President’s Column
Sharon G. Portwood, J.D., Ph.D.

At the time of this writing, our Program Chair, Susan Hall, and Co-Chair, Sofia Kluch, are busy planning an informative and interesting conference program for the 2006 American Psychological Association Convention. This year’s convention is special, not only because it will be held in New Orleans (August 10-13), but also because of Division 37’s programming focus on child maltreatment. I hope that you will plan now to join us for what promises to be a wonderful opportunity to meet with colleagues to discuss important issues around child abuse and neglect.

I believe that, too often, we forget how energizing it is to connect with others who work in our field, not only across the country, but also internationally. In fact, one of the primary benefits of membership in the Section on Child Maltreatment is the opportunity to expand and to enhance these connections.

In addition to its formal programming, this year, the Section will again sponsor a hospitality suite with its “parent” group, Division 37 (Child, Youth, and Family Services). Hospitality suite events provide both an opportunity to meet and to socialize with colleagues, as well as to enjoy more informal programming, including roundtables and discussions. All Section members are invited to attend receptions scheduled in the hospitality suite, as well as meetings of the Section’s Executive Committee and other working committees (including the Social Policy Committee). As provided in the Section Bylaws, there will be a general membership meeting “to provide an opportunity for a personal exchange of information and perspectives about matters of mutual concern between the general membership and the members of the Executive Committee.” (Be aware, also, that “[a]ny member of the Section shall have the right to place a matter on the agenda for a business meeting up to 24 hours before the meeting.”) Finally, if you are just looking for a place to relax, the hospitality suite is a good place just to “drop in” for conversation and refreshments.

The “bottom line” for this column is that I would like for each of you to have every opportunity to become more involved in the Section and its activities! I am continually impressed with the level of expertise reflected in our membership - within all domains of the child maltreatment field, including practice, research, teaching, advocacy, and a wide range of direct service provision activities. We have much to share with one another – as well as with other groups; however, in order to leverage all of the resources available to us effectively, we need to have a good working knowledge of what those resources are. Again, I hope that you will join us in New Orleans – both to learn about your colleagues and to share yourself as an important resource!

For updates and information on the 2006 APA Convention, see http://www.apa.org/convention06/.

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Wanted:  Time, Resources and Research

By Michelle McCauley and Angela Crossman

ON JANUARY 11, 2006, the tragic death of seven-year-old Nixzmary Brown shocked New York City. The New York Times insinuated that her death was a harbinger that New York City’s child welfare system was failing. The article suggested that New York’s child protective services (CPS) failed to investigate reports of Nixzmary’s abuse in a timely manner. If, in fact, the agency received multiple reports of potential abuse from the personnel at Nixzmary’s school and failed to take the steps needed to thoroughly investigate (namely, get a warrant to enter her home), this would clearly suggest a serious error. But why such an error would have occurred is undoubtedly complicated. New York’s CPS, like child protective service agencies across the nation, is clearly overloaded. Perhaps CPS intended to get a warrant to enter Nixzmary’s home for months, but in the midst of overload, the task went tragically undone. In any event, the extent to which Nixzmary’s death could have been prevented by a more alert social services agency remains to be determined.

Clearly, delays in acting to protect children can have lethal consequences. But as we consider the systemic problems associated with investigating abuse reports, we should also bear in mind the systemic difficulties that remain after investigation. The courts, too, are overburdened, and their overloaded dockets mean that it takes far more time than it should to return young children to families when abuse goes unsubstantiated. For example, it can take five or six months for a motion to be heard in juvenile court, even when all the parties agree that a child should return to the family (Whitney, 2005).

Unnecessary delays in returning children to their homes undoubtedly cause harm to children and their families. For the youngest children, the impact of such separation on attachment and security issues is immense. Even for older children, the damage of lengthy, unnecessary separations can be severe. For all children, the stress they experience during an unnecessary separation from their families should not be ignored or minimized. We know that stress adversely impacts many aspects of children’s cognitive and social development. Moreover, such separations occur at a time in development when children do not fully understand future reference (i.e., ‘Mommy will be back in two weeks’), do not fully comprehend temporal sequencing (i.e., ‘You can come home after we talk to the judge, not now’), and for whom even a two-minute time-out seems to last forever (Block, Zakay, & Hancock, 1999; Fivush & Mandler, 1985; Harner, 1982).

To give one example, in a recent Maryland case, a four-month-old was wrongly removed from her parents for 18 months. Bear in mind that the developmental milestones between 4 and 22 months include the appearance of teeth, crawling, walking, speech, self-recognition and a sense of self, in addition to the growth of attachments to family, among others. This family will never regain the 18 months of familial bonding, attachment, and development that the State took from them, nor be able to repair fully the harm the State inflicted. Yet, lest we think such instances are rare, in 2003, over 35 percent of children placed in foster care (over 70,000 children) were later determined not to have been abused (United States Department of Health and Human Services, Child Maltreatment, 2005). Unfortunately, for many of these wrongfully separated families, it took months to reunite.

“We should be able to structure a system that prioritizes cases involving young children, addressing them in days rather than weeks or months”

So what is the answer? Clearly, child protective services agencies may feel they are damned no matter what they do. But this should not be the case. We should be able to structure a system that prioritizes cases involving young children, addressing them in days rather than weeks or months. At the minimum, there are three things that must happen to do this well. First, in the short run, additional personnel will be required to get through the backlog of cases, both at the investigative and adjudicative phases. (The fact that New York City’s CPS have suggested they will reinvestigate 8,000-10,000 cases in light of Brown’s death is disturbing because such reinvestigation will undoubtedly take more resources away from new cases in need of...
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attention). Second, public and mandated reporters need further education clarifying what should be reported. In 2003, almost 3 million referrals regarding over 5 million children were made to child protective services. Of these, only 17% were later substantiated (United States Department of Health and Human Services, Child Maltreatment, 2005). In fact, over the last decade, the number of reports has dramatically increased, even though the actual rate of abuse has fallen. Over-inclusive reporting by mandated reporters results in untold hours of wasted CPS time, warranting more specific guidance for well-meaning reporters. Finally, the research community needs to work to identify the best predictors of abuse, so that CPS workers can more efficiently and effectively employ their limited resources.

References


Student Column

An Invitation to Get Involved

Hi everyone,

I trust that you enjoyed the holidays. As we are just into the New Year, it is probably appropriate that I introduce myself as the student representative for Division 37, Section on Maltreatment and let you know a little bit about our activities and how students can get involved. For starters, my name is Desi, not as in Desiree or Desmond, but as in Desi Arnaz. Yup, that’s right, my father named me after that 1950’s Cuban showman of I Love Lucy fame. I hail from the southern border town of Laredo, TX and yes, I sing and dance. This is my 4th year of PhD studies at the University of Oklahoma in the Counseling Psychology program. I recently married my high school sweetheart, bringing her to join me in the dusty red plains. Her name is Adrienne. She is a 2nd year law student.

When Mark Chaffin, PhD asked me about becoming the student representative for the Section I had two reactions. The first was an immediate “yes.” (Come to think of it I don’t know if I have ever said “no” to him.) The other reaction was more of a question. I wondered what I would do; I wondered how I could help the Section. Well after some thought and several, probably slightly pestering emails to past student reps and current Section officers peppered with questions, I think that I have decided on how I can help, the Section, and you can help me. I can help connect people: Students to students, then professionals to students, and finally students to professionals. First, I need to know about you as fellow students. I need to know where you are in the country, what types of programs you are in, interests etc.

Soon, thanks to the efforts of Dr. Miller-Perrin, I should have many of your email addresses to begin contacting you. As we begin to connect through electronic correspondence and at various yearly conferences, especially, hopefully, at APA in New Orleans, it will be easier for us to communicate effectively and personally (student-to-student). It should be easier for the Section officers and other professionals to communicate with the students letting them know about activities, opportunities and other beneficial information (professionals-to-students). Finally, this will allow us, as students, to communicate with the amazing group of officers that lead this Section regarding our interests, needs and ideas (students-to-professionals).

You know, many of the students this newsletter reaches have already been involved with the Section and can teach me a thing or four about what being a student member means. Whether you are a new member or a veteran, I encourage you to contact me at desi-vasquez@ouhsc.edu or theophilus@ou.edu. Let me know who you are and what’s going on. If you are a professional and are interested in mentoring students, or have some activities, or opportunities to share, contact me and let me know. As the events of this year get rolling and as more of us constructively connect with each other I am confident in the future of this Section and the burgeoning voice that the students can have in its discussions.

Sincerely,

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Congress recessed in December leaving a major budget reconciliation spending cuts bill on the table until Senators and Representatives get back to legislative business in early February. Child advocates and others concerned about proposed cuts in federal spending on human services kept the pressure on legislators during the congressional recess to urge members of the House of Representatives to vote against the budget cuts bill when it goes back to the House floor. With a sharpened awareness, on the one hand, of the fragility of the federal safety net brought on in the aftermath of Hurricane Katrina, and a determination, on the other hand, to cut current spending in order to offset funding for hurricane relief, the debate on the budget cuts bill has taken on a larger meaning and a longer life.

Conservative budget hawks have used the demand for relief to survivors of Hurricane Katrina as an excuse to pull out a wish list of long desired federal program cuts, many now embedded in the legislation at the center of the current budget controversy. Many of the bill’s provisions would hurt poor children and their families while purporting to set aside funds to support the poor in the devastated regions of the Gulf coast. Democrats and moderate Republicans have been united in their opposition, saying that the bill would apply the savings to proposed upcoming tax cuts, and that the programs to be scaled back would mean less help for the people who need it most.

The contentious budget reconciliation bill would compromise health care for the poor by allowing states to change the rules and impose new costs on Medicaid recipients. The legislation would cut child support enforcement, depriving children of about $8 billion in child support over the next five years. It would restrict access to food stamps, causing an estimated 300,000 low income families, many of them the working poor, to lose their food stamps.

In addition to these cuts, the bill takes aim at federally funded foster care services. The budget cutting measure would harm abused and neglected children in the care of relatives, the bill would mean eliminating almost $600 million over five years in foster care assistance for at least 4,000 children who have been placed in low-income homes with relatives. The provision, which makes it less likely that states would place children with relatives, undercuts a preference for placement of children with relatives required by the Adoption and Safe Families Act.

For a time, it appeared that a focus on offering relief to the victims of Hurricane Katrina might temporarily at least suspend congressional efforts to cut spending for programs which serve low-income families while extending tax cuts for wealthy Americans.

In a September 6 letter addressed to the Senate Finance Committee chair, Sen. Charles Grassley (R-IA), Senators Gordon Smith (R-OR) and Olympia Snowe (R-ME) – both Finance Committee members – joined by other Senate colleagues as signatories, urged Grassley to “indefinitely delay consideration of the portion of reconciliation that addresses entitlement cuts. At a time when millions are displaced and seeking federal and state assistance, we believe it is inappropriate to move forward on…a legislative package that would cut funding for Medicaid, Food Stamps, WIC, housing and education…we must remain focused on the relief efforts…We believe this is best accomplished by preserving entitlement programs at this time.”

Since then, the Deficit Reduction Act has had a troubled journey through Congress, with different versions of the bill shuttling back and forth between the House and Senate. The budget cuts measure first passed the Senate in November by a vote of 52-47. At the same time in the House, Republican leaders were forced to pull their version of the budget-cutting measure from the floor when it became clear that the budget bill lacked the votes for passage. In order to appease Republican moderates, their party leaders had agreed to drop the bill’s provisions allowing oil drilling in Alaska’s Arctic National Wildlife Refuge. Conservative Republicans who would support the Alaska oil exploration then got angry and threatened to withdraw their support. Moderate Republicans went further and said it wasn’t enough to hold their votes
either, objecting to other provisions in the bill which would hurt the nation’s poor. A week later, the Republican leadership took a slightly trimmed version of the bill to the House floor and managed to squeak through with a 217-215 vote for passage in the early morning hours of Friday, November 18. Democrats held together and were joined by fourteen Republicans voting against the measure.

On December 19, the House took up a House-Senate conference committee’s agreement on a final version of the Deficit Reduction Act, passing it by a narrow margin — 212-206. The bill went back to the Senate where it barely passed on December 21, 51-50, with the Vice President brought back to Washington to cast the tie-breaking vote. The bill goes again to the House for another vote because of slight changes to the bill made in the Senate on procedural grounds.

Child advocates and others have worked to hold back a final resolution on the budget cuts doing harm to children and low-income families. The final outcome will demonstrate whether services for children and poor families or continued tax cuts for the wealthy take priority.

While legislators labored over the politics of budget cuts, Congress for the first time in recent memory managed to complete action by the end of the year on all appropriations legislation for the new fiscal year without resorting to enactment of an omnibus spending measure to pick up money bills too controversial to pass on their own. Even so, it wasn’t easy.

The last appropriations bill to be passed and signed into law by the President, on December 30, 2005, was the Labor-HHS-Education Appropriations Act for 2006. The final conference agreement on the bill was first defeated in the House on November 17, 209-224. In a significant setback for the House Republican leadership, Democrats hanging together with 22 Republicans — mostly budgetary moderates joined by conservatives angry over the leadership’s decision to strip away funding earmarked by individual legislators for special projects — defeated the conference committee’s agreement on the appropriations bill.

Opponents of the bill cited provisions such as cuts to education programs, a freeze on college financial aid, reduced spending for the Centers for Disease Control, and cuts in grants to states for prenatal care for mothers. A different version of the bill then barely managed to pass the House December 14 on a second vote, 215-213. The Senate then adopted the bill by voice vote on December 21 and sent it to the President for signature.

Federal support for child welfare services comes up short in the fiscal 2006 Labor-HHS-Education money bill. While the overall funding for the Department of Health and Human Services is up by more than $94 billion over the 2005 level, none of that increase was given out in any significant way to services for protecting children and preventing harm to children at-risk of maltreatment. In fact, the overall budget for the HHS Administration for Children and Families is down in 2006 by $45.3 million. Almost all child welfare programs were left with level funding or were cut. With inflation at 2.33 percent over last year, even a funding freeze amounts to a spending cut for these programs. On top of that, an across-the-board cut of 1% was applied to all federal programs by a provision included in the Defense Department’s appropriations bill.

Significantly, all funds earmarked for special projects by individual legislators were eliminated in the final HHS appropriations and in all other appropriations bills as well. The unprecedented action was taken as a necessary step to control spending. In recent years, the Child Abuse Prevention and Treatment Act funding for discretionary grants has included between five and eight million dollars earmarked for local projects on top of the funds for research and demonstration grants. With the elimination of the earmarks, CAPTA discretionary grants appear to have been cut. In fact, the basic level of funding remains the same.

It is worth noting, as a footnote to the discussion of appropriations for the Department of Health and Human Services, President Bush’s statement on signing the money bill. During the Senate confirmation hearings of Judge Alito, the concept of presidential statements issued at bill signings has come to public attention. The practice is one which a recent New York Times editorial calls “the fringe ‘unitary executive’ theory,…the outlandish idea that if the president makes a statement when he signs a bill into law, a court interpreting the law should give his intent the same weight it gives to Congress’s intent in writing and approving the law.”

In signing the FY06 Labor-HHS-Education Appropriations Act, the President asserted in his statement that “the executive branch shall construe provisions in the Act that
The Section on Child Maltreatment will hold an election for three positions on the Executive Committee. Nominations are now being sought for these positions. Self nominations are encouraged.

Treasurer: Consistent with the Bylaws, the Treasurer oversees custody of all membership funds and property of the Section, receipt of all money to the Section, and keeping of adequate accounts; directs disbursements; prepares an annual budget; and makes an annual financial report to the Section. Jodi Quas is the current treasurer, and her term in office will end December 31, 2006. The new Treasurer’s term will begin January 1, 2007. Each Treasurer serves a 3-year term.

Member at Large: Each Member at Large provides direction to the Executive Committee and, in consultation with the other members of the Executive Committee, creates and carries out at least one project over her or his 3-year term., who currently serves as one of three Members at Large, will end her term on December 31, 2006. The new Member at Large will begin her or his term on January 1, 2007.

President-Elect: The President-Elect enjoys a two-year term before becoming President of the Section for two years, and then Past-President for two years. The President-Elect performs the duties traditionally assigned to a Vice-President. In the event that the President cannot service her/his full term, the President-Elect becomes President of the Section.

Participation on the Section Executive Committee helps to promote the mission of the Section and is an effective way of starting or expanding participation in a range of Section, Division, and APA activities. Previous experience in Section or Division activities is not required, and people who have never held an office in the APA and who are eager to participate in Section activities are encouraged to apply. To run for and maintain office, membership in the Section is required. Self nominations may be made by sending a vita and letter of interest. Those wishing to nominate someone else should check to see that he or she would be willing to accept the nomination, and then submit a letter of nomination, and ask the nominee to forward a vita. All nominations should be sent to Dr. Thomas D. Lyon, Professor of Law & Psychology, University of Southern California, 699 Exposition Blvd., Los Angeles, CA 90089-0071. E-mail and phone inquires are welcome (tlyon@law.usc.edu; 213-740-0142). Nominations should be received by April 25, 2006 so that candidates have sufficient time to submit a brief statement that will be printed with the ballot. The ballot will be included in a forthcoming edition of the Section Newsletter.
Call for Nominations for Section Elections for 2007

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Stop the Silence: Stop Child Sexual Abuse

National Race to Stop the Silence

8K Race, 5K Fun Run / Walk & Kids’ Fun Run

Saturday, April 15, 2006
8:30 am, Freedom Plaza, Washington, DC
13th & Pennsylvania Avenue, NW.

More Information & Registration online
www.stopcsa.org

Proceeds go to Safe Shores-the D.C. Children’s Advocacy Center
& National Programming to Help Stop Child Sexual Abuse
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