

CHILDREN IN CRISIS

The state of child welfare in America



Elizabeth Herd

© Elizabeth Herd, 2023

Published by Rebel Magic Books

www.rebelmagicbooks.com

All rights reserved. No part of this book may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without permission in writing from the copyright owner.



Dedicated to true child advocates.

Those brave enough to face the horror,
strong enough to challenge the status quo,
and committed enough to make a difference.

Especially, and in loving memory of my dear friend and
confreere, April Butler, aka Red, child advocate, champion,
and fierce defender of children, 1960–2023

Contents

Essential phone numbers

Children's Rights in U.S. states as of September 13, 2022

Acronyms

Preface

1. Will It Ever End?
2. Outrage – Fueling Advocacy
3. Children's Rights – Prelude
4. Children's Rights
5. Children's Rights – CPS
6. Foster Care – Follow the Money
7. Foster Care – The High Cost of Poverty
8. Foster Care – Wanted: Parents Extraordinaire
9. Foster Care – Failure Results in Abuse. Period.
10. Discarded, Forgotten Children
11. Family Court – Lies, Lunacy, and Lost Children

Definitions

- Appendix I Signs of Abuse and Neglect*
Appendix II Statistics for Child Abuse and Neglect
Appendix III How You Can Help
Appendix IV Where You Can Find Help
Appendix V Reading

Acknowledgments

If you know of a child suffering abuse or neglect,
please report it.

You may be the one person to save that child.

If you or a child is in immediate danger, call 911.

Otherwise, call the Child-help USA®
National Child Abuse Hotline

1-800-4-A-CHILD
(1-800-422-4453)

The hotline will provide reporting numbers in your area and is staffed by professionals 24 hours a day. They accept calls from the United States, Canada, Guam, Puerto Rico and the U.S. Virgin Islands. Calls are anonymous and toll-free. State-of-the-art technology provides translators in 140 languages.

Child-Help International VZW De Keyserlei 58-60 box 19, 2018
Antwerp, Belgium

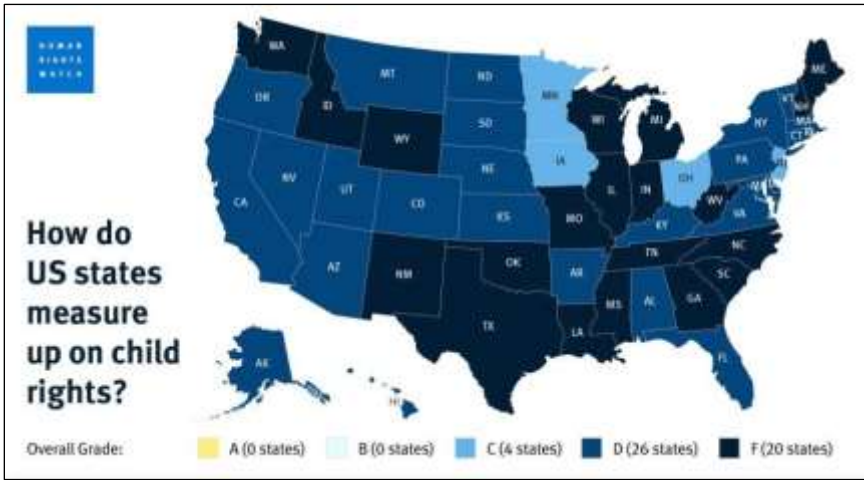
Tel.: **+32 (0) 2 528 06 78**

Email: info@child-help.international

You may find contact information for the local Child Protective Service agency in your area with a quick internet search.

In **Michigan, USA**, call the Child Protective Services
Centralized Reporting number

1-855-444-3911



On 13 September, 2022, Human Rights Watch gave 20 states a failing F grade, and 26 a D. Not a single state received a B or an A. New Jersey, Ohio, Iowa, and Minnesota were the only states to receive a C grade.

“For people who believe the U.S. is treating its children well, this assessment is a rude awakening,” said Jo Becker, children’s rights advocacy director for Human Rights Watch. “When it comes to child marriage, hazardous child labor, extreme prison sentences, and violent treatment of children, the vast majority of U.S. states have abysmal laws. State policymakers should act quickly to better protect their children.”

Child marriage is legal in 43 states. Over a quarter million children, some as young as 10, were married in the U.S. between

the years 2000 and 2018, the year Delaware became the first U.S. state to prohibit child marriage. On July 28, 2022, Massachusetts became the seventh state to set the minimum age at 18, without exceptions. Child marriage is associated with early pregnancy, lower educational achievement, and increased risk of domestic violence and poverty.

No U.S. state has prohibited all corporal punishment of children, and 23 states allow it in both public and private schools. Black children and children with disabilities are significantly more likely to experience corporal punishment in schools. Only two states, New Jersey and Iowa, prohibit corporal punishment in both public and private schools.

'I always wondered why somebody
didn't do something about that.
Then I realized, I am somebody.'

Lily Tomlin

Acronyms

AACWA - Adoptions Assistance and Child Welfare Act (of 1980)

ADHD - Attention Deficit Hyperactivity Disorder

CAN - Child Abuse and Neglect

CDC - Center for Disease Control

CPS - Child Protective Services

CRC - Committee on the Rights of the Child

DHHS - Department of Health and Human Services, formerly known as DHS - The Department of Human Services

DNA - Deoxyribonucleic Acid - molecular biologic genetic information

EBT - Electronic Bank Transfer

EMMM - Eeny Meeny Miney Mo Foundation

GAO - U.S. Government Accountability Office

NCMEC - National Center for Missing and Exploited Children

NPR - National Public Radio

OIG - Office of Inspector General

PAS - Parental Alienation Syndrome

SNAP - Supplemental Nutrition Assistance Program

UNCRC - United Nations Convention on the Rights of the Child

Preface

Sean Michael was two years, eight months and twenty days old the day his mother murdered him. She had secretly tortured him throughout his short life. There were several who witnessed her questionable behavior toward him over that time, but only a few who reported their concerns and suspicions to authorities, ie. officials within the child welfare system who also failed in their duty to keep Sean safe. No one had considered it possible he would be murdered.

Sean is my grandson. I am his paternal grandmother.

Within a week of Sean's death, I began writing, documenting all of it. I used a good part of my writing, along with detailed facts from the trial transcript, and the medical, forensic and police reports, to write a true crime memoir. I wrote *Buddy* to memorialize Sean, and to document what I knew of his painful life and death. In advocating for the prevention of child abuse for more than a decade afterward, it is also a cautionary tale, an example of the consequences to naivete and ignorance about abuse.

The purpose of *this* book is to convey what I've learned about the state of child protection in America, and to inform an unknowing, most often naïve, and unsuspecting population, including federal, state and locally elected government officials. The facts are stunning and disturbing. What we've assumed is right, true and good, is not.

I am a passionate advocate for the prevention of child abuse. I've been led down this lonely path to research the state of child abuse in the U.S., as well as anything that will lead us to change

course. Though I've learned a great deal, I am one person, and aware that I cannot know it all. However, my 15 years of advocacy have exposed me to more than the average person.

I encourage anyone with questions to do their own research. Come to your own conclusions. Everyone must determine what to do with the knowledge gleaned. Decide how you will live with the truth revealed, which you can now never unlearn or deny.

Elizabeth Herd

1.

Will It Ever End?

The United States has one of the worst records among industrialized nations, losing on average five children every day to abuse and neglect. In 2019 alone, state agencies found over 656,000 victims of child maltreatment. This would pack ten modern football stadiums. More astounding is, only about a third of abused and neglected children are reported to state agencies.

Can we continue to call ourselves a civilized nation while failing nearly two million abused and neglected American children every year?

I recall the feeling that struck me in the spring of 2020, when lockdowns went into effect due to the Covid-19 pandemic. It was a panic that nearly stopped my heart, eventually landing in a heavy, sick angst swirling in my stomach. I knew what it meant for children. Those living with food insecurity or left alone in unsafe environments, but especially those who'd be forced to stay confined with abusers, having no chance for escape. I was terrified for them. The millions of them. I knew the eventual 2020 statistics related to child abuse and neglect would decrease, but only due to the lack of reporting by schools, from which children are typically rescued. I also knew that with economic stressors rising in homes, children would bear the physical brunt, resulting in increased cases of severe abuse, due to the number of children that would enter emergency rooms

and morgues. Two and a half years into the pandemic in the U.S., all came to pass.¹

As an independent child advocate, I'm exposed to case details all the time. I can't read about them and not be affected. I don't know how anyone with a heart couldn't be. It is a choice I've made to do this, but that choice has not been without consequence, without personal sacrifice. Like that of my friend, Red, who literally sacrificed her life in defense of children. You cannot consistently expose yourself to the evil of this world without suffering consequences, usually manifesting in physical illness or disease. However, the knowledge and truth exposed, which has helped me to raise awareness, as well as support preventive and direct services to save the lives of children, far outweigh any pain I may have had to endure in the process. It is a mere fraction of the suffering too many children continue to endure through intentional cruelty, sexual assault, and neglect.

Like three-year-old Adrian, who lives with his dad and stepmom and suffers daily abuse by the pair. Child Protective Services (CPS) is called often by concerned family and neighbors. The agency responds several times, sees bruising, marks, and other injuries on Adrian's body, but never seeks an expert medical opinion. After several more calls a social worker finally initiates in-home services, but over time the parents stop cooperating. The case is closed. Two years later Adrian is removed to care and placed in a mental health facility where he undergoes treatment for disruptive behavior and a *parent-child relationship problem*. His father and stepmother reported that

¹ www.edweek.org - Child Abuse Cases Got More Severe During COVID-19. Could Teachers Have Prevented It?

Adrian frequently wet the bed, stole and hoarded food, picked at sores and lit fires — characteristics common in young victims of child abuse. His parents basically abandoned him at the facility, refusing to participate in his treatment. Adrian is later sent back to live with them. The family moves to another state. CPS there receives calls that pictures of Adrian's abuse were seen on his stepmother's social media page. No one followed up on the calls. At only seven years old, Adrian dies, starved to death. After lying dead for weeks in the home, his father bought a pig to dispose of him. Adrian's remains were discovered though, and his murderers were tried and convicted. A lawsuit against the child protection agencies in both states was brought by extended family.

A true story² out of Kansas and Missouri - 2017.

Then there is twenty-two-year-old Adrienne, who, after dating boyfriend Aaron for only a few months, moved into his Glennie home with her three young daughters in tow. Glennie is a small Northern Michigan town in the heart of Huron National Forest. Adrienne may or may not have been aware that Aaron also had three children and that he was involved in an open child protective services case for neglecting them. Within a short time, Aaron became violent with Adrienne's two-year-old, Jayde. Over several weeks, he punished Jayde for toilet training mishaps by punching her, duct taping her to the toilet training seat, and making her sleep on the porch with her hands tied behind her back. The couple took the older and younger siblings to stay for a visit with people they knew downstate, but Aaron wouldn't allow Jayde to leave because he'd given her a

² washingtonpost.com - Boy, 7, was tortured to death and fed to pigs. State agencies failed him, says lawsuit.

black eye that he didn't want discovered. Once the couple returned, the violence toward Jayde escalated. Aaron swung Jayde by her ankles into a wall and then threw her into the air, the resulting impacts left her unconscious and bleeding from the rectum. They initially thought Jayde was dead. But when she showed signs of life, Adrienne wanted to help her daughter. Aaron held a gun to Adrienne's head, threatening her and telling her he was not going back to jail. The next day, Adrienne went to work while her child lay severely injured on the couch, but told no one. At home, Adrienne used a syringe to feed broth to Jayde, who occasionally went rigid and shook but could not move or speak. Four days after Jayde's initial assault by Aaron, when she'd finally stopped moaning and appeared dead, Aaron drove Adrienne, who did not have a driver's license, to a hospital an hour north of his home, where staff were less likely to know him. He threatened to kill her other daughters and her mother if she did not lie about Jayde's death. He then fled. Through the efforts of multiple law enforcement agencies, including Michigan State Police (MSP), and Department of Natural Resources (DNR) officers, Aaron was captured and arrested that afternoon. He was charged with felony murder and denied bond, the judge citing prior history of criminal assault, resisting police, failing to appear in court, and substance abuse. Adrienne was later arrested two hundred fifty miles downstate, returned to the county of offense, and charged with felony murder. She too was denied bond. Attorneys on behalf of all the children will petition for termination of parental rights to both Aaron and Adrienne.

Jayde's tragic death is a direct result of systemic failure. Though Aaron was already on the CPS radar, he could not be prevented from living with other children.

This too, is a true story,³ and a current ongoing case.⁴

One more.

The trial to decide Roy and Jaqueline's custody case was scheduled to happen in a couple of months. Over the past year and a half, Jaqueline had been trying to warn the family court that Roy was unstable and violent, and should not be allowed unsupervised time with their two-year-old daughter, Kyra. The judge wouldn't listen and granted Roy a week-long unsupervised visit. In that week, Roy shot Kyra, set his house on fire, then took his own life. In one of thousands of similar cases happening daily in the U.S., the mom⁵ did everything she was supposed to do. She left the abusive relationship and told the family court in Long Island, New York, everything she knew. She did everything legally possible to protect her daughter. The court did not.

Day after day, week after week, year after year, the cases keep coming. Thousands upon thousands of criminally cruel acts, involving millions of children.

Michigan man charged after TikTok video shows him abusing child.

Mission Valley California woman pleads not guilty to murder, child abuse, in baby's death.

New York man sentenced to 27 years for sexual abuse of child.

³ thealpenanews.com -Suspects in child murder face CPS cases

⁴ thealpenanews.com -Witnesses: Abused toddler suffered for days before death

⁵ nbcnews.com - Jacqueline Franchetti says she did what she was supposed to do. So why did her daughter die?

Two **Marion Georgia** women convicted of child abuse.

Maryland man charged with child abuse while working as teacher, youth pastor.

Mississippi daycare workers charged with child abuse after scaring kids with masks.

Kearney Nebraska pair convicted of child abuse, attempted sexual assault of a child.

Michigan man gets life for kidnap, rape of teen girl whose braces he ripped out with pliers.

Police say **Carrolton Kentucky** man physically abused two-year-old and posted video to Snapchat.

Trial begins in 'worst case of child abuse' **Vernon Louisiana** sheriff says he's ever seen.

Parsons Kansas couple sentenced to 60 years in prison for sexual abuse of two- and four-year-old.

Detroit Michigan woman accused of stabbing grandson, arraigned on first-degree child abuse charge.

Emaciated girl was zip-tied inside **Portland Oregon** house of horrors, cops say.

Minnesota man charged with beating his girlfriend's 17-month-old daughter to death.

These are a sample from **hundreds of headlines** appearing in newspapers across the U.S. in the **single week** in which I wrote this chapter. Like the first few cases described, this book could be filled with details fleshed out about each. It never ends. It will never end. Not until there are as many people aware of the problem and committed to prevention, as there are

perpetrators committing crimes against children. It seems impossible, but it's not. It will, however, take *all of us* to achieve the goal.

I'm in.

You?