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# Institutional Child Abuse & Neglect: A Selected Annotated Bibliography

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NYS Commission on



QUALITY  
OF CARE

for the Mentally Disabled

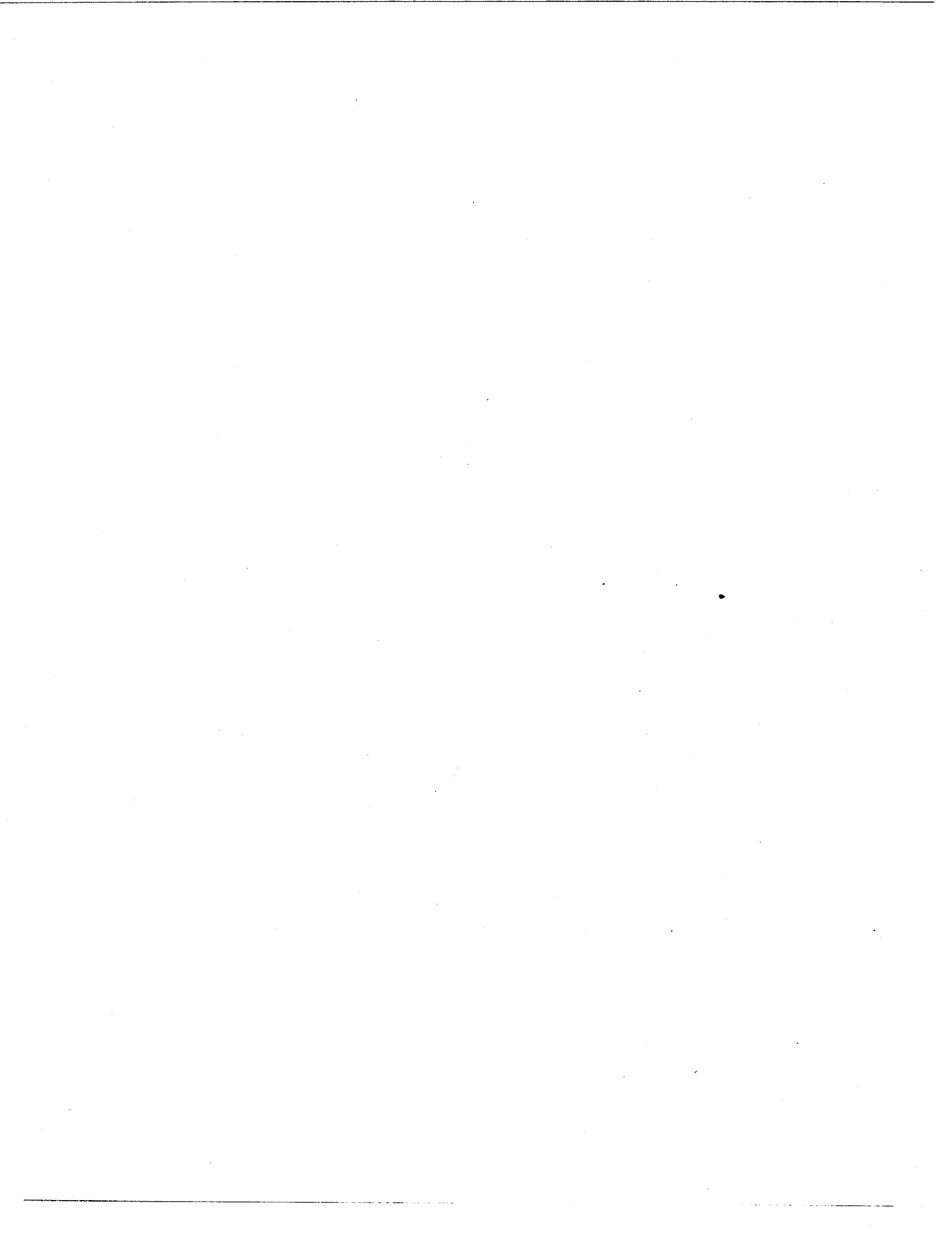
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August 1987

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**INSTITUTIONAL CHILD ABUSE & NEGLECT:  
A SELECTED ANNOTATED BIBLIOGRAPHY**

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**New York State Commission on Quality of Care  
for the Mentally Disabled**

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## Preface

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Pursuant to New York's Child Abuse Prevention Act of 1985, the NYS Commission on Quality of Care for the Mentally Disabled, a State watchdog agency for mental hygiene services, was assigned new statutory responsibilities for investigating child abuse and neglect allegations in residential mental hygiene facilities. In conjunction with these new responsibilities, the Commission conducted a review of existing research and training materials related to child abuse and neglect in these settings.

While the literature on intrafamilial child abuse and neglect is extensive, literature on institutional child abuse and neglect is limited and is mainly comprised of reports on recently conducted demonstration projects. Many of these projects were federally-funded under priorities established by the National Center on Child Abuse and Neglect. A smaller body of research reflects the initiatives of individual states or local agencies or organizations.

The available literature focuses on four major issue areas: definitional concerns, reporting and investigatory guidelines, prevention strategies, and model state statutes and policies. Interestingly, despite its incipient nature, this literature presents remarkable consistency in the definition of key issues, as well as in the presentation of recommendations for future governmental action.

For example, the literature reveals a general consensus that definitional standards for institutional child abuse and neglect should be more stringent than those in place for intrafamilial child abuse and neglect. Most authors concurred that the state as the "custodian" for children in institutional settings should be subject to higher standards for child rearing practices and allowed less discretion in deviations from these standards. In addition, many have concluded that the state's failure to meet basic standards for custodial care and adequate supervision also constitutes abuse and/or neglect.

To clarify these more stringent definitional standards, many authors have proposed new federal and state statutory definitions for institutional child abuse and neglect. Typical of these proposed definitions is the one offered by Helfer:

Any interaction or lack of interaction between a child and his or her caregiver which results in non-accidental harm to the child's physical and/or developmental state. (Helfer, 1982)

Notwithstanding this need for definitional clarification, the literature is equally unanimous that existing practices result in widespread underreporting of child abuse and neglect allegations in institutional settings. Noting that most institutions operate behind closed doors with little public scrutiny, researchers point out that typical reporting sources, like concerned neighbors, teachers, and others who may have occasion to see or notice potential indicators of abusive or neglectful situations, are unavailable to the institutionalized child. Many also cite the powerful disincentives intrinsic to the institutional setting - the code of silence among employees and the fear of reprisals among resident children and their families - which conspire against accountable reporting. Given these barriers to reporting, most authors argue that facilities must have very explicit reporting policies and procedures for allegations of child abuse and neglect, and that they must also assure comprehensive staff training to ensure that established guidelines are accountably carried out.

Guidelines for effective, independent investigation of institutional child abuse and neglect allegations are another common focus of the literature. Spurred by recurrent criticisms of in-house investigations of institutional child abuse and neglect reports, there is consensus that such investigations should be conducted by investigatory bodies separate from the operators of these facilities. Several states have also issued "how-to" manuals for conducting these investigations, complete with training curricula for staff and a number of specific teaching aids. Commonly referenced topics in these manuals include: techniques for gathering and preserving physical evidence, methods for recording and documenting testimonial evidence, and suggested formats and content areas for final investigation reports.

The prevention of institutional child abuse and neglect is also a pervasive theme of the literature, and is interwoven with proposals for model state statutes and policies on the subject. Significantly, whereas much of this literature focuses on staff training activities aimed toward preventing abusive or neglectful incidents from occurring, many documents also emphasize that effective prevention is closely linked to a sound state statutory and regulatory framework governing the range of issues specific to institutional versus intrafamilial child abuse and neglect.

The annotations included in this volume summarize 42 articles and reference materials on institutional child abuse and neglect. Articles are organized in the volume by their major content area focus, and an index is also provided to assist readers in locating references on specific topics of interest.

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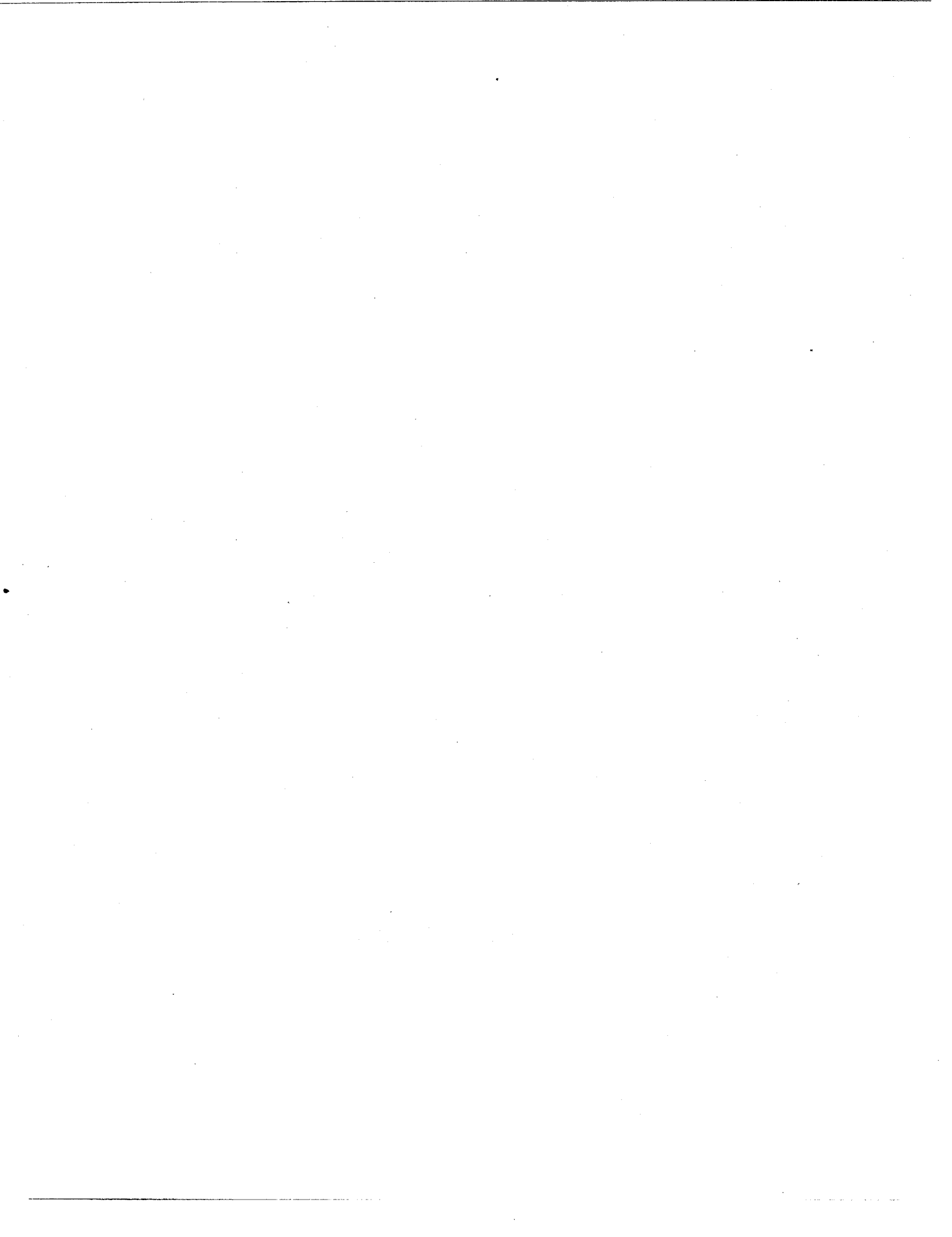
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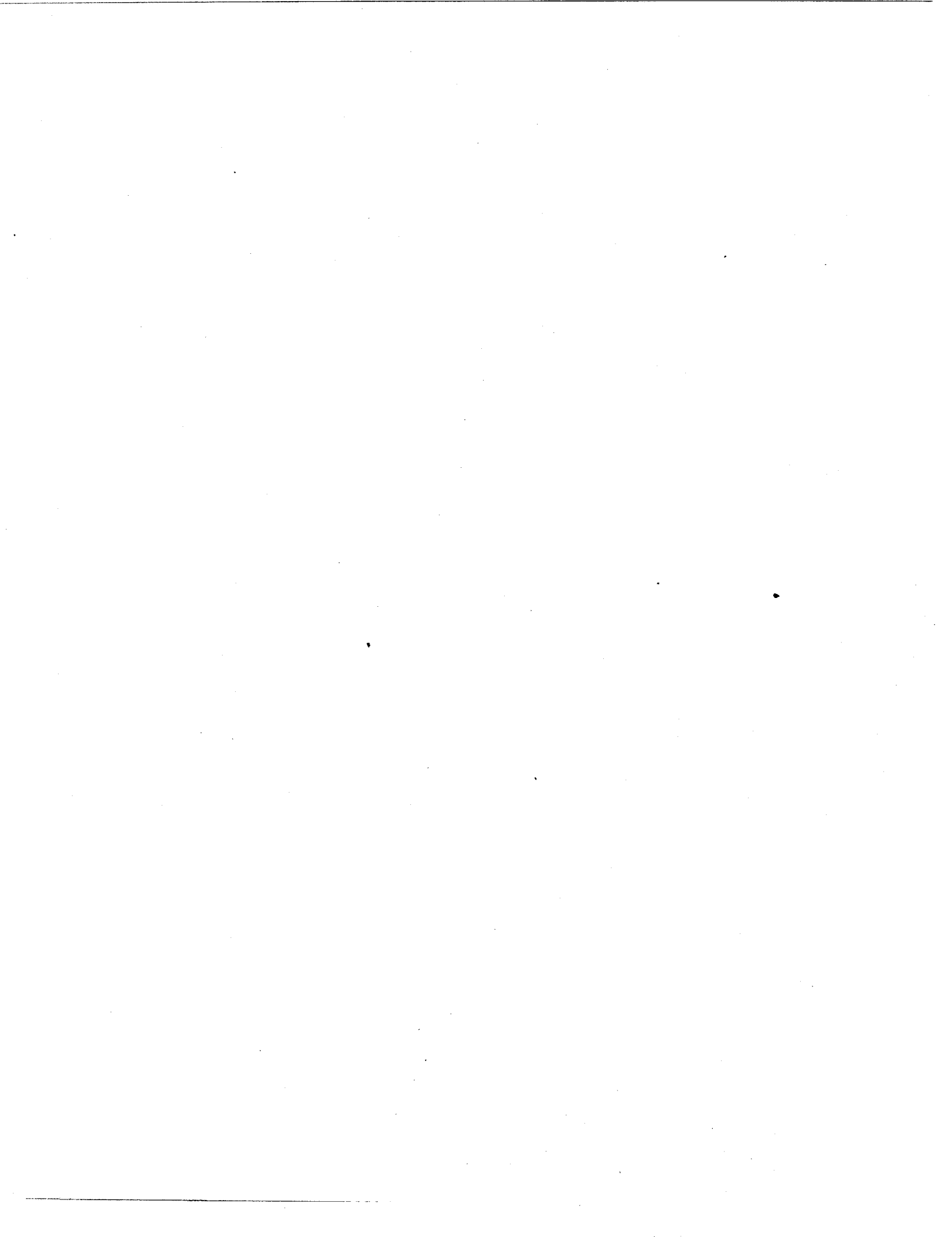
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New York State Commission on Quality of Care for the Mentally Disabled



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## **Section I: Introductory Background Resources**





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## **Child Abuse and Neglect in Residential Institutions: Selected Readings on Prevention, Investigation and Correction**

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National Center on Child Abuse and Neglect, Children's Bureau, Administration on Children, Youth and Families, Office of Human Development Services, U.S. Department of Health, Education, and Welfare, Washington, DC 1978

Available from: Clearinghouse on Child Abuse and Neglect Information, P.O. Box 1182 Washington, DC 20013 (301) 251-5157 [No. CD-78-30160]

### **Document Summary**

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This document, organized in six major sections, represents one of the first collections dedicated to the topic of institutional child abuse. Its contents include the Final Report of the First National Conference on the Institutional Maltreatment of Children (Ithaca, New York, 1977); articles on institutional abuse excerpted from the *Human Ecology Forum*, a publication of the New York State College of Human Ecology at Cornell University; excerpts from the Draft Federal Standards for Child Abuse and Neglect Prevention and Treatment Programs and Projects; and the Draft Model Child Protection Act. Resource materials and bibliographies are also included in the collection.

Selected content areas in the collection include:

- Background information concerning the National Center's role in dealing with institutional child abuse and neglect;
- The nature and scope of child abuse and neglect in residential institutions;
- The relationship between institutional abuse and societal abuse; and
- Prevention guidelines for states and institutions.

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## Residential Child Maltreatment: An Unrecognized Problem in the United States

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George Thomas, Ph.D.  
Unpublished, Undated Paper

Available from: Clearinghouse on Child Abuse and Neglect Information, P.O. Box 1182, Washington, DC 20013 (301) 251-5157 [No. CD-06858]

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### Document Summary

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In this paper, the author argues that the child welfare field places an undue emphasis on child placement (i.e., removal from the family setting into substitute residential care) without a concomitant investment to the protection of children in placement. Citing data that only 80 of the 711,142 official reports of child abuse and neglect in 1979 dealt with child maltreatment in residential care programs, the author states that underreporting of such incidents is rampant.

Mr. Thomas identifies three interrelated factors which contribute to society's bias for residential placement: the doctrine of *parens patriae*; the concept of child's best interest; and the presumption of best professional judgement. Thomas maintains that the public's acceptance of this rationale, together with the limited resources to sustain residential programs, accounts for the poor recognition of residential child maltreatment in the United States.

In his concluding remarks, Mr. Thomas states that advocacy efforts to date have done little to increase awareness of institutional abuse. He argues that a different approach which relies on legal actions to limit the presumptive powers of state, judicial, and professional authorities in matters related to child placement is necessary. He calls for clearer standards for judging the appropriateness of governmental placement decisions and maintains that such standards will provide the needed framework for establishing a definition of residential child maltreatment which can be understood and supported by the public. He also maintains that protective services for children in residential placement need to be enhanced.

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## **Child Abuse: An Agenda for Action**

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Edited by: George Gerbner, Catherine J. Ross and Edward Zigler  
New York, Oxford Press 1980

Available from: Clearinghouse on Child Abuse and Neglect Information,  
P.O. Box 1182, Washington, DC 20013  
(301) 251-5157 [No. CD-07394]

### **Document Summary**

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This book contains a collection of articles by noted authors in the areas of familial and institutional child abuse and neglect. Topics covered include:

- . Dynamics of human aggression and its relevance to the problems of child abuse;
- . Evolution and evaluation of child protection services and models;
- . Profiles of violence toward children in the United States;
- . Institutional abuse and neglect in residential facilities for the mentally retarded;  
and
- . The television industry's role in portraying the problems of child abuse and neglect.

The concluding chapter outlines immediate and long-term recommendations for the prevention of child abuse and neglect. The authors state that the first step is to agree on a definition of child abuse. "No single definition of abuse has succeeded in fulfilling all of the functions that social scientists and social service professionals would like." In addition, the authors argue that socially sanctioned abuse (e.g., corporal punishment) must be abolished. Citizen reviews of the care provided by residential institutions are suggested as a means to expose the abuses prevalent in such facilities.

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**Oversight Hearings on Title I -- Child Abuse Prevention and Treatment Act and Adoption Reform Act of 1978. Hearings before the subcommittee on select education of the Committee on Education and Labor, U.S. House of Representatives, 96th Congress, 2nd Session, December 2 and 4, 1980**

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Available from: U.S. Government Printing Office, Washington, DC

**Document Summary**

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These hearings examined the progress achieved under the mandate of Title 1 of the Child Abuse Prevention and Treatment Act and Adoption Reform Act of 1978. The second day of the hearings was devoted to discussion of the abuse of children in residential institutions, i.e., those programs and facilities with more than 10 children which provide 24 hour care through the use of full-time staff. Persons testifying at the hearing included:

- . Mr. John Calhoun, Commissioner of the Administration on Children, Youth, and Families;
- . Mr. Joseph Pisani, Chairman of the New York State Temporary State Commission on Child Welfare;
- . Mr. Jerome Miller, President of the National Center on Institutions and Alternatives;
- . Mr. Brian Cahill, Executive Director of the California Association of Children's Residential Centers;
- . Dr. Eli Newberger of the Children's Hospital in Boston, Massachusetts;
- . Mr. George Thomas, President of the Regional Institute of Social Welfare, Athens, Georgia; and
- . Ms. Sharon Harrell, Director of Project HANDS, Washington, DC.

While the testimony referenced many different points of view on the phenomenon of child abuse in residential facilities, several common themes emerged:

- (1) Institutional abuse is conceptually different from familial abuse, and specific definitions should be developed to elucidate these differences.

- (2) The extent of the problem is unknown; reporting of institutional abuse is lacking because traditional sources (e.g., neighbors, teachers, etc.) are not available in the "closed" institutional settings. As one speaker stated: "Why should the program draw attention to bad things about itself?"
- (3) Resources to implement existing laws and mandates are insufficient; consequently, facility staff are poorly trained, poorly paid and poorly supported in their efforts to care for children.
- (4) There is something inherently ill in a society which removes a child from his/her abusive home only to place him/her in a program which is abusive.
- (5) Standards and expectations for the state's responsibility in child care are higher than for families, with less discretion and leeway, and they should be, too.
- (6) Mitigating circumstances, intent and severity of harm are irrelevant in institutional abuse cases. An incident either happened or it didn't.
- (7) The system of child placement diffuses accountability and responsibility such that no one flesh and blood person is responsible for the child's well-being.
- (8) There is a need for an independent investigative capability as well as a need for the investigative body to have the power to correct institutional abuse when it is identified.

In sum, this document provides an excellent overview of expert opinions about institutional child abuse circa, 1980. Its usefulness is still pertinent today.

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## Sexual Problems of Adolescents in Institutions

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David A. Shore and Harvey L. Gochros, Eds.  
C. C. Thomas, Springfield, IL 1981

Available from: Charles C. Thomas, Publisher, Bannerstone House,  
301-327 East Lawrence Avenue, Springfield, IL

### Document Summary

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This book contains a collection of original writings about sexual problems of adolescents in institutions. The book contains a diversity of opinions, treatments, educational strategies, and policy perspectives on the controversial subject of adolescent sexuality.

Many of the articles focus on how best to meet the sexual needs of adolescents consistent with the divergent pressures of legal, religious, and ethical attitudes and values to restrict adolescent sexual behavior. The editors argue that it is important for institutional staff to acknowledge the sexual needs and problems of adolescents in their institutions and to develop effective clinical, educational, and management strategies to facilitate sexual development and expression in socially acceptable, personal growth-producing ways. The editors further note that the realities of residential living magnify the already complex tasks adolescents encounter as they negotiate this developmental stage.

Articles presented are organized under four major content areas: historical and social perspectives, management of sexual behavior, clinical approaches, and special populations.

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## **Institutional Abuse of Children & Youth**

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Ranae Hanson, Editor  
Child and Youth Services Series, Volume 4, Numbers 1/2,  
The Haworth Press, New York, NY 1982

Available from: The Haworth Press, Inc. 28 East 22 Street,  
New York, NY 10010

### **Document Summary**

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This collection of essays provides a useful overview to the range of issues and perspectives related to institutional child abuse. The articles cover such topics as definitions for institutional abuse and neglect, the relationship between corporal punishment and institutional abuse, reporting practices, and prevention strategies. Several articles specifically focus on societal responses to familial abuse and caution that institutional placement, as a preventive strategy to familial abuse, can be abusive itself. The articles point out the dangers faced by children in institutional care and advise that intrusion into children's lives, while sometimes necessary, is not without risk of causing further harm to the child.

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## Proceedings of the Multiregional Conference on Institutional Child Abuse and Neglect, Columbus, Ohio, May 1982

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Edited by Carolyn Washburne, Joan Van Hull, and Nolan Rindfleisch

Available from: Clearinghouse on Child Abuse and Neglect Information,  
P.O. Box 1182, Washington, DC 20013  
(301) 251-5157 [No. CD-07178]

### Document Summary

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The proceedings of a multiregional conference on institutional child abuse and neglect are contained in this document. The articles include descriptions of federally-funded research and/or demonstration projects in Ohio, Utah, New York, Washington, DC, Massachusetts, and New Jersey, and address theoretical and legal issues, definitional concerns, staff training needs, and practical approaches for dealing with institutional child abuse and neglect.

Several of the projects described address citizen review boards as an effective means of monitoring conditions within child care facilities. Studies in several states to determine the incidence and prevalence of institutional abuse and neglect confirmed suspicions of underreporting, documented ineffective reporting procedures and indicated that the data about institutional child abuse and neglect are meager, with no definitive statistics available.

A bibliography is included to enable the reader to follow up on selected projects of interest. In addition, the list of conference participants enables users to contact resource people for additional information.



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## Child Abuse in Residential Institutions and Community Programs for Intervention and Prevention

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Jerald Savalls, Ph.D. in *Child Abuse & Neglect*, Vol. 7, pp. 473-75, 1983

### Document Summary

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In this brief communication, the author states that the changing social order and family structure have placed additional demands on a social service system still trying to prioritize its capabilities to handle "nuclear" family problems. He states that, whenever a child is removed from the family setting, the social service system fails in its capability to fill this void: "No institution can provide the tender love and care that is best supplied by other loving family members."

In the past, child abuse and neglect were defined more as neighborhood problems and less as societal problems. Today, however, we have come to depend on large, formal organizations to meet the needs of children requiring out-of-home placement. Institutions, unfortunately, inhibit the child's spontaneity and creativity, promoting conformity rather than independence and actualization of individual potentials. According to the author, this "atmosphere of deprivation" increases the potential for child abuse and neglect in these settings and also ensures that many of these children will continue to be wards of the state as adults, graduating into other forms of institutional care (i.e., prisons, mental hospitals).

Citing the built-in conflict of reporting institutional abuse in many states, the author indicates that child advocates must decide between the therapeutic interests of the child versus the institutional interests of employers. The author concludes that a consumer-oriented service delivery system can be established, building on the precedent of the consumer protection movement. Citizen involvement must be encouraged.

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## **Institutional Child Abuse and Neglect: A Bibliography**

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Joel S. Milner and Donald W. Atten, Western Carolina University, 1985

Available from: Western Carolina University, Department of Psychology,  
Cullowhee, NC 28723

### **Document Summary**

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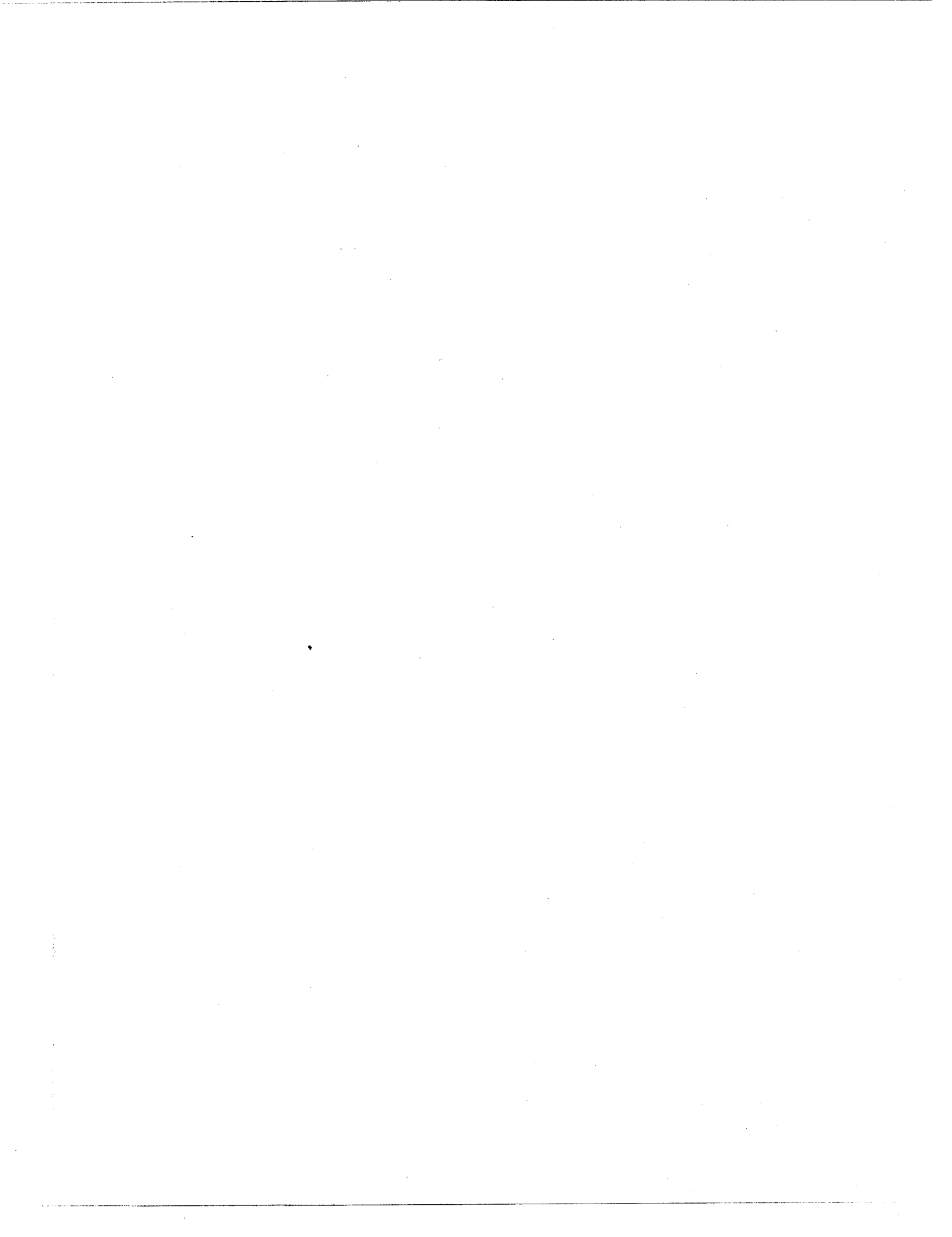
This bibliography contains over 400 citations of published and available papers, books and audio-visual materials on the topic of institutional child abuse dating from 1940-1985. Institutional child abuse is broadly defined to include maltreatment occurring in any out-of-home child care facility, including institutions for the mentally disabled, juvenile reformatories and detention centers, community-based group homes, day care settings and schools. The bibliography contains general theoretical materials as well as empirical research reports.

A variety of topics are covered in the bibliography, including:

- . history of institutional child abuse and neglect;
- . incidence rates;
- . demographic and behavioral characteristics of victims and perpetrators;
- . reporting, investigating and preventing institutional abuse;
- . standards for services in child care facilities;
- . children's rights;
- . care and treatment of abused children;
- . corporal punishment; and
- . job satisfaction of institutional employees.

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## **Section II: Statutes, Policies and Procedures**



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## **Child Abuse and Neglect: A Document for Policy Makers**

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International Children's Centre, Washington, DC (1980)

Available from: Clearinghouse on Child Abuse and Neglect Information,  
P.O. Box 1182, Washington, DC 20013  
(301) 251-5157 [No. CD-7130]

### **Document Summary**

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This brief document provides basic information about child abuse and neglect, and outlines needed elements for more effective national policies for the treatment and prevention of child abuse and neglect.

The document also contains a listing of recommendations to curtail institutional abuse. Ranging from replacing existing large institutions with smaller institutions located near large cities, to educating parents, neighbors and volunteers about the need for day care, group homes and halfway houses in their communities, to establishing independent committees in each institution to investigate complaints about abuse and hold public hearings – these recommendations cover many different systemic approaches to institutional child abuse prevention.

