

# NEWS FROM THE FIELD

## March 2013



## THE FIELD CENTER

for Children's Policy, Practice & Research

University of Pennsylvania  
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### Pennsylvania Task Force on Child Protection Releases Recommendations for Systemic Reform

by Harper Seldin

In January 2012, Governor Corbett and the Pennsylvania Legislature appointed an eleven member task force to review the Commonwealth's child protection laws, following highly publicized trials that revealed the present law's failure to protect maltreated children. In November, the Task Force on Child Protection issued its report, "Child Protection in Pennsylvania: Proposed Recommendations."

The culmination of seventeen public hearings and extensive research, collaboration, and debate, the report represents a comprehensive reassessment of Pennsylvania's Child Protective Services (CPS) law, substantive amendments to the Crimes Code, and additional recommendations to mandate interdisciplinary investigations and encourage the development of Children's Advocacy Centers around the state. The full report can be accessed at [childprotection.state.pa.us/](http://childprotection.state.pa.us/) and [jsg.legis.state.pa.us/](http://jsg.legis.state.pa.us/).

The Task Force recommendations begin with significant changes to the legal definitions of child abuse in state law. Pennsylvania's current law requires that a child suffer severe pain or serious bodily injury to constitute child abuse. The Task Force would eliminate these requirements to remove the subjective definition of "pain" and lower the threshold for substantiating child abuse. The Task Force also recommended changing the CPS law to parallel the Crimes Code by defining acts of child abuse as "reckless" or "intentional," rather than "non-accidental." The current CPS law has a very narrow definition of perpetrators: the Task Force would expand this class to include employees or volunteers at camps, athletics or enrichment programs, and troops; school teachers and employees; any adult present in the child's home when the alleged abuse occurred; and former paramours of a child's parent and former step-parents.

The Task Force did not recommend universal mandatory reporting; however, the report did recommend expanding the enumerated list to include coaches, college administrators, librarians, commercial film processors, and persons who repair or service computers if child abuse is depicted. The Task Force also recommended that institutional employees and independent contractors report suspected abuse directly to Child Line and notify administrators within their institutions, ensuring that suspected child abuse reports are both sent up the chain of command and outside the institution itself.

To unify child protection systems, the Task Force recommended breaking down statutory barriers to information sharing among child protection workers, physicians, psychologists, primary care physicians, law enforcement, and mandatory reporters. The Task Force strongly recommended maintaining a database of all reports of suspected child abuse, including General Protective Services (GPS) calls. The Task Force also called for all counties, under their respective District Attorneys, to establish multidisciplinary investigative teams that would follow model statewide protocols.

In the Crimes Code, the Task Force recommended expanding what constitutes endangering the welfare of a child to include failure to report suspected child endangerment as a first degree misdemeanor, intentionally or knowingly preventing the discovery by law enforcement or children and youth services of an abused or neglected child as a third degree felony, and including children

in a protected class that would increase penalties for aggravated and simple assault committed against them.

Finally, the Task Force recommended establishing, by statute, a dedicated funding source to develop and sustain Child Advocacy Centers across the state; permitting electronic transmission of CPS and GPS reports to county children and youth agencies; establishing a 3-digit number for reporting child abuse; and developing a more thorough sentencing structure for child pornography.

The Field Center participated in this work by hosting one of the hearings at Penn's Law School. Both Dean Richard Gelles and Executive Director Debra Schilling Wolfe testified before the Task Force, and Cindy Christian, MD served on the Task Force. The recommendations summarized above, among many others in the Task Force's report, present Pennsylvania with a roadmap toward safer communities for all of the Commonwealth's children.



The Field Center's Annual Field of Dreams Luncheon

Story on page 4.

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A Multidisciplinary Conference on Child Welfare

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**Field Center 10<sup>th</sup> Anniversary Conference**

**June 12 - 14, 2013**

at the University of Pennsylvania's  
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**Opening Keynote Speaker:  
Antwone Fisher**

*Featuring compelling Plenary Panels, including:*

***The Role, Responsibility, and Ethics of the Media  
in Reporting of Child Abuse***

*and*

***Jerry Sandusky as an Agent of Social Change:  
Pennsylvania's Efforts at Reform – A View From the Inside***

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Bev Mackereth, DPW Secretary

David Heckler, PA Task Force on Child Protection Chair

Dr. Cindy Christian, Child Abuse Expert

Katharine Watson, PA House Children & Youth Committee Chair

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**Conference and registration information  
can be found on the conference website:  
[www.onechildmanyhands.org](http://www.onechildmanyhands.org).**

## CHILD ABUSE PREVENTION MONTH COMMUNITY SYMPOSIUM

### How Well Do Our Laws Protect Children? International Models of Child Protection

April 2, 2013 – 3:00 to 5:00 pm

University of Pennsylvania Law School - Fitts Auditorium

#### Featured Speaker: Jaap E. Doek, JD

Jaap E. Doek, JD, Emeritus professor of Family and Juvenile Law at the Vrije Universiteit in Amsterdam, former chairperson of the United Nations Committee on the Rights of the Child, and founding member of the International Society for the Prevention of Child Abuse and Neglect (ISPCAN), will explore the many different ways countries address issues of child protection.

#### Respondent Panel: *The Field Center's Faculty Directors*

##### Moderator

##### Cynthia Connolly PhD, RN, FAAN

Associate Professor, Nursing

##### Commentary

##### Richard Gelles, PhD

Dean, University of Pennsylvania School of Social Policy and Practice;  
Joanne and Raymond Welsh Chair of Child Welfare and Family Violence

##### Kara Finck, JD

Practice Associate Professor of Law, University of Pennsylvania Law School;  
Director, Interdisciplinary Child Advocacy Clinic

##### Cindy Christian, MD

Professor of Pediatrics, University of Pennsylvania Perelman School of Medicine;  
Children's Hospital of Philadelphia Chair in the Prevention of Child Abuse and Neglect; Medical Director, Philadelphia Department of Human Services

### Field Center Announces New Initiative: A New Child Advocacy Center for Delaware County, PA

The Field Center has been selected to provide technical assistance to Delaware County, Pennsylvania in establishing a new Child Advocacy Center (CAC) to provide child-friendly forensic interviews for victims of suspected sexual abuse and team investigations of these most challenging cases.

With grant support from the Philadelphia Foundation, Family Support Line, a Media-based non-profit agency that specializes in services to child sexual abuse victims, will be the lead agency for this new initiative. The Delaware County Department of Children and Youth Services Child Sexual Abuse Center and Family Support Line have a long history of co-location and collaboration, and this new initiative will build on existing strengths.

Initial planning will be a collaborative effort of the Delaware County District Attorney's Office, the Department of Children and Youth Services (CYS), and Family Support Line.

The Field Center previously provided technical assistance and support to Montgomery County, PA to establish their acclaimed child advocacy center, Mission Kids. Evolving a model that both meets national standards of practice and addresses the needs and resources of the particular community is the hallmark of the Field Center approach.

With the first new child advocacy center in development subsequent to the PA Task Force on Child Protection's recommendation to establish a CAC within reach of every child in the commonwealth, the Field Center looks forward to supporting Delaware County in this new initiative.



### The Field Center Welcomes Pennsylvania State Representative Louise Williams Bishop to its Advisory Board

Born in Georgia, Representative Bishop moved to Philadelphia as a young child. A graduate of West Philadelphia High School, she earned a degree in communications and radio broadcasting and began her communications career at WHAT radio as the youngest voice in radio. Moving to WDAS-AM, she hosted "The Louise Bishop Program" for over 49 years. Her program was consistently one of the highest rated programs at the station and was an institution in the Philadelphia media market.

She used this forum to inform and unite people around social, civic and religious issues, advocate for services for the poor, and bring the message of political leaders to the people. In 1978 she was called to the ministry and became an ordained Evangelist by the Pennsylvania Baptist Association. Representative Bishop felt God moving her to minister more than just between records on her gospel program. Today, she preaches all over the Philadelphia and can be heard on WURD Radio 900.

In 1987, a blind man whose wife had deserted him and their five young children called into her gospel program begging for help. She asked the people of Philadelphia to respond. The power of that response led to the beginning of her third career.

Representative Bishop was first elected to serve in the Pennsylvania House of Representatives in 1988 and has been overwhelmingly re-elected to office nine times. She is the House Democratic Chair of the Children and Youth Committee and the most senior African-American woman serving in the General Assembly. Representative Bishop has sponsored legislation to address a number of critical issues, including domestic violence, day care, drug treatment, education, and health care. She is most proud of the legislation that improves the quality of life for children and older people. Representative Bishop has received numerous awards, including the Woman of the Year Award from Operation Push by Rev. Jessie Jackson.

Inspired by the disclosures of Jerry Sandusky's victims, at the age of 78, Representative Bishop spontaneously disclosed her own painful history of sexual abuse for the very first time at a press conference at the State Capitol. This poignant and powerful moment has served to define God's purpose for her work, and Representative Louise Bishop is committed to continuing to advocate for victims of sexual abuse.

Representative Bishop felt that she could best achieve her goals "with a force" behind her. After a great deal of research, she identified the Field Center as the one organization that could truly make system-level change on behalf of victims. The Field Center looks forward to Representative Louise Bishop's tenure on its Advisory Board.

## Field of Dreams Luncheon Honors Montgomery County DA Risa Vetri Ferman With Alan Lerner Child Advocacy Award

Philadelphia's College of Physicians was the site of the Field Center's 2<sup>nd</sup> Annual *Field of Dreams Luncheon*, held on October 12, 2012. Master of Ceremonies Matt O'Donnell, 6ABC news anchor, welcomed over 200 guests to celebrate the center's accomplishments and honor those who help to protect victims of child abuse.

Event chair, retired Philadelphia Family Court Judge Flora Barth Wolf, kicked off an afternoon of accolades and honors. Montgomery County District Attorney Risa Vetri Ferman was presented with the Alan Lerner Child Advocacy Award by last year's awardee, Dr. Cindy Christian. PA Senator LeAnna Washington honored DA Ferman with a citation on behalf of the entire Montgomery County senatorial delegation.

DA Ferman, a Penn alum, held a "master class" with Field Center students and fellows prior to the luncheon.

Harper Seldin, a Penn Law student, was announced as this year's Alan Lerner Fellow in Child Welfare Policy. This prestigious fellowship, named in honor of the late Field Center faculty director, offers a promising Penn Law student the opportunity to spend the academic year as a member of the center's multidisciplinary team.

The luncheon raised close to \$50,000 to help support the center's critical work on behalf of abused and neglected children. Said Executive Director Debra Schilling Wolfe, "this event acknowledges the important work being done on behalf of victims of child abuse, and helps us give voice to victims by supporting our efforts to make the child welfare system responsive and responsible."



*District Attorneys Tom Hogan, Risa Vetri Ferman, David Heckler*



and convincing evidence is constitutionally required to maintain an Indicated report of abuse on the Childline registry" (GV v. DPW, p.9, 2012). The appeal states that, "it is beyond dispute that, while courts have the authority to construe the law, they have no authority to rewrite a law or alter its plain meaning." (GV v. DPW, p.7, 2012).

In an effort to begin conversations on the new standard, some questions posed include the following: Will the new standard place children at risk? Will the new standard remove a significant number of perpetrators currently on the registry through the appeal process? Will the new standard keep perpetrators of child abuse off of the registry? Has the court erred in imposing this decision?

While there are limited studies on the impact of a clear and convincing evidentiary standard on child abuse substantiation rates, the impact of raising the evidentiary standard for the purposes of placing and maintaining perpetrators on child abuse registries is unknown. Looking at the available data: child abuse reporting rates, rates of substantiation, founded reports and re-reports, does not provide a clear answer because it does not account for all mitigating factors. Thus, the lack of research on the subject matter makes it difficult to confidently assess the degree of risk that this new standard may impose on children.

Based on GV v. DPW, it is evident that this new evidentiary standard will create an opportunity for individuals who were placed on the child abuse registry by substantial evidence, to appeal the original decision (2012). In situations where there is lack of clear and convincing evidence to uphold the indicated disposition individuals will be removed from the child abuse registry. Additionally, while county workers may continue to indicate reports based on substantial evidence, perpetrators who would have once been placed on the child abuse registry may ultimately be left off.

Looking at the evidentiary change from a different perspective reveals that the move to a higher standard may equal greater protection for alleged perpetrators. The previous standard of substantial evidence made it easier to place the records of indicated perpetrators on Childline. While some may argue that such actions are needed for the protection of children, in situations where individuals are wrongfully accused the stigmatization of being placed on a child abuse registry may cause damage to current and future employment as well as familial and social relationships.

The testimony of Janet Ginzberg to the Task Force on Child Protection (2012) provides a framework for understanding the risks of "false positives" among indicated child abuse reports. Ginzberg, a Senior Staff Attorney at Community Legal Services, testified that when parents cannot find work due to indicated reports with erroneous findings based on faulty or incomplete investigations or "careless advocacy," there are significant consequences for their children, unless an individual named as a perpetrator appeals the indicated report and the decision is reversed. Ginzberg further questioned the screening value of the registry, which fails to distinguish among kinds or levels of abuse, which may not be predicative of a person's risk of mistreating children in an employment setting. Ginzberg alludes to a systemic problem of subjecting parents to quasi-criminal punishment based on a non-adversarial process, resulting in potentially no benefit for children's safety and for children who are dependent upon their parents having stable employment.

Considering whether or not the court erred in employing a higher evidentiary standard to place and maintain perpetrators on a child abuse state registry is about procedure and policy. Procedurally, the court overstepped its power by

*(continued on page 7)*

## Pennsylvania Raises the Evidentiary Standard for Maintaining Reports on the State Child Abuse Registry

by Renee Manson

On July 12, 2013, the Commonwealth Court of Pennsylvania made a decision to raise the evidentiary standard for placing and maintaining a person on the Childline Abuse registry as a perpetrator of an indicated report to "clear and convincing." According to Pennsylvania Child Protective Services Law 23 PA.C.S 6303, a child abuse report can be indicated by the county agency if an investigation determines that there is "substantial evidence" that abuse exists based on available medical evidence, the CPS investigation, and/or an admission of the acts of abuse by the perpetrator. Pennsylvania CPSL defines substantial evidence as "evidence which outweighs inconsistent evidence and which a reasonable person would accept as adequate to support a conclusion" (23 PA.C.S 6303). However, clear and convincing evidence is neither used nor defined in the CPSL; it is a medium level burden of proof, more rigorous than preponderance of evidence but less rigorous than beyond a reasonable doubt (Cornell University Law, 2010).

The Child Abuse Registry includes names of persons indicated of child abuse or founded in child abuse reports. CPSL defines a founded report as a report where there is a judicial adjudication that a child has been abused, including the entry of a guilty plea, nolo contendere or a finding of guilt to a criminal charge involving the same factual circumstances involved in the child abuse allegation (23 PA. C.S 6303). A nolo contendere plea is one in which a person does not accept or deny responsibility for the charges but agrees to accept punishment (Cornell University Law, 2010).

In an appeal by the Department of Public Welfare to the Pennsylvania Supreme Court, it is being argued that the court overstepped its authority by imposing an evidentiary standard that is inconsistent with the current Pennsylvania statute. The appeal posits that the "Commonwealth Court erred in its finding that clear

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*For more information, please contact Field Center Executive Director Debra Schilling Wolfe at (215) 573-5442 or [dwolfe@sp2.upenn.edu](mailto:dwolfe@sp2.upenn.edu).*

## Focus on the Field Center



**Diana Schimmel**  
*Young Professionals Council*

A native of Philadelphia, Diana C. Schimmel is currently a partner at Testa & Schimmel, LLC, a Center City-based firm that practices exclusively in family law.

Always active in the legal community, Diana became affiliated with the Field Center's Young Professionals Council due to her background in and passion for Juvenile Dependency. She previously served as the interim law clerk to The

Honorable Donna M. Woelpper in the Family Court of Philadelphia, Juvenile Dependency branch, working closely with the Judge in both chambers and in the courtroom, learning the process from a neutral standpoint.

Most recently, Diana worked as a Child Advocate Attorney for the Defender Association of Philadelphia in their Child Advocacy Unit. Here, she honed her courtroom presence and represented countless dependent children advocating both for their needs and best interests. During her time at the CAU, Diana became invested in the many issues and ever-changing policies that effected her young clients. Though her involvement with the Young Professional's Council, Diana hopes to remain connected to and active in the dialogue of ever-changing policy and procedure.



**Renee Manson**  
*MSW Intern*

Renee Manson joined the Field Center for Children's Policy, Practice, and Research in September 2012 as an MSW intern from Penn's School of Social Policy and Practice (SP2). She is currently a second-year macro student with a focus on child welfare and juvenile justice reform.

Prior to coming to Penn, Renee attended the University of California, Riverside where she double-majored in Political Science with a concentration in Public Service and Sociology. Throughout her undergraduate education, Renee volunteered in her community and worked as a tutor in low income school districts. She also served as an Independent Living Coordinator for a group home in Riverside working with youth transitioning out of the foster care system. Her experiences interning at the Alliance for Children's Rights and at the group home motivated Renee to pursue graduate school to gain a deeper understanding of the intersectionality of the child welfare system and other systems such as education and law.

Renee's first-year placement was at the Philadelphia Defender's Association in the Child Advocacy unit, working with a multidisciplinary team of social work practitioners and attorneys. At the Defender's Association Renee conducted home evaluations, interviewed clients, attended court hearings, and gained a working knowledge of the child welfare system and the laws and regulations that govern it.

In her free time, Renee is an active member of the Penn community serving as the Chair of the Black Graduate Students Association, a member of several organizations on campus, and a Graduate Associate for Stouffer College House.

### Philosophy, Philadelphia and the Field Center: Reflections of a Student Intern

by Malorie Lakosky

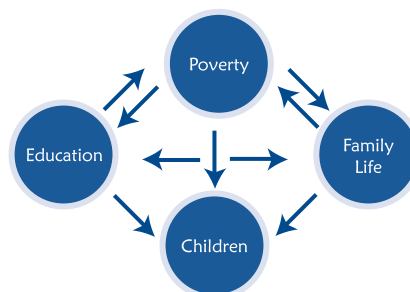
My experience in Philadelphia, particularly at the Field Center, coincides with a turning point in my life. My undergraduate education has been a journey of discovery beginning freshman year when I chose to major in philosophy. Philosophy challenged me intellectually while fulfilling me personally and my respect for my professors inspired me to strive for my own PhD. However, during the winter term of 2012, I experienced a gradual shift in my ambitions. Although I still dreamt of earning a PhD someday, I now hungered for more practical "real-life" experiences to inform my opinions on important issues, especially social issues. I thought: How can I even begin to make statements about the world that may affect others when I have so limited experience in it myself?

Fall 2012 of my senior year, I attended the Philadelphia Center, an off-campus studies program specializing in experiential learning that allowed me to spend 32 hours per week at an internship and enroll in a seminar and elective class. My intention was to gain some of the experiences I so desperately desired while exploring career options and graduate school programs that I may want to pursue in the future.

I and 60 other undergraduate students, mostly from small Midwest colleges, spent our first week in Philadelphia finding housing and choosing housemates. Then each of us began our search for an internship. Throughout this process, a feminist philosophy course that I took the previous semester weighed heavy on my mind. This course was the first time that I thought seriously about

social systems, oppression and my relative position within them. I setup interviews with organizations that I thought would help me better understand the individual experiences that result from membership in a social group. The Field Center stood out because in addition to allowing me to observe and interact with social issues at the individual level, it promised to show me how professionals with distinctly different areas of expertise can work together and make contributions that create social change.

At the end of my first week at the Field Center, I met with Cindy Santos, my supervisor, and shared with her my interest in and thoughts about poverty, education, family life and the experiences of children. Below is a diagram that I made to help visualize and convey the issues I was thinking about.



It was apparent to me that among other factors, poverty, education and family life, overlap and influence each other creating an intricate and

mangled web. I believed that children were the unfortunate recipients of the consequences of these systems, which they had minimal control over. From this premise I hoped to derive the conclusion that adults are morally obligated to protect children. Fortunately, Cindy challenged my thinking by asking what I thought the role of children was in society and if there are ever situations where children have control. If it were to be made, an argument for the moral obligation of adults to protect children would have to begin with a different premise.

This led me to questioning my predetermined ideas about the role of children in society and to contextualize my thinking around the moral obligation of adults to protect children. As I researched and thought about this topic, I was struck by the realization that the stage of childhood, and the innocence and happiness that our culture associates with it, are an ideal rooted in history and culture. Therefore my research topic for the semester became the development of the idea of childhood. In brief, a history of childhood typically begins in the Middle Ages, when it is believed that childhood as a separate sphere or stage of life did not exist. As a result of various movements in European and American history, such as the Renaissance, Reformation, Counter-Reformation, Enlightenment and Romanticism, as well as some social phenomena, like industrialization and urbanization, we arrive at our current conception of childhood.

(continued on page 7)



# Calendar of Events

Date & Location	Event & Sponsor	Contact Information
Philadelphia, PA April 2, 2013	<b>Community Symposium:</b> <i>How Well Do Our Laws Protect Children? International Models of Child Protection</i> The Field Center for Children's Policy, Practice & Research at the University of Pennsylvania	<b>Phone:</b> (215) 573-9779 <b>Email:</b> fieldctr@sp2.upenn.edu <b>Website:</b> www.fieldcenteratpenn.org
Los Angeles, CA May 29 – June 1, 2013	<b>AFCC 50<sup>th</sup> Anniversary Conference</b> Association of Conciliation and Family Courts	<b>Phone:</b> (608) 664-3750 <b>Email:</b> afcc@afccnet.org <b>Website:</b> http://www.afccnet.org
Philadelphia, PA June 12 – 14, 2013	<b>One Child, Many Hands: A Multidisciplinary Conference on Child Welfare</b> The Field Center for Children's Policy, Practice & Research at the University of Pennsylvania	<b>Phone:</b> (215) 573-9779 <b>Email:</b> onechild@sp2.upenn.edu <b>Website:</b> www.onechildmanyhands.org
Las Vegas, NV June 25 – 28, 2013	<b>APSAC 21<sup>st</sup> Annual Colloquium</b> The American Professional Society on the Abuse of Children	<b>Phone:</b> (608) 772-0872 <b>Email:</b> jcampbell@apsac.org <b>Website:</b> http://www.apsac.org
Washington, DC July 10 – 11, 2013	<b>3<sup>rd</sup> National Parent Attorney Conference</b> American Bar Association/Center on Children and the Law	<b>Phone:</b> (202) 662-1000 <b>Website:</b> http://www.americanbar.org/groups/child_law/conference2013.html
Washington, DC July 12 – 13, 2013	<b>15<sup>th</sup> American Bar Association National Conference on Children and the Law: Raising the Bar: Lawyers as Partners for Family Well-Being</b> American Bar Association/Center on Children and the Law	<b>Phone:</b> (202) 662-1000 <b>Website:</b> http://www.americanbar.org/groups/child_law/conference2013.html
Nashville, TN July 28 – 31, 2013	<b>FFTA 27<sup>th</sup> Annual Conference on Treatment Foster Care</b> Foster Family-based Treatment Association (FFTA)	<b>Phone:</b> (800) 414-3382 <b>Email:</b> shorowitz@ffta.org <b>Website:</b> http://www.ffta.org/conference/
Atlanta, GA August 26 – 28, 2013	<b>36<sup>th</sup> National Child Welfare, Juvenile, and Family Law Conference</b> National Association of Counsel for Children (NACC)	<b>Email:</b> taylor.stockdell@childrenscolorado.org <b>Website:</b> http://naccchildlaw.site-ym.com/?National_Conference

*("Philosophy, Philadelphia and the Field Center..." continued from page 6)*

Continuing to frame childhood in the context of our current society, I realized that ideas about childhood inform the role of our child welfare system and the decisions made in it. I developed a belief that the child welfare system as a whole exists because we believe that children should be protected and within that system decisions are made based on what we believe childhood should be like. I was able to explore this belief during weekly meetings where we often discussed how social workers struggle to determine what constitutes neglect and abuse of a child and health care professionals make judgments daily about which children may have experienced neglect or abuse.

Throughout the semester, the Field Center continued to challenge my preconceived notions about childhood and the child welfare system and allowed me to develop as a student, a scholar and a future change agent. Most influentially, I observed interviews with a family referred to the Field Center's Interdisciplinary Evaluation Clinic. In these interviews, I witnessed first-hand the intersection of multiple systems and their impact on families but I also discovered how difficult it is to choose between believing in the potential of individuals to change and protecting children from potential harm.

Overall, the experiences and opportunities the Field Center provided me far outweigh any contribution I could have possibly made. However, I hope that the knowledge, skills and attitudes that I gained will allow me to make positive choices in the future. I am continuing the research I began at the Field Center and am currently writing my senior thesis about the role of children in society while seeking opportunities to witness the interaction of social systems and advocate for positive change.

*("Pennsylvania Raises the Evidentiary Standard..." continued from page 4)*

imposing an evidentiary standard that differs from what is stated in CPSL (GV v. DPW, p.7, 2012). From a policy perspective it is important to frame the issues based on relative risks of false negatives (removing, or failing to place, someone on the registry as "indicated" when they should be) and false positives (placing someone on the registry as "indicated" when they should not be).

GV's appeal implicates the risk of increased false negatives. GV was indicated for child abuse, and tried to expunge that indication. The administrative law judge (ALJ) found the victim's testimony about sexual abuse by her great-uncle credible, and GV's denials not credible. Based on the court's recent decision, GV can only stay indicated on the registry if the ALJ finds he is a perpetrator by clear and convincing evidence: there may not be sufficient evidence from the previous report to meet that standard.

The "false negative" that keeps GV off the child abuse registry seems problematic and dangerous, while the "false positive" argument requires multiple inferential steps.

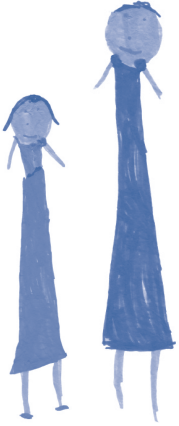
Overall it appears that the evidentiary change is a compromise and an attempt to protect the interests of abused children while accounting for the consequences of erroneous reports on individual's lives. What this new change means for the state of child abuse in Pennsylvania is not fully known. If a clear and convincing evidentiary standard to place and maintain perpetrators on a child abuse state registry is not appropriate, then what is?



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## **NEWS FROM THE FIELD**

### **March 2013**

#### **Newsletter Highlights...**

- **Field Center Announces New Initiative: A New Child Advocacy Center for Delaware County, PA**
- **Pennsylvania Task Force on Child Protection Releases Recommendations for Systemic Reform**
- **Pennsylvania Raises the Evidentiary Standard for Maintaining Reports on the State Child Abuse Registry**