2014 Report on

Child Protection in Vermont

VERMONT

DEPARTMENT FOR CHILDREN AND FAMILIES
FAMILY SERVICES DIVISION

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Message from the DCF Commissioner

Last year, Dezirae Sheldon and Peighton Geraw died, allegedly at the hands of their caregivers, after time spent in DCF custody. These heartbreaking losses spurred a wide-ranging examination of the child protection system by our elected leaders, community partners, concerned citizens, and our own staff.

I am grateful to the countless individuals and organizations that took the time to share their experiences and provide constructive suggestions for improving the work of our department. I'm also grateful to the legislative committees, Vermont Citizen's Advisory Board, and Casey Family Programs for their in-depth reviews that highlighted ways to improve practices and policies throughout the child protection system.

We have taken to heart the feedback received over the past year, and important changes are already underway. Some of these changes are codified in Act 60 (S.9), Vermont's new child protection law. Other changes are the result of our department's ongoing efforts to continuously improve the way we work and collaborate with others to protect children and support families.

The data shows that many Vermont families are struggling. Last year, we received a record number of child abuse and neglect reports and substance abuse was a factor in about one-third of them. Since the beginning of 2014, the number of children in DCF custody has increased by nearly 33% — an increase that was most startling for children under the age of six (68%). While the Department added 18 direct service positions last fall to address high caseloads, the influx of reports and new cases means that more work is required on this front.

It's important to remember that by the time families come to the attention of the child protection system, they are already in serious distress. We must continue prevention efforts to address opiate abuse and provide a comprehensive system of social and economic supports to strengthen families and keep children safe. Child protection is about more than preventing fatalities. It's also about building strong families within supportive communities.

I am so proud of and thankful for our dedicated Family Services Division employees who do their best for families under very difficult circumstances. We cannot, however, and do not, act alone. It is my hope that the legacy of Dezirae and Peighton's lives will be a stronger child protection system and communities united in caring for our most vulnerable children and families. Child protection truly is a community concern.

Ken Schatz, DCF Commissioner

Message from the Family Services Deputy Commissioner

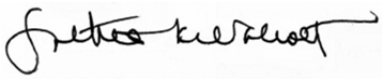
2014 was a challenging year for DCF's Family Services Division (FSD). For those of us who have dedicated our professional lives to the safety and protection of children, there is nothing worse than a child's death due to child abuse. It's even more difficult when the child has spent time in our care.

When such tragedies occur, it is vital that we understand what we can do better in the future. With the help of many partners and stakeholders, we have spent the last year examining that question – and taking affirmative steps to improve our ability to make accurate, informed decisions. Here are some of the things we've done:

- Revised the FSD mission to emphasize child safety as our primary focus;
- Established policy that requires expert consultation in cases of serious physical injury – not only at the beginning of the case, but also as we deliver services to children and their families over time;
- Requested and received consultation from the National Resource Center on Substance Abuse and Child Welfare to learn from the experience of other states that have also experienced a surge in opiate use;
- Held a two-day training on the needs and vulnerabilities of young children that all social work staff attended. This supplemented a new online training on early childhood development that workers were also required to complete; and
- Contracted with the Children's Research Center to review and revise our decision-support tools in the area of safety and risk and train our staff to use them competently.

In the meantime, young children are coming into state custody in unprecedented numbers. This is primarily being driven by parental heroin use, which is causing children to be at risk in their own homes. While much has been done to address the heroin epidemic in Vermont, the number of children in state custody is a clear sign that there is still a lot more work to be done.

As this report is being released, Vermont's entire child protection system is poised to implement Act 60 of 2015. The new law calls, first and foremost, for better communication and coordination among all professionals in the child protection system, including social workers, mandated reporters, law enforcement officers, and others. In particular, this legislation supports closer collaboration between DCF and Special Investigation Units in cases of serious physical and sexual abuse. It also mandates a six-month supervisory period when a child is reunified to a home in which they were abused or neglected. These very important changes will enhance our ability to keep Vermont's children not only safe, but thriving in their own families.



Cindy Walcott, Family Services Deputy Commissioner

Executive Summary

This report provides child protection data for calendar year 2014. Here are some highlights:

- Reports were up by 10.5% over last year, with a record 19, 288 calls to the Child Protection Line.
- At least 73% of the calls were made by mandated reporters; 19% were made by non-mandated reporters and 8% were made anonymously.
- Substance abuse was a factor in 31% of the reports received; financial stress showed up in 17% of reports, domestic violence in 15%, and mental health in 12%.
- Of the 19,288 calls received, we accepted 5,846 of them (30%) for intervention[1].
- We opened 5,846 child safety interventions: 2,877 child abuse investigations, 1,688 child abuse assessments, and 1,281 family assessments.
- We conducted 2,908 child abuse investigations: 2,877 that began as investigations plus another 31 that began as child abuse assessments but were later changed to the investigation track.
- At the conclusion of the 5,846 child safety interventions, we opened 829 cases for ongoing services based on an assessed risk of future maltreatment that was high or very high.
- At the conclusion of the 2,908 child abuse investigations, we substantiated 652 reports.
- Based on these substantiated reports, there were:
  - 992 unique child victims; and
  - 906 substantiated incidents of abuse:
    - 145 of physical abuse;
    - 365 of sexual abuse;
    - 128 of risk of sexual abuse;
    - 242 of risk of harm[2]; and
    - 26 of emotional abuse/neglect.
- At least 18% of the persons substantiated for child sexual abuse were unknown to the children. While this is substantially higher than it's been in the past (3% in 2012, 3% in 2011, and 1% in 2010), it is consistent with more recent data (14% in 2013). We believe this is partly due to an increase in the number of persons substantiated for possessing online child pornography.

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[1] If we get five calls about the same child/incident, it counts as five calls but only one intervention.

[2] What is called neglect in other states is captured largely in our risk-of-harm categories.

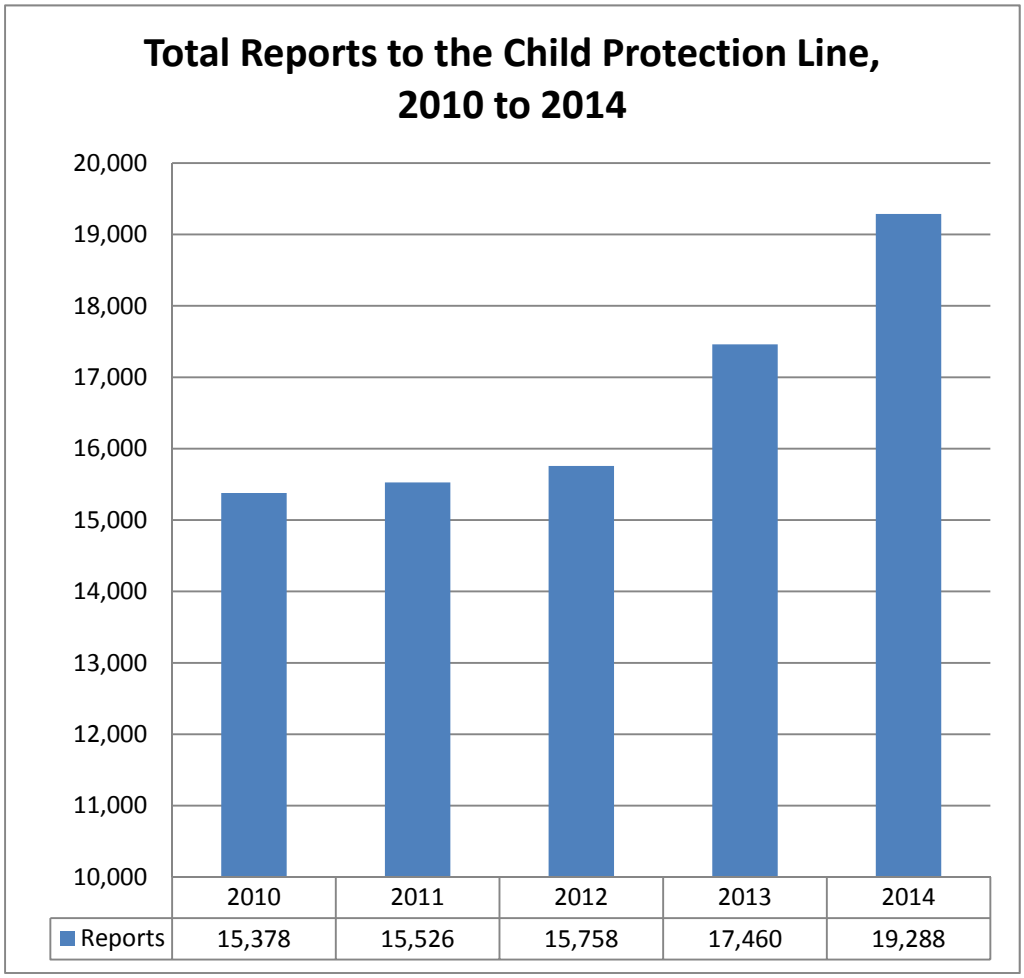
Calls to Vermont's Child Protection Line

In 2014, Vermonters called the state's toll-free Child Protection Line a record 19,288 times to report their concerns about children's safety and well-being. While there has been a steady increase in calls over the past 10 years, we experienced a sharp increase starting in 2013.

We encourage all Vermonters – whether mandated by law to report or not – to call the Child Protection Line with any concerns about a child's safety.

We count all the calls we get, whether or not they meet the legal definition of child abuse and neglect. This includes:

- Calls about youth who may be engaging in risky behaviors;
- Allegations that don't meet the legal definition of child abuse or neglect but still raise concerns about whether children are receiving proper parental care; and
- Multiple calls about the same children/incidents made by different reporters.

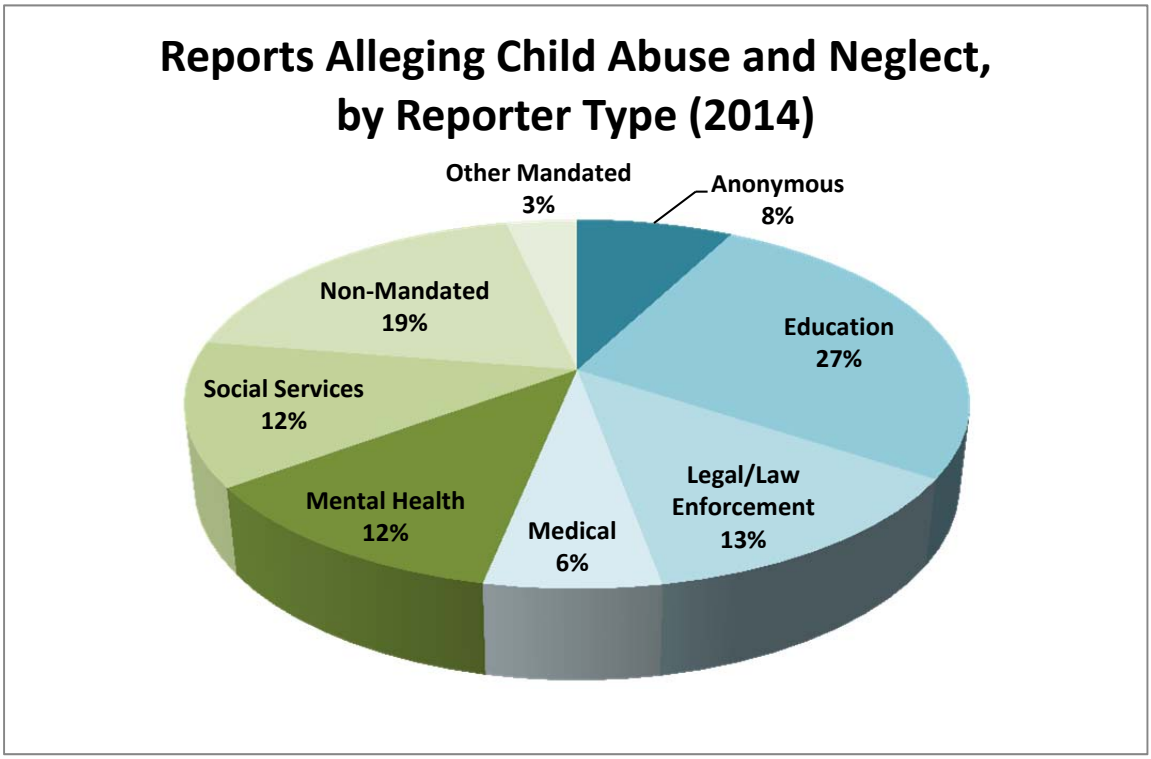


Mandated Reporters of Child Abuse and Neglect

While all Vermonters are encouraged to report their concerns about children's safety, certain people – called mandated reporters – are required by Vermont law to do so (Title 33, Chapter 49). What's more, they must report their suspicions to Family Services *within 24 hours*.

Mandated Reporters in Vermont

- Chiropractors, dentists, emergency medical personnel, licensed practical nurses, medical examiners, mental health professionals, osteopaths, pharmacists, physicians, physicians' assistants, psychologists, registered nurses, surgeons, and any other health care providers;
- Hospital administrators, interns, and resident physicians in any hospital in the state;
- School superintendents, principals, headmasters (independent schools), teachers, librarians, guidance counselors, and other individuals regularly employed by, or contracted and paid by, school districts or independent schools to provide student services;
- Childcare workers, police officers, probation officers, social workers, and clergy members;
- Residential and non-residential camp administrators, counselors, and owners; and
- Employees, contractors, and grantees of the Agency of Human Services who have contact with clients.



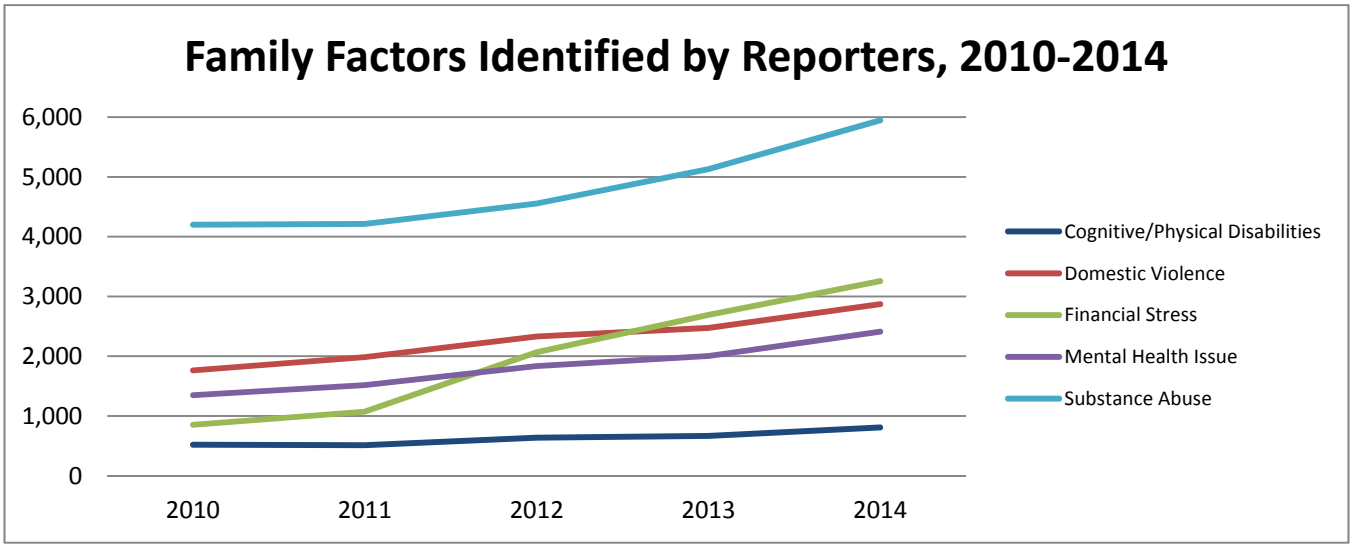
Family Factors Identified by Reporters

While children from any family can experience child abuse and neglect, we know there is a strong correlation between child maltreatment and factors such as substance abuse, domestic violence, mental health, and financial insecurity. The presence of these factors can create a toxic level of stress that impairs a family's ability to function and inhibits the development and well-being of children.

Research has found that:

- ➔ The presence of any one of these factors increases the risk of child abuse and neglect; and
- ➔ The presence of multiple risk factors has an exponential impact on a child's likelihood of experiencing abuse and neglect.

The following table identifies family factors that were identified by reporters when they called the Child Protection Line. While some factors may not have been validated during ensuing interventions, this list helps us better understand the difficult challenges families face and helps supervisors and social workers plan effective intervention strategies. Of note is that fact that substance abuse was reported as a family factor in approximately one-third of all the reports made, reinforcing the need for supportive services and specialized interventions for this pervasive problem.



	2010	2011	2012	2013	2014
Cognitive/Physical Disabilities	519 (3%)	509 (3%)	636 (4%)	664 (4%)	808 (4%)
Domestic Violence	1,763 (11%)	1,985 (13%)	2,331 (15%)	2,473 (14%)	2,871 (15%)
Financial Stress	852 (6%)	1,071 (7%)	2,066 (13%)	2,692 (15%)	3,256 (17%)
Mental Health Issue	1,349 (9%)	1,517 (10%)	1,836 (12%)	2,005 (11%)	2,410 (12%)
Substance Abuse	4,198 (27%)	4,212 (27%)	4,555 (29%)	5,130 (29%)	5,946 (31%)

What Happens To Reports Received

1. **A supervisor screens each report.**
   The supervisor decides whether the report can be accepted for a child safety intervention according to Vermont law and departmental policy. Several factors are considered, including:

   - The age of the alleged victim;
   - The alleged abuser's relationship to the child; and
   - The nature of the allegation.

   Each non-accepted report gets a second review by another supervisor who may decide to accept it. If it is still *not accepted*, the family may be referred to services in the community but no further action is taken by the Family Services Division

2. **If a report *is accepted*, the supervisor determines the appropriate intervention.**
   Traditionally, the only available response to an accepted report of child abuse or neglect was a child abuse investigation. That changed in 2008, when the Vermont legislature amended Title 33, Chapter 49 of statute to allow child abuse assessment as an alternative. *Differential response* allows us to respond differently to reports based on factors such as the type and severity of the alleged maltreatment, the number of previous reports, and the family's willingness to engage in services to reduce risk.

   An investigation is mandatory, however, in certain situations. This includes when a report alleges that:

   - A child was sexually abused by someone over 10 years old;
   - A child is at risk of harm for sexual abuse by an adult;
   - The actions or inactions of a "person responsible for a child's welfare"(*see definition on inside back cover*) resulted in a child's death or serious injury to a child; or
   - A person responsible for a child's welfare abandoned a child; maliciously punished a child; physically abused a child under three or a child of any age who is non-verbal or non-ambulatory; or allowed a child to be exposed to methamphetamine production.

Another Child Safety Intervention: Family Assessments

In addition to child abuse investigations and assessments authorized by Chapter 49 of Vermont law, Chapter 51 authorizes the use of family assessments. They may be used for allegations that don't meet the legal definition of child abuse or neglect but still raise concerns about whether children are receiving proper parental care necessary for their well-being. This could include, for example, allegations that a parent is neglecting a child's education; a woman who has a substantial history with DCF is pregnant; a newborn has a positive toxicology screen for illegal substances; and a child faces a serious threat to his or her health because of the mother's substance use during pregnancy.

3. FSD opens an investigation or an assessment.

A social worker is assigned to the case and the selected intervention begins, usually within 72 hours but sooner if a child is in imminent danger.

Safety is the first priority in both types of intervention, which include similar steps:

a) Assessing a child's immediate safety;

b) Assessing the risk of future maltreatment;

c) Determining the outcome of the intervention; and

d) Opening a case for ongoing services if needed.

The same assessment tools are used in both types of intervention: the *SDM® Assessment of Danger and Safety Tool* and the *SDM® Risk Assessment Tool*. The results inform our recommendations to Family Court about the need for children to come into DCF custody and be placed out of their homes to ensure safety.

The main difference between the two types of intervention is that an investigation requires a formal determination of whether the reported abuse or neglect happened and should be substantiated, while an assessment does not.

Assessment to Investigation Track

A supervisor may approve changing a child abuse assessment to a child abuse investigation at any time if it appears necessary to ensure a child's safety. In 2014, 31 interventions that began as child abuse assessments were later changed to the investigation track.

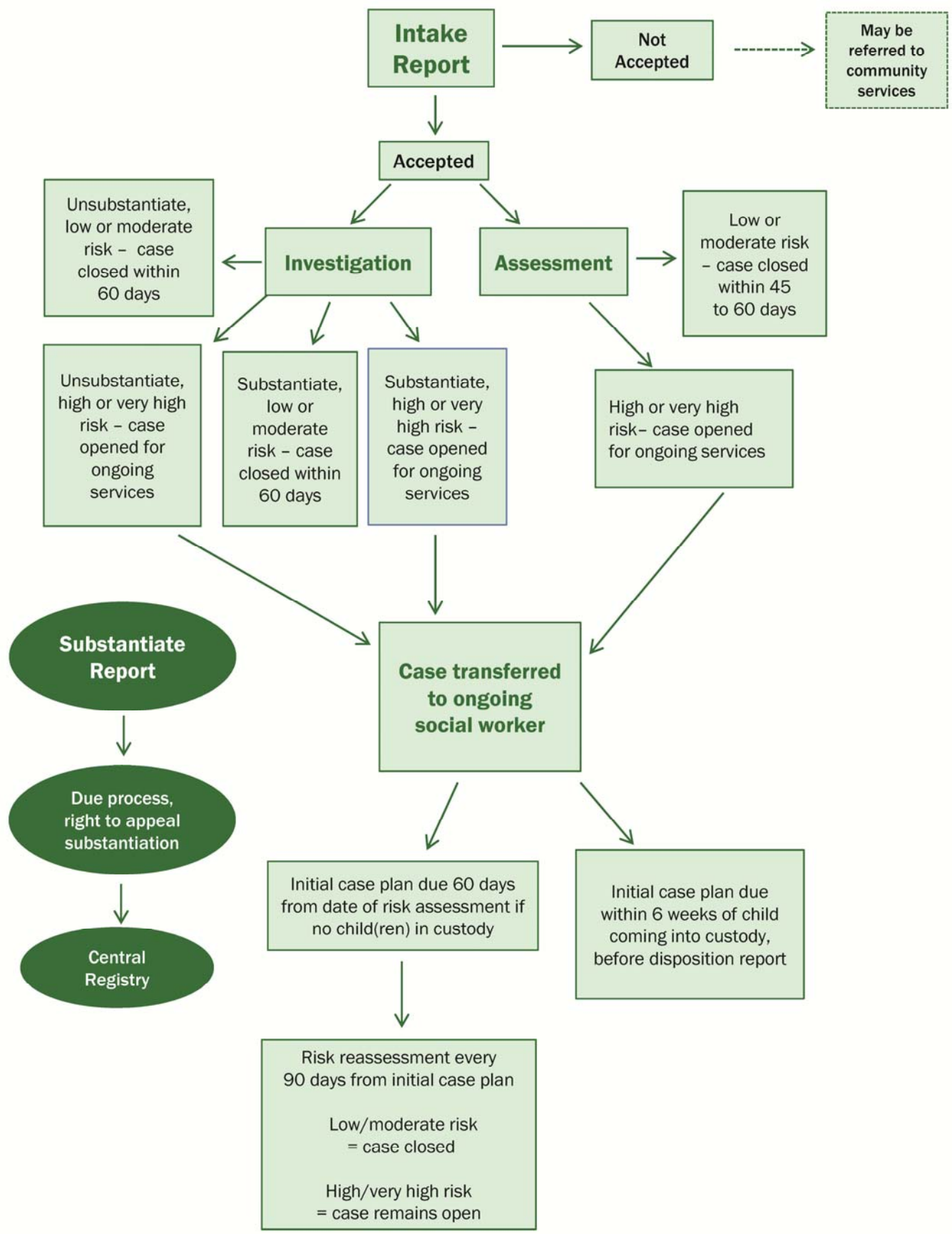
4. At the conclusion of the intervention, the supervisor determines the outcome based on the information gathered.

a. Need for services:
Both investigations and assessments result in a determination of the family's need for ongoing services based on the assessed risk of future maltreatment.

b. Formal Determination:
Investigations also result in a formal determination of whether the reported abuse or neglect occurred. If the evidence would lead a reasonable person to believe the child was abused or neglected, the report is *substantiated* and information about the person substantiated is entered into Vermont's Child Protection Registry – a database of all substantiated reports of child abuse and neglect dating back to January 1, 1992.

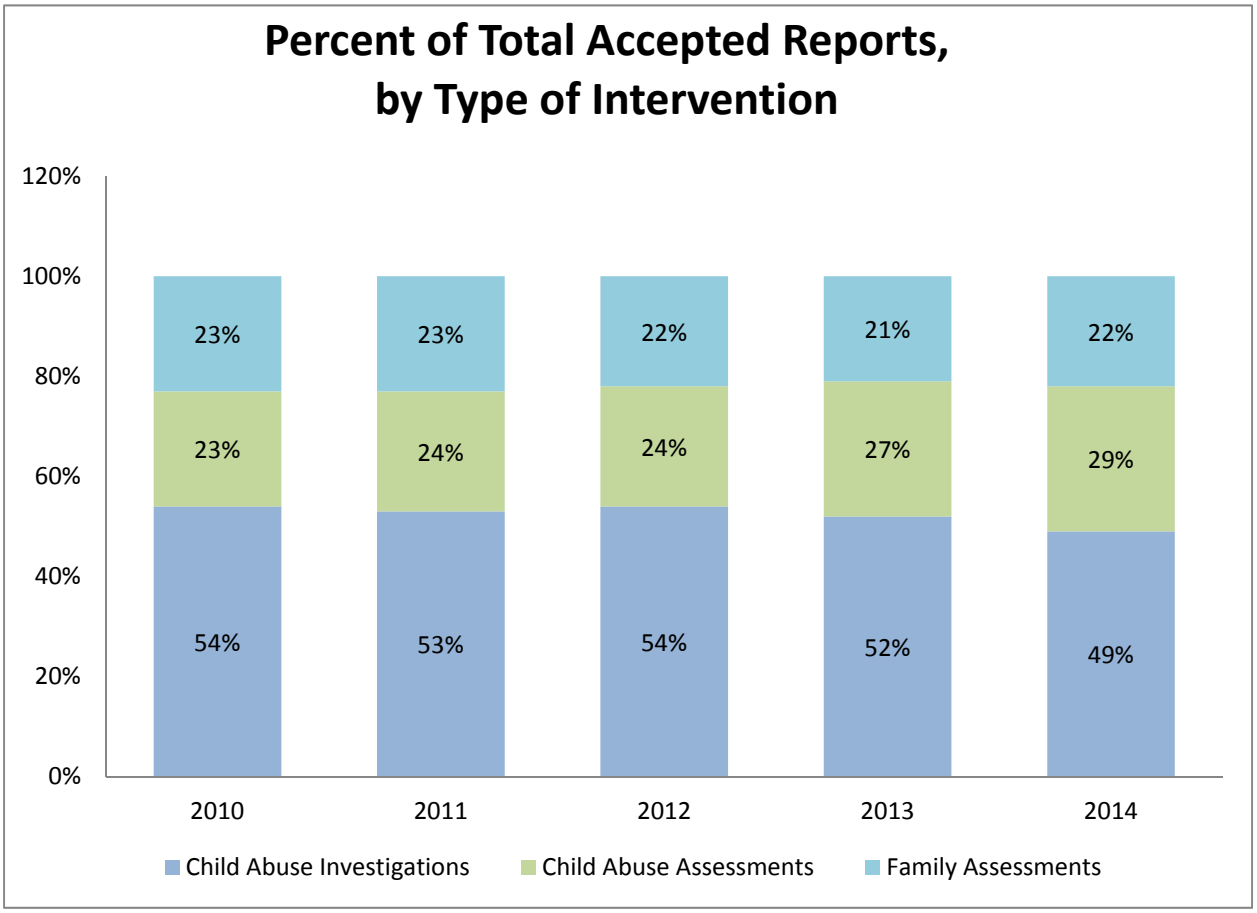
If a report is *unsubstantiated*, a case could still be opened for services based on the assessed risk of future maltreatment.

FSD Case Flowchart



Response to Reports, from 2010 to 2014

	2010	2011	2012	2013	2014
Total Calls To Vermont's Child Protection Line	**15,379**	**15,526**	**15,760**	**17,458**	**19,288**
Reports Accepted For:					
1.Child Abuse Investigation	2,465	2,591	2,536	2,657	2,877
2.Child Abuse Assessment	1,058	1,192	1,119	1,409	1,688
3.Family Assessment	1,078	1,128	1,044	1,069	1,281
Total Reports Accepted For An Intervention	**4,601 (30%)**	**4,911 (32%)**	**4,699 (30%)**	**5,135 (30%)**	**5,846 (30%)**



Reports Accepted in 2013 & 2014 — by Intervention & District[1]

District	Child Abuse Investigations		Child Abuse Assessments		Family Assessments		Total Reports Accepted for Intervention	
	2013	2014	2013	2014	2013	2014	2013	2014
Barre	323	315	142	192	113	119	578	626
Bennington	203	216	107	119	85	98	395	433
Brattleboro[2]	148	172	86	116	102	107	336	395
Burlington	366	425	270	300	163	184	799	909
Hartford	201	171	104	96	78	91	383	358
Middlebury	150	123	72	90	40	69	262	282
Morrisville	131	136	60	78	46	46	237	260
Newport	133	146	63	106	53	61	249	313
Rutland	246	328	142	165	89	128	477	621
Springfield[2]	171	211	113	133	109	135	393	479
St. Albans	317	348	155	178	140	183	612	709
St. Johnsbury	164	160	82	94	48	57	294	311
Out of State	104	126	13	21	3	3	120	150
Statewide	**2,657**	**2,877**	**1,409**	**1,688**	**1,069**	**1,281**	**5,135**	**5,846**

[1] District refers to the Agency of Human Services district where the child's caregiver lives.

[2] In September of 2013, certain towns in the Springfield district were temporarily reassigned to the Brattleboro district; this reassignment is reflected in the numbers.

Outcomes of Investigations & Assessments — by District[1]

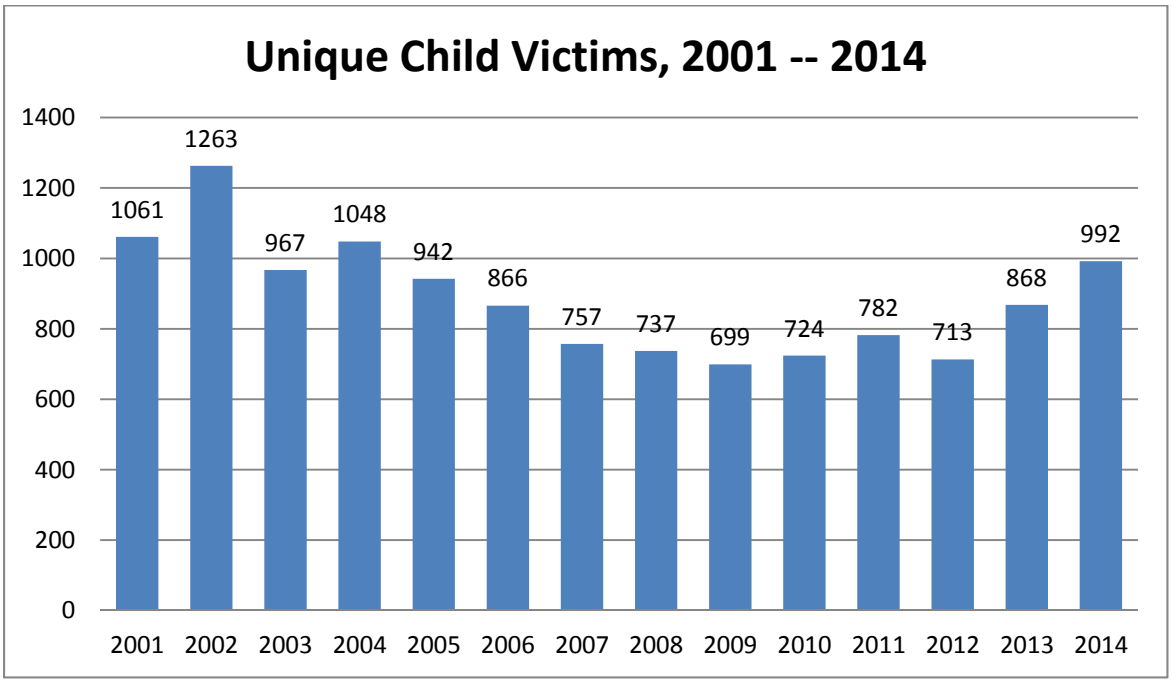
In 2014, we conducted 2,908 investigations: 2,877 that began as investigations and another 31 that began as assessments but were later changed to the investigation track.

- ➔ Of the 2,908 investigations conducted, 652 were substantiated[2].
- ➔ At the conclusion of the 5,846 investigations and assessments, we opened 829 cases for ongoing services based on an assessed risk of future maltreatment that was high or very high.

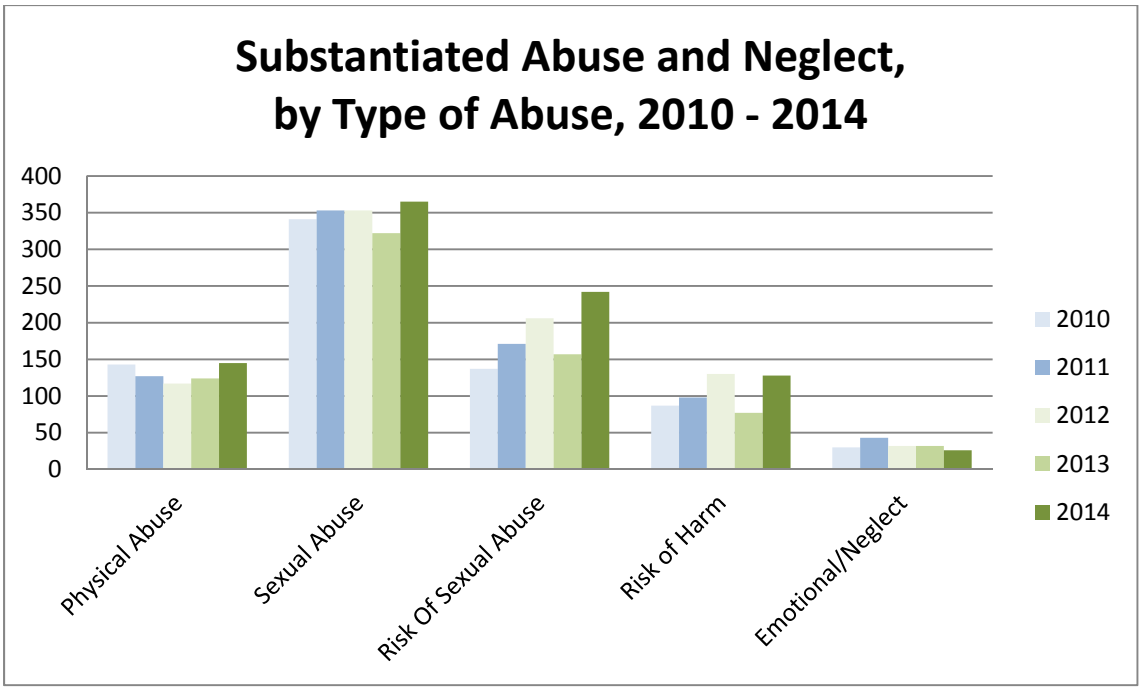
	Investigations Substantiated		Cases Opened for Services	
District	**2013**	**2014**	**2013**	**2014**
Barre	81	70	75	65
Bennington	46	59	81	90
Brattleboro[3]	34	27	50	47
Burlington	83	91	214	177
Hartford	46	32	28	28
Middlebury	23	30	41	41
Morrisville	30	45	26	41
Newport	32	16	12	12
Rutland	33	56	57	78
Springfield[3]	62	67	65	78
St. Albans	108	99	93	115
St. Johnsbury	38	48	48	52
Out of State	26	12	0	5
Statewide	**642**	**652**	**790**	**829**

[1] District refers to the Agency of Human Services district where the child's caregiver lives.
[2] Substantiated means the evidence would lead a reasonable person to believe the child was abused or neglected.
[3] In September of 2013, certain towns in the Springfield district were temporarily reassigned to the Brattleboro district; this reassignment is reflected in the numbers.

Data from Substantiated Reports in 2014[1]



Note: the numbers in the graph above are an unduplicated count of victims of substantiated child abuse and neglect.



Note: since a report can be substantiated for more than one type of abuse, the numbers above reflect a total greater than the number of substantiated reports.

[1] At the writing of this report, 5% of investigations (150) are still pending. This is reflected in the data related to the outcomes of investigations found on pages 17 to 22.

Reports Substantiated in 2014 — by Type of Abuse

Since a report can be substantiated for more than one type of abuse, the numbers below reflect a total greater than 652 — the number of reports substantiated in 2014.

District[1]	Physical Abuse	Sexual[2] Abuse	Risk of Sexual Abuse	Risk of[3] Harm	Emotional/ Neglect
Barre	12	40	20	26	3
Bennington	8	36	5	21	0
Brattleboro[4]	5	19	3	8	2
Burlington	28	43	11	33	5
Hartford	7	22	16	15	0
Middlebury	4	16	7	11	1
Morrisville	14	22	11	13	0
Newport	5	12	6	7	1
Rutland	15	34	9	22	2
Springfield[4]	19	24	10	28	10
St. Albans	15	61	13	34	1
St. Johnsbury	13	24	17	23	0
Out of State	0	12	0	1	1
Total Statewide	**145 (16.0%)**	**365 (40.3%)**	**128 (14.1%)**	**242 (26.7%)**	**26 (2.9%)**

[1] District refers to the Agency of Human Services district where the child's caregiver lives.

[2] The department investigates all valid allegations of sexual abuse and risk of sexual abuse regardless of the relationship between the alleged abuser and child. Most other state child welfare agencies do not investigate allegations of child sexual abuse by non-caregivers.

[3] What is called neglect in other states is captured largely in our risk-of-harm categories.

[4] In September of 2013, certain towns in the Springfield district were temporarily reassigned to the Brattleboro district; this reassignment is reflected in their numbers.

Reports Substantiated in 2014 — by Age & Gender of Victim

The data below represents the age and gender of the victims of substantiated abuse or neglect. *Note: a child is represented more than once if he or she suffered more than one type of abuse or was involved in more than one substantiated report during the year.*

Age	Percent	Physical	Sexual	Risk of Sexual Abuse	Risk of Harm	Neglect/ Emotional
< 1	5.8%	10	3	12	35	7
1	3.7%	7	1	5	27	3
2	3.9%	5	5	4	31	0
3	6.5%	13	10	12	41	0
4	6.4%	17	19	14	22	2
5	6.5%	12	20	23	21	0
6	7.9%	15	22	17	34	4
7	4.2%	9	12	8	17	3
8	5.5%	11	22	11	20	0
9	5.3%	9	19	11	19	3
10	4.8%	5	20	12	17	2
11	5.7%	7	16	25	18	0
12	5.3%	6	25	8	22	1
13	6.9%	6	44	19	11	0
14	5.8%	8	35	9	14	1
15	7.6%	11	55	14	6	2
16	4.9%	6	34	7	9	1
17	3.3%	4	18	5	9	2
TOTAL	**100%**	**161**	**380**	**216**	**373**	**31**
Gender						
Male	40.9%	88	95	82	196	14
Female	59.1%	73	285	134	177	17
TOTAL	**100%**	**161**	**380**	**216**	**373**	**31**

Reports Substantiated in 2014 — by Age & Gender of Abuser

The data below represents the age and gender of substantiated abusers. An abuser may be represented more than once if more than one type of abuse was substantiated.

Age	Physical	Sexual	Risk of Sexual Abuse	Risk of Harm	Neglect/ Emotional
<20	1	120	8	6	0
20 - 29	43	95	35	100	12
30 - 39	58	57	59	103	13
40 - 49	28	38	32	52	5
50 - 59	8	19	10	10	2
60+	4	17	6	1	0
Unknown	6	16	0	0	0
Gender					
Female	55	25	45	137	21
Male	88	327	104	135	11
Unspecified	5	10	1	0	0

Reports Substantiated in 2014 — by Relationship of Abuser to Child

Relationship	Physical	Sexual	Risk of Sexual Abuse	Risk of Harm	Neglect/ Emotional
Parent	101	31	105	323	36
Stepparent/ Parent's Partner	34	35	59	78	1
Foster Parent	5	0	7	0	0
Sibling	0	35	5	0	0
Other Relative	7	51	17	6	0
Neighbor/Friend	2	130	31	4	0
Other Known	3	41	21	4	0
Stranger	2	36[1]	6	0	0
Unspecified	13	35	8	15	2

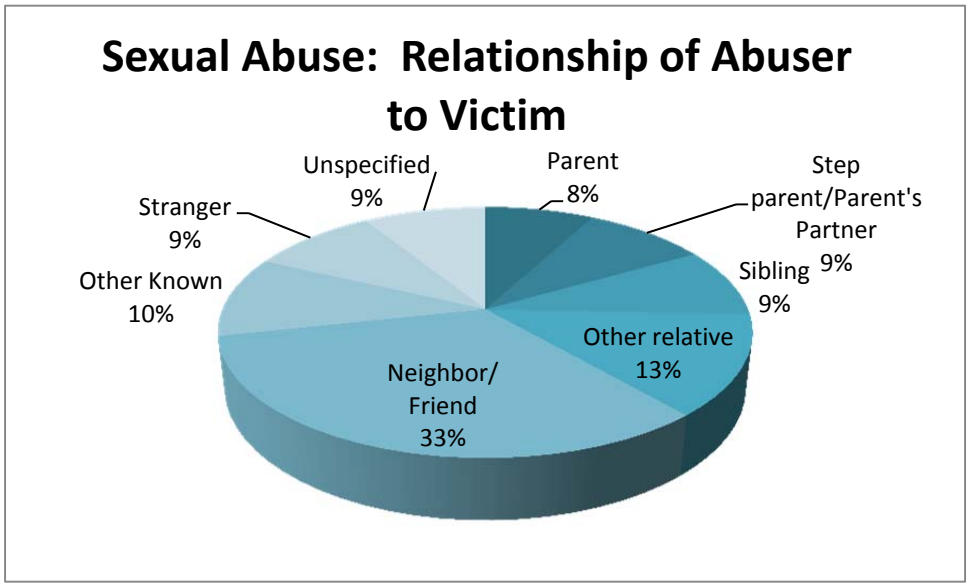
[1] Includes people found to have possession of online child pornography

Reports Substantiated for Child Sexual Abuse in 2014

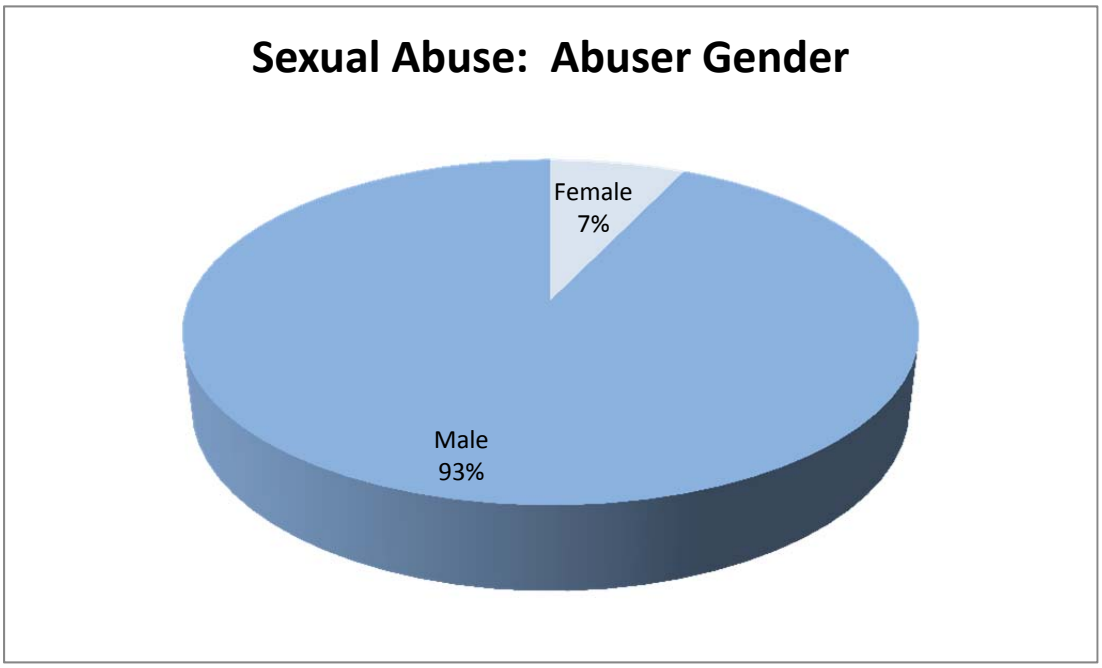
Unlike other types of child abuse, the department investigates all valid allegations of sexual abuse and risk of sexual abuse — regardless of the relationship between the alleged abuser and child. Other state agencies only get involved when the alleged abuser is a caregiver. For this reason, our rate of intervention in sexual abuse cases is not comparable to other states.

Here's what the 2014 data tells us about reported child sexual abuse in Vermont:

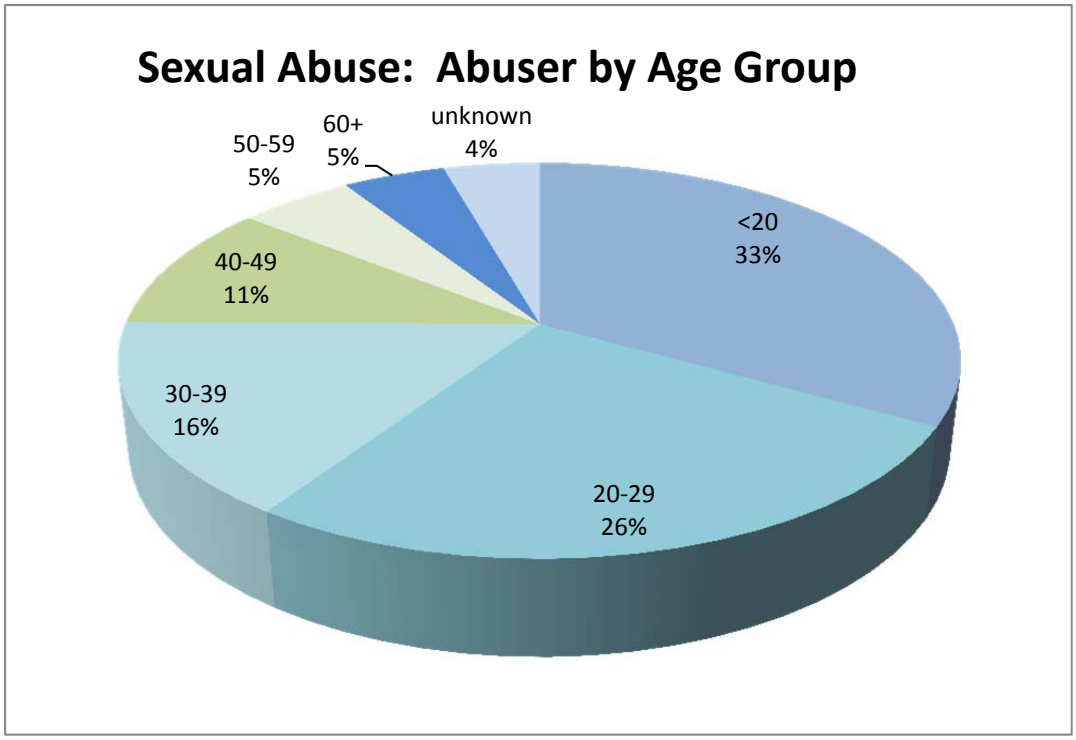
- **At least 82% of child sexual abuse was committed by people the children know.**

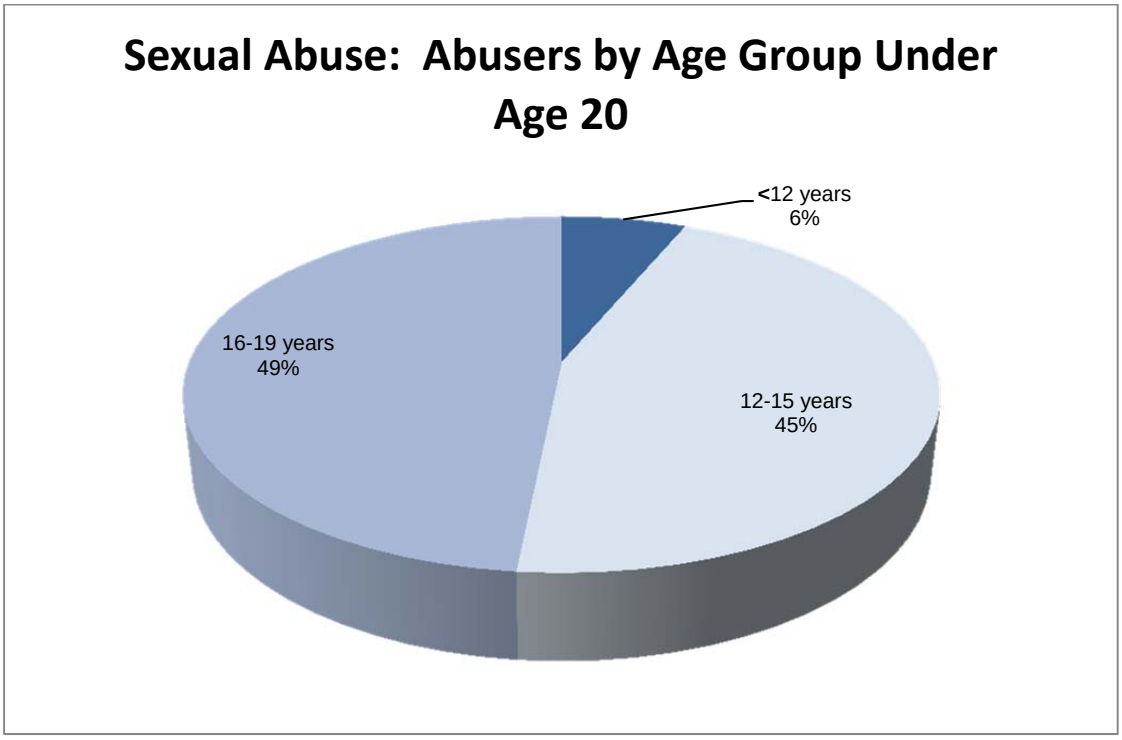


- **93% of the known abusers were male.**



- At least 33% of the abusers were under the age of 20. Of these, 94% were between the ages of 12 and 19.





Appendix One: Child Abuse and Neglect Definitions

Some of the definitions below will change with the implementation of Act 60 of 2015 (S.9), Vermont's new child protection law. These changes will be reflected in next year's report.

Vermont law (33.V.S.A. 49, § 4912) defines an "abused or neglected child" as:
One whose physical health, psychological growth and development or welfare is harmed, or is at substantial risk of harm, by the acts or omissions of his or her parent or other person responsible for the child's welfare. It also means a child who is sexually abused or at substantial risk of sexual abuse by any person.

Harm: can occur by abandonment, emotional maltreatment, neglect, physical injury, or sexual abuse.

Risk of harm: means a significant danger that a child will suffer serious harm other than by accidental means, which would be likely to cause physical injury, neglect, emotional maltreatment, or sexual abuse.

Child: an individual under the age of 18.

Person Responsible for a Child's Welfare: includes the child's parent, guardian, foster parent, and any other adult residing in the child's home who serves in a parental role; an employee of a public or private residential home, institution or agency; or other person responsible for the child's welfare while in a residential, educational or child care setting, including any staff person.

Emotional Maltreatment: a pattern of malicious behavior, which results in impaired psychological growth and development.

Neglect: failure to supply a child with adequate food, clothing, shelter or health care.

Physical Injury: death, permanent or temporary disfigurement, or impairment of any bodily organ or function other than by accidental means.

Sexual Abuse: Any act or acts by any person involving sexual molestation or exploitation of a child including but not limited to incest, prostitution, rape, sodomy, or any lewd and lascivious conduct involving a child. Sexual abuse also includes the aiding, abetting, counseling, hiring, or procuring of a child to perform or participate in any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, depicts a sexual conduct, sexual excitement or sadomasochistic abuse involving a child.

HELP PREVENT CHILD ABUSE

If you suspect a child is being abused or neglected,

call Vermont's Child Protection Line to

report it — 24 hours a day, 7 days a week.

1-800-649-5285

Preventing child abuse helps

ensure the safety, health, and

optimal development of our children.

http://dcf.vermont.gov/fsd

A Parent's Guide to Vermont's Child Welfare & Youth Justice Agency

To learn more about the Family Services Division and the work we do to keep children safe, visit our website and read this guide.

It includes information about what guides our work, what happens to reports, child safety interventions, DCF custody, the court process, and more.

http://dcf.vermont.gov/fsd/publications#Agency