

The Littlest Victims: Protecting Babies from Abuse and Neglect



A startling statistic: Eighty percent of New Jersey children who died from abuse and neglect over a 5-year period were 3 years of age or younger. Nearly half of these babies and toddlers were known to the state's child protection system.¹

These facts tragically spotlight a tragic truth: Infants and toddlers are more likely to fall victim to abuse and neglect — and more likely to die from that maltreatment. That's because very young children cannot take care of themselves, defend themselves or tell on their abusers. They are unable to recognize danger and to understand what is happening to them.

Abuse and neglect at such a young age often has serious, lifelong consequences. From zero to age three, a child's brain grows faster than at any other time during their lives. Maltreatment during these formative years interferes with healthy brain development, harming intellectual functioning and social and emotional development and well-being.² Trauma at a young age can cause developmental delays, aggression, lower IQ scores, diminished language abilities, attention and attachment disorders, anxieties, fears, sleep problems and a reduced ability to empathize with others.³



Giving Every Child A Chance

35 Halsey Street, 2nd Floor, Newark, NJ 07102 • (973) 643-3876 • Fax (973) 643-9153 • advocates@acnj.org •

www.acnj.org

Child Fatalities Due to Abuse/Neglect

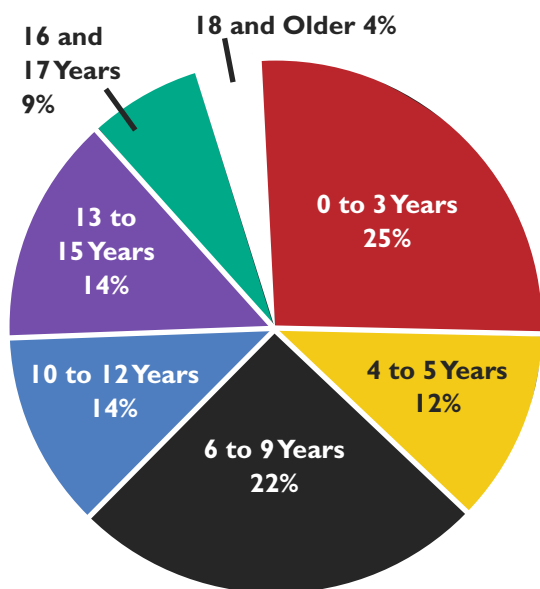
Year	Total # Deaths	# Children 3 and Under	% Children 3 and Under	% 3 and Under Known to Child Protection Services
2007	23	15	65	60
2008	28	25	89	28
2009	22	17	77	41
2010	16	14	88	36
2011	25	20	80	55
Total/Avg	114	91	80	43

Source: Department of Children and Families⁴

In New Jersey, as nationally, children under the age of four make up the largest group of children receiving services from The Division of Child Protection and Permanency (DCP&P), formerly known as the Division of Youth and Family Services (DYFS). As of June 30, 2012:

- 25 percent of children under state child protection supervision were 3 or younger.⁵
- More than one-third — 34 percent — of children in foster care were three or under.⁶
- Once in foster care, infants and toddlers are more likely to remain in placement longer than older children.⁷

Age of Children Receiving Child Protection Services as of June 30, 2012 Total = 52,873



Source: NJ Department of Children and Families

Despite this increased risk of harm, New Jersey has inadequate policy and practice guidelines to address the special needs of infants and toddlers. Given the large number of New Jersey children three and under in the child protection system, their fragile stage of development and the severe consequences abuse has on their lifelong health and well-being, it is urgent that specific provisions to child protection policy and practice be established to ensure the safety of our youngest children.

Specifically, Advocates for Children of New Jersey is calling for:

- Mandatory training for child protection staff and the judges and attorneys who handle these cases about the unique needs of infants and toddlers involved in the child protection system;
- Revisions to current policy regarding safety assessments and visitation to more adequately address the specific needs of infants and toddlers; and
- Improved data collection regarding infants, toddlers and their families who are known to the child protection system.

Training and Staffing

A well-trained workforce is essential to ensure that the safety and developmental needs of infants and toddlers are considered in case planning and implementation. While child protection staff are offered extensive training on a variety of topics, few courses are devoted specifically to the needs of infants and toddlers. Furthermore, such training is not required. Since infants and toddlers comprise such a large percentage of child protection cases, training on best practices to serve infants, toddlers and their families should be mandatory for all caseworkers and supervisors.

In addition, DCF should develop an infant-toddler certificate program, similar to what is offered for staff specializing in adolescent case work. This certificate program should include training on infant-toddler development, trauma in very young children and engaging parents of very young children.

Staff that complete this training should act as a resource for caseworkers and supervisors to assist in managing these sensitive cases. This, again, could be modeled after the system that has been established for adolescents.

Also, others in the child protection system share the responsibility to ensure the health and safety of every child coming to the attention of the family court. Judges, law guardians, attorneys representing the state child protection system, attorneys representing parents and court volunteers need to be knowledgeable about early childhood development, have access to adequate training on the developmental needs of infants and toddlers and use this knowledge to guide their work.



Training and Staffing Recommendations:

1. Require that infant/toddler training be mandatory for child protection caseworkers and supervisors in both new worker and ongoing training.
2. Develop an infant-toddler certificate program for supervisors and caseworkers focused on development issues, trauma and how to engage families with very young children.
3. Develop a system within the Division of Child Protection and Permanency to provide resources and infant/toddler expertise to frontline workers and supervisors, similar to what is offered for adolescent case handling.
4. Develop and offer training related to infants and toddlers to judges, attorneys representing the Division of Child Protection and Permanency, attorneys representing parents, law guardians and court volunteers.

Right from the Start

This report marks the beginning of Advocates for Children of New Jersey's **Right from the Start Campaign**, aimed at improving the safety, health and well-being of New Jersey's youngest children. With generous support from the Turrell Fund, this initiative will examine issues and advance change to give children from birth to three years the strongest possible start.

During a child's first years, the brain undergoes its most dramatic development. What happens during these first critical years significantly influences a child's chance for school success — and can have lifelong implications. A strong early care and education system, starting at birth and continuing into a child's early elementary years, is the foundation to ensure that children are reading on grade level by the end of 3rd grade — a key to long-term school success.

While New Jersey has some aspects of a strong early learning system in place — quality preschools for some children and growing use of home visitation services — there is still much more to do before we can say that all children are getting off to the right start.

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Policy and Practice

To safeguard very young children who come to the attention of the child protection system, it is critical that all aspects of case handling — from screening to making decisions about a child’s permanent living arrangement — consider the unique needs and development of infants and toddlers. Research tells us that the impact of maltreatment and possible removal from the home can be lessened if the developmental needs of the infant or toddler are adequately addressed in child protection policy and practice. Following are ways the state should improve both policy and practice for cases involving very young children.

Safety and Risk Assessment

When a report to the child abuse hotline is accepted for an investigation, the division must thoroughly assess a family to determine if a child is safe and what steps, if any, should be taken to ensure the child’s future safety. This investigation is guided by a series of evaluation tools, including separate safety, risk and strengths and needs assessments.

By and large, these tools, as currently written, fail to adequately address the increased threat of harm that is posed to infants and toddlers.

The safety assessment, which is the first tool used to determine whether children in the home are safe, does not identify age as a safety factor. While the instructions on the tool caution that “young children are particularly vulnerable,” it does not specify ages, identify that pre-verbal children are at even greater risk or use that as a factor in determining safety in the tool itself. The extreme vulnerability of children 3 and under warrants that age be a criteria when determining immediate safety.

Other states have incorporated age into these types of assessments. In California, for example, the safety assessment includes the age of the child as a factor influencing vulnerability and includes a question on the protective capacities of the child.⁸

Another factor for this age group that should be included on the safety assessment is whether there is another adult in the home who has the ability to protect the child and even remove the offending caregiver from the home. In addition, very young children are not in school and may not be in a child care setting where they interact with other adults who can recognize signs of maltreatment and act on a child’s behalf. This should also be considered when assessing safety.

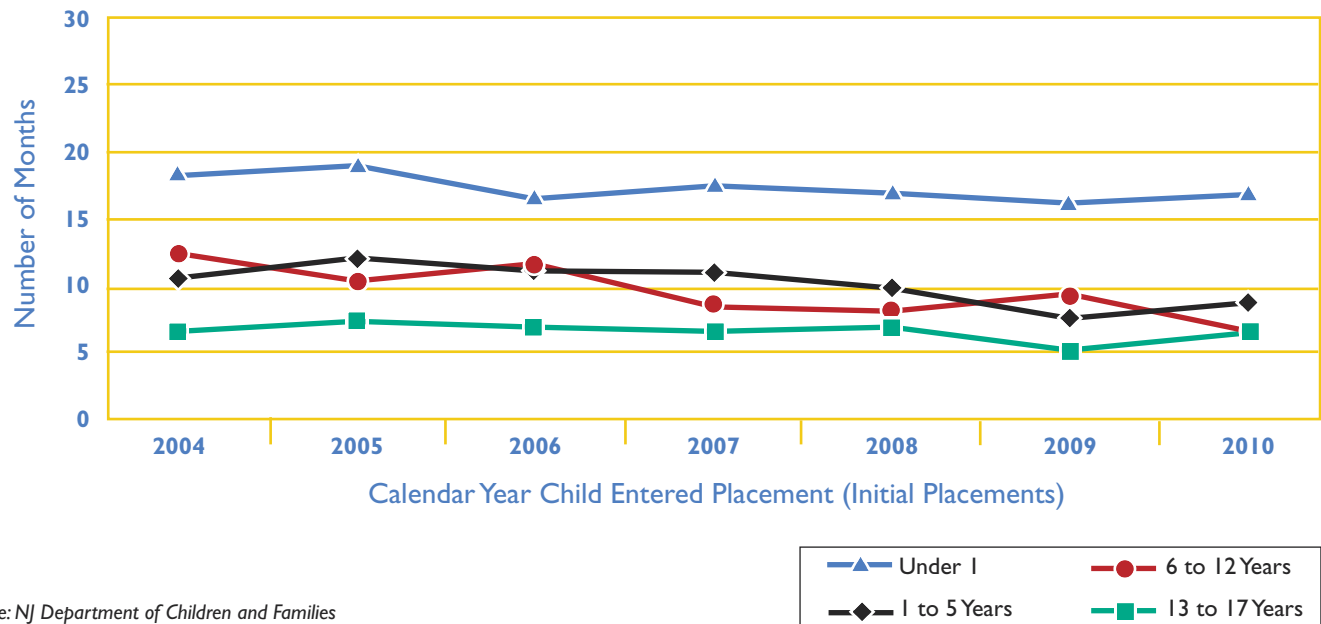
While the safety assessment is designed to determine if a child is safe, the risk assessment tool is aimed at determining whether a child is at risk of future harm. The current tool does not list age as a factor when determining the risk of abuse. In addition, the primary caregiver’s past or current drug use and mental health histories are also not calculated on the abuse risk score.

A third tool is used to assess a child’s strengths and needs. Many factors identified on this tool are irrelevant for young children, especially those who are non-verbal and not attending school. A specialized evaluation should be developed for very young children. This could include risk factors such as whether the mother has been assessed for postpartum depression and an assessment of parent/child attachment and bonding findings. Unless such information is routinely identified and considered, very young children may be left in harm’s way.



Average Time in Out-of-Home Placement

Based on the age of the child at the time of placement



Judges and attorneys, particularly law guardians (and their investigators) who represent children in these cases, should be actively involved in determining whether it is safe for a child to return home. In addition to receiving the results of the safety and risk assessments completed by the division, they should use the American Bar Association’s *Child Safety: A Guide for Judges and Attorneys* and accompanying checklists to inform their decisions regarding safety throughout the life of a case. These materials include key questions and elements for safety decision-making for judges, attorneys and court volunteers. The Office of Law Guardian, Office of Parental Representation and Legal Services of New Jersey have made a commitment to train staff in the use of these tools. Judges and other attorneys involved in these cases should follow suit.

Parent/Child Visitation

Sudden and traumatic separation from parents can severely damage a young child’s emotional, physical and cognitive development.⁹

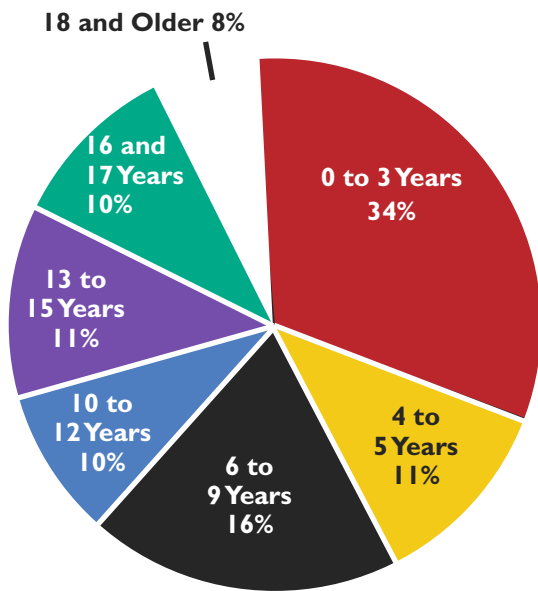
New Jersey children under the age of 1 spend an average of 17 months in foster care, while children ages 1 to 5 spend an average of 10 months in foster care.¹⁰ This is an extremely long time for an infant or toddler to be separated from her parent.

Research shows that visitation for infants and toddlers should be as frequent as possible (daily or multiple times per week) and be conducted in homelike locations that are familiar to the child.¹¹ Children who visited frequently with parents had fewer behavioral problems and showed less anxiety and depression than those whose visits were infrequent or non-existent¹². Each day of visitation with parents triples the odds a baby in foster care will reach permanency within one year.¹³

Supervised or therapeutic visitation can be particularly effective with this age group. These types of visits can provide important information about a parent’s capacity to protect a child and meet the child’s needs. This can also help assess whether a family is ready for safe reunification. During visitation, the caseworker can play a critical role in making this assessment by observing the parent(s) in normal interactions with the child (i.e. diapering, feeding, putting to sleep, playing, etc.). Workers can also act as parent coaches during visits.

While New Jersey regulations¹⁴ require that “special consideration” be given to the need for preschool children to have frequent visits, available data do not support that this is in fact happening for most children, no matter their age. According to the July 2012 federal court monitor’s report,¹⁵

Children in Out-of-Home Placement (Total = 7,484 as of June 30, 1012, point in time)



Source: NJ Department of Children and Families

only 35 percent of children in placement with a goal of reunification, had weekly documented visits with their parents.¹⁶ This data is not available by age of child.

The policy language is also vague and subject to interpretation, instead of specifying the frequency of parent/child visits for very young children. In addition, the visitation standards set by the federal court monitor are inadequate and should be revised to reflect the unique developmental needs of very young children.

Recommendations

1. Revise current safety and risk assessment tools to make age a primary consideration in assessing safety and risk for infants and toddlers and include specific factors that uniquely affect very young children on the strengths and needs assessment.
2. Provide training to judges and attorneys on using the American Bar Association's *Child Safety: A Guide for Judges and Attorneys* and include key questions and elements for safety decision-making in cases involving an infant or toddler.
3. Require that infants and toddlers receive a minimum of three visits per week with parent(s)/siblings, unless safety is a concern.
4. The federal monitor should revise visitation standards to be more frequent for very young children and then report on the state's performance on this critical measure.

Data Collection

In order to monitor how cases involving infants and toddlers are currently being handled in New Jersey, additional age-specific data are needed. Such information can be used for training, casework improvement, planning and program development and implementation.

The Child Placement Bill of Rights requires specific data to be prepared and updated at least every six months and made available to the public upon request (NJSA 9:6B 5). Demographic data already include a breakdown of the ages of children involved with the child protection system. This provision should be amended to require data specific to infants and toddlers that can be used to identify needs, improve service delivery and ensure the safety of very young children.



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Recommendations

Amend NJSA 9:6B-5 to require data specific to children ages, 0 to 3, specifying data sets including but not limited to the following:

- Types of services identified in the case plan to support the parent/child;
- Frequency of child/parent visitation;
- Frequency of caseworker visits;
- The number and percent of young children who are abused again after a substantiated or unsubstantiated report of abuse; and
- The number and percent of children who re-enter foster care after being returned home.

Conclusion

From birth to age 3, children are at greater risk of abuse or neglect. Many of these children come to the attention of New Jersey's child protection system and, in fact, make up a large percentage of the caseload. Despite this, New Jersey has little policy or practice aimed specifically at protecting these vulnerable children.

All involved in the child protection system — from frontline caseworkers to judges who monitor these cases — should have special training and knowledge of the needs of these children and the tools to protect them from harm.

End Notes:

¹ NJ Department of Children and Families (2011). Public Comprehensive Child Abuse Prevention and Treatment Act Reports January 2007 to December 2011. Retrieved from <http://www.state.nj.us/dcf/reporting/fatalities>

² American Humane Association, Center for the Study of Social Policy, Child Welfare League of America, Children's Defense Fund, Zero to Three, (2011) *A Call to Action on Behalf of Maltreated Infants and Toddlers*.

³ Ibid

⁴ NJ Department of Children and Families (2011). Public Comprehensive Child Abuse Prevention and Treatment Act Reports January 2007 to December 2011. Retrieved from <http://www.state.nj.us/dcf/reporting/fatalities>

⁵ NJ Department of Children and Families

⁶ NJ Department of Children and Families

⁷ NJ Department of Children and Families (August 2012). Median Length of Stay in DCP&P Placement, By Age. Retrieved from http://www.state.nj.us/dcf/childdata/outcome/Chapinmedianlosbyage04-10_053012.pdf

⁸ California Department of Social Services, (Updated May 2009). *Structured Decision Making Policy and Procedures Manual*.

⁹ American Humane Association, Center for the Study of Social Policy, Child Welfare League of America, Children's Defense Fund, Zero to Three, (2011), *A Call to Action on Behalf of Maltreated Infants and Toddlers*.

¹⁰ NJ Department of Children and Families (August 2012). Median Length of Stay in DCP&P Placement, By Age. Retrieved from http://www.state.nj.us/dcf/childdata/outcome/Chapinmedianlosbyage04-10_053012.pdf

¹¹ American Humane Association, Center for the Study of Social Policy, Child Welfare League of America, Children's Defense Fund, Zero to Three, (2011) *A Call to Action on Behalf of Maltreated Infants and Toddlers*.

¹² Chen, Ronald K. (2010) *Protecting and Promoting Meaningful Connections: The Importance of Quality Family Time in Parent-Child Visitation*.

¹³ Zero to Three (2009). *Securing a Bright Future*.

¹⁴ NJAC 10:122D-1.14(a)3

¹⁵ Monitoring Report is a report released by the Center for the Study of Social Policy to assess NJ's compliance with the goals, principles and outcomes of the Modified Settlement Agreement of the class action litigation aimed at improving the state's child welfare system.

¹⁶ Center for the Study of Social Policy, (July 2012) Progress of the NJ Department of Children and Families Period XI Monitoring Report for Charlie and Nadine H. vs Christie.

Cecilia Zalkind, *Executive Director*
Mary Coogan, *Assistant Director*

*ACNJ Assistant Director Mary Coogan,
Policy Analyst Diane Dellanno and
Communications Director
Nancy Parello researched and
wrote this report.*

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Right from the Start: Building the Foundation for School Success

Advocates for Children of New Jersey's Right from the Start Campaign is aimed at strengthening the state's early learning system by enacting stronger public policies for young children and increasing investments in programs and services that pay strong dividends over the course of a child's life.

Campaign Goal: All young children in New Jersey have a strong early care and education foundation that supports their 3rd grade reading proficiency and provides the foundation so children are:

- **Starting off Strong** with their earliest and most critical needs met,
- **Thriving by Five** with access to high-quality child care and preschool education, and
- **Great at Eight**, because they received a strong foundation for learning.

The campaign will focus on the following areas:

- Providing children with positive early experiences in the infant and toddler years.
- Ensuring families have access to child care.
- Improving the quality of child care in all settings.
- Expanding access to high-quality, state-funded preschool.
- Ensuring that very young children are protected from abuse and neglect.
- Aligning preschool through 3rd grade education.
- Improving coordination of early care and education services to create a seamless system of early learning for children from infancy to age eight.



Starting Off Strong

A baby's brain is a work in progress, particularly during the first three years of life. Research demonstrates that children's earliest outside experiences shape their overall development. Ensuring that young children experience safe and nurturing environments will provide them with a strong foundation for a healthy start in life. This means supporting parents effectively, providing high-quality child care and ensuring adequate health care and nutrition.

Young children in the child protection system demand a special focus. Policies and practices must be in place to ensure that their unique developmental needs are addressed.

Thriving by Five

As young children enter the preschool years, their access to high-quality early education is critically important. Nearly 50,000 low-income 3- and 4- year olds in New Jersey attend high-quality preschool, but thousands more disadvantaged children are denied access because state-funded preschool is not offered in their communities.

Families with children from infancy to age 8 rely heavily on child care so they can work. Like preschool, high-quality child care is costly and often beyond the reach of struggling families. Plus, affordable child care does not always equal quality. Poorer quality care has a detrimental impact on the growth and development of young children. We, as a state, need to ensure that all children have access to high-quality child care and preschool.

Great at Eight

Good early learning programs, beginning in preschool and continuing from kindergarten through 3rd grade, play a pivotal role in each child's success in being proficient readers by 3rd grade. A child's preschool experience should be closely coordinated with the early elementary years, with a strong emphasis on literacy. To accomplish this, teachers, school administrators and parents must work together across grade levels to ensure that learning builds on past years and connects with those to come. This will not only improve children's reading proficiency, but will provide them with the skills needed to graduate from high school, college or career ready.

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