



Pediatric response to a large-scale child protection intervention

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ABSTRACT

Objective: In a rural area of the US state of Texas, in April 2008, the Texas Department of Family and Protective Services (DFPS) responded to evidence of widespread child abuse in an isolated religious compound by removing 463 individuals into state custody. This mass child protection intervention is the largest such action that has ever occurred in the United States. The objective of this paper is to characterize the burdens placed on the area's community resources, healthcare providers, and legal system, the limitations encountered by the forensic and public health professionals, and how these might be minimized in future large-scale child protection interventions.

Methods: Drawing on publicly available information, this article describes the child abuse investigation, legal outcomes, experiences of pediatric healthcare providers directly affected by the mass removal, and the roles of regional child abuse pediatric specialists.

Results: Because the compound's residents refused to cooperate with the investigation and the population of the compound was eight times higher than expected, law enforcement and child protection resources were insufficient to conduct standard child abuse investigations. Local medical and public health resources were also quickly overwhelmed. Consulting child abuse pediatricians were asked to recommend laboratory and radiologic studies that could assist in identifying signs of child abuse, but the lack of cooperation from patients and parents, inadequate medical histories, and limited physical examinations precluded full implementation of the recommendations.

Conclusions: Although most children in danger of abuse were removed from the high-risk environment for several months and some suspected abusers were found guilty in criminal trials, the overall success of the child protection intervention was reduced by the limitations imposed by insufficient resources and lack of cooperation from the compound's residents.

Practice implications: Recommendations for community and child abuse pediatricians who may become involved in future large child-protection interventions are presented.

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Introduction

Emergency removal of children from dangerous living environments is a critical role of child protection agencies in the US, but such actions often generate intense controversy. Media attention paid to emergency removals influences the public's understanding of and support for the other functions of those agencies, including their investigative processes (Schene, 1998).

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Child abuse investigations are complex and multidisciplinary, often incorporating medical and mental health professionals, law enforcement officials, and forensic interviewers along with child protective services investigators. Thus, these investigations may require substantial commitment of community resources. A large number of child abuse investigations in a short period of time can quickly overwhelm those resources, as has occurred on several occasions in the United States. In 1953, state police took into custody the entire town of Short Creek, Arizona, including over 200 children. The town was predominantly inhabited by adherents of the Fundamentalist Church of Jesus Christ of Latter-Day Saints (FLDS) (Tuchman & Townsend, 2008). In 1983, 62 boys were removed from a religious summer camp in Michigan (UPI, 1983). In each of the above cases, the agencies involved as well as the local medical and support services were quickly overwhelmed. On at least two additional occasions, Texas Child Protective Services (CPS) had prepared to remove 20 or more children from potentially hazardous situations before the interventions were cancelled (Colloff, 2001; Labaton, 1993). Although those removals did not take place, in both instances CPS diverted extensive resources from around the state in preparation for them.

In April 2008, the largest single child protection intervention and investigation in US history occurred near Eldorado, a small town in western Texas. The authors provided medical support during the event, either as part of the local medical community (KKW) or as child abuse pediatric consultants (JLL, NDK, JDA, and ARG).

This article describes the services provided by, and problems encountered by, investigators, public health officials, community pediatricians, and pediatric child abuse consultants. The authors also recommend ways in which the participation of those professionals in any future such event could be more effective.

Methods

On December 22, 2008, the Texas Department of Family and Protective Services (DFPS) released a detailed report summarizing the Eldorado investigation and its outcome (Texas DFPS, 2008). The authors utilized this report along with information published in major news media outlets in preparing the Synopsis and Community Pediatric Response sections. To comply with US patient privacy laws, the authors have not disclosed patient-specific or case-specific information in preparing this report. However, we have drawn on our observations as participating community and subspecialty pediatricians in describing the healthcare and investigation issues and in formulating recommendations for future responses.

Synopsis of the child protective services investigation and legal proceedings

On March 30, 2008, the DFPS statewide child abuse reporting hotline received a detailed report alleging the physical and sexual abuse of a child living at the Yearning for Zion (YFZ) Ranch, a settlement of members of the Fundamentalist Church of Jesus Christ of Latter-Day Saints (FLDS) outside the small community of Eldorado, Texas. CPS initiated an investigation of the reported abuse as mandated by Texas law (Texas DFPS, 2008).

On April 3, CPS and law enforcement investigators entered the ranch and interviewed adult and child residents. They identified substantial evidence that all the girls in the compound had been sexually abused or were at imminent risk for sexual abuse. They also determined that the boys were at risk of being groomed to be future sexual abuse perpetrators, and all the children were at risk of neglect (i.e., that their parents were failing to protect them from an abusive environment). Over the next 5 days a total of 463 individuals believed to be children were removed into emergency state custody. In addition, 133 adult women requested and were allowed to accompany the children (Texas DFPS, 2008). Older children were not separated from the adult women until April 14, which compromised efforts to obtain reliable forensic interviews of the suspected victims (Texas DFPS, 2008).

From the beginning, the investigation was hampered by apparent organized deception on the part of YFZ adults (Texas DFPS, 2008). Women were observed moving children from location to location to impede access by investigators, and were discovered coaching children on how to respond during CPS interviews (Texas DFPS, 2008). Women and children frequently refused to answer questions about ages of girls or family relationships. This led to a court order to perform DNA analysis of the children to determine paternity and maternity (Langford, 2008a).

On April 18, the state district court judge with jurisdiction over the case granted continuing temporary custody of all the children to DFPS (Langford, 2008a). The children (except for infants, who were allowed to remain with their mothers under CPS supervision) were then placed in foster care at 17 children's shelters dispersed around the state. A nonprofit legal organization appealed on behalf of 37 of the mothers, and on May 22 the state court of appeals overturned the district judge's ruling. The state supreme court upheld that decision on May 29 (Langford, 2008b). Almost all the children were then returned to their parents, but DFPS was allowed to continue its investigation (Texas DFPS, 2008).

At the conclusion of the investigation, CPS determined that 12 girls, aged 12–15, were the victims of sexual abuse by virtue of having been “spiritually married” to adult men. Those 12 girls, plus 262 other children (out of a total of 439 individuals ultimately determined to be children), were also found to have been the victims of neglect, since their parents failed to remove them from situations that placed them at risk for sexual abuse. Most of the parents agreed to adhere to safety plans calling for protection of the children from sexual abuse perpetrators, and were reunited with their children (Texas DFPS, 2008). Within a year, only 1 girl remained in DFPS custody (Langford, 2009).

By December 2010, criminal charges of sexual abuse had been filed against 12 men, and 7 had been convicted. The trial of the eighth (FLDS leader Warren Jeffs) was likely to begin in early 2011 (Waller, 2010).

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