Montana State Legislature

Exhibit Number: 11

This exhibit exceeds 10-page maximum; therefore only a small portion of the exhibit is scanned for your research. The original exhibit is on file at the Montana Historical Society and may be viewed there

Montana Historical Society Archives, 225 N. Roberts, Helena, MT 59620-1201; phone (406) 444-4774. For minutes in paper format, please contact the Montana State Law Library, Justice Building, 215 N. Sanders, Helena, MT 59620; (406) 444-3660. Tapes and exhibits are also available at the Historical Society (tapes are retained for five years). Scanning done by: Susie Hamilton

EXHIBIT 11
DATE Mon Feb 1 2005
HB

MONTANA'S CHILDREN 2004

Montana's Children At a Glance

State Population (2002)[1]	909,453
State Population, Children Under 18 (2001)[2]	230,000
State Poverty Rate (2002)[3]	13.5%
Poverty Rate, Children Under 18 (2002)[4]	18.5%
Poverty Rate, Children Ages 5–17 (2002)[5]	16.9%
Poverty Rate, Children Birth to Age 4 (2002)[6]	28.1%

CHILD ABUSE AND NEGLECT

- In 2001, 9,281 children were reported as abused or neglected and referred for investigation in Montana, a rate of 40.4 per 1,000 children.[7]
- In 2001, 1,533 children were substantiated or indicated as abused or neglected in Montana, a rate of 8.4 per 1,000 children, representing a 54% decrease from 2000. Of every 1,000 children, 3.1 were neglected, 4.5 were physically abused, and 1.3 were sexually abused.[8]
- In 2001, four children died as a result of abuse or neglect in Montana.[9]
- On September 30, 2001, 2,008 children in Montana lived apart from their families in out-of-home care, compared with 2,180 children on September 30, 2000. In 2001, 30.6% of the children living apart from their families were age 5 or younger, and 13.9% were 16 or older.[10]
- On September 30, 2001, 1,199 white children, 24 black children, 78 Hispanic children, 680 American Indian/Alaskan Native children, and 105 children of other races and ethnicities were in out-of-home care in the state.[11]

PERMANENT FAMILIES FOR CHILDREN

- Of the 1,497 children leaving out-of-home care in 2001, 59% were reunited with their families.[12]
- In 2001, 275 children were legally adopted through the public child welfare agency in Montana, a 92% increase from 143 in 1997.[13]
- Of the 2,008 children in out-of-home care in 2001, 1,163 or 58% were waiting to be adopted.[14]
- Of the 2,008 children in out-of-home care on September 30, 2001, 32% were living with relatives while in care.[15]
- In 2002, more than 7,555 Montana grandparents had primary responsibility caring for their grandchildren.[16]

CHILD POVERTY AND INCOME SUPPORT

- The number of people receiving Temporary Assistance for Needy Families (TANF) in Montana increased from 17,110 in March 2002 to 18,074 in March 2003, an increase of 5.6%. The number of families receiving TANF in March 2003 was 6,421, a 5.9% increase from March 2002.[17]
- In 2001, a family of three receiving only TANF and Food Stamp benefits in Montana was 34% below the federal poverty guideline.[18]
- In 2002, Montana spent $60,666,713 in TANF funds, including 51.9% on cash assistance, 0.1% on transportation and support activities, 4.5% on a range of other services, and 43.6% on nonassistance.[19]
- In 2001, Montana collected and distributed $41,027,136 in child support funds, an increase of 0.7% from 2000.[20]
- In 2003, the fair market rent for a two-bedroom apartment in Montana was $537 per month, or 65% of the average monthly income for a worker earning the state minimum wage of $5.15 per hour.[21]

CHILD WELFARE LEAGUE OF AMERICA

Headquarters: 440 First Street NW, Third Floor, Washington DC 20001-2085 • 202/638-2952 • Fax 202/638-4004 • www.cwla.org

CHILD CARE AND HEAD START

- In 2001, an estimated monthly average of 7,200 of Montana's children received subsidized child care, an increase from 6,900 in 2000 and 6,400 in 1999.[22]
- In 2003, a family of three could make no more than 51% of Montana's median income, or $21,948, to be eligible for subsidized child care.[23]
- Due to the state budget shortfall, Montana will freeze child care provider rates and quality improvement projects at FY 2002 levels to compensate for the $302,000 decrease in state general funds for child care.[24]
- In 2002, Head Start served 2,982 Montana children, a 0.4% increase from 2001.[25]
- In 2000, 79% of all 18- to 24-year-olds in Montana had at least a high school degree or equivalent.[26]

HEALTH, MENTAL HEALTH, AND SUBSTANCE ABUSE

- In 2000, 50,883 children younger than 18 were enrolled in Medicaid in Montana, representing 21.2% of Montana's total enrollees.[27]
- In 2002, Montana had 13,875 children enrolled in its State Children's Health Insurance Program, a 2.6% increase from 2001, when 13,518 children were enrolled.[28]
- In 2001, 11 babies in Montana were born to girls younger than 15. In 2001, the number of babies born to teens ages 15–19 was 1,258—a rate of 36 births per 1,000 girls.[29]
- As of December 2002, 356 adults and adolescents, as well as 3 children younger than 13, had been diagnosed with HIV/AIDS in Montana.[30]
- In 2002, 11 Montana children younger than 20 committed suicide, a rate of 4.41 per 100,000 children in the population.[31]
- In 2001, an estimated 6,000 children ages 12–17, and 13,000 adults 18 and older, were dependent on or abusing illicit drugs or alcohol.[32]

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

- In 2001, thre children younger than 18 were killed in firearm homicides in Montana, compared with three in 2000 as well.[33]
- In 2002, 5,953 children younger than 18 were arrested in Montana, a 125% increase from 2,643 arrests in 1998. Of the arrests in 2002, 1,656 were for violent crimes and 23 were for possession of a weapon.[34]
- A 1999 census of juvenile offenders showed 246 children in juvenile correction facilities in Montana.[35]

FUNDING CHILD WELFARE SERVICES FOR MONTANA'S CHILDREN

- In 2000, Montana spent $39,851,000 for child welfare services—all direct and administrative services the state agency provides to children and families.[36] Of this amount, 47% came from federal funds, 46% from state funds, and 7% from local funds.[37]
- In 2000, of the $18,811,000 in federal funds received for child welfare, 70% came from the Title IV-E Foster Care and Adoption Assistance program, 8% from the Title IV-B Child Welfare Services and Promoting Safe and Stable Families programs, 11% from the Social Services Block Grant, 7% from TANF, and 4% from other federal sources.[38]
- Of the 2,008 children in out-of-home care in Montana on September 30, 2001, only 686, or 34.2%, received Title IV-E federal foster care assistance.[39]

MONTANA'S CHILD WELFARE WORKFORCE

- The child welfare workforce is facing challenges in every state. A combination of high caseloads, high worker turnover, and low salaries impinges on the delivery of services to achieve safety, permanency, and child well-being.
- In 2000, the national average starting salary for child protective service workers was $26,900; for direct service workers, $27,500. The yearly turnover rate for these workers was 15.6% and 19.5%, respectively.[40]
- In 2000, the minimum annual salary for a caseworker responsible for investigating reports of child abuse and neglect in Montana was $25,975.[41]
- In 2002, the median income in Montana for a family of four was $46,142.[42]

Additional child welfare statistics, references, and pertinent notes are available on CWLA's National Data Analysis System at http://ndas.cwla.org.

REFERENCES

1. U.S. Bureau of the Census. (2002, September). *State and county quickfacts*. Available online at www.census.gov. Washington, DC: Author.
2. Children's Bureau. (2003). *Child maltreatment 2001*. Available online at www.acf.hhs.gov/programs/cb/publications/cm01/outcover.htm. Washington, DC: U.S. Department of Health and Human Services (HHS).
3. U.S. Bureau of the Census. (2002). POV46: Poverty status by state: 2002. Available online at http://ferret.bls.census.gov/macro/032003/pov/new46_100125_01.htm. Washington, DC: Author.
4. Ibid.
5. Ibid.
6. U.S. Bureau of the Census. (2003). *American community survey change profile 2001–2002*. Retrieved online, January 5, 2004, from www.census.gov/acs/www/Products/Profiles/Chg/2002/0102/Tabular/040/04000US013.htm. Washington, DC: Author.
7. Children's Bureau, *Child maltreatment 2001*.
8. Ibid.
9. Ibid.
10. Children's Bureau. (2002, August). *The AFCARS report: Interim estimates for FY 2000 as of August 2002*. Available online at www.acf.dhhs.gov/programs/cb/publications/afcars/report7.htm. Washington, DC: HHS.
11. National Data Analysis System. (n.d.). Number of children in out-of-home care by race and ethnicity. Table available online at http://ndas.cwla.org. Washington, DC: Child Welfare League of America (CWLA).
12. Children's Bureau, *The AFCARS report*.
13. Children's Bureau. (2003, October). *Adoptions of children with public child welfare agency involvement by state FY 1995–FY 2002*. Available online at www.acf.dhhs.gov/programs/cb/dis/adoptchild03b.htm. Washington, DC: HHS.
14. Ibid.
15. Ibid.
16. U.S. Bureau of the Census. (2002). *American factfinder*. Available online at http://factfinder.census.gov/home/saff/main.html?_lang=en. Washington, DC: Author.
17. Administration for Children and Families. (2003, March). Temporary Assistance for Needy Families: Total number of families and recipients. Table available online at www.acf.hhs.gov/news/stats/Mar02-Mar03.htm. Washington, DC: HHS.
18. Office of Planning, Research, and Evaluation. (2002). *Temporary Assistance for Needy Families (TANF) program: Fourth annual report to Congress*. Available online at www.acf.dhhs.gov/programs/opre/ar2001/indexar.htm. Washington, DC: HHS; Office of the Assistant Secretary for Planning and Evaluation. (2001). *The 2001 HHS poverty guidelines*. Available online at http://aspe.hhs.gov/poverty/01poverty.htm. Washington, DC: HHS; Food Research and Action Center. (2000). *Federal food program fiscal year 2004 eligibility limits*. Available online at www.frac.org/html/federal_food_programs/programs/fsp_limits2002.html. Washington, DC: Author.
19. Administration for Children and Families. (2002). TANF financial data: Table F—Combined spending of federal and states funds expended in FY 2002 through the fourth quarter. Available online at www.acf.dhhs.gov/programs/ofs/data/tableF 2002.html. Washington, DC: HHS.
20. Office of Child Support Enforcement. (2002). *State box scores: FY 2001 annual statistical report*. Available online at www.acf.dhhs.gov/programs/cse/pubs/2003/reports/statistical_report/statebox.html. Washington, DC: HHS.
21. Pitcoff, W.; Crowley, S.; Schaffer, K.; & Dolbeare, C.N. (2002). *Rental housing for America's poor families: Farther out of reach than ever*. Available online at www.nlihc.org/oor2002. Washington, DC: National Low Income Housing Coalition;. Employment Standards Administration, Wage and Hour Division. (2003, July). Minimum wage laws in the states. Table available online at *www.dol.gov/esa/minwage/america.htm*. Washington, DC: U.S. Department of Labor.
22. Child Care Bureau. (2003). *FFY 2001 CCDF Data tables and charts*. Available online at www.acf.dhhs.gov/programs/ccb/research/01acf800/childser1.htm. Washington, DC: HHS.
23. Ibid.
24. Children's Defense Fund. (2002, September 5). *Low-income families bear the burden of state child care cutbacks*. Available online at www.childrensdefense.org/head-resources.htm. Washington, DC: Author.
25. Head Start Bureau. *(2003)*. *Head Start program fact sheet*. Available online at www.acf.hhs.gov/programs/hsb/research/2003.htm. Washington, DC: HHS.
26. U.S. Bureau of the Census, *American factfinder*.

Winning for Children: Using the Courts to Reform Child Welfare

No decent person wants to see children hurt.

When children have already been hurt by virtue of their family circumstances - abused, neglected, inadequately cared for by parents for a variety of reasons - we expect our public, taxpayer-funded systems to step in, to protect these children, to treat them humanely, and to restore them to a family, either their own or, if necessary, a new one. This is not only a social obligation, and expectation, it is also the law.

The United States Constitution, federal laws which authorize the expenditure of about $7 billion for foster care annually, (matched by an equal amount in state and local tax funds) and local laws create an entire system of constitutional principles, laws, and regulations, which all require that our government institutions protect the abused, neglected, homeless children who have no place else to turn.

There are more than half a million children in exactly this situation today -- children in state foster care custody. Another three million children each year are reported to state government agencies as abused or neglected.

Although the public officials who run the agencies responsible for protecting and caring for these children are, for the most part, hard-working, sincere public servants, these state and county child welfare systems often fail the children who depend on them for their very lives. And too often, these failures are documented, year after year, in countless blue ribbon panel reports and in media headlines.

The causes for these failures are multiple and complex. And while circumstances and solutions vary from one child welfare system to another, just as do the circumstances and solutions in the families from which these children come, one fact is true across all of these child welfare systems: if they are ever to achieve reform most of these systems need the external, sustained pressure that lawsuits can provide.

Without a doubt, litigation is a blunt instrument. But sometimes a blunt instrument is required to strike the blow necessary to stop an unfair or harmful system in its tracks, and to force it to change course. Once basic principles and legal rights are established through lawsuits, litigation can be used to provide a variety of sophisticated, finely calibrated solutions to complex problems - solutions that would not have been achieved without this kind of sustained legal

Lawsuits on behalf of children and against local child welfare systems make a difference, and have produced beneficial results for children.

The problems in these systems are caused by a combination of mismanagement, poor policies and

pressure.

In virtually all of the lawsuits in which Children's Rights has been involved, the problems have long been documented without meaningful reforms being made. These lawsuits have had a significant impact in addressing these problems and producing results.

In turning to the courts to solve the problems of failing systems, abused, neglected and homeless foster children are following in the path of other deprived, discriminated against or institutionalized individuals who have had to rely on the courts to vindicate their rights to appropriate treatment in psychiatric hospitals for the mentally ill, facilities for the mentally retarded, in prisons, and in schools.

Children in foster care are the last large group of institutionalized citizens who are finding that when government bureaucracies are unwilling or unable to treat them fairly and reasonably, the courts can and will help.

procedures, the absence of quality controls, and both inadequate and misdirected funds. The result is:

- High caseloads
- Poorly qualified and inadequately trained workers
- Poor treatment and/or abuse in foster care
- Inadequate planning and provision of services to families
- Poor decision-making
- Lack of services to support families and keep children within their own homes whenever safe and appropriate
- Too few and inappropriate foster care placements for children
- Failure to develop and implement permanent plans to move children out of foster care and into permanent homes
- Damaged lives

In a large number of institutional reform lawsuits brought by Children's Rights and its executive director, Marcia Robinson Lowry, this approach to reforming the government systems on which this country's poorest and most vulnerable children depend for their very lives has and continues to produce concrete, measurable results. Critical to the success of this litigation is the extensive involvement of both local and national experts, and collaboration with local advocates.

Lawsuits are not the only approach to reform, of course. But often they are the last and, therefore, the only remaining approach. And the power of the courts must be enhanced and shaped by the involvement of local advocates and independent experts.

Painting a complete picture

Litigation brings the inner workings of child welfare systems to light. Historically, child welfare has been closed to public view, both because of claims of confidentiality and because administrators have often declined to either collect embarrassing data or to make such data publicly available.

Litigation cuts through the information logjam, because the courts can and do compel these systems to make data available or to allow the data to be collected through the discovery (legal fact-gathering) process. These lawsuits often provide the first clear picture of what is happening to children in a particular system.

In some cases, the very prospect of discovery and the inevitable revelations regarding the actual workings of the child welfare system have motivated reform. In **Philadelphia**, for example, fear

of what discovery would reveal prompted child welfare administrators to work closely with Children's Rights and local advocates to craft a mutually agreed-upon settlement that addressed the many problems that the lawsuit had identified.

Bringing in outside expertise

Litigation not only highlights the problems that pervade child welfare systems but mobilizes the expertise needed to analyze data and trends, assess various approaches to improving service delivery and service outcomes, and implement results-oriented solutions. Through litigation, independent child welfare experts both from local communities and from across the country provide previously closed systems with fresh analysis and new insights.

As a result of litigation in **Philadelphia**, for example, the Dean of the School of Social Work at Bryn Mawr was enlisted to persuade the city child welfare system to agree to its first ever independent and neutral assessment of that system. Because this grew out of litigation, the new commissioner also agreed to work with the advocates to build a reform strategy based in part on the findings of that assessment. In **Kansas City, Missouri**, litigation led to the involvement of staff from a national non-profit policy organization to help the agency improve the quality of foster care services.

Judicial oversight as opposed to suggestions for reform

Litigation brings the power of the court into the implementation of system reform. Judicial oversight, unlike suggestions for reform from panels and study groups, cannot be ignored. There is a rich history of unsuccessful attempts at child welfare reform through Blue Ribbon panels and other administrative and advisory mechanisms. A Blue Ribbon panel in **New Jersey**, for example, made more than 400 suggestions for reform of the state's child welfare system. The state responded with a strategic plan that did not adequately address the recommendations nor make sufficient attempt to implement them. In **Connecticut**, the crisis in the state's child welfare system was documented by more than 30 different studies and task force reports, with no apparent effect on the many systemic problems that were identified. In **Tennessee**, the Tennessee Commission on Children and Youth issued annual analyses of problems in the state's child welfare system that repeated key recommendations year after year to no avail. Similarly, the Tennessee Comptroller of the Treasury issued annual recommendations based on audit findings about which the comptroller expressed growing concerns year after year --all with no changes being made.

Although child welfare agencies may have paid some attention to the recommendations contained in these many reports, they were under no obligation to implement them. Reports of government-appointed panels carry little weight and usually lack enforcement mechanisms. By contrast, court orders and judicial oversight create obligations that can be enforced in a variety of ways, including contempt of court, leading to heightened political embarrassment, threatened sanctions and even to direct control by the court.

WHY LITIGATION WORKS

Litigation is an effective tool for system reform because it is able to accomplish what other strategies cannot. Litigation:

Uses the fact-gathering processes of the courts to paint a complete picture of the child welfare system

Presents for public view previously undisclosed data about how the child welfare system actually affects children

Brings to bear the power of the judicial system to ensure compliance with mandated reforms

Places the spotlight on a system that otherwise operates within a carefully shielded environment

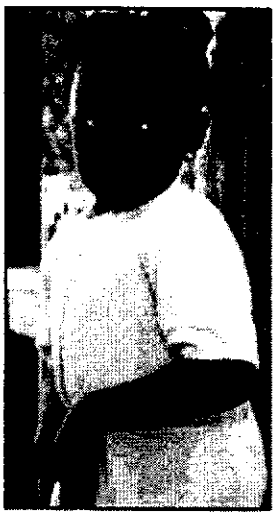
Heightens public awareness of the problems affecting children

Brings together local child welfare advocates with highly experienced lawyers

Mobilizes expert assistance to craft and implement results-oriented solutions

Prompts the commitment of greater financial resources for what has been a chronically underfunded service

Public awareness of key issues



Because litigation is able to create a complete picture of a child welfare system through the use of discovery and other techniques, it is a powerful avenue for creating greater public awareness of the needs of vulnerable children and families and the extent to which the child welfare system is meeting those needs. Litigation provides the media with an opportunity to expand coverage beyond accounts of individual tragedies to the broad systemic issues that lay at the heart of these cases.

In **New York City**, for example, the death of 6-year-old Elisa Izquierdo sparked headlines and outrage about the child welfare system's failure to intervene to protect her. When Children's Rights filed a lawsuit against the New York City system highlighting deficiencies throughout the system, less than a month after Elisa's death, journalists publicized the facts uncovered through the lawsuit, all of which contributed to the sweeping reform of the city's child welfare system. The progress of the lawsuit over the next three years provided the necessary focus to keep the issues in public view.

Increased financial resources

Although not the only impediment to the reform of child welfare services, inadequate funding has undermined the ability of many systems to improve service delivery and quality. Restricted budgets have led to unmanageable caseloads, inadequate logistical support (such as working automobiles and operational computers) for caseworkers, and service reductions. Child welfare staff frequently have encountered legislative and administrative resistance to requests for increased levels of funding to meet growing needs for services.

Often, litigation and accompanying fiscal analyses assist child welfare systems to capture funds to which they are entitled but which they have yet to collect. In the **District of Columbia**, for example, litigation prompted changes in record-keeping procedures and quality, leading to a dramatic increase in federal reimbursement for foster care services (from only $8 million in 1992 to $40 million in 1998).

FLEXIBLE LITIGATION OUTCOMES

Litigation, contrary to stereotype, provides a flexible and responsive mechanism for system reform. As the outcomes of Children's Rights litigation against child welfare systems demonstrate, the route to reform can take various forms, depending on the system's own responsiveness, its capacity for change, and the political and fiscal environments in which systems find themselves.

In some cases, public officials are intransigent and the only solution is to go to trial, fully litigate the case, obtain court orders, and utilize the powers of the court to enforce compliance. In **Kansas City, Missouri**, the administrator did not address problems in the child welfare system until a federal judge held him in contempt of court. He then became a willing participant in an ambitious expert-driven reform plan. Children's Rights worked with the child welfare agency to develop a Community Quality Assurance Group that involves the community in oversight of the child welfare system. As Children's Rights prepares to exit from the case, this process will ensure that community representatives monitor service delivery and outcomes and oversee implementation of corrective action plans.

In **Kansas**, Children's Rights built a collaborative approach to implementation of a settlement reached in 1993. A formerly acrimonious relationship was replaced with mutual commitment to making changes necessary to improve services for children and families. A public/private Task Force was established to provide state officials with ongoing impetus for collaboration and to mediate disagreements on whether provisions of the settlement decree have been fully achieved. But it became unnecessary: the parties are working cooperatively to solve problems on their own.

In **New York City**, Children's Rights negotiated a settlement that brought in an expert, independent panel with complete access to the inner workings and management of the child welfare system. The panel was able to recommend significant changes in policy and practice, and to guide, monitor and evaluate the city's reform efforts. The result: more fundamental changes in the operation and structure of the city's child welfare system within two years than in its entire history.

In other cases, Children's Rights has, with court approval, placed oversight of a child welfare system in the hands of a neutral third party beyond political control of a city administration. In **Washington, D.C.**, the child welfare system was placed in receivership, after mayoral appointees were unable to run the agency or obtain cooperation from other

branches of government. Once a new mayor demonstrated a commitment to competent government, and to a well-run child welfare system, the parties negotiated to eliminate remaining structural problems and moved towards ending receivership. However, the system still remains under judicial oversight.

THE IMPACT OF LITIGATION: IMPROVING CHILD WELFARE SERVICES ACROSS THE COUNTRY

The impact of litigation can be no better illustrated than through examples of the problems that plague child welfare systems across the country and the changes that have taken place because of litigation. Litigation has made change possible in four key areas:

Protection of children who are reported as being abused or neglected.

Foster care for children who cannot remain safely with their families.

Services for children so that they do not languish indefinitely in foster care but return home to their families or are adopted.

Management and structural supports that ensure that child welfare agencies are accountable to the children and families they serve and to the public.

Protection of Children Who Are Reported as Being Abused or Neglected

Some of the most critical responsibilities of child welfare agencies are to respond promptly to reports of child abuse and neglect, investigate to determine if children have been harmed, and take steps to protect children who have been abused or neglected and who are at serious risk of harm in the future. These responsibilities fall within the realm of the child protective services that are provided by child welfare agencies.

The Problems with Protective Services

Children's Rights' assessments of child protective service practices across the country reveal

that agencies have not met their responsibilities to protect children from abuse and neglect. Two recurrent problems are evident: agencies fail to promptly investigate reports of child abuse and neglect, and repeatedly, there is continued abuse or neglect of children who have already been reported to child welfare agencies because of maltreatment in their homes.

Examples of the problems that Children's Rights has found which have led to litigation are:

In one **New Jersey** county, individuals attempting to report child abuse and neglect on the hotline found it almost impossible to make the report. They repeatedly got busy signals; the phones would ring, but no one would answer and the discouraged callers would simply hang up; and even when calls were finally answered, callers would be put on hold for indefinite periods of time.

In **Connecticut**, 60% of child abuse and neglect reports that were received were not investigated because the agency did not have an adequate number of child protective services staff.

In **Washington, D.C.**, child abuse and neglect reports waited as long as 5 days for investigation. One worker alone had a backlog of 50 reports. Investigations were further impeded by the fact that the entire department had only 3 cars, and most or all of them usually were not working.

In **New York City**, only about 40% of investigations on abuse and neglect reports were initiated within 24 hours as required by state law. The agency attempted to address the backlog by deleting 13,000 cases from the computer files without determining whether an investigation had been completed.

The impact of these problems is most dramatically illustrated from the perspective of the children who are left in dangerous situations because child welfare agencies fail to protect them.

In **Kansas**, multiple individuals -- including the child's doctor -- reported that Sheila A. was being abused by her father. The agency did not investigate or take any steps to assess the child's safety even though the agency had previously removed the child from her father's custody because of abuse. Sheila was eventually brought into foster care, but only after she had been physically abused by her father for an extended period of time.

In **Connecticut**, Florence J., age 4, was diagnosed with gonorrhea, but the agency left her with her mother because the cause could not be determined. The following year, a hospital reported possible sexual abuse but, again, the child was allowed to remain with her mother. Seven years later, the school reported that Florence had disclosed that two uncles had sexually abused her since she was 5 years old. No action was taken until 6 months later when a friend reported that Florence was being sexually abused by her father, and a hospital urged the agency to place the child in foster care.

In **New York City**, Marisol A. was the subject of multiple reports of child abuse to which the child welfare agency did not respond. Her mother locked