



What Happens After Calling Child Protective Services

A local department of social services does not consider a report of suspected child abuse or neglect to be an accusation; it is an opportunity to protect children and link families who may not voluntarily seek help with needed services. When a local department receives a report of suspected child abuse or neglect, the law requires that the local department respond promptly and either conduct an investigation or a family assessment under a relatively new law in Maryland called “Alternative Response”. The purpose of the investigation or assessment is to safeguard the child or children and to assist the family in obtaining necessary services.

INVESTIGATION

In an investigation a local department of social services will determine the nature, extent, and cause of any child abuse or neglect and, if possible, the person responsible for the abuse or neglect. The local department will then refer the family for any appropriate services. In a family assessment, the local department will work with the family to assess its needs and develop a plan that will protect children in the household from any abuse or neglect. The local department often works with law enforcement in conducting investigations.

Alternative Response

Maryland is one of many states that have adopted an “Alternative Response” for handling certain low-risk reports of suspected child abuse or neglect. Recognized as a best practice and endorsed by the National Council of State Legislatures, Casey Families Programs, and the American Humane Association, the law took effect in 2012 and Alternative Response implementation began in July 2013.

In providing an Alternative Response, local department case workers tailor their approach to best serve families. Instead of investigating a particular incident, an alternative response involves working collaboratively with the family to provide services without the threat of a formal finding of abuse or neglect. Studies have shown that families are more receptive to this approach because they see their case worker as someone who can help them rather than someone who is investigating them.

Certain reports of suspected child abuse or neglect may not be referred for an Alternative Response; these include reports involving individuals who have been referred for an Alternative Response within the prior 12 months or have been referred twice within the prior 24 months, or if the individual or family has a history of being unable or unwilling to participate in the Alternative Response assessment.

Unattended Children

Unattended children are children who are left on their own without appropriate supervision. In some cases, leaving children unattended is considered child neglect.

A child may be considered neglected under Maryland law if the child has been left unattended under circumstances that indicate that the child's health or welfare is harmed or placed at a substantial risk of harm. A child playing or walking outside unsupervised may be unattended but will not be considered neglected absent evidence that, while unsupervised, the child has been harmed or placed at substantial risk of being harmed. A reporter of suspected neglect should be prepared to provide sufficient details about the child's apparent age, condition and behaviors, and any observed dangers in the surrounding environment to assist the local department in evaluating whether the child's health or welfare was harmed or placed at substantial risk of harm due to the lack of supervision.

Maryland law makes it a crime to leave children under the age of 8 confined in a dwelling, building, enclosure, or motor vehicle without a responsible person of at least 13 to supervise. This provision, set out in Family Law Article § 5-801(a), was originally part of a fire code and related to the dangers of fire and suffocation in enclosed spaces. There is no comparable law providing express age requirements for the supervision of children outdoors.

Factors to be Considered

Among the factors a local department will consider when determining whether an unattended child has been neglected are:

- The gravity and nature of any injury, harm, or possible harm to the child
- The extent to which the parent anticipated and managed any risks to the child, including any protective measures the parent put in place
- The accessibility of the parent or other responsible caregiver
- The length of time the child was unattended

- The location and environment where the child was left unsupervised or unattended including the safety of the neighborhood, traffic, dangerous intersections, and other features that present a risk
- The child's age, maturity, general level of responsibility and understanding of, or experience with, potentially harmful circumstances. This would include whether the child's behavior has contributed to the potential for harm by, for example, walking the traveled part of the roadway, failing to observe traffic signals, or playing in a dangerous or rough manner or with dangerous items such as a BB gun, matches, or a lighter
- Whether the local school system has developed any policy regarding children walking to and from school
- Volume of calls to CPS

Some Statistics

- In March 2015, there were 2,233 new reports of child maltreatment in Maryland
- In March 2015, 1,277 cases were referred to Alternative Response
- In March 2015, 2,005 case were referred for Investigative Response
- In March 2015, the following determinations were made:
 - 786 allegations ruled out
 - 300 abuse indicated
 - 173 unsubstantiated abuse
 - 207 unsubstantiated neglect