

	<p style="text-align: right;">www.C4CJ.org</p> <h2 style="text-align: center;">Children's Justice & Advocacy Report</h2> <p style="text-align: center;">To promote community responsibility so every Pennsylvania child is protected from child abuse, including sexual abuse.</p>
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CPSL Update (4/16/2015)

BACKGROUND CHECKS

Many more Pennsylvanians, including those employed **as well as those volunteering with children**, are now required to have comprehensive background checks. These comprehensive checks include:

1. **PA State Police criminal history check** (\$10 cost),
2. **Child Abuse history check** - a check of the confidential child abuse registry (those named as a perpetrator of child abuse after an investigation even if a criminal proceeding did not occur, there is a \$10 cost deposited into the General Fund), and
3. **FBI finger print federal criminal history check** (approximately \$28) - volunteers can avoid this check if they have been a resident of PA consecutively for the last 10 years.

Comprehensive checks (for paid employees and volunteers) must be updated every 36 months. Plus if a person is "arrested for or convicted of an offense that would constitute grounds for denying employment or participation in a program, activity or service" or "named as a perpetrator in a founded or indicated report," the employee or volunteer must provide written notice to the head of the agency where they work/volunteer within 72 hours of "the arrest, conviction or notification that the person has been listed as a perpetrator in the Statewide database."¹

Demand to comply with the comprehensive background check requirements. The chart below shows the trend for just the child abuse check completed by the PA Department of Human Services (#2 above). **In 2014, DHS processed about 12,000 child abuse checks each week. DHS Acting Secretary Ted Dallas reveals that in recent weeks, DHS was processing about 28,000 checks per week.**²

Year	Child Abuse History Checks Processed
2014	587,545
2013	601,267 ³
2012	539,690 ⁴
2011	501,890 ⁵
2010	528,691 ⁶

¹ <http://www.legis.state.pa.us/WU01/LI/LI/CT/PDF/23/23.PDF>

² http://cumberland.com/news/local/staffs-battle-backlogs-as-child-abuse-clearance-requests-flood-departments/article_0bf67df4-62e3-5afb-abff-be64a13c7c36.html

³ According to DPW's 2013 Annual Child Abuse Report, "A total of 1,185 applicants less than one percent, were named as perpetrators in child abuse reports." 161 of the applicants were then "prohibited from hire."

⁴ According to DPW's 2012 Annual Child Abuse Report, "A total of 1,085 applicants, less than one percent, were named as perpetrators in child abuse reports.

Of these perpetrators, 141 were identified as being prohibited from hire."

⁵ According to DPW's Annual Child Abuse Report for 2011, "A total of 1,051 applicants, less than one percent, were named as perpetrators in child abuse reports.

Of these perpetrators, 96 were identified as being prohibited from hire."

⁶ According to DPW's Annual Child Abuse Report for 2010, "A total of 1,117 applicants, less than one percent, were named as perpetrators in child abuse reports.

The Harrisburg Patriot News has reported on the mandatory overtime required of ChildLine staff. “Add to that the overtime worked by the rest of the permanent and temporary ChildLine staff - mostly caseworkers who receive calls to take reports of suspected child abuse and oftentimes, questions about the status of a clearance request - and the number of extra hours balloons to more than 20,500 at a cost of more than \$500,000, according to the payroll records.”⁷

Timing of background checks, employees had to begin to comply effective December 31, 2014. Volunteers, who are new to a program, must be in compliance beginning July 1st 2015 and existing volunteers at an agency or program or school have until July 1, 2016 to complete the checks.

The checks are portable so that means that if a person is employed in a school and has the comprehensive checks and now they want to be the Sunday school teacher or the Little League coach the person DOES NOT need another set of checks (or costs). Instead they show the volunteer agency the original document and that agency keeps a record. A person volunteering in multiple settings (e.g., Red Cross Blood Mobile, Girl Scouts, and Sunday school) can use 1 set of checks to meet the requirements of each volunteer agency.

There has been confusion both with trying to get the checks and understanding who exactly needs them. Plus the state, initially, was unable to keep up with demand. Also we have to proceed with caution so that we do not suggest that background checks are a guarantee that our children are safe, protected. There is no substitution for a parent/caregiver knowing who has direct contact with the child and to be on the lookout for behavior that seems unusual or unsettling in the adult/child interaction.

REPORTING CHILD ABUSE

Additional people have a legal responsibility to report & reports are way up in 2015 ensuring that ChildLine – the state’s 24 hour, 7 day a week reporting hotline – swamped.

Among those persons now legally required to report suspected child abuse is the volunteer with the Girl Scouts or Sunday school. While these individuals might have reported previously out of their interest and concern for a child they now have a legal mandate to do so. Also clarified is the definition of school (it is broader to capture institutions of higher learning as well).

Trends at ChildLine – PA’s child abuse reporting hotline

YEAR	Total Calls Received	Total Calls Answered	# Calls Abandoned Deflected⁸	% of Calls Abandoned Deflected
2014	164,911	158,131	6,780	4.03
2013	148,204	142,084	6,120	4.06 ⁹
2012	145,794	138,541	7,253	4.95
2011	140,348	128,111	12,237	8.72
2010	133,660	121,868	11,792	8.82
2009	123,094	117,203	5,891	4.79
2008	121,369	117,305	4,064	3.35
2007	121,657	110,766	10,801	8.95
2006	105,737	98,514	7,223	6.83

Of these perpetrators, 25 were identified as being prohibited from hire.”

⁷ http://www.pennlive.com/politics/index.ssf/2015/03/clearing_child_abuse_backlog_h.html#incart_m-rpt-2

⁸ A call is abandoned when the caller hangs up before they reach a caseworker, a deflected call occurs when a call is unable to be placed in the queue as all caseworkers are engaged in a call and all wait/hold slots are already filled as well. Up to 3 callers can be placed in the queue and will remain there until a caseworker picks up the call or 30 minutes have passed and the call is then terminated.

⁹ February’s rate of abandoned and deflected calls exceeded 8 percent and in May the rate exceeded 6 percent. There appears to be a correlation between the times with the highest rate of A/D calls and times the hotline is operating with reduced staff (e.g., between January and May the hotline was operating with 5 vacancies due to 2 retirements, 2 workers leaving to work in a county assistance office and 1 transitioning to a supervisory position).

Trends in what happens after ChildLine receives a call

Year	Child Protective Services (CPS)	General Protective Services (GPS)	Law Enforcement Only (LEO)
2013	26,944	41,386	5,233
2012	26,664	39,328	4,703
2011	26,215	38,780	3,885
2010	25,812	36,503	3,288
2009	25,792	33,293	2,948
2008	24,064	28,063	2,602
2007	22,673	22,443	1,708
2006	25,088	18,414	909

- **A CPS reports** = there is sufficient enough indicators to require a full child abuse investigation – not all reports will lead to a substantiation that child abuse occurred. In 2013, 26,944 reports of child abuse were investigated.
- **A GPS report** = the initial call to ChildLine doesn't appear to indicate child abuse, as defined in state law, has occurred but the child/family are in need of some assessment and services to prevent child maltreatment. In 2013, at least 41,386 children were the subject of a GPS referral, many more referrals are made directly to a county children and youth agency.
- **Law enforcement only** = reports to ChildLine where the person identified as the alleged perpetrator is not a family member, parent's paramour, directly responsible for the child (e.g., the neighbor, or a distant relative). In 2013, more than 5,000 reports were directly sent from ChildLine to law enforcement to investigate a possible crime against a child involving a person who could not be a perpetrator, as defined in the Child Protective Services Law.

County children and youth agencies are also swamped struggling to keep up with increased calls and to guard against any child slipping through the cracks.

- **Butler County:** "The number of Butler County Children and Youth Services abuse cases more than doubled from January of 2014 to January of this year due to new state regulations. A year ago, there were 18 cases in January. That number, which is categorized under child protective services cases, reached 42 this past January."¹⁰
- **Erie County:** "Suspected child abuse reports to OCY rose 40 percent in January compared with January 2014, and 25 percent in February compared with February 2014 -- with officials believing the sustained spike coincides with a new state law that went into effect on Jan. 1, which expanded the definition of who is mandated to report suspected child abuse."¹¹
- **Greene County:** From January through March, the county responded to 292 incidents of alleged child abuse, involving 227 families and 482 children. The county reports that is a 71% increase in the reports of child abuse and it is having a "major impact" on county children and youth caseworkers.¹²

PENN STATE ENDOWMENT FUND

The \$48 million Penn State has agreed to pay, as part of the agreement negotiated by PA [Senate Majority Leader Jake Corman \(R-Centre\)](#) between Penn State and the National Collegiate Athletic Association (NCAA) will be "deposited into an endowment" established as a "separate trust fund in the State Treasury." Penn State has agreed to direct a total of \$60 million toward preventing, treating and advancing research about child sexual abuse, but the University will retain \$12 million for its own self-directed child protection research and initiatives.

¹⁰ <http://www.butlereagle.com/article/20150316/NEWS01/703169863/-1/News01>

¹¹ <http://www.goerie.com/reports-of-suspected-child-abuse-in-erie-county-on-the-rise>

¹² <http://www.observer-reporter.com/article/20150402/NEWS02/150409894>

The road map about where to next on the \$48 million that will come into the PA state coffers is [The Higher Education Monetary Penalty Endowment Act](#) (Act 1 of 2013). Act 1 required that the established endowment exist for a minimum of five years and during those five years “not more than 50% of the monetary penalties paid into the endowment shall be expended annually.” After that five-year period (or longer depending on the direction of the Wolf Administration and Treasurer), then it is the “interest and earnings of the endowment” that would become available annually.

PA’s Treasurer will continue to invest the money and make the funds available to the PA Commission on Crime and Delinquency (PCCD) for the following purposes:

1. Programs or projects preventing child sexual abuse and/or assisting the victims of child sexual abuse;
2. Multidisciplinary investigative teams established by PA law;
3. Child advocacy centers;
4. Victim service organizations that provide services to children subjected to sexual abuse; or
5. Training of persons who are mandated by law to report child sexual abuse or to treat victims of child sexual abuse.