

When the Village Fails: Assessing the
Effectiveness of Child Protective Services
(CPS) Interventions in the United States

Marissa Singh

Introduction

The child welfare system in the United States is like a tapestry carefully woven by many hands, reflecting the African proverb, “It takes a village to raise a child.” Each thread— parents, social workers, educators, and community members— play a crucial role in providing warmth and security. But when strands are left loose or pulled too thin, the fabric weakens, leaving children vulnerable to slipping through the gaps. For many children within the system, their village fails them, as they experience maltreatment or horrific forms of abuse, often at the hands of those entrusted with their care.

Each year 3.6 million cases of child abuse are reported in the United States. Child Protective Services (CPS) investigates allegations of child abuse and neglect reported by family members, health care professionals, schools, or sources close to the child. Despite these investigations, child welfare agencies in the United States have repeatedly failed to protect vulnerable children, leaving them exposed to continuous abuse and in the worst cases, their deaths. These systematic failures— rooted in the intersections between the child welfare and criminal justice system— have left a bitter taste. Why is the child welfare system— a system designed to protect— failing the very children it was meant to help? In this paper, I will assess the effectiveness of Child Protective Services and propose reforms that can be implemented to ensure the safety and well-being of every child.

Case studies: Victims of the system

The first time I read about the Gabriel Fernandez case, I wondered how the social workers assigned to his case did not do everything in their power to remove Gabriel from the horrors he suffered from under the care of his mother. As a social worker of child welfare, it is their duty to respond to reports of abuse and act on those reports to decide the necessary protocols to be taken to keep the child safe and healthy. In this case, that child was Gabriel. Gabriel was an 8-year-old boy who suffered horrific abuse from his mother Pearl Fernandez, and her boyfriend, Isauro Aguirre in 2013 in Los Angeles County, California. Reports of abuse and neglect were filed with CPS and the Los Angeles County Department of Children & Family Services (DCFS) by Gabriel’s teacher and family. The reports began between the years of 2012 and 2013. In the 2017 prosecution of Aguirre, Gabriel’s teacher Jennifer Garcia provided testimony

stating that Gabriel has disclosed to her the abuse he experienced at home which she, as a mandated reporter, reported to DCFS at the beginning of 2013. In the subsequent months, Garcia saw an increasing number of abuses, burns, cuts, and other injuries on Gabriel. Garcia reportedly made many calls to DCFS until she discovered that Gabriel was subjected to further abuse as a result of her calls rather than being removed from the household and protected from

Fernandez and Aguirre. Gabriel endured relentless physical abuse at the hands of Fernandez and Aguirre. Gabriel was forced to sleep in a small cabinet and was forced to consume cat litter, cat feces, spoiled food, and his own vomit. Gabriel was also victim to sexual abuse. An anonymous informant from DCFS issues an official document that revealed a consistent pattern of negligence by the agency. This document highlights incidents where DCFS had been informed of the abuse and living conditions occurring in the Fernandez family residence on many occasions having heard a first account of the abuses from Gabriel. (Review: Netflix's *The Trials of Gabriel Fernandez*, Charlotte Hinkamp) The social workers assigned to his case had falsified documents and failed to accurately record details about the extent of his abuse and the conditions in which Gabriel was living. Further, the social workers failed to take necessary measures to remove Gabriel from the care of Fernandez and Aguirre. On May 22, 2013 authorities responded to an emergency call at the home of Gabriel, where he was reported to be unresponsive. Gabriel was moved from Antelope Valley Hospital to Children's Hospital Los Angeles where he was reported brain dead and suffered extensive injuries. Gabriel died two days later.

The Gabriel Fernandez case received widespread attention throughout the United States, prompting demands for justice and extensive reform within the child welfare system. Despite many reports filed with DCFS and interviews conducted by social workers—witnessing the abuse Gabriel endured and the conditions he lived under—there was no immediate intervention or assistance by social workers or law enforcement. If Gabriel was removed from the care of Fernandez and Aguirre, it is possible that he would have lived to be 20-years-old today. Gabriel's case was not the first child the welfare system has failed nor the last.

8 years later following the Gabriel Fernandez case, 8-year old Sophia Mason, a child in the welfare system, died within the care of family. Sophia was raised by her grandmother, Sylvia Johnson, from the age of one until she was seven. However, in early 2021, her mother, Samantha Johnson, regained custody, who suffered from untreated mental illnesses. Sophia endured extreme

abuse and neglect at the hands of Johnson and her boyfriend, Dhante Jackson. Johnson and Jackson perpetrated mental, emotional, sexual, and physical assaults on Sophia on multiple occasions. Sophia's body was found on March 11, 2022— the date of her death is unknown.

Authorities reported that Sophia was forced to live in a metal shed in the last months of her life. Sophia's grandmother and aunt Emerald Johnson submitted referral reports to Alameda County CPS on many occasions. In a claim made by Sylvia Johnson against the County of Alameda, it states that starting in January 2021, Alameda County received referrals alleging that Sophia's mother had abused her. It was discovered that Sophia had injuries on her entire body and had not attended school for several weeks. In an interview with Alameda County CPS, Sophia confirmed that her mother had grabbed her neck while she was mad— covering her mouth. In the following months, the claim alleges that Alameda received emergency referrals alleging further abuse and that Sophia was being exposed to sexual acts. Sophia's aunt, Emerald, made numerous attempts to remove her from the care of her mother and Jackson and tried to gain legal custody of Sophia by filing a report with Alameda County. In a meeting it was observed that Sophia had bruises and scabs on her legs and despite the clear evidence of abuse, Sophia was allowed to stay in the care of her mother. Alameda County failed to investigate Sophia's maltreatment and the abuse she suffered from. Sophia's aunt and grandmother advocated for her and fought for her case's visibility— Sophia's family and her community are demanding the agency be held accountable for their failure to protect Sophia. The social workers did not fulfill their responsibilities to protect Sophia from her mother and Jackson.

The cases of Gabriel Fernandez and Sophia Mason exhibit a disturbing pattern of systematic failure within child welfare agencies. Despite multiple reports from school officials and family members of reports of abuse and neglect, both children were betrayed by systems designed to protect them. Law enforcement, CPS, and other agencies came into direct contact with these children and witnessed their injuries and inhumane living conditions firsthand. However, no action was taken to remove them from their homes or provide them with proper assistance. In Gabriel Fernandez's case, social workers at DCFS received repeated reports from Garcia and relatives, yet they failed to intervene appropriately. After the first documented case of suspected abuse, CPS should have immediately launched a thorough investigation and conducted a

home visit to assess Gabriel's safety. His visible injuries— bruises, burns, broken bones, and severe malnourishment— and poor living conditions were clear indicators of life-threatening abuse. Given the severity of the abuse inflicted upon Gabriel, he should have been immediately removed from his mother's custody and placed in a safe foster home or with relatives willing to care for him. Similarly, in the case of Sophia Mason, despite the reports and referrals made to Alameda County CPS of Sophia's physical injuries, neglect, and exposure to sexual abuse, Alameda failed to act. The physical signs of abuse and torture Sophia endured should have been evidence of an unstable and unsafe home environment. Sophia should have been immediately removed from her mother's custody immediately and placed in the permanent care of her aunt or grandmother. Any contact from her mother should have been permitted. However, CPS allowed Sophia to remain in the custody of Johnson and Jackson.

The concerns of many in the United States following Gabriel's and Sophia's case and those involved in similar incidents, revolve around the effectiveness of our child welfare system and the reasons for the failure of CPS to fulfill their duty of protecting children. Every state has its own Child Protective Services agencies and although these agencies conform to identical procedures, variations in execution might impact the results. Following receiving referrals of allegations regarding child abuse and/or neglect, from family members, medical professions, teachers, or neighbors, CPS conducts an evaluation to determine whether or not the reports are legitimate. Following the initial assessment, a thorough investigation if warranted will be conducted. Investigations conducted by agencies will include evaluating the child's immediate well-being, interviews with the child, family members, and collecting information from schools, medical professionals, and other sources. After the investigation, CPS will evaluate the level of risk to the child based on the information, further determining the appropriate course of action.

CPS will develop a case plan aimed at ensuring the safety and wellbeing of the child, whether that may involve providing support services to the family such as parenting classes or counseling. In more severe cases, CPS may seek legal involvement by petitioning a court to remove the child from the household.

When CPS fails to intervene following reports or referrals of child abuse or neglect, the physical toll it has on a child is severe. Many children suffer from broken bones, malnourishment, internal injuries, and permanent scars— all of which were present in Gabriel and Sophia's case. Continuous abuse can result in chronic pain and developmental delays because of the prolonged

neglect and malnutrition. Malnutrition during critical growth periods can affect brain development, leading to delayed speech, impaired memory, and learning difficulties. Further, severe stress from abuse disrupts the development of the brain's prefrontal cortex. This results in a difficulty concentrating, poor impulse control, and delayed motor skills in children. The betrayal by the system— when CPS and law enforcement fail to intervene— can cause children to live in a perpetual state of fear and helplessness. When no action is taken, the child learns that no one is coming to save them. Sophia's grandmother and aunt filed multiple reports of abuse and neglect, yet CPS still left her in the hands of her abusers. Prolonged abuse without the proper intervention increases the possibility of children developing mental health disorders such as Post-Traumatic Stress Disorder (PTSD), depression, anxiety, and suicidal thoughts. Individuals with four or more Adverse Childhood Experiences (ACEs) were found to have a higher risk of depression and other mental health disorders in adulthood. (CDC - ACEs Study) When this abuse escalates without proper intervention, children are more likely to suffer from serious health complications, self-harm, and early death. Children with high ACEs have a significantly higher risk of premature mortality. (CDC - ACEs Study). In 2023, more than 75% of child abuse deaths involve neglect, while 42% involve physical abuse. (U.S. Department of Health & Human Services, Child Maltreatment Report) Thus, children like Gabriel and Sophia, suffer for long periods of time before dying at the hands of their abusers.

The Current Function of CPS

In 2022, the United States received 4.276 million reports of child abuse. A total of 7.5 million children were documented as victims of child abuse. (Child Maltreatment & Neglect Statistics, American SPCC) Children are brought to the notice of the state or local child protective agency when individuals from the public report suspected cases of child abuse or neglect. These referrals or reports are submitted by the child's educational institution or health care professionals, as well as by those within the child's social circle, such as family members, friends, or neighbors. These reports may undergo examination by CPS to determine the accuracy of the report and further assess the child's safety concerns or alternative, a procedure that prioritizes the family's needs. Child maltreatment is most common among infants, particularly those under the age of 1, with a rate of 22.2 per 1,000. In 2022, a total of 1,990

children in the United States died as a result of abuse and neglect. (Child Maltreatment & Neglect Statistics, American SPCC) Child abuse in the United States claims the lives of 5 children everyday. At least one parent is involved in 81.8% of child deaths. Abuse happens at home usually by a family member. When a child is identified as a victim of abuse or neglect and receives assistance from CPS, there is a concern about the possibility of further instances of mistreatment. Recurrence may manifest in incidents of the same type of abuse or neglect or different forms. In Gabriel's case, the abuse and neglect he received at the hands of Fernandez and Aguirre worsened after CPS intervention. Thus, the social workers failed to properly assess the severity of the abuse Gabriel endured as the caseworkers closed multiple cases prematurely without conducting thorough follow-ups. In the case of Sophia, reports of physical and emotional abuse had been made multiple times over the years. However, it is reported that previous CPS involvement failed to remove Johnson's custody rights— despite clear evidence that she was unfit to care for Sophia. Jackson had a violent criminal history, but Sophia was still left in their care. When Sophia was reported missing, there was no urgent response from CPS or law enforcement to locate her. CPS closed reports prematurely and failed to escalate concerns after clear indications of physical and psychological abuse. Similarly, in both cases, there were high caseloads and limited resources resulting in the poor follow ups and rushed investigations by social workers. That however, is not an excuse for the negligent caseworkers assigned to the cases. Most children who are the subject of a child abuse report have one involvement with CPS at some stage in their life. Other children are reported more than once, leading to re-reporting where they are repeated investigations or assessments conducted by CPS. It was found that out of the 1,396,998 children reported to CPS, 32% were the subject of a second report within 60 months. Out of the total number of 336,022, 17% of those children were victims of child abuse again within a span of 60 months. (Findings from NCANDS, Research Summary) An issue of concern across the United States is why there are maltreatment recurrences following the intervention of CPS.

Challenges within the system

CPS agencies in the United States face a significant number of cases that exceed the resources at their disposal due to inadequate funding, resulting in agencies being understaffed. This frequently results in prolonged investigations

by social workers and inadequate monitoring of children who CPS has received referral reports of. In the case of Gabriel Fernandez, the social workers claimed to be underfunded and the overwhelming number of cases dealt with contributed to their poor responses to Gabriel's case. Greg Merritt, a former DCFS Supervisor, stated that the social workers under his supervision were handling an average caseload of 30 to 38 simultaneously. Merritt himself was responsible for overseeing as many as 280 cases. (The Case of Gabriel Fernandez: Social Work and Public Responsibility, Rachel Robison-Greene)

Following the cases of Gabriel and Sophia, along with other cases where children were victim to child abuse and neglect, individuals have voiced their anger and criticism towards the United States child welfare system for failing to fulfill their responsibilities, which resulted in the tragic deaths of these children. Too many children have continued to be victims of abuse or have died following the intervention of child welfare agencies yet the blame cannot be placed entirely on social workers assigned to such cases. CPS and other child welfare agencies are severely underfunded. Therefore, they do not have the resources or staff to handle the high number of cases they receive. Reportedly the median salary for a social worker in the United States is about

\$46,270. In order to address this issue, there should be increased federal and state funding for CPS agencies to ensure that CPS has adequate resources to handle cases and help families effectively. Funding should be allocated based on the specific needs of the jurisdiction, considering population density, poverty rates, and previous caseload levels. Social workers would have reduced caseloads and be able to complete investigations and respond to reports in a timely manner protecting and helping the child or family in urgent need.

Calls for action

There is a need for workforce development and support for social workers in the child welfare system. The state needs to implement comprehensive training programs that focus on the latest practices in child welfare, risk assessment, and family engagement strategies. This is so that social workers can handle heavy work loads and the diverse cases thrown at them. Social workers need mental support to be able to handle cases head on as child welfare is a mentally demanding job. The state needs to provide ongoing support and mental health resources for workers because in a field such as

theirs, it can be difficult having to witness what multiple children or families go through. Support and mental health resources will further reduce burnout and turnover rates as the number of cases a worker can oversee at a time can become overwhelming. Furthermore, by allocating resources to modern technology, child welfare agencies can enhance their data collection and analysis. This includes utilizing analytic tools that can help in identifying high-risk cases at an early stage. By integrating data systems, all relevant parties within child welfare agencies will have up-to-date information regarding children and families. With the use of this data collection and analysis, social workers can meet the needs of families immediately and help support and protect children from maltreatment and forms of abuse.

Solutions

To assist families involved with CPS, states can develop policies that mandate the provision of comprehensive support services such as mental health counseling and substance abuse treatment. Local agencies can create accessible programs that address the root causes of family challenges—tailored for the specific needs of each family. Many families struggle with transportation, costs, or long wait times for mental health services. Local agencies can establish walk-in counseling centers in community hubs, such as schools, libraries, or family resource centers, to provide accessible therapy. There could be mobile crisis response teams, where trained professionals—such as social workers and therapists—are deployed to de-escalate situations and connect families with specialized support. Agencies should recruit diverse mental health professionals who understand cultural nuances and lived experiences by families in child welfare agencies.

The United Kingdom has implemented Family Drug and Alcohol Courts (FDACs) to address cases where parental substance misuse threatens child welfare. (Family Drug and Alcohol Court) FDACS offer a therapeutic approach, providing parents with tailored support to overcome addiction while working towards family reunification. Thus, FDACs focus on rehabilitation for parents instead of punishment. If CPS were to implement FDACs within their framework—parents struggling with substance abuse would receive the support needed to achieve recovery and maintain custody. By integrating this model into CPS reforms, we could create a more compassionate and child-centered system that emphasizes prevention and the protection of children's rights. In addition to

a rehabilitation-focused recovery, parent's overcoming substance abuse can be assigned parent peer mentors. These are people who have successfully navigated recovery while keeping custody of their children. Thus, they can provide emotional support and guidance to parents experiencing CPS involvement. Many addiction recovery programs require parents to separate from their children for the time-being, which can discourage them from seeking recovery. To combat this issue, local agencies should offer outpatient family-based treatment programs where parents can receive care while maintaining parental responsibilities.

Conclusion

The village that it takes to raise and care for our children is interwoven; children within our child welfare system urgently require immediate intervention and assistance from maltreatment and abuse. When does it become too much children, too much Gabriel's or Sophia's, who our agencies have failed, before we acknowledge that the system is fundamentally broken? The excuse that agencies are underfunded and understaffed no longer account for the names of the children that were not protected. We are the village, and it is our responsibility to care and look after the children within these systems. The time for action is now. We must demand accountability from Child Welfare agencies and advocate for the well-being of all children.

References

- Robison-Greene, Rachel. *The Case of Gabriel Fernandez: Social Work and Public Responsibility*. 6 Mar. 2020, digitalcommons.usu.edu/cgi/viewcontent.cgi?article=1550&context=lp_sc_facpub.
- “Rereporting and Recurrence of Child Maltreatment: Findings From NCANDS Research Summary.” *ASPE*, aspe.hhs.gov/rereporting-recurrence-child-maltreatment-findings-ncands-research-summary#:~:text=rereported%2C%20and%20when%3F,W hat%20proportion%20of%20child%20victims%20had%20a%20recurrence%20of%20maltreatment,victims%20again%20wit hin%2060%20months.
- “Child Maltreatment and Neglect Statistics | American SPCC.” *American SPCC*, 4 Apr. 2024, americanspcc.org/child-maltreatment-statistics/#:~:text=4.276%20million%20child%20maltreatment%20referral,prevention%20%26%20post%2Dresponse%20services.
- J. Kistin, Caroline, et al. “Factors That Influence the Effectiveness of Child Protection Teams.” *American Academy of Pediatrics*, 1 July 2010, www.ncbi.nlm.nih.gov/pmc/articles/PMC3596017.
- Lachman, Peter, and Claudia Bernard. “Moving From Blame to Quality: How to Respond to Failures in Child Protective Services.” *Lloyd Sealy Library*, 15 Sept. 2006, CDC. About Adverse Childhood Experiences <https://www.cdc.gov/aces/about/index.html>
- FDAC. The Problem-solving Court. <https://fdac.org.uk/what-is-fdac/>
- Sophia Mason’s Claim Detail Report. https://www.acgov.org/board/bos_calendar/documents/DocsAgendaReg_10_04_22%20s_pmtg/CLOSED%20SESSION/Claim_2022208_Estate_of_Sophia_Mason.pdf