Dear Senator:

The Society of Catholic Social Scientists, a group of Catholic scholars, professors, and practitioners in the social science fields, urges that the Child Abuse Prevention and Treatment Act (H.R. 3839) not be reauthorized at this time. We believe that there has been grossly insufficient attention given to what one national publication called "systemic abuse" in the nationwide child protective system established and sustained by the Act. From my own research, which has included a number of articles published over the past 20 years (including two lengthy scholarly articles), I have concluded that this system: is fundamentally hostile to parents (who are its primary victims); completely impervious to guilt or innocence; pays no attention to such basic principles as probable cause (as a basis to start child abuse/neglect investigations) or due process (once investigations are begun); has no sensible or realistic grounds for deciding what is "abuse" or "neglect" (with the results that everything has been put into these categories, so parents can easily be accused of something, and
children who genuinely are mistreated are often missed); encourages the insidious practice of anonymous allegations against parents (with the strange result that anonymous, often unreliable—and sometimes vindictive—complainants actually define errant behavior because the system reflexively believes there is "abuse" just because someone has called them); and that the one-sided liability established by the Act—where social workers are in legal jeopardy if they miss real abuse, but face absolutely no consequences if they falsely, wrongly, or even recklessly charge parents, seize children, and damage families—has led to daily outrages which mock the very nature of American justice.

There is, to be sure, much, much anecdotal evidence about the abuses of the system. There is also much hard data, however. The evidence is that at least 65% of all child abuse/neglect allegations are completely unfounded. The Department of HHS several years ago issued a report that in one year alone there were over 1.2 million false reports of child abuse. Even federal courts have spoken about the high risk of erroneous allegations in the system. The Act as constituted has been a major factor in the explosion of abuse/neglect allegations (an increase of well over 1000% in only the first 20 years of its existence)—this explosion has not occurred primarily because of more actual child abuse.

My conclusions and general exploration are set out at length in my most recent scholarly article on the subject, which I have made available to all the members of the Senate Subcommittee on Children and Families (Committee on Health, Education, Labor, and Pensions). It is also available on the "Public and Church Affairs" section of our Society's web site: www.catholicsocialscientists.org. I should emphasize that many other authorities, whose writings are referenced in that article, concur with my conclusions.

Instead of reauthorization and a broad bipartisan consensus supporting the Act, what is needed is a sweeping Congressional investigation of the child protective system in this country and how the Act has fostered a regime of anti-parent, anti-family tyranny in the U.S.

Sincerely,
Stephen M. Krason, Esq., Ph.D.
SCSS President