



The Child Abuse Prevention and Treatment Act: History & Overview

Child protection can trace its origins to the 19th Century when, in 1875, the Society for the Prevention of Cruelty to Children was established in New York City. After publicity surrounding the treatment of a young child captured the public's attention, the President of the American Society for the Prevention and Cruelty to Animals was approached and, as a result of his support, existing state legislation to protect children was vigorously enforced for the first time. Other states and jurisdictions would eventually follow by enacting their own laws. In 1899, Illinois became the first state to create a juvenile court to address issues of dependence, delinquency, and neglect. By 1907, 26 states had followed with their own juvenile court laws.ⁱ

The first White House Conference on Children was convened in 1909; one of the results of that conference was the creation of a Children's Bureau at the federal level. Part of the mission of the new bureau, at the urging of the White House Conference, was to "investigate and report on all matters relating to the welfare of children and child life among all classes of people."ⁱⁱ

Throughout the following decades, other federal and state laws were enacted, but in 1960, Dr. C. Henry Kempe's work on "battered child syndrome" raised the importance of communities in their efforts to protect children and led the medical community to improve methods of identifying and protecting children from abuse.ⁱⁱⁱ In 1974, Congress passed the first Child Abuse Prevention and Treatment Act (CAPTA). That landmark law helped establish national standards for specific reporting and response practices for states to include in their child protection laws.

Child Abuse Prevention & Treatment Act

CAPTA is the only federal legislation exclusively dedicated to preventing, assessing, identifying, and treating child abuse and neglect—the continuum of child maltreatment services and supports. Since 1974, CAPTA has been part of the federal government's effort to help states and communities improve their practices in preventing and treating child abuse and neglect. It was most recently reauthorized in December 2010. CAPTA provides grants to states to support infrastructure and innovations in state child protective services (CPS).

CAPTA includes three programs:

- STATE GRANTS TO IMPROVE CHILD PROTECTIVE SERVICES (SECTION 106) CAPTA authorizes grants to the states to develop innovative approaches to improve their CPS systems. To qualify for these grants, states must meet eligibility

1726 M Street, NW | Washington, DC 20036 | Suite 500
202-688-4200 | Fax: 202-833-1689
www.cwla.org



requirements, such as having mandatory reporting laws, preserving victim confidentiality, appointing guardians ad litem, and establishing citizen review panels. For FY 2011, \$120 million was authorized for both the basic state grants and discretionary grants. In FY11, basic state grants were funded at \$26.482 million.

- RESEARCH, DEMONSTRATION, AND TECHNICAL ASSISTANCE (SECTIONS 101-105) CAPTA discretionary funds support state efforts to improve their practices in preventing and treating child abuse and neglect. These funds support program development, research, training, technical assistance, and the collection and dissemination of data to advance the prevention and treatment of child abuse and neglect. In addition to ongoing research, program and other work, these funds support national initiatives, such as the National Office of Child Abuse and Neglect, the National Resource Center on Child Maltreatment, the National Clearinghouse on Child Abuse and Neglect, the National Child Abuse and Neglect Data System, and the National Incidence Study. For FY 2011, \$120 million was authorized for both the basic state grants and discretionary grants. In FY11, discretionary grants were funded at \$26 million.
- COMMUNITY-BASED GRANTS FOR THE PREVENTION OF CHILD ABUSE OR NEGLECT (CBCAP, TITLE II) The Community-Based Family Resource and Support Program was created in 1996 by combining two other programs. The program provides grants to states to support their efforts to develop, operate, and expand a network of community-based, prevention-focused family resource and support programs that coordinate resources among a range of existing public and private organizations. Funding is allocated to states by a formula based on the number of children in a state's population. For FY 2011, CBCAP grants were authorized at \$80 million. In FY11, they were funded at \$42 million.
- CHILDREN'S JUSTICE ACT GRANTS (SECTION 107) Justice Act grants are available to each state to improve systems related to the investigation, prosecution, and management of child maltreatment cases, particularly focusing on child sexual abuse, child exploitation, fatalities from maltreatment, and maltreatment of children with disabilities. Up to \$20 million is provided for Justice Act grants as an annual set-aside from the Crime Victims Fund, an account separate from the treasury that is comprised of federal offense fines.

ⁱ CWLA. (1999). *CWLA Standards of excellence for services for abused and neglected children and their families*. Washington, DC: Author.

ⁱⁱ CWLA. (2007). *History of the White House conference*. Washington, DC: Author. Available from www.cwla.org/advocacy/whitehouseconfhistory.pdf.

ⁱⁱⁱ CWLA. (1999).