

WASHINGTON UPDATE Crime Bill Contains Provisions Relevant To Child Maltreatment

—by Tom Birch

The crime bill provisions that passed the U.S. Congress before its August recess contains many provisions relevant to professionals in the field of child maltreatment.

Prevention

Among the crime prevention programs aimed at working with children and youth are the following:

- *Ounce of Prevention*: Establishes a federal inter-departmental Ounce of Prevention Council to coordinate crime prevention programs and award \$88.5 million in grants over five years for crime prevention efforts, including outreach programs for at-risk families, summer and after-school education and recreation programs, mentoring, job placement, and prevention and treatment programs to reduce substance abuse, child abuse, and adolescent pregnancy.
- *Local Crime Prevention Block Grant Program*: Authorizes Department of Justice (DOJ) to award \$377 million over five years to local governments for a variety of crime prevention activities, including juvenile gang and juvenile violence and substance abuse prevention; prevention of crimes against the elderly; services to children to prevent gang activity; employment opportunities for young adults; midnight sports leagues; sports and recreation programs; youth anticrime councils; establishment of Boys and Girls Clubs in public housing; supervised visitation centers to protect children from violence who are in shared custody or foster care; family outreach teams for training in mentoring and community organizing; and law enforcement and child services teams to respond to violent incidents involving a child as perpetrator, witness, or victim.
- *Community Schools Youth Services and Supervision Grant Program*: Provides Department of Education grants to community-based organizations for after-school, weekend, and summer sports, extracurricular and academic programs; and Family and Community Endeavor Schools Grant Program: Provides Department of Education grants to communities with high rates of poverty and crime to support programs for at-risk youth, including homework assistance, nutrition services, mentoring, family counseling, and parental training. Authorizes a total of \$913.5 million in grants over five years for the two programs.
- *Delinquent and At-risk Youth*: Authorizes \$36 million over five years in DOJ grants for residential services to youth in preventing crimes and delinquent activities
- *Local Partnership Acts*: Authorizes the Department of Housing and Urban Development (HUD) to award \$1.62 billion over five years in grants to local governments for variety of programs iden-

tified under existing statutory authorities, including drug abuse education, national youth sports program, community service act, Head Start, literacy, vocational education, runaway and homeless youth, transitional living for homeless youth, family violence, and the community-based family resource programs

- *Family Unity Demonstration Project*: Authorizes \$19.8 million over five years to DOJ for competitive grants to states to support projects that enable parental offenders to live in community correctional facilities with their children.
- *Prevention of Sexual Abuse and Exploitation*: Authorizes \$30 billion for FY96-98 for Runaway and Homeless Youth Act grants to private, nonprofit agencies for street-based outreach and education for runaway and homeless youth subjected to or at risk of sexual abuse.

Domestic Violence:

The crime bill's focus on domestic violence prevention and intervention efforts includes these provisions:

- *National domestic violence hotline*: Authorizes \$1 million in FY95 and \$400,000 annually in FY96 to FY2000 for a grant from HHS to a private, nonprofit organization to operate a national toll-free hotline for information and assistance to victims of domestic violence.
- *Youth education and domestic violence*: Authorizes \$400,000 in FY96 for four model school programs to educate young people about domestic violence.
- *Community Programs on Domestic Violence*: Amends the Family Violence Prevention and Services Act, authorizing \$4 million in FY96 and \$6 million in FY97 in HHS demonstration grants to nonprofit groups to establish community coordination projects for the intervention and prevention of domestic violence, including among others "human services entities such as State child services division." The project will include a community action component to improve and expand current intervention and prevention strategies.
- *Rural domestic violence and child abuse enforcement*: Authorizes \$30 million over FY96-98 in DOJ grants to state and local governments and public and private agencies in rural states to establish cooperative efforts for investigating and prosecuting domestic violence and child abuse, to treat and counsel victims, and to develop community education and prevention programs.

Criminal Justice

Among the criminal justice provisions in the bill are several addressing issues of youth in crime,

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as perpetrators or victims:

- *Capital punishment for child molestation murders*: Imposes the death penalty for child molestation murders and sexual exploitation of children that ends in death.
- *Youth handgun safety*: Prohibits possession, sale or transfer of a handgun or ammunition by or to a juvenile
- *Prohibition of Firearms Sale to Child Abuser*: Prohibits sale of firearms to anyone under a restraining order for child abuse or domestic violence.
- *Jacob Watterling Crimes Against Children Registration Act*: Requires persons convicted of certain criminal offense against minors to register a current address with the state law enforcement agency for ten years after release from prison or being placed on parole. Crimes include kidnapping, false imprisonment, criminal sexual conduct, and the solicitation of minors for sexual purposes.
- *Morgan P. Hardiman Task Force on Missing and Exploited Children Act*: Establishes a task force of federal agency law enforcement officers to work with the National Center on Missing and Exploited Children in coordinating federal law enforcement resources to help investigate difficult cases of missing children.
- *Right of victim of sexual abuse to address court*: Affirms belief of the Senate that states should allow a victim of violence or sexual abuse, or the victim's parents or family members, to speak at the offender's sentencing hearing or parole hearing.
- *Admissibility of evidence of similar crimes in sex offense cases*: Expands the Federal Rules of Evidence to admit evidence of similar crimes in criminal and civil cases of sexual assault or child molestation.
- *Child abuse statute of limitations*: Amends U.S. Code to allow prosecution for an offense involving the sexual or physical abuse of a child under age 18 at any time before the child reaches 25.

Religious Exemptions

The fiscal 1995 appropriations legislation for the Department of Health and Human Services (HHS) passed the Senate in August. The Senate bill drops the House appropriations provisions that would force HHS to let parents use any non-medical means to treat the health care needs of their children reversing the status quo in the Child Abuse Prevention and Treatment Act (CAPTA). The Senate version of the bill defers the religious exemption issue to the authorizing committees, which will take up CAPTA next year in the course of reauthorizing the statute.

A House-Senate conference committee will meet after Labor Day to settle on legislative language about HHS requirements that states intervene

in cases of medical neglect where religious issues are involved. Assurances from congressional staff advise that the conference will adopt the Senate position on this matter

NCCAN User Manuals

NCCAN has published additional user manuals in its series initiated in 1977 to guide professionals in the treatment and prevention of child abuse and neglect. Because of the increase in knowledge and improvements in practice since the series was first developed, existing manuals have been revised and new ones created. Recent additions to the series include the following:

- **Protecting Children in Substance-Abusing Families** is designed for professionals in child welfare, mental health, health care, education, law, the faith community, and substance abuse prevention and treatment. The manuals are intended to help identify various forms of parental substance abuse, assess the strengths and needs of the affected families, develop service plans, and provide intervention.
- **Substitute Care Providers: Helping Abused and Neglected Children** is aimed primarily at child welfare staff as a foundation for serving abused and neglected children in family foster care and adoption. The manual is also intended for child protective services staff, law enforcement, mental health, legal, health care, and early childhood professionals.
- **Supervising Child Protective Services Caseworkers** describes the roles and responsibilities of the CPS supervisor. This publication, is an update of a similarly titled manual published in 1979, is designed primarily for CPS supervisors and administrators, but it is relevant to all child welfare supervisors.

Information on the availability and ordering of the manuals may be obtained by contacting: Clearinghouse on Child Abuse and Neglect Information, P.O. Box 1182, Washington DC 20013, Phone 703-385-7565 or 800-FYI-3366.

Tom Birch, JD, is Executive Director of the National Child Abuse Coalition in Washington, D.C., and is Associate Editor for *The APSAC Advisor*

CONFERENCE NEWS

Don't miss the San Diego Conference on Responding to Child Maltreatment, January 23-27, 1995. The Center for Child Protection at San Diego Children's Hospital is again offering an outstanding and varied program. All-day APSAC Advanced Training Institutes will open the week, on Monday, January 23. For information about the Advanced Training Institutes, call Joye Knight at 312-554-0166. For information about the rest of the program, call Robbie Webb or Diane Martin at 619-576-5814.