

Chapter 11: Procedures for Abused and Neglected Youth

Courtney V. Cox and Dennis C. Bliss

(Information in this section is condensed from 705 ILCS 405 unless otherwise noted)

“The Department of Children and Family Services is best known for its child protection services. The goal of the Department's child protection program is outlined in the state's *Child Abuse and Neglect Reporting Act*: The Department of Children and Family Services shall, upon receiving reports made under this Act, protect the best interest of the child, offer protective services in order to prevent any further harm to the child and to other children in the family, stabilize the home environment and preserve family life whenever possible. Child abuse is the mistreatment of a child under the age of 18 by a parent, caretaker, someone living in their home or someone who works with or around children. The mistreatment must cause injury or put the child at risk of physical injury. Child abuse can be physical (such as burns or broken bones), sexual (such as fondling or incest), or emotional. Neglect happens when a parent or responsible caretaker fails to provide adequate supervision, food, clothing, shelter or other basics for a child.”

“The Department's protective services most often begin with a report of abuse or neglect made to the Child Abuse Hotline (800) 25-ABUSE, or 217-524-2606. The Hotline is located at the Department's State Central Register in Springfield. Hotline staff members have special training in determining what constitutes child abuse and neglect under Illinois law. If a formal report is taken, a Child Protection Services worker will begin an investigation within 24 hours -- much sooner if the child is considered to be in immediate risk of harm. More than 99 percent of all reports taken during Fiscal Year 2004 had investigations opened within the 24-hour mandate
(<http://www.state.il.us/dcf/child/index.shtml/#Investigations>)

“After an initial contact with an alleged child victim and the reporting source, an investigator is sometimes able to determine that the report was not made in good faith or that the reported situation did not occur. If so, the investigation may be concluded at that point. But if the investigator is not able to make such a determination, a formal investigation begins...Once an investigator has collected information from the people involved, a decision must be made by the investigator. By law, the decision must be made within 60 days, but usually the decision is announced within 30 days. The investigator can make one of two findings: a report can be "unfounded" when there is no credible evidence that the child was abused or neglected or a report can be "indicated" when there is credible evidence that child was abused or neglected. Credible evidence means that the facts gathered by the investigator would lead a reasonable person to believe that a child has been abused or neglected. Approximately 25.7 percent of all reports are "indicated" or confirmed after investigations are completed.”
(<http://www.state.il.us/dcf/child/index.shtml/#Investigations>)

“Anyone may report suspected child abuse or neglect. However, state law mandates that workers in certain professions must make reports if they have reasonable cause to suspect abuse or neglect. A majority of reports are initiated by calls from mandated reporters.

Mandated reporters include:

- physicians
- psychiatrists, surgeons
- residents
- interns

- dentists
- dental hygienists
- medical examiners
- pathologists
- pathologists
- osteopaths
- coroners
- Christian Science practitioners
- chiropractors
- podiatrists
- registered and licensed practical nurses
- emergency medical technicians
- hospital administrators and other personnel involved in the examination
- care or treatment of patients
- teachers
- school personnel
- educational advocates assigned to a child pursuant to the School Code
- truant officers
- directors and staff assistants of day care centers and nursery schools
- child care workers
- truant officers
- probation officers
- law enforcement officers
- field personnel of the Departments of Children and Family Services
- Public Health, Public Aid
- Human Services (acting as successor to the Department of Mental Health & Developmental Disabilities Rehabilitation Services, or Public Aid)
- Corrections
- Human Rights

The list also includes: supervisors and administrators of general assistance under the Illinois Public Aid Code. Other mandated reporters include social workers, social service administrators, substance abuse treatment personnel, domestic violence program personnel, crisis line or hotline personnel, foster parents, homemakers, recreational program or facility personnel, registered psychologists and assistants working under the direct supervision of a psychologist.” <http://www.state.il.us/dcf/child/index.shtml>

We must be aware that the incidence of violence against and neglect of youth is great even by the most conservative estimates. All suspected cases should be treated as serious and given immediate attention in order to protect the youths involved, in order to prevent the youths from learning violent behavior which they may duplicate later in life, and in order to attempt to seek treatment or prosecution of the offenders.

Family integrity is important, but maintaining such integrity in cases of domestic violence or child abuse may be less important than saving life and limb. Most states now have legislation in place that enables the state to protect children from abuse, but many practitioners remain hesitant to take official action that would break up the family. One need only read any newspaper with a large circulation to note the sometimes deadly consequences of failure to remove abused children from the home of the abuser.

The failure to remove abused children from the homes in which they are abused is sometimes rationalized by pointing to the uncertainty of appropriate foster home or shelter-care placement. Such

placement is sometimes problematic, but leaving a child who has been or is being physically or sexually abused in the home of the abuser is unconscionable.

Even though violence committed against youths appears to be declining in recent years in the United States, it is still considered epidemic by some. Child abuse is particularly alarming because of the physical and psychological damage done to children, because most research indicates that at least some parents who were abused as children go on to abuse their own children, and because, in spite of numerous programs designed to help prevent or halt child abuse, child abuse is by nature difficult to detect and control.

Review Questions

1. What is the role of the Illinois Department of Children and Family Services (DCFS) in dealing with abused or neglected minors?
2. What are some of the professions listed as mandated reporters of suspected child abuse/neglect?
3. What is the time frame within which DCFS investigators operate after receiving a report of suspected child abuse?
4. In Illinois, about what percentage of cases are confirmed as child abuse after investigation?
5. How can Illinois residents seeking to report suspected child abuse reach the Child Abuse Hotline?