children being removed from their parents and reservations (Myers 99). Native American children who were removed from their homes were being placed into non-Native American institutions (Myers 99). The ICWA decreased the number of Native American children taken away from their families and gave the authority for child protective services to tribal courts (Myers 99). This act only applied to Native American children who lived on Indian reservations (Myers 99). Those who did not live on reservations were allowed to be removed by child-protective services, but their tribe had to be notified and in cases such as these their tribe was allowed to intervene in the case (Myers 99). This act was important and influential in the United States because it was sensitive to other cultures and allowed other groups to respond to child maltreatment.

In 1980, the United States government passed another crucial act in regards to child welfare, the Adoption Assistance and Child Welfare Act (Myers 100). This act responded to the increasing number of children placed in foster homes (Myers 100). It forced state agencies and agents to have a plan for each child in foster care (Myers 100). Each agency had to undertake reasonable efforts to reunite the child with its family if the families were deemed appropriate and adequate for the reinstatement of the child (Myers 100). If the child was unable to be placed back with its family, then the agency had to terminate the parental rights of its family swiftly (Myers 100). The government then

provided financial incentives for anyone who adopted these children who were not placed back with their families (Myers 100). This act also provided financial incentives and support for those who adopted children with special needs. This act was influential in the United States because it was geared towards preserving families and keeping children out of foster care (Myers 100). The Adoption Assistance and Child Welfare Act's goal was to provide abused children with a positive home setting and loving families (Myers 100). This family preservation paradigm became the model for child welfare services in the United States in the 1980s (Myers 100).

The NCCAN later established the National Child Abuse and Neglect Data System (NCANDS) in reaction to the Child Abuse Prevention and Treatment Act, which requested that the United States have a national data collection and analysis of child abuse cases in the country (Administration for Children & Families. "Child Maltreatment Report 1995"). The establishment of NCANDS was also influenced by the formation of the National Center on Child Abuse Prevention Research in 1986 (Prevent Child Abuse America). This center was funded by the Skillman Foundation and was founded in order to educate the public on issues and consequences of child abuse (Prevent Child Abuse America). It was not until 1988 that all states reported to the NCANDS (Administration for Children & Families. "Child Maltreatment Report 1995"). However, NCANDS was very significant in that for the first time, the United States had a national information resource on cases of child abuse and neglect from all states (Administration for Children & Families. "Child Maltreatment Report 1995").

In 1988 there was an amendment to CAPTA that established a Federal Inter-Agency Task Force on Child Abuse and Neglect, which was responsible for overseeing the nation's response to child abuse (Administration for Children & Families. "Federal Interagency Work"). The task force consisted of thirty members coming from the Office of Personnel Management and eight Cabinet Departments (Administration for Children & Families. "Federal Interagency Work"). However the need for this task force was eliminated in the 1996 amendment to CAPTA, which established an Office on Child Abuse and Neglect (OCAN), replacing the NCCAN. OCAN is responsible for providing direction on the most current issues of child abuse and neglect and prevention of child maltreatment (Administration for Children & Families. "Federal Interagency Work"). The members of the Federal Inter-Agency Task Force were not disbanded, however, and the group changed its name to the Federal Interagency Work Group on Child Abuse and Neglect (FEDIAWG) (Administration for Children & Families. "Federal Interagency Work"). FEDIAWG is responsible for providing a forum between federal agencies with a free exchange of communication in regards to child maltreatment agencies and programs, as well as providing a basis for cooperatively finding federally funding (Administration for Children & Families. "Federal Interagency Work").

In 1994 the United States Congress passed the Multiethnic Placement Act in order to increase the number of children being adopted (Myers 101). This act insured that children could be placed in foster homes and be adopted by people of different racial or ethnic backgrounds (Myers 101). This was an influential act because before the 1960s interracial adoption was uncommon and even illegal in some states (Myers 101). This act

resulted in many social and scientific studies to see whether children who were adopted by different ethnic or racial parents were hindered in their development (Myers 101). During the early twentieth century, many social agency workers believed that children should be placed with parents of the same racial background (Myers 101). During the civil rights movement in the 1960s, however, courts banned laws prohibiting interracial adoption (Myers 101). Legislation over interracial adoption spurred a lot of controversy and protests against the practice (Myers 101). Interracial adoption is still less common than same-race adoption; however, interracial adoption is becoming less taboo in the United States (Myers 101).

The next piece of legislation passed by Congress was the Adoption and Safe Families Act in 1997 (Myers 102). This act was passed in response to the still high number of children in foster care (Myers 102). Although the Adoption Assistance and Child Welfare Act in 1980 aided adoptive families, it did not decrease the number of children in foster care (Myers 102). The family preservation model created by the 1980s left many children in abusive homes (Myers 102). With the passage of the Adoption and Safe Families Act, Congress made child safety the first priority for child service agencies, and although it did not get rid of the family preservation paradigm, child welfare services became more aware of dangerous environments for children and chose to remove more children from such homes (Myers 102). This act required child welfare services to create strict timetables on when the child had to be returned to its parents or when they needed to terminate the parental rights to the children, which would allow the children to be adopted quicker if the parents' rights were terminated (Myers 102). For cases that

involved sexual abuse and recurring and enduring physical abuse, this act pushed for states to terminate parental rights even more quickly than in normal cases (Myers 102).

In 2003, the most recent amendment to CAPTA was established (Child Welfare Information Gateway). In 2003 the federal government added the Keeping Children and Families Safe Act of 2003 to CAPTA (Child Welfare Information Gateway). This act sets a national minimum on what should be included in each state's definition of child abuse and child neglect (Child Welfare Information Gateway). Along with this act, the United States government has created or expanded programs intended to help prevent child abuse (Child Welfare Information Gateway). Included in these programs are the National Institute of Mental Health (NIMH), the Department of Developmental Translational Research (DDTR), the Department of Defense Family Advocacy Program (FAP), and the Child Protection Division (CPD) (Child Welfare Information Gateway).

What Individual States Have Done

Colonial Period to 1875

In the mid-seventeenth century, Massachusetts established the first law that allowed children to be removed from their households if their parents did not treat them well (Myers 12). This was the first step in America's child welfare history where parents did not have complete authority over their households (Myers 12). Massachusetts was one of the first states that dealt with the issue of the maltreatment of children (Myers 12). A few years after this law was established in Massachusetts, New York created the first

almshouse in 1653 (Myers 13). Almshouses were created to deal with orphaned and maltreated children and they were created rapidly around the United States (Myers 13).

Unfortunately, it was quickly discovered that almshouses were not adequate places for children. However, almshouses were not removed from states for about a hundred years. In fact, the first orphanage in America was not created until 1728 in New Orleans (Myers 14). This orphanage was run by Ursuline nuns and was supported by charitable donations (Myers 14). The first public orphanage in the United States was established in South Carolina in 1790 (Myers 14). Orphanages were seen as a better option for children during this time; however, they required much money, so consequently it took many years for orphanages to become more available to children than almshouses were (Myers 14). The second public orphanage was opened in Philadelphia in 1820 (Myers 15).

New York became the first state to create organized child protection services (Myers 27). In 1875 the New York Society for the Prevention of Cruelty to Children (NYSPCC) was established (Myers 27). This organization revolutionized the way people saw child maltreatment. For the most part, with the creation of the NYSPCC, attention on child abuse was brought to the public's attention for the first time (Myers 35). Overall, during this time period, there were few laws and regulations that protected children from abuse and neglect; however, states such as New York and Massachusetts were on the path to creating more legislation against the maltreatment of children.

Child Protection from 1875 to 1900

Since the beginning of organized child protection, states have followed New York's approach to child protection—the law enforcement approach (Myers 38). This approach allowed legal authorities to deal with and address the problems of child protection (Myers 38). However, soon the Massachusetts SPCC developed a new method for child protection called the social work approach (Myers 38). This approach held that parents could reform their parenting skills to become fit for their role as parents (Myers 38). The social work approach was the first to recognize that children should not grow up in institutions and did its best to keep the children with their parents (Myers 38). If parents were found unfit, they were put on probation and social workers would later see if they had changed their ways. The SPCCs that favored this approach were Massachusetts, Brooklyn, Detroit, Minneapolis, Philadelphia, Newark, and Cleveland (Myers 39). Later the American Humane Association also accepted this approach (Myers 39).

Child Protection from 1900 to 1962

In the 1940s, the social work approach was the main approach for child protection across the United States (Myers 39). This approach led the Massachusetts SPCC to pass many child protection laws in accordance with the social work approach (Myers 39). During this time, a plethora of child protection laws and regulations was created chiefly by the Massachusetts SPCC and later used around the nation (Myers 40). They instituted the neglect law that established the right to take neglected children under the age of 14 away from their parents or guardians. Massachusetts also developed the guardianship law that made it legal to transfer custody of abused or neglected children to fit guardians

(Myers 40). The nonsupport law was also developed during this time, which punished neglectful parents who did not support their children (Myers 40). Massachusetts was also the first state to pass the first adoption law in the United States, which emphasized getting abused children out of institutions and into new families (Myers 40). There were numerous other laws passed during this time which prohibited abandonment of infants, selling liquor, tobacco, firearms, obscene literature, and dangerous toys to children, along with the exhibition of deformed children (Myers 40). Children under thirteen were not allowed to work in factories during the school period, and they were not allowed to have dangerous jobs (Myers 40). Massachusetts also required that factories in which children worked had to include sanitary facilities and fire escapes (Myers 40). Children had to acquire a license in order to peddle goods on the street and they were no longer allowed to beg (Myers 40). Children were no longer allowed to enter bars and had to have a note in order to go into bowling alleys and billiard rooms (Myers 40). Massachusetts also created a new court in which juvenile offenders would be tried separate from adult courts, as well as requiring children under the age of twelve not to be sent to prison, and children older than twelve not to be placed in the same cell as adult offenders (Myers 40). Massachusetts also required childcare facilities to have a special license to operate with children (Myers 40). Along with the numerous laws passed by the Massachusetts SPCC concerning child protection, the organization was also concerned with the sanitary conditions of childcare facilities and worked to improve such conditions for the children (Myers 40).

New York, along with Massachusetts, was very progressive with child protection laws. In 1877 New York also passed a law that prohibited children under the age of fourteen from begging or peddling in the streets (Myers 43). These laws were created mainly for the upper-class citizens in New York who did not want to be bothered. It also required inspection and licensing of childcare services (Myers 43). New York, along with Massachusetts and a majority of the states in the United States, also restricted performances that children could do in circuses and other public shows and exhibitions (Myers 44). New York passed a law during this time that allowed incarcerated mothers to retain the custody of their babies until the age of two (Myers 44). New York, as well as Michigan, Louisiana, Virginia, and Pennsylvania stated that SPCC agents should have only partial police authority in order to have two agencies working to stop child abuse and neglect (Myers 45).

In Buffalo, New York, the first Charity Organization Society (COS) was created in 1877 (Myers 50). The COS was chiefly concerned with the issue of poverty and how to stop the cycle of such poverty (Myers 50). The COS was an independent charity and, by the early 1900s, there were more than 100 COS chapters established across the United States (Myers 50). The COS was influential in how the United States would deal with poverty in the decades to come (Myers 50). Throughout the early 1900s the COS transformed its organization and workers went from volunteers to hired full-time workers and were provided with on-the-job informal training (Myers 50).

As the COS revolutionized the way the United States dealt with poverty, Chicago revolutionized the juvenile court system in the nineteenth century (Myers 65). The

passing of Massachusetts' first American child labor law in 1836 and later the creation of juvenile courts led to the creation of Chicago's Juvenile Psychopathic Institute (Myers 65). It administered physical and psychological analyses of both juvenile offenders and abused children, and these analyses were then used to advise the judge (Myers 65).

During this time period, states had to decide what kind of childcare facilities they wanted in their states. New York and California chose privately run orphanages and organizations, which they paid for with government subsidies (Myers 56). This is contrasted with the states that had government-controlled childcare facilities instead of private organizations (Myers 56). Ohio in 1866 established county children's homes around the whole state (Myers 56). These homes cared for abused and orphaned children and took them out of almshouses, and by the early 1900s there were 51 of them in Ohio (Myers 56). Other states like Indiana and Connecticut adopted Ohio's county children home model (Myers 56). Other states, such as Kansas, Michigan, Rhode Island, Minnesota, and Wisconsin, decided to build just one establishment called a State Public School (Myers 56). Additionally, these states also provided for privately run organizations (Myers 56). Pennsylvania tried to escape institutional care by using foster care (Myers 56). Regardless of what path each state took, everyone agreed that children should not be placed in almshouses (Myers 57). Michigan was the first state to pass a law against children in almshouses in 1873, followed by New York in 1875 and Massachusetts in 1879 (Myers 57). Other states followed this legislation; however, removing the thousands of children from almshouses around the United States was not easy and in 1909 there were still more than 8,000 children remaining in them (Myers 57).

Before the creation of juvenile courts, there were earlier reforms for children who broke the law (Myers 58). In 1869 children under the age of 16 who broke the law in Massachusetts were assigned a representative from the State Board of Charities and that representative would decide what to do with the child (Myers 58). This was a major step forward in how to treat juvenile offenders (Myers 58). In 1870 Massachusetts required that there be a separate hearing for child offenders (Myers 58). Massachusetts and Michigan were the first states that proposed probation for juvenile offenders (Myers 58).

In 1825 New York was the first state to create reform schools (Myers 65). Their House of Refuge helped young juveniles integrate back into society (Myers 65). Towards the beginning of the twentieth century many other states followed in New York's footsteps (Myers 65). These reforms led to the first juvenile court established in Chicago (Myers 65). The new Chicago court not only had authority over juvenile delinquents, but also over abused and neglected children (Myers 65).

By the 1950s there were 84 SPCCs around the United States in sixteen states—Connecticut, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, and Texas (Myers 75). However, there were only four states that had complete statewide coverage—Connecticut, Massachusetts, Maryland, and Rhode Island (Myers 75). During this time, there were 32 states that did not have SPCC organizations (Myers 75). So the states with either no coverage or only partial coverage relied on relief from government agencies for the protection of children (Myers 75).

Child Protection from 1962 to the Present

During this time period child protection became more organized and structured (Myers 81). Each state formed its own child protection agency and regulations of these agencies differed between each state (Myers 81). These agencies became necessary in the United States due to the growing attention given to the topic by the media (Myers 81).

Although each state has its own child protection agency, each state organization must obey the regulations set up by the National Center on Child Abuse and Neglect (NCCAN) in order to receive funding from the government (Myers 98). The regulations that CAPTA funds focus on reporting laws, child abuse and neglect investigations and reports, protection given to the abused and neglected children, issues with custody, and rehabilitative services (Myers 98).

What Other Countries Have Done

Canada

Canadians did not recognize the needs of abused and neglected children until the late nineteenth century (Schwartz-Kenney, McCauley, and Epstein 18). Canada in the early 1700s and 1800s, like the United States, responded to the maltreatment of children through apprenticeships and orphanages (Schwartz-Kenney, McCauley, and Epstein 18). It was not until the late 1800s that the Canadian government began to promote obligatory school attendance for children, eradicated child labor, and formed juvenile courts and training schools for children who were either maltreated or delinquent (Schwartz-Kenney, McCauley, and Epstein 18). Children's Aid Societies began in 1893 in Canada

with the passing of the Protection of Children Act (Schwartz-Kenney, McCauley, and Epstein 18).

Canada established these agencies in all Canadian provinces and territories by the early 1900s (Schwartz-Kenney, McCauley, and Epstein 18). Canada also passed mandatory child maltreatment reporting laws in the mid-1960s (Schwartz-Kenney, McCauley, and Epstein 18). Canada followed in the steps of the United States and adopted the family preservation model of child protection services in the 1970s and 1980s (Schwartz-Kenney, McCauley, and Epstein 18). Sexual abuse became publicized in the 1980s, just as in the United States, and the government began to find ways to prevent and treat such abuse (Schwartz-Kenney, McCauley, and Epstein 18). In 1985, Canada hired a Special Advisor to the Minister of Health and Welfare who was responsible for reporting the long-term initiatives of federal child sexual abuse services in Canada, which in return provided much public attention on the topic of child maltreatment (Schwartz-Kenney, McCauley, and Epstein 19). In the late twentieth century, Canada experienced many institutional abuse cases of children, which led it to move towards a child welfare model that emphasizes family rights over institutions (Schwartz-Kenney, McCauley, and Epstein 19).

United Kingdom

There is an extensive history of child abuse in the United Kingdom (Schwartz-Kenney, McCauley, and Epstein 36). Based on the ideas and principles of the New York Society for the Prevention of Cruelty to Children, England created the National Society for the Prevention of Cruelty to Children (NSPCC) in Liverpool, England, in

1883(Schwartz-Kenney, McCauley, and Epstein 36). This charitable organization was influential in the passing of the Prevention of Cruelty Act in 1889 that established legal protection for children (Schwartz-Kenney, McCauley, and Epstein 36). This act provided local officials with the ability to “(a) issue a warrant for the police to enter a home if there were suspicions that a child was being maltreated, (b) arrest individuals suspected of abuse, and (c) remove a child from his/her home”(Schwartz-Kenney, McCauley, and Epstein 36). This act was a turning point in the child welfare system in England (Schwartz-Kenney, McCauley, and Epstein 36). It promoted a new outlook on how children should be treated (Schwartz-Kenney, McCauley, and Epstein 36). However, the line between what is considered punishment and child abuse is still blurred in English society today (Schwartz-Kenney, McCauley, and Epstein 37). This is not the case for sexual abuse, however. Any form of sexual contact between a child and an adult is against the law in the United Kingdom, whereas physical abuse can still be battled in court as punishment for children’s bad behavior (Schwartz-Kenney, McCauley, and Epstein 37).

Mexico

In native-American societies all around Mexico, such as the Aztecs, children were sacrificed to the gods and also accompanied parents in war (Schwartz-Kenney, McCauley, and Epstein 147). Both of these acts were not seen as abusive. Taking one’s child to war was seen as a teaching technique, so that they would be equipped to fight when they became older (Schwartz-Kenney, McCauley, and Epstein 147). In Mayan societies, orphans were sold and used as labor servants (Schwartz-Kenney, McCauley,

and Epstein 147). Mayan societies also participated in practices of deforming children (Schwartz-Kenney, McCauley, and Epstein 147). They would alter the formation of skulls for infants, as well as attempt to make the children cross-eyed (Schwartz-Kenney, McCauley, and Epstein 147). These techniques as well as piercings and mutilation of teeth were considered aesthetically pleasing during these times; however they were also damaging physically for the child (Schwartz-Kenney, McCauley, and Epstein 147). Mexico was typically a patriarchal society, which led to gender-specific abuse issues. Females were taught to be subservient to males and always to show respect (Schwartz-Kenney, McCauley, and Epstein 147). Girls were not allowed to look at any man, even their fathers or brothers, and if they did their mother would spread chile or pepper in their eyes (Schwartz-Kenney, McCauley, and Epstein 147). Chile was also spread in females' genitals if they lost their virginity before marriage, regardless of their age (Schwartz-Kenney, McCauley, and Epstein 147). Parents were also encouraged to discipline their children harshly in these societies (Schwartz-Kenney, McCauley, and Epstein 147). To prevent laziness, drunkenness, and other undesirable traits in children, parents would beat them with cactus or force them to smell the smoke of burning chile (Schwartz-Kenney, McCauley, and Epstein 147). Aztec parents were very harsh on their children (Schwartz-Kenney, McCauley, and Epstein 148).

After the Spaniards conquered the Aztecs in 1521, child abuse did not go away (Schwartz-Kenney, McCauley, and Epstein 148). In fact, with the new settlers, new forms of child maltreatment came, such as infanticide and child labor (Schwartz-Kenney, McCauley, and Epstein 148). Abandoning children became popular during this time

because raising children was too much of a financial and physical burden for native Mexican families (Schwartz-Kenney, McCauley, and Epstein 148). These children died, were killed, or used as a source of cheap labor (Schwartz-Kenney, McCauley, and Epstein 149).

Only recently, during the 1970s, has child abuse become an issue of social reform in Mexico (Schwartz-Kenney, McCauley, and Epstein 149). Previously, parents were able to punish their children however they deemed fit (Schwartz-Kenney, McCauley, and Epstein 149). In fact, the first publicized case of child abuse in Mexico was only in 1965(Schwartz-Kenney, McCauley, and Epstein 149). The medical community in Mexico only began to recognize child abuse in 1968(Schwartz-Kenney, McCauley, and Epstein 149). In the 1970s, there were a series of meetings that discussed child abuse, led by the Mexican Institute of Social Security, the Mexican Society of Pediatrics and the International Symposium of Pediatrics that focused increased attention on the topic of the maltreatment of children(Schwartz-Kenney, McCauley, and Epstein 150). These meetings and recent publications on the topic led to the creation of the Federal Integral Development (DIF) in 1977, which is a federally-run organization aimed at preventing child abuse (Schwartz-Kenney, McCauley, and Epstein 150).

Norway

Norway is one of the most progressive countries in the battle against child abuse (Schwartz-Kenney, McCauley, and Epstein 161). In 1896 it created the Vegeraadet (the Guardian Council), which became the model for our modern Child Welfare Services (Schwartz-Kenney, McCauley, and Epstein 161). This organization was created to help

poor children and those who were neglected by their guardians (Schwartz-Kenney, McCauley, and Epstein 161).

Norway created its modern Child Protection Services in 1953 with the establishment of the Child Protection Law, which mandated that every local authority in each city create a Child Protection Committee with social workers in order to protect children in their communities against maltreatment (Schwartz-Kenney, McCauley, and Epstein 161-162). Child maltreatment was not dealt with by the police until the emergence of sexual abuse cases in the mid-1980s (Schwartz-Kenney, McCauley, and Epstein 162). Although child abuse was taken seriously in Norway, the amount of literature on the topic was not extensive compared to countries such as the United States and England (Schwartz-Kenney, McCauley, and Epstein 162). In 1971 Norway's House of Parliament revoked a law that allowed parents to punish their children with physical force (Schwartz-Kenney, McCauley, and Epstein 163). This removal of a law allowed local officials the right to prosecute parents for physical abuse (Schwartz-Kenney, McCauley, and Epstein 163).

The Netherlands

In the Netherlands, as in so many other countries, child abuse was not a mainstream problem until it started receiving media attention in the 1960s (McGehee). Child maltreatment began to be reported in journals, which eventually led to the creation of the Dutch Society for the Prevention of Cruelty to Children in 1970 and later in 1972 to the formation of four Confidential Doctor Offices (McGehee). These confidential doctors' offices allowed medical professionals to report child maltreatment cases to their

colleagues without violating their doctor-patient confidentiality agreement (McGehee). However, most child abuse cases were not reported by doctors at this time, but instead by people who were in the child's immediate life (McGehee).

Although the issue of child abuse and neglect was not considered a problem until the 1960s, the Netherlands did create the Child Care and Protection Boards as early as in 1905 (McGehee). This organization is comparable to the child protective services (CPS) in the United States and the social service departments in England (McGehee). This organization, as well as the Confidential Doctor Offices, function congruently with one another, but play different functions within the Dutch government (McGehee). The Child Care and Protection Boards were stricter and had the ability to investigate and, if needed, terminate the parental custody rights, whereas the Confidential Doctor Offices were seen as more compassionate and desiring to aid the family (McGehee).

Childhood sexual abuse was not seen as an issue until the 1980s (McGehee). The Netherlands chose to punish perpetrators of sexual abuse harshly, instead of compassionately as with child abuse, especially if the perpetrator was a family member (McGehee).

Germany

Germany developed its modern child welfare services in the early 19th century in order to combat the increasing exploitation of children in the industrial world and the neglect of parents who were living in poverty at the beginning of capitalism (McGehee). By the 1820s, Germany created Child Saving Houses to offer group childcare for maltreated children. Germany then established the first Society for the Betterment of

Morally Neglected Children (now called Child Saving Association) in 1829 (McGehee). This was a significant step in progress for child maltreatment because it began organized services for child welfare (McGehee). Institutional childcare developed in Germany in the mid-1830s through religious movements (McGehee). It was during this time that Germany created its first child labor restrictions and mandatory child schooling regulations as defined by the Prussian Child Labor Law in 1839 (McGehee).

At the end of the 1800s, child protective organizations, both government-run and voluntary, joined together to create Germany's first broad child welfare system (McGehee). This led to the later establishment of the Child or Youth Welfare Act in 1922, which stated that all publicly-run agencies, in conjuncture with private institutions, were responsible for protecting maltreated children (McGehee). Germany believed in harsh punishment and used a strict criminal law approach when punishing perpetrators (McGehee).

Long before C. Henry Kempe's groundbreaking work in the 1960s on the battered child syndrome, Germany had been researching and reporting on child maltreatment (since the 1920s and 1930s) (McGehee). A lot of the research was due to the establishment of child psychoanalysis and the developmental psychology fields that led to groundbreaking work in the early 20th century in Germany (McGehee).

In the late 1960s and early 1970s a new wave of child protection called the New Child Protection Movement (NCPM) occurred in Germany influenced by child-protective models from Scandinavia, the United States, and the Netherlands (McGehee). The 1962 Youth Welfare Act (JWG) and the Federal Social Assistance Act (BSHG) were the legal

foundation for all child and family services in Germany (McGehee). In the 1970s, Germany developed the Berlin Child Protection Center as a way to provide direct services to German families that did not mandate reporting and provided them with the necessary counseling and interventions (McGehee).

CHAPTER THREE

Child-Protective Services in New York State

Since colonial times, New York has been a progressive state on social reform. Ever since, New York has proven to be concerned with the well-being of its citizens. New York has created a number of organizations and legislation in order to protect its children from abuse and maltreatment. In doing so, it has provided a model for many other states.

During colonial times, New York, like most other states, followed the English Poor Law of 1601 (Schene 24-25). This law addressed how to deal with poor and needy children (Schene 23-38). According to the English Poor Law, neglected children were to be the responsibility of the locals (Schene 25). Each town was accountable for its own people and was thus expected to take care of their own. The townspeople took care of these needy children in various ways. The most popular way was indentured servitude—children were given room and board in exchange for service to their landlord (Myers 12). Another option was to place the needy children in institutions, such as almshouses (Myers 13).

During these times in New York, child abuse and neglect was not considered a social issue, but instead a personal one. There were no direct laws regulating what could and could not be done to a child. Thus, punishment of children was left to their guardians. Most child abuse was overlooked or ignored. However, there was a doctrine during this time called *parens patriae*, which allowed the government to intervene in cases of

extreme parental abuse or neglect (Schene 25). This doctrine, however, was only used rarely (Schene 25).

In 1653, the first almshouse in New York was created in New York City (Myers 13). New York was one of the first colonies to create such a place in the future United States. Almshouses were built to provide housing and support for the state's homeless, sick, and orphaned population (The City of New York). In 1800, a New York City ordinance required that directors of almshouses must find proper trades through indentured servitude for the children residing in their almshouses (Myers 12). Furthermore, the directors were also responsible for how these children were treated during their servitude (Myers 13). If any of the children were being abused, the director had to find them another suitable mentor (Myers 13). New York was one of the first states to have such an ordinance to help children and prevent child abuse (Myers 13). By the 1820s, almshouses had become quite popular and were the places most of the poor citizens ended up, in particular orphaned and abused children. In fact, in 1823 one almshouse in New York City held more than 500 children (Myers 13). By the mid-1800s, however, reports were published bemoaning the unsanitary living conditions of almshouses (Myers 13). Most children who died while living in almshouses during this time died of diarrhea and malnutrition (The City of New York). By 1875, New York passed the Children's Act, which required that all children between the ages of two and sixteen had to be removed from almshouses (Allen).

Due to the unsanitary conditions of almshouses, private charities began to open orphanages and private institutions intended to help the poor and needy children of New

York. One such organization, the New York Orphan Asylum Society, opened in 1806(Lorain County Children Services). This society was founded by a group of charitable wealthy women who were interested in helping children (Lorain County Children Services). This organization quickly became a model for other asylums and private organizations around the United States (Lorain County Children Services). Children who were housed in the New York Orphan Asylum Society were given clean sheets and clothes and, as a rule, were not punished physically (Lorain County Children Services). Physical punishment could be used on the children only if it came from the director herself (Lorain County Children Services).

The New York Orphan Asylum led to the creation of the United States' very first house of refuge in 1825 (Rothman 209). By the 1850s, there were refuge houses all over the United States (Rothman 209). The house of refuge was the United States' first juvenile penitentiary intended to reform delinquent children (Rothman 209). The creation of this house of refuge was a revolutionary step towards the rights of children. Before this juvenile reformatory was created, child delinquents were placed in jails with adults and were often abused while serving their prison sentence (Rothman 209). Within three years, other refuge houses were created in Philadelphia and Boston (Rothman 209).

Those children who were not fortunate enough to live in almshouses or in private institutions lived on the streets of New York (Myers 17). By the 1850s, the New York City police department released a report stating that more than 3,000 children were homeless and living on the streets (Myers 17). This was a problem for the state of New York because the majority of crimes reported in New York during this time were

committed against children (Myers 17). New York's population was expanding due to an increase in the number of immigrants entering the state during this time, resulting in a higher demand for jobs (Myers 17). During this time, the Industrial Revolution was continuing to flourish in New York City (Myers 18). This meant that there was a high demand for low-wage and unskilled laborers in the workforce (Myers 18). Industrial workers, despite working long hours, were unable to afford the high living costs of New York and many families began to require their children to work in factories to increase their family income (Myers 18). It was estimated that during this time in New York City more than 100,000 children worked in industries for ten to sixteen hours a day, often in unsafe environments (Myers 18). This led to a whole new labor force—child workers. With the use of children in factories, child labor abuse began to be questioned in New York.

In 1853, Charles Loring Brace started the New York Children's Aid Society (CAS) in order to address the issue of orphaned and impoverished children in New York. Brace believed that children were treated badly while in indentured servitude and almshouses, so he proposed an idea called Orphan Trains in which the poor and orphaned children were shipped west to live with loving and charitable people (Myers 19-21). He thought that impoverished children could more readily overcome their adversities by being provided a fresh start in the Midwest (Myers 21). The children would work on farms and learn valuable skills while they were there (Myers 21-23). Brace would travel to the locations to which the children would be shipped prior to the children arriving there and would personally find suitable parents for them (Myers 21-23). This process

was the beginning of the modern-day screening of potential parents for adoptions (Myers 21-23). Along with Orphan Trains, Brace also created schools out west for the children to learn marketable skills, cleanliness, and other educational subjects (Myers 21-23). He also opened night schools so that children could work during the day and learn at night (Myers 21-23). This showed that education was important for every child, not just the privileged ones. CAS also provided poor children with free reading rooms, baths, gyms, and homes (Myers 19). By 1890, there were twenty-two industrial schools opened by CAS which instructed almost 10,000 needy children (Myers 19). Between 1854 and 1929, almost 100,000 children from New York City were moved to the Midwest (Myers 21).

Between 1820 and 1870, New York's population increased to over a million people due to immigration, the Civil War, and the Industrial Revolution (The New York Society for the Prevention of Child Cruelty). More population also increased the amount of crime (The New York Society for the Prevention of Child Cruelty). Public services and organizations began to fold under the increasing demands required of them and the lack of resources (The New York Society for the Prevention of Child Cruelty). In 1866, the first anti-cruelty laws were established by Henry Bergh and the American Society for the Prevention of Cruelty to Animals (SPCA) in New York in order to protect animals (The New York Society for the Prevention of Child Cruelty). Quickly, however, New Yorkers applied this law to humans.

Through the celebrated Mary Ellen Wilson case and the help of the SPCA, the New York Society for the Prevention of Child Cruelty (NYSPCC) was created in

1875(The New York Society for the Prevention of Child Cruelty). The NYSPCC quickly became the model for social reform and the creation of it marked the beginning of organized child protection organizations (The New York Society for the Prevention of Child Cruelty). In its first eight months of running, the NYSPCC received and investigated several hundred complaints and indicted 68 offenders criminally, as well as saved 72 children from maltreatment (The New York Society for the Prevention of Child Cruelty). Early on in the NYSPCC's existence, it realized that new legislation was required in order to be more successful (The New York Society for the Prevention of Child Cruelty). Through its diligence, the NYSPCC initiated many laws that have become the root of our modern child-protective legislation today (The New York Society for the Prevention of Child Cruelty).

In the following years, the NYSPCC passed many social reforms. In 1876 the NYSPCC made parental guardians provide their children with clothing, medical care, food, and supervision, besides regulating and restricting child labor and making it illegal to endanger children (The New York Society for the Prevention of Child Cruelty). In 1877 children were no longer able to buy intoxicants (The New York Society for the Prevention of Child Cruelty). In 1884, juvenile delinquents under the age of sixteen were to be provided with parole, children were not allowed to enter saloons alone, and children were not allowed to buy firearms (The New York Society for the Prevention of Child Cruelty). In 1886, the NYSPCC made it illegal for children to work in sweatshops and children were only allowed to work a maximum of 60 hours a week (The New York Society for the Prevention of Child Cruelty). In 1887, material provided to children had

to be regulated and obscene material was outlawed (The New York Society for the Prevention of Child Cruelty). After 1889, minors were not allowed to buy tobacco or live in prostitution houses or drug dens (The New York Society for the Prevention of Child Cruelty).

The NYSPCC also began many service initiatives during this time (The New York Society for the Prevention of Child Cruelty). The first was to provide homeless children with temporary shelter (The New York Society for the Prevention of Child Cruelty). Starting in the 1880s, the NYSPCC began to buy buildings to shelter runaway children and abused children (The New York Society for the Prevention of Child Cruelty). It also began to enforce child entertainer laws, requiring performance applications in order for children to perform (The New York Society for the Prevention of Child Cruelty). The NYSPCC also assisted in investigating missing children cases, as well as enforcement of child support from guardians (The New York Society for the Prevention of Child Cruelty). It also aided in inquiries of parents desiring to get their children back, as well as inquiries into the request for voluntary placements of children, and the investigation of foster homes (The New York Society for the Prevention of Child Cruelty). The NYSPCC also made the *padrone* system illegal during this time (The New York Society for the Prevention of Child Cruelty).

In 1912 the Children's Bureau was established (United States Social Security Administration). The purpose of the Children's Bureau was to examine and report any instance regarding child welfare (United States Social Security Administration). This bureau was influenced greatly by Lillian Wald and Florence Kelly, two successful social

reformers (United States Social Security Administration). Ward created the Henry Street Settlement House in the Lower East Side during the late 1800s, while Kelly founded the National Consumers League (United States Social Security Administration). Through these women's hard work, the United States recognized the need for a Children's Bureau.

The United States government passed the first federal act about child welfare in 1935, called the Social Security Act of 1935 (Schene 27). The purpose of this act was to aid and address the social programs offered by the Children's Bureau (United States Social Security Administration). The law established the Aid to Dependent Children (ADC) program within the government (Schene 27). The ADC gave financial assistance to the poor, which would allow single mothers to take care of their children better (Schene 27). Another part of this act, known as Child Welfare Services, was added to encourage states to develop preventative child-protective services (Schene 27). However, the majority of states used these funds to pay for foster homes (Schene 27).

In 1964 the New York State legislature required that specific people within the community had to report any suspected case of child abuse to their local law enforcement agencies (New York State. Office of Children and Family Services. "Child Protective Service Program Manual"). In 1966 New York established the Statewide Central Register of Child Abuse and Maltreatment (SCR) in order to record all cases of child abuse that were reported (New York State. Office of Children and Family Services. "Child Protective Service Program Manual"). These two pieces of legislation were influential in guiding the early plans for statewide child-protective services, and many states used New York as a guide.

It was not until 1973, with the passing of the Child Protective Services Act of that year, that New York established its child-protective services (New York State. Office of Children and Family Services. "Child Protective Services"). The purpose of this act was to persuade states to report fully the extent of child abuse and maltreatment that occurred in their state (New York State. Office of Children and Family Services. "Child Protective Services"). This act increased the number of individuals who were required to report possible cases of child abuse to the local authorities and also established penalties to individuals who did not report child abuse cases (New York State. Office of Children and Family Services. "Child Protective Service Program Manual"). Under this act, emergency protective custody was established for any maltreated child who was in danger (New York State. Office of Children and Family Services. "Child Protective Service Program Manual"). There was also a statute in this act that established a 24-hour hotline for each state that allowed people to report cases of child abuse anonymously (New York State. Office of Children and Family Services. "Child Protective Service Program Manual"). Since 1973, cooperation of other government-ruled institutions, such as schools and hospitals, has become much more efficient (New York State. Office of Children and Family Services. "Child Protective Service Program Manual"). This act influenced many community task forces to be established in New York with the purpose of educating people about child abuse and providing them with the knowledge of how to prevent such abuse (New York State. Office of Children and Family Services. "Child Protective Service Program Manual").

Within New York State's Child Protective Services Act in 1973 was the Family Courts Act (New York State. Office of Children and Family Services. "Child Protective Service Program Manual"). Its purpose was to help protect children who had been abused or neglected emotionally, physically, or mentally (New York State. Office of Children and Family Services. "Child Protective Service Program Manual"). This act offers due process for the state in determining whether to mediate on the child's behalf against the requests of their guardian in cases where the child's needs must be suitably met (New York State. Office of Children and Family Services. "Child Protective Service Program Manual").

In 1995, New York required that physician assistants must report any suspicious cases of child maltreatment to local authorities (Silver and Green). Also during this time, the Children and Family Trust Fund was created (Silver and Green). This fund was designed to financially aid organizations who stopped child abuse, maltreatment of the elderly or domestic violence (Silver and Green). These two New York laws are another example of how progressive the state remains in combating child abuse (Silver and Green).

In 1996, New York's legislature passed Elisa's law (Silver and Green). This law allows the disclosure of information from the child protective services when it does not hurt the child and when the public has the right to know (Silver and Green). This law requires the retention and sealing of child abuse reports until ten years have passed after the youngest child from the report has turned eighteen (Silver and Green). These records are only available during ensuing child-protective investigations (Silver and Green). This

law was enacted in New York to protect abused and neglected children and is still in force (Silver and Green).

Since child-protection services are funded by the government, New York has followed the regulation of our national government. In doing so, New York has passed many laws and has established many programs aimed at helping to combat and prevent child abuse.

CHAPTER FOUR

History of Child-Protective Services in Texas

On December 29, 1845, with the signing of the Texas Admission Act by President James K. Polk, Texas became the twenty-eighth state to join the United States (Jent 252). Since Texas joined the Union considerably later than the first colonial states, it does not have an extensive history of child abuse preventive programs as compared to the early colonial states, such as New York. Many of the programs Texas did adapt, however, during the late 1800s and early 1900s stemmed from those already existing in the Northeast.

When it joined the United States, Texas had no governmental agencies established to prevent child abuse or promote child welfare. However, there were a few non-profit organizations created during the late 1890s in order to improve child welfare. In 1896, under the direction of Ella Porter, a group of mothers created the first Mother's Club located in Hillsboro, Texas (Texas PTA). This club was established in order to encourage children's education and to provide them with nurturing homes (Texas PTA). In 1909 the club was renamed the Texas Congress of Mothers and Parent-Teachers Association (PTA) and was moved to Dallas (Texas PTA). At the start of 1918, the PTA declared the year to be the "Year of the Child" (Texas PTA). During this year, the PTA's goals were to measure and weigh children who went to school and register their births (Texas PTA). This campaign became very successful because as a result of the PTA's findings, clinics began to be built in Texas to aid children during their growth process. In 1920, the PTA began a survey that was sponsored by the Texas government aimed at discovering the

health of children who lived in rural areas of Texas (Texas PTA). This was important because before then, rural children were not receiving the healthcare they needed. In 1924, the PTA created free dental clinics around Texas and helped push for hot lunches to be provided for children in school (Texas PTA).

The child-protective services in Texas found its roots in the New York Society for the Prevention of Cruelty to Children (NYSPCC), which was developed in 1875(Reynolds). The establishment of the NYSPCC marked the beginning of organized child-protective care in the United States (Reynolds). However, it was not until 1919 that Texas finally formalized its child-protective services with the creation of the Child Welfare Division of the Board of Control by the thirty-sixth Texas Legislature (Reynolds). This board regulated all of Texas' eleemosynary institutions, such as juvenile centers, orphanages, and state schools (Texas Archival Resources Online). The Child Welfare Division Board of Control was responsible for developing regulations and rules for these institutions (Texas Archival Resources Online). However, as the state's population grew and child welfare became more publicized, the duties of the Child Welfare Division Board began to be transferred to more specialized agencies throughout Texas (Texas Archival Resources Online). In 1949, the board was split into the Texas Youth Development Council and the Texas Board for State Hospitals and Special Schools (Texas Archival Resources Online). It was during this time that the board lost most of its duties, and in the late 1970s it was finally abolished because of lack of funding (Texas Archival Resources Online).

Before the development of the Child Welfare Division Board of Control, prosecution of child abuse and maltreatment in Texas was up to the discretion of local law enforcement (Myers 27). As in other states around the United States, child abuse was not often reported in Texas, and if it was, it was not likely to be punished (Downs et al. 11). Child rearing during this time was left to parents, and they were allowed to punish their children in almost any way they felt was necessary (Myers 11). The community only became involved in child abuse cases if the abuse was extensive or if it resulted in the death of the child (Myers 11).

In response to the Sheppard-Tower Act of 1921, that provided financial aid to women in order for them to properly care for their children, Texas created an act in 1923 that aimed at bettering child welfare for its citizens (The State of Texas). Under this act (Acts 1923, 38th R.S., Ch. 35, General Laws of Texas), Texas delivered compensation, to better assess children's needs and to provide them with adequate welfare services (The State of Texas). This act was also concerned with the hygiene and health of pregnant mothers, as well as the environment that the child would be raised in (The State of Texas). This act was the first act passed by Texas that was intended to better the welfare of both mother and child (The State of Texas).

Texas has been notoriously slower in developing child welfare laws than the rest of the country. In 1914, Texas, Florida, South Carolina, and Mississippi were the only states without compulsory school laws (Kauffman 6). This was due, in part, to the large number of children who worked agriculturally full time in the state. The first state to pass child labor laws was Massachusetts in 1836(Kauffman 3). It took Texas until the late

1930s to pass its first child labor law (U.S. Department of Labor 3). This law may not have been passed in Texas had it not been for the Fair Labor Standards Act passed by the federal government in 1938(U.S. Department of Labor 3). This act established a national minimum wage, required record-keeping, overtime compensation, and child labor regulations for all states (U.S. Department of Labor 3).

In the 1960s, the PTA started funding programs that would encourage children to stay in school (Texas PTA). It also supported programs that required the state of Texas to provide facilities for maltreated children and orphans (Texas PTA). In 1963 the PTA backed a legislative reform that provided programs to better the welfare of children as well as made better laws against the maltreatment of children by their parents (Texas PTA). Through the help of the PTA, Texas developed stricter laws for school attendance, as well as better child abuse laws (Texas PTA).

In 1974, the United States passed the Child Abuse Prevention and Treatment Act (CAPTA), which provided each state with financial support in order for them to develop a child abuse prevention program (McGowan 34). This act also provided governmental funds to research child abuse in each state, which helped create the National Center on Child Abuse and Neglect (NCCAN) (Administration for Children & Families. "Child Abuse Prevention"). With the new reporting laws, Texas had to report the number of incidents of child abuse each year to the national government (Administration for Children & Families. "Child Abuse Prevention"). With this information, the government became able to see which states and which programs were the best to prevent child abuse.

With the passing of CAPTA, Texas developed the Department of Family and Protective Services (DFPS). This department consists of the Child Protective Services (CPS), Child Care Licensing, Adoption and Foster Care, and the Adult Protective Services (Administration for Children & Families. "Child Abuse Prevention"). Texas created the Texas Family Code when it established the DFPS in order to provide the laws and regulations that the DFPS must follow (Texas. Department of Family and Protective Services). According to the Texas Family Code (Chapters 261-264 &107), the DFPS was to:

1. Receive and investigate reports of child abuse and neglect.
2. Notify law enforcement agencies about all reports of child abuse and neglect.
3. Maintain a central registry of reports on child abuse and neglect.
4. Pursue removal of a child from the home to protect the child from further abuse or neglect.
5. Serve as managing conservator of a child, if it is in the child's best interest.
6. Prepare a permanency plan for a child for whom DFPS has been appointed as temporary managing conservator.
7. Prepare a permanency plan for a child for whom DFPS has been appointed as temporary managing conservator.
8. Pursue termination of the parent-child relationship, if termination is necessary to protect the child and if it is in the child's best interest.
9. Pursue adoptive placement for a child whose parent-child relationship is terminated.
10. Complete court-ordered social studies for suits affecting the parent-child relationship.
11. Consent to medical, psychiatric, and surgical treatment for children, as managing or possessory conservator (Texas. Department of Family and Protective Services).

After the DFPS was created, it adopted the family-preservation model. This meant that social workers' and Child Protective Service agents' first priority was to keep the family intact. If abuse occurred, they provided programs and workshops that aimed at preventing the abuse from occurring again. Under this program, social workers must

work with the family in order to prevent and treat child abuse. Texas, as compared to other states, is less likely to remove a child from its home even when there is a confirmed case of maltreatment. Texas still applies this model in the DFPS.

Since the DFPS has been created, Texas has reported a higher number of child abuse cases as well as child deaths related to abuse compared to the average rate of other states in the United States (Center for Public Policy Priorities). The heightened number of child abuse deaths as compared to the average began to be noticed in 1998(Center for Public Policy Priorities). Since this time, a number of non-profit and private organizations have been created in order to stop child abuse and neglect in Texas. Some of these organizations include Prevent Child Abuse Texas (PCATX), the Child Abuse Prevention Center of DFW, and Aware Central Texas, among others.

Although the number of child abuse incidents in Texas has begun to level out, Texas still has one of the highest levels of child abuse in the United States (Center for Public Policy Priorities). Texas will have to continue to change legislation and add new programs in order to decrease the level of child abuse. By looking at other states, such as New York, Texas can use their programs as a template to develop new child abuse programs, which will help to lower its elevated level.

CHAPTER FIVE

Conclusion

Every day the United States spends \$258 million dealing with child maltreatment, which amounts to \$1,461.66 per family each year (Prevent Child Abuse Texas. “Fact Sheet”). Child abuse and neglect is a huge burden for taxpayers and our government. The United States delegates funds to programs in every state in an attempt to decrease the level of child maltreatment. Still, as a whole, the United States witnesses a high level of child abuse incidents as compared to other countries around the world.

This research suggests several significant findings. The issues that the United States has been dealing with in the past concerning child maltreatment are still plaguing our child welfare system today. Issues from the past, such as what rights parents have to discipline their children, when children should be removed from their family, which jurisdiction has the legal right to protect children (local or federal), how much funding should programs receive, which type of institutional care is best for children, and which interventions work best, are all still relevant issues in today’s child welfare system (McGowan 10).

The United States has gone through waves of child abuse prevention. The first was based off community involvement and aid toward orphaned and dependent children of the state. This was seen through apprenticeships, indentured servitude, and outdoor relief. The next wave of child abuse prevention in the United States provided privately-run institutions and the beginning of state programs. This was when orphanages, almshouses, and houses of refuge were built. The next wave of child abuse prevention

was established with the passing of federal acts and programs that were required each state to comply. An example of this would be CAPTA and the establishment of the Children's Bureau. This last wave is the current wave of child abuse prevention. States, however, can also pass laws and acts in concordance with federal legislation. This has allowed some states to reduce child maltreatment cases over time.

States have established different laws and have provided their citizens with various child abuse preventative programs through the years. States such as New York and Massachusetts have statistically been the most progressive states in combating child maltreatment. As states establish programs and laws that prove to be successful, other states soon adapt their policies. This was seen with the establishment of multiple Societies for the Prevention of Cruelty to Children around the United States (SPCC).

Looking at how other countries have dealt with child maltreatment is another good method of judging child abuse preventive programs. By looking at another country's methods, the United States can adapt successful plans and ignore unsuccessful ones in order to produce the most cost-effective measures. This research has shown that Norway and Germany are two countries that have been very successful at creating child abuse preventive programs. The United States should implement some of the strategies that these countries have used.

New York was and continues to this day to be one of the most progressive states in establishing and implementing child abuse preventive programs. The programs this state has created provide a blueprint for other states around the United States. Texas, however, seems to establish child protective programs rather slowly. It has a relatively

high level of child abuse and many of the programs that started in other states have taken years to implement in Texas. Texas would benefit from accelerated processes that could inaugurate successful child abuse preventive legislature more rapidly.

Further research should be done on this topic because our child welfare system in the United States is not perfect. Looking at past programs that have worked would be beneficial to our society. More research should be done on other states in the United States, as well, to see if there are more successful programs that can be adapted around the United States. A look at other non-European countries might also provide a better understanding of child welfare services around the world.

Even given such restrictions, this study provides useful information. By looking at what the United States has done historically with child abuse prevention programs, one can see what has been successful in the past. In doing so, child-protective services in each state can pick and choose what programs to implement that are cost-effective and humane based on what other states have tried. This study also shows the ugly history of child abuse in our country. With that, however, one should feel hopeful towards the future of child welfare services because as our society evolves, new programs aimed at preventing child abuse are likely to be created and funded by our government.

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