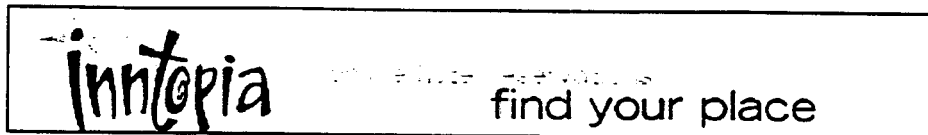


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**News** - Tuesday, November 28, 2000

## DCYF official: Overwhelming case loads, laws make it hard to fight abuse

Evans' bail terms: No restrictions on contact with children

By KIMBERLY HOUGHTON

Democrat Staff Writer

ROCHESTER — As authorities search for answers in the beating death of a young girl, a state official says there are several roadblocks that make it difficult to prevent children from being abused.

The roadblocks are an overwhelming number of child abuse cases assigned to a limited number of social workers in addition to legal restrictions that prevent state agencies from removing children from potentially dangerous households without court approval.

Of the approximately 12,000 calls made each year to the state's Division of Children, Youth and Families, about half lead to investigations of alleged child abuse, according to Joan Whitfield, child protective administrator for the agency.

The estimated 6,000 cases investigated each year are divided among 165 protective workers assigned to 25 or 30 cases a month — more than half of what the state standard recommends, Whitfield said.

"We don't meet state standards," she added.

The state standard recommends that one social worker investigate 12 to 14 cases, or 16 to 18 cases involving more than one child — also known as "a family service group," she said.

"Very few social workers have 18 families," Whitfield said. "Most have 20 to 25 or even up to 30 families, and that is just too many."

In addition, Whitfield said that one case could include up to 30 children. Such cases may involve investigations at schools or day-care centers.

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Since protective workers are required to visit each child they are investigating at least once a month, she said there is often not enough time to get all of the necessary work completed, including visits to the child's home.

John Wallace, associate commissioner of the New Hampshire Department of Health and Human Services, would not say if the Division for Children, Youth and Families was contacted prior to the death of 21-month-old Cassidy Bortner of Rochester. His department oversees the division.

The child died earlier this month as a result of a blunt force injury to her head. The boyfriend of Bortner's mother, Chad E. Evans, 29, of 191 Milton Road in Rochester, has been charged with manslaughter in connection with Cassidy's death.

It is unclear when or why the Division for Children, Youth and Families became involved in the manslaughter case, and Wallace has refused to comment on whether a call was made to the state agency notifying it of harm to Cassidy before she died Nov. 9 at a residence in Kittery, Maine.

Each year, thousands of calls are made to the state agency about allegations of abuse against children.

In 1998, about 6,400 of those calls were investigated by state officials, according to the National Child Abuse and Neglect Data System. Of the 6,400 cases, the majority of them were reported by school personnel, social service workers or family members other than parents.

As a result of the 6,400 cases being investigated in 1998, nearly 800 children received services from the state to help resolve the abusive situations, according to the National Child Abuse and Neglect Data System. This is an annual report released by the U.S. Department of Health and Human Services' Administration for Children and Families.

In addition to the 800 children who received services, nearly 300 children were removed from their homes because of maltreatment.

Whitfield stressed, however, that most children are returned to their families as soon as possible. She said it is the mission of the state agency to keep children at home whenever possible.

"We feel that children do best in their home and community," she said, explaining if they cannot live with their parents, the state searches for other family members who would be willing to take care of them.

Although children suspected of being abused are sometimes removed from their homes, Whitfield said, "DCYF can never take a child away from a parent without court approval" even if the agency learns of allegations that the child is in danger.

If the family does not recognize a problem, acknowledge concerns of abuse or comply with services, Whitfield said the agency may petition the court to intervene.

"If we feel a child is not safe and the family is reluctant to help,

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we go to court," she said. When a case advances to court, a judge usually requests a review and assigns a guardian ad litem to help assist with the investigation.

A guardian ad litem can either be an attorney or a trained volunteer who speaks with the family members and periodically visits the child in their own household.

"Due process is always assured," Whitfield stressed, adding that because individuals outside of the Division for Children, Youth and Families become involved in the investigation, it helps to promptly reach solutions.

Most solutions, she said, are achieved through counseling, anger management classes or mental health services provided to the family or the abuser.

When a call is made to the Department of Health and Human Services notifying it of abuse, an initial determination is made on whether the state should intervene.

If the state decides to intervene, the case is then sent to one of 12 district offices depending where in New Hampshire the child resides, according to Whitfield.

If it appears that a child could be in immediate danger, a protective worker is quickly alerted of the problem and an attempt is made to see the family that same day, she said.

Cases are prioritized by the risk factors involved, Whitfield said.

Each case is then assigned to a protective worker, who, along with a supervisor, determines the most efficient way of approaching the family with concerns.

After a call is made, the protective worker has 72 hours to begin an investigation. The start of an investigation may mean one telephone call, according to Whitfield.

The parents are eventually contacted by the Division for Children, Youth and Families and asked to give the state agency permission to come and visit the home. Sometimes that is not appropriate if a "perpetrator" is living in the household, she said.

During the visit, a protective worker discusses the concerns with the family and seeks help from them in resolving problems. The worker also determines what types of services may assist the family.

If the family is uncooperative, then the case usually advances to the court system.

The New Hampshire Supreme Court is assisting the Division for Children, Youth and Families in abuse cases, recently ruling that the state may take custody of a child when a parent will not acknowledge the child is being abused.

However, Whitfield said, permission still needs to be granted by the court before children are removed from their homes.

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