

CHILD PROTECTIVE SERVICES

THE LONG ARM OF THE LAW
AND OF ANYONE ELSE WHO HAS AN
AGENDA

How does CPS get involved?

1. Central Registry

- Every state has a State Central Registry – hotline
- Calls can be anonymous
source of call is not disclosed
- SCR report is generated
discoverable but will be redacted
- Report is forwarded to the local – DSS district office
- DSS/CPS has 24 hours to initiate contact

ACCESS TO THE CHILD

- Visual
- Verbal
- Medical Exam – case by case

ACCESS TO THE CAREGIVER

- Interview
- Releases
- Multiple visits

Exigent Circumstances

- Usually police involvement
- Arrest of parents
- Children taken into protective custody

Children taken into protective custody: medical checks usually within 24 hours.

Allegations of sex abuse – further medical exams conducted

Access to the Children

- Parents failure to allow access
- Court open
 - access order
- Court closed
 - emergency services with police escort

Removal of Children

- Risk of child's safety or health

CPS Investigation

- CPS has 60 days to complete investigation
- Notice generated
 - Indicated
 - Unfounded
- CPS – Indicated
- Close case – no further action by CPS
 - Offer family service
 - File petition for abuse and/or neglect
 - litigation

CPS used strategically

- Medical professionals
 - Parents not agreeing with treatment/medication
 - Vaccines
 - Not time for cathartic experience
 - Munchausen by proxy
 - MD's CYA
- Matrimonial litigation
- Custody litigation
- In home therapist
 - CPS called - supplements

School districts

- Vaccines – vaccine injury
- Parents not consenting to proposed IEP
- Pre-emptive strike – more CYA
 - Occurring with more frequency
- Document everything
- Permanent record - file
- We are here to help - child's team
- They are on a need to know basis

Immunity

- Caseworkers
 - Qualified immunity – reasonable belief
- Attorneys for DSS
 - Absolute immunity – unconditional

Westchester County, NY 3/7/11

- **Pound Ridge parents plead not guilty to endangering autistic teenagers**

Quote of 2010

- Conference call – custody/neglect
 - School Psychologist
 - School Principal
 - School SpEd. Director
 - Upon Inquiry – what makes you think mom is “crazy”?
- “(Mom) thinks her daughter is vaccine injured. (Mom) really isn’t too stable”