

# THE SECOND LOOK COMMISSION

## ANNUAL REPORT HIGHLIGHTS

2022



The Second Look Commission (SLC) reviews cases of children across Tennessee who have experienced a second or subsequent incidence of severe abuse to identify ways to improve the system and help other children avoid a similar fate. The SLC publishes an annual report of their findings. This document outlines key information primarily contained in the 2022 annual report. The full report can be found at [tn.gov/tccy](https://tn.gov/tccy).

### Included Highlights

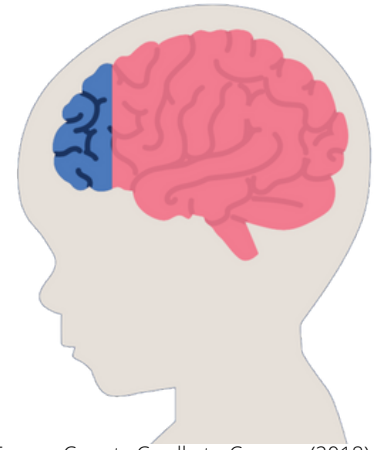
- Impact of Child Abuse
- Data
- Findings & Recommendations
- Comparison to Previous Years
- Additional Concerns

# Impact of Child Maltreatment

Childhood is a crucial time for brain development. In the first few years of a child's life, there are more than one million new neural connections forming each second. Every second counts and every second a child is enduring severe abuse is drastically impacting the long-term health and development of both the child and their community.

# 90%

of a child's  
brain  
development  
happens before  
age 5.



Fresno County Cradle to Career . (2018). Retrieved from: <https://fresnoc2c.org/report>

## Adverse Childhood Experiences

Tennessee's continued prosperity requires that we support healthy child development. The link between adverse childhood experiences (ACEs) and a broad range of negative outcomes is well documented. Data accumulated over the past two decades provides strong evidence that toxic stress and early childhood adversities can derail optimal health and development. Moreover, the resulting financial toll is estimated to cost hundreds of billions of dollars each year. In a partnership with University of Tennessee Boyd Center for Business and Economic Research, the SLC is publishing a report in March 2023 estimating the annual cost of child maltreatment to Tennessee.

## Protective Factors

"A protective factors approach to the prevention of child maltreatment focuses on positive ways to engage families by emphasizing their strengths and what parents and caregivers are doing well, as well as identifying areas where families have room to grow with support.

Protective factors approaches also help children, youth, and families build resilience and develop skills, characteristics, knowledge, and relationships that offset risk exposure and contribute to both short- and long-term positive outcomes." (U.S. Dept. of Health and Human Services, 2020, p.2)

### Protective Factors



Strengthening economic support for families



Changing social norms to support parents and positive parenting



Providing child care and education early in life



Enhancing parenting skills to promote healthy child development



Intervene to lessen harms and prevent future risk

(Fortson et al.,2016)

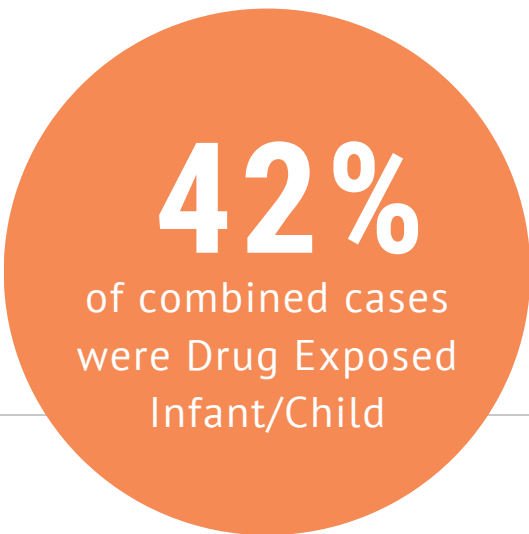
US Department of Health and Human Services. (2020). Protective factors approaches in child welfare. Child Welfare Information Gateway, March. Retrieved from: [https://www.childwelfare.gov/pubpdfs/protective\\_factors.pdf](https://www.childwelfare.gov/pubpdfs/protective_factors.pdf)

Fortson, B. L., Klevens, J., Merrick, M. T., Gilbert, L. K., & Alexander, S. P. (2016). Preventing child abuse and neglect: A technical package for policy, norm, and programmatic activities. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

# 2020-2021 CASE DATA



The Department of Children's Services reported 569 children experienced a second or subsequent incident of severe child abuse in FY 2021.



80

60

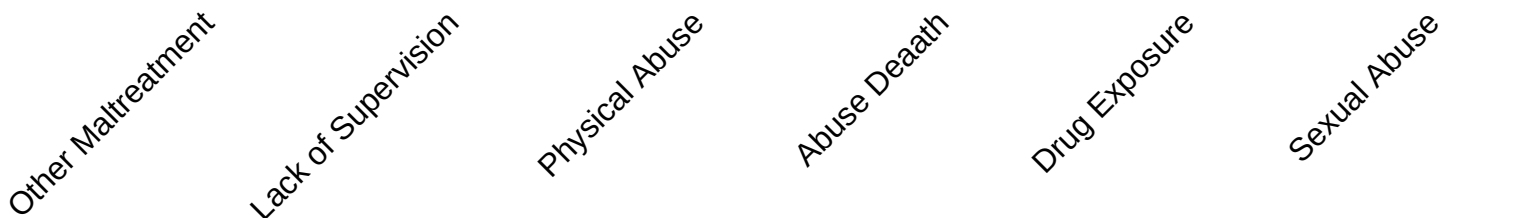
40

20

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## TYPES OF MALTREATMENT

For FY 2021 (second instance only):





# Findings

## Safety of Placements, Criminal Court, & Community Concerns

In several cases, members noted that a child was returned to their parents when the parents were only partially compliant with their permanency plan or had not yet completed the required services.

Members continue to see the need for additional post-placement support to caregivers including daycare vouchers when needed and training similar to foster care parent training for noncustodial placements.

SLC noted the need to reassess the safety of the child when the caregiver's, alleged perpetrator's or child's circumstances change.

The decision to not prosecute child abuse was discussed in several cases. SLC members discussed the need for additional resources including personnel dedicated to prosecuting child abuse.

Individuals continue to fail to report child abuse without consequence.

SLC members continue to see the need for birth control education, particularly long-acting reversible contraception.

# Recommendations

## Safety of Placements, Criminal Court, & Community Concerns

The SLC recommends expanding the requirement of clear and convincing evidence of a safe home in all adjudicated cases of abuse or neglect.

Similar to recommendations in the last two annual reports, members recommend child abuse prevention stakeholders utilize community resources to connect relative caregivers and foster caregivers with adequate support.

Several states have policies in place requiring a safety assessment to be re-conducted as circumstances in the child's life change. Members recommend amending current DCS protocol to require, rather than permit, a safety assessment be re-conducted when circumstances change. Reassessing safety in light of changing circumstances is necessary to ensure children remain in a safe environment and their needs are sufficiently met.

Each county, or at least each judicial district, should have an ADA dedicated to handling cases involving crimes against children. Additionally, the General Assembly should form a committee to research what additional resources DAs may need to appropriately address crimes against children.

SLC supports the ongoing collaboration between the District Attorney's Conference, Child Advocacy Centers and Administrative Office of the Courts to modernize data collection.

Tennessee already has one of the strongest mandatory reporting laws in the nation. Members noted the need is not to strengthen the statute, but rather to strengthen public participation and knowledge regarding their duty to report. SLC members recommend a public awareness campaign aimed at preventing abuse and educating the public on the importance of ensuring children's safety by making reports when the child might be in a dangerous situation.

Tennessee needs to continue to educate families about the use of long-acting reversible contraception.

# Findings

## Multi-Disciplinary Investigations & CPIT Review Concerns

In one case, the final autopsy report was completed approximately 15 months after the child died. There have been several cases reviewed by the SLC over the years that the autopsy has taken a substantial period of time to complete.

SLC members noted limited interaction with the father in a matter.

SLC noted the need for increased communication between child abuse prevention stakeholders and the importance of multi-disciplinary investigations.

Members thought an investigation should have been substantiated by CPIT despite the absence of an interview with the alleged perpetrator.

Due to the variety of professionals that play a critical role in child abuse cases, members noted the need for expanded and ongoing training to ensure all parties consistently implement best practices.

In a child sexual abuse case, the child received a medical examination at a public facility as opposed to an examination by a Child Advocacy Center.

In an Abuse Death case, DCS and law enforcement didn't seem to understand the severity of the child's medical condition. SLC questioned whether a parent should have been charged criminally in an Abuse Death case when the parent failed to make medically responsible decisions to address the child's known condition.

SLC questioned whether a termination of parental rights petition should have been filed in an abuse death case to protect the other children involved.

# Recommendations

## Multi-Disciplinary Investigations & CPIT Review Concerns

When a mother states a father is not a part of the child's life, child abuse prevention stakeholders should ask additional questions to better ascertain what the mother means. Tennessee may be missing an opportunity to provide a safe, stable nurturing environment for the subject child.

SLC members recommend DCS and law enforcement do joint investigations for allegations of severe abuse.

Members recommended training to reiterate that unsubstantiated does not necessarily mean abuse didn't happen, but the available information did not meet the standard of proof, a preponderance of the evidence.

Members recommend individuals investigating child abuse or participating in CPIT receive additional ongoing training. SLC also noted opportunities for investigation training, court training and judiciary training.

Members recommend updating the CPIT statute to require a medical examiner or appropriately credentialed medical provider participate in CPIT reviews of child death cases.

As cases move through often lengthy criminal court proceedings, ensuring the child's safety and placement stability remain of the utmost importance after such a traumatic event.

Children alleged to have experienced sexual abuse who do not require an emergency exam for evidence collection or medical symptoms should have medical exams conducted at the CAC or appropriately trained partner entity.

There are many factors to consider when determining a child's safety. The presence or absence of a positive urinary drug screen should not be the only factor considered. Ensuring a child's safety requires a total assessment of the situation and other contributing factors.

# COMPARING THE YEARS

We continue to evaluate the impact of the last two years on instances of maltreatment. The data below shows the percent change between FY19-21 and FY20-21, allowing us to see the change over one year (during the pandemic) and three years (pre- and post-pandemic).

## Second instance of maltreatment

	FY20-FY21 change	FY19-FY21 change
Abuse Death	+37.5%	+175.0%
Drug Exposed Child	+50.0%	-6.0%
Lack of Supervision	-18.8%	-25.7%
Medical Maltreatment	+66.7%	+150.0%
Physical Abuse	-49.4%	-27.8%
Psychological Harm	-40.0%	-70.0%
Sexual Abuse	-2.3%	+4.3%

## Combined instances of maltreatment

	FY20-FY21 change	FY19-FY21 change
Abandonment	-14.8%	-9.5%
Drug Exposed Infant	+34.0%	+11.67%
Drug Exposed Child	+4.1%	-4.3%
Drug Exposed Combined	+7.4%	-2.6%
Educational Neglect	-35.5%	-25.0%
Environmental Neglect	-7.0%	-16.7%
Lack of Supervision	-32.5%	-4.94%
Medical Maltreatment	+40.0%	-36.36%
Physical Abuse	-10.8%	-8.8%
Psychological Harm	+90.0%	+26.7%
Sexual Abuse	+11.7%	+21.0%
Substantial Risk of Physical Injury	-57.1%	-66.7%
Substantial Risk of Sexual Abuse	-50.0%	-25.0%

# WHY WE COMPARE THE YEARS

Comparing incidents of abuse and maltreatment by type over time helps reveal trends that may need to be addressed. As we are coming out of the pandemic, it is critical for child abuse prevention stakeholders to determine where we need to invest our resources to mitigate the negative impact of the last two years.

Comparing FY2020 to FY2021 allows us to see how instances of abuse have shifted during the pandemic. Among second instances of severe abuse we have seen a slight decrease in physical and sexual abuse.

We can use FY2019 as a pre-pandemic benchmark. Comparing FY2019 to FY2021, we can evaluate how the consequences of the pandemic have impacted Tennessee's most vulnerable children.

# ADDITIONAL OBSERVATIONS

- Continuity and appropriateness of services continued to be an opportunity for improvement.
- SLC members questioned when it is appropriate to request a hair follicle test in addition to or instead of a urine drug test.



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