

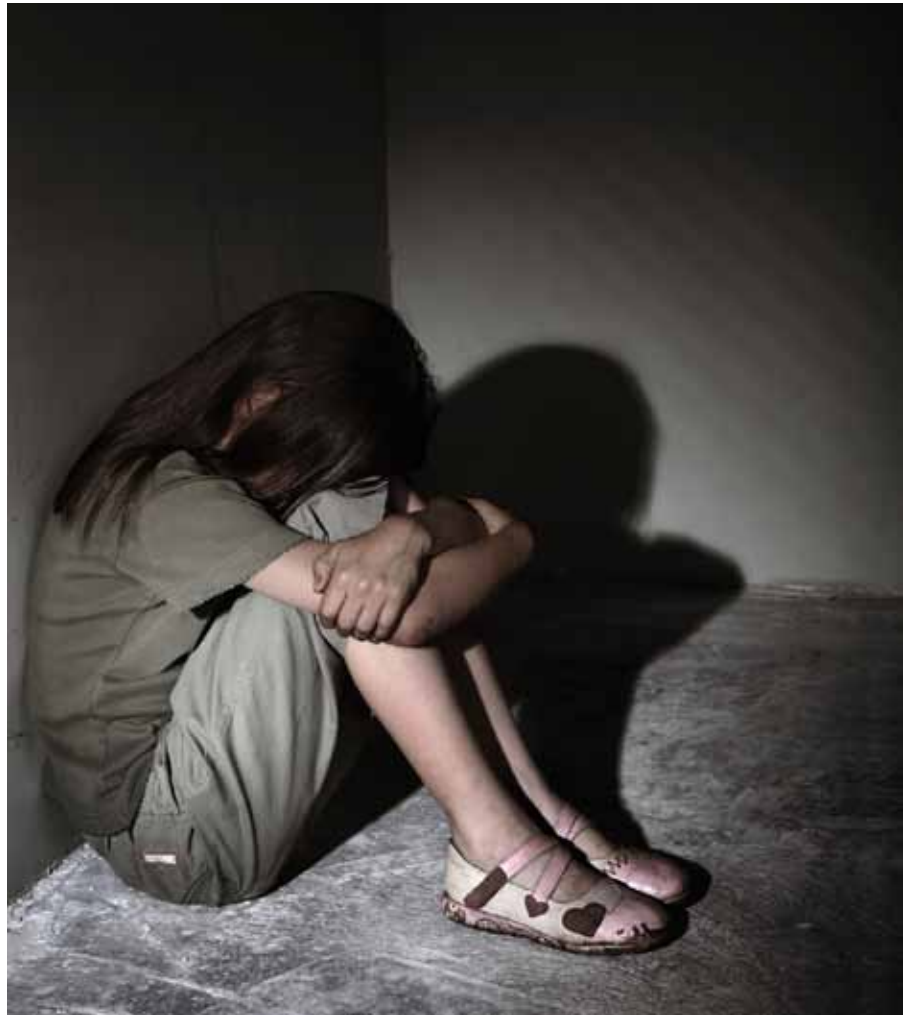
By Daniel Pollack



**A** recent study identifies the nation's most dangerous traffic intersection. It's at Flamingo Road and Pines Boulevard in Pembroke Pines, Florida. The insurance company engineer who compiled the report notes that the intersection meets appropriate design standards and is regulated by traffic lights. He said traffic volume and driver error were two important factors in the high number of crashes.

One of the most dangerous intersections in every state's child welfare system is the decision whether to remove or to leave non-abused siblings in a home in which another sibling has been abused or neglected. Like the dangerous intersection in Pembroke Pines, child protective service (CPS) workers often face high caseloads ("traffic volume") and constant life-threatening decisions (the possibility of "driver error").

A Pennsylvania case involved "an appeal from the determination of dependency where the adoptive father sexually abused one of the children. The trial court removed the victim child from the home, placed her into foster care while allowing the non-abused child to remain under court-ordered protective supervision in



## Non-Abused Siblings Who Remain at Home: A Dangerous Child Protective Services Intersection

the parents' home." The Pennsylvania court wrestled with this knotty issue: "When a finding is made that a child is well cared for, safe in his parents' home, and has neither been physically or sexually abused, can the child be found dependent because a sibling has been abused or neglected?" Because another child of the parent "had been

the victim of physical abuse resulting in serious bodily injury, sexual violence or aggravated physical neglect by the parent" the court determined that there were sufficient "aggravating circumstances" as defined by Pennsylvania statute and the Adoption and Safe Families Act to designate the non-abused child as dependent. Yet, as

Bean (2009) notes, the vagueness of the "aggravated circumstances" exception "invites inconsistent and thus unpredictable decisions about when a state should expend efforts to reunite a child with his or her parent." The court went on to eloquently frame the challenging legal landscape: "The trial court had the unenviable responsibility of evaluating the testimony of parents, children, expert witnesses, Children and Youth Services officials and other interested parties. The factual determinations had to be melded with intricate legal concepts, which balance the rights of the parents to care for and

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innovative. They did great work, but along the way almost everyone forgot that rainy days do come eventually. The nice thing about entitlements is that the federal government has to contribute in good times and bad times. If the old matches and entitlements were still in place today, it is inconceivable that caseloads would have remained flat, and states would have benefits from more automatic support.

I can't think of a worse idea than to block grant the SNAP program. SNAP really was the safety net during this recession. I have no doubt that states could do great things with more flexibility but the next recession would be a real disaster. The lesson we can learn from TANF is that we took a cyclically sensitive program, allowed great flexibility for innovation in the good times, but also stripped away support in the bad times.

**P&P: The national human service framework represents a patchwork of programs that have been introduced and modified or completely transformed dating back to the 1930s. With states still struggling under the burden of revenue levels that have still not recovered to pre-recession levels, where do you believe states and their federal partners should begin looking to address need while maintaining accountability?**

**Ellwood:** The Holy Grail of assistance reform has been the idea of one big consolidated set of services—one caseworker for one client to handle everything. But which congressional committee really wants to give up control? And once again, it's another issue of being careful what you wish for. If you ask a client, they might be very skeptical about having one caseworker to handle all their benefits.

From a client's perspective, they have caseworkers they like and caseworkers they don't. Frankly, I think this direction, which mostly involves using flexibility and consolidation to do more with less, is a losing argument. Yes, you can win some battles and create some improvements, but in the long run it will lead to more and more federal cuts. I would argue that we need to find a new direction for the future. And for many families that is making work really work. We need to help build job ladders for low-income people coupled with support strategies to get low-income people working and progressing, and really escape poverty. The more the public perceives the system as helping people get ahead, the more supportive they will be.

**P&P: Thank you very much for your time and we look forward to seeing you at the Forum in June. 📍**

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control their children while protecting the welfare and safekeeping of the children to assure them a wholesome and adequate life.”

Accordingly, even if CPS finds safety concerns it may still determine that it is safe to leave an at-risk child or his or her siblings in the home. In that event, a safety plan is created by ensuring that needed support is organized or provided to help preserve and stabilize the family.

It is axiomatic that trauma to one child reverberates throughout the family, disrupting its balance and creating potential dire consequences for the non-abused siblings (Hill, 2003). For this reason, as Hollingsworth, Glass, and Heisler (2007) write: “It is imperative during an investigation of abuse in which a targeted child has endured physical

abuse, neglect, or bizarre discipline that the siblings also be evaluated” (pp. 84–85). Just as we rigorously evaluate dangerous traffic intersections to minimize future accidents, so too, additional research is needed to determine when it is safe to leave seemingly non-abused children in a home where substantiated abuse or neglect has recently taken place. 📍

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1. In the Interest of: S.B., Appeal of: F.B. and A.M.B., and In the Interest of: E.B., Appeal of F.B. and A.M.B., 833 A.2d 1116, 286 PA Super 2003 (August 6, 2003).
2. Adoption and Safe Families Act of 1997, Pub. L. No. 105-89, 111 Stat. 2115 (codified

at 42 U.S.C. § 671 et seq. (2000)). See also the Family Preservation and Support Services Act of 1993. Pub L 103-66. Stat 107.312.

3. [http://works.bepress.com/cgi/viewcontent.cgi?article=1000&context=kathleen\\_bean](http://works.bepress.com/cgi/viewcontent.cgi?article=1000&context=kathleen_bean)
4. Hill, A. (2003). Issues facing brothers of sexually abused children: Implications for professional practice. *Child & Family Social Work* 8(4), 281–290.
5. Hollingsworth, J., Glass, J., & Heisler, K. (2007). Empathy deficits in siblings of severely scapegoated children: A conceptual model. *Journal of Emotional Abuse*, 7(4), 69–88.
6. Tavkar, P., & Hansen, D. (2011). Interventions for families victimized by child sexual abuse: Clinical issues and approaches for child advocacy center-based services. *Aggression and Violent Behavior*, 16(3), 188-199. Also see Baker, J., Tanis, H., & Rice, J. (2001). Including siblings in the treatment of child sexual abuse. *Journal of Child Sexual Abuse*, 10, 1–16.