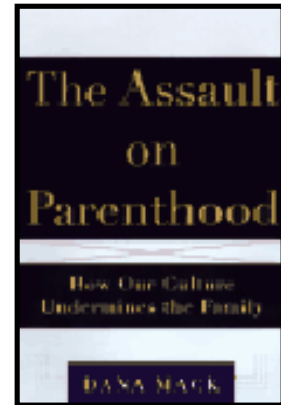


## Child Welfare, Family Destruction

*The Assault on Parenthood* by Dana Mack (1997)

The chapter begins with a summarized account the child welfare system's processing of case involving abuses toward a child. While the details have been omitted from this writing, mention of the story is necessary as an example of how the process targets parents and concurrently compels parents to confess their supposed crime using tactics that go beyond sound reasoning and ethical practice.

Following in the tract of expediency, the process is based chiefly on the concept that *the end justifies the means*; the end being to prosecute a parent, and the means being the sorted and insensitive – and questionably unethical – tactics used to pressure parents, coerce children, and destroy families. Using methods that in keeping with a witch hunt, the government agencies are sure to find guilt – even if they have to create it! Remember, *the end justifies the means*; thus, anything goes...



Citing the warning of a deputy foreman (San Diego, CA; 1995) speaking before a Senate subcommittee:

I could share anecdotal stories about the destruction of families, the insensitivity of social workers, the collusion of juvenile court judges who might well cause you to decide that the damage done to children and families in the name of child protection far outweighs the good.

But as Dana makes clear, “**the scandal of child welfare is no secret in government circles.**” She continues with the words of a representative from the Center for Social Policy (District of Columbia) whose organization has monitored activity in Alabama, Arkansas, Connecticut, Missouri, Kansas, and Wisconsin.

The outcome:

The rise of class-action lawsuits against child welfare agencies, she says, is an indication that the leadership and a culture change in the bureaucracy is long past due. But while there are a lot of fretting over increasing reports of child abuse, little attention has been paid to the manifold and increasing abuses of the child abuse bureaucracy.

The rise in case load has created some additional problems; namely, that authentic or warranted cases get overlooked. Dana notes:

A chronic squeeze on the system's resources and time has enabled many abusive parents to beat the system by a combination of calculation and cunning. As long as they show-up conscientiously at appointed meetings

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At the root cause of this “chronic squeeze” is over-reporting of child maltreatment: of the 3 million cases reported in recent years (around 1997), only about one third can be substantiated after investigation; and of this one-third, only about 200,000 cases involve “serious health-endangering deprivation, physical assault, and sexual exploitation.” To equate these figures to more understandably numbers, **less than 1 out of 100 cases is substantiated child abuse.**

According to the author, a 1986 federal study evaluating child welfare caseworkers found that up to two-thirds of substantiated cases of child maltreatment involved no actual wrongdoing on the part of parents – **to give much attention to the statistics that support the conventional home or family as the safest heaven (abuse-free) for child and parent alike.**

Further studies by the American Humane Association in the 1980’s indicated that:

...half of the families that child welfare agencies compelled to undergo therapeutic services for child maltreatment never mistreated their children at all, and that many removals to foster care are capricious actions of so-called “preventive intervention” – undertaken on a caseworker’s presumption that though a child’s home situation poses no immediate dangers or deprivations, it might sometime in the future.

Like pre-emptive war – that justifies an offensive in order to stave off an alleged aggressor – the tactics described in the last paragraph clearly do not condemn or convict on the occurrence of abuse; but rather, on the perception that abuse is possible...in the future.

In delving into further cause for the proliferation of cases – and the apparent staggering numbers of unsubstantiated charges or unwarranted investigations – legislation is first noted. Called the Child Abuse Prevention and Treatment Act (CAPTA), the sometimes referred to “Mondale” act of 1974 ushered in a national net for “mandatory reporting” for any suspicion of child maltreatment on penalty of prosecution. In this law is full immunity for reporters who end-up giving false reports – which, of course, lends to the possibility of intentional false reporting...with ulterior motives.

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In fairness to the initial outcome of the act, the author points-out it helped “significantly to reduce fatalities from child abuse and neglect.” She continues though, by noting that:

...far more innocent families began to suffer unwarranted investigations. Indeed, the decade following passage of the act saw an explosion of frivolous accusations by mandated reporters fearful of missing a case and eventually being called to account for it.

**Well, some significant cause for the explosion of cases apparently was driven by self-protection; that is, the protection of one’s job regardless of the expense to another’s family.**

As the publication of this book, in 1997, legal definitions of “physical abuse” can cover a broad range; what should be noted is that “parents still have the right to spank their children on the bottom with the hand’ in all American jurisdictions.

The “tactics” described earlier – that have resulted in a plethora of class-action lawsuits – strike at the very subject of constitutional rights – or the basic **due-process** rights. **Fourth Amendment** protections against unlawful search and seizure are all too often and all too easily suspended – according to Ms. Mack. Furthermore, the **Fifth Amendment** – guaranteeing against self-incrimination – is likewise suspended; and still more, the **Sixth Amendment** provide for legal counsel once an investigation is underway is, yes, suspended too. Like a witch hunt, *the end justifies the means...*

If the outcomes already cited are not enough, consider the risks imposed on children who are ushered-off to foster care. According to American Civil Liberties Union (ACLU) Children’s Project, children removed to foster care are ten times more likely to be maltreated while in custody of the state than in their homes. Dana continues:

Poor children suffer the impositions of child welfare and foster care most acutely. Families on public assistance are four times more likely than others to be investigated for child maltreatment, and these families are disproportionately victims of the systems most radical decision of child removal...

**Evidently preying on the poor is another outcome...**

Besides the outcome of the “Mondale” act is another problem rooted in federal bureaucracy. **At the core of the federal-driven case reporting is money; yes, there are profits to be made by the jurisdiction courtesy of the federal government.**

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One the cardinal axiom that anything the government subsidizes, you get more of it; let's consider another cause contributing to the explosive and unwarranted rise of case loads alleging child maltreatment; or as the author describes:

Every substantiated case of child abuse or neglect carries the potential to unleash masses of federal, state, and private funds, not for the child welfare bureaucracy, but for the private services it commissions – from mental health professionals to foster caregivers.

### **She continues on this potential cause bordering on conspiracy:**

Child welfare agencies are often able to cash in twice for both foster care and therapy – by billing both the taxpayers (via the use of public funds) and the accused who can afford it.

In this “net” of *money for maltreatment* is the collection of participants that, in general, is motivated to maximize their case load – not for legitimate reasons but for the monetary rewards through the federal programs. Under similar systems, the state is actually motivated to maintain children in state control that might otherwise be adopted – and placed in the personal care of adopted parents acting in the child's best interest.

In summary, she concludes that: “the child welfare system's remedial approaches to maltreatment are inadequate to handle problems of bona fide parental cruelty and incapacity.” She adds: “Curiously, the most culpable parents seem to be able to manipulate the system...”

In contrast to this system are programs described as family preservation programs. **Homebuilders** is one such program that, according to Dana, **rest on the premise that families are innately healthy child-rearing institutions**, that virtually all parents and children, however troubled, share indissoluble bonds of love, and that the majority of family crisis can be overcome with simple, practical short-term interventions.

In her final comments, Dana describes **the “real source” of child welfare scandal in our nation, in fact, may be the widespread acceptance in child welfare circles of theories that label families in general as pathogenic and prone to violence and abuse.** Making an important point, she adds: “Somehow, this view of child maltreatment has not reached our lawmakers...but politicians fearful of being thought insensitive to teeming masses of suffering children have, with only a few exceptions, turned a deaf ear.

In this circle of the “deaf” is the described “powerful elite”; and what do think...and do to negate the worth of the family, of parents?

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Dana replies:

As long as the elite continue to play chorus to a family drama of anger, violence, and therapeutic redemption, no family in America will be safe.

**At the time of this publication, a family in America is falsely accused of child maltreatment every 15 seconds.**