A Research-to-Practice Summary: Factors predicting prosecution of child maltreatment cases

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ARTICLE:


SUMMARY:

Purpose:
Purpose – to expand on existing literature in identifying case characteristics affecting the prosecution of child abuse

Design:
Data came from five sources:
  1. Electronic court records (2005-2013)
  2. Child Protective Services records
  3. Court files
  4. Birth records
  5. Geolytics

Ratio was calculated for number of cases with criminal child maltreatment charges/total CPS reports. Court records were then pulled from two counties with the highest ratio, two counties with the lowest ratio, and the four most populous counties. A total of 406 court records were included in analysis

Findings:
1. 40% of persons charged with child maltreatment were prosecuted for child maltreatment or another charge
2. 24.5% of those prosecuted were not convicted on any charge
3. 21% of those arrested were convicted of the child maltreatment charge
4. 39% of those arrested were also charged with a concurrent charge (11% of these were felonies)
5. There was physical evidence in only 18% of the arrests.
6. Two case characteristics significantly associated with being prosecuted:
   a. Presence of any concurrent non-child maltreatment charge
   b. Current felony non-child maltreatment charge
7. CPS factors significantly associated with a case being prosecuted:
   a. Prior CPS report more than 30 days prior to the arrest date
   b. CPS investigation or assessment for abuse within 30 days of the arrest date
8. QUOTE – “if the goal is not to prosecute and convict specifically for child maltreatment, but rather to incapacitate the offender under any charged offense, it is logical, as the data suggest, for a prosecutor to pursue cases with clearer burdens of proof that do not require the trauma of having a child testify” (p. 205)