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DCF plans \$10,000 fine for false reports – By
Shana Gruskin

Article: Palm Beach Post, April 21, 2003
DCF targets false hot-line calls – By Kathleen
Chapman



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DCF plans \$10,000 fine for false reports

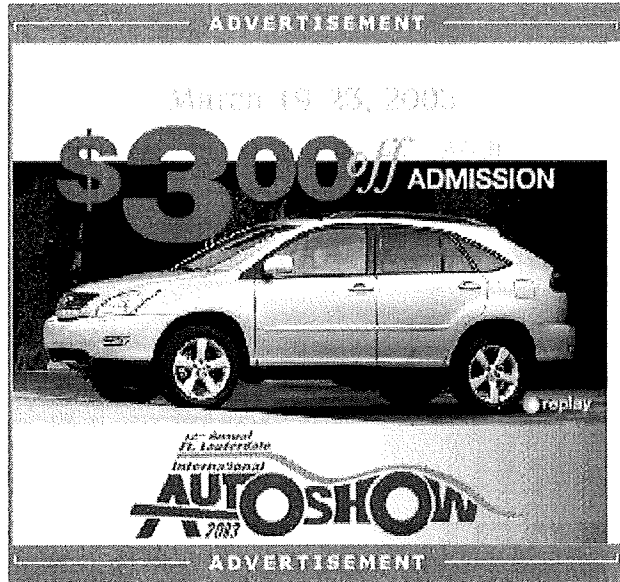
By Shana Gruskin

Staff Writer

Posted March 18 2003

Child-welfare officials in Palm Beach County are dusting off a state law and soon will begin slapping fines of up to \$10,000 on people who chronically make false reports to Florida's abuse hotline.

The tactic, which has been selectively used throughout the state, is one of a number of initiatives introduced by the Department of Children & Families' interim administration to relieve some of the burden on its overwhelmed investigators.



The expectation is that lower caseloads will lead to better investigations and fewer workers getting burned out.

So far, those goals have been elusive in Palm Beach County, where a persistent backlog of investigations open longer than 60 days and a number of high-profile child deaths have led to

constant turnover among workers. The problem has been so severe that new DCF Secretary Jerry Regier fired the district's top two administrators and temporarily replaced them with Vern Melvin and Alan Abramowitz.

"It's a morale issue for the protective investigators," Abramowitz, DCF's acting deputy district administrator, said Monday when he announced plans to go after false reporters. "We've got to let the PIs know their time is valuable."

So far, Child advocates appear to cautiously support the idea.

"Those folks who abuse the system and call in false reports, they're draining resources from those children who need protection," said Gerry Glynn, a child advocate and director of

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clinical programs at Barry University's School of Law in Orlando. "I have no problem with the department actively going after folks who are using the hotline to harass or abuse or do something to former spouses, neighbors, whomever," he said. "... The balance is, will it discourage people from reporting?"

Abramowitz said the department does not want to deter people from reporting suspected abuse. No one making a good-faith report, even if the investigator determines the allegations to be unfounded, will be pursued, he said.

Habitual false reporters, typically people involved in contentious custody fights with a spouse or ex-spouse, make up about 1 percent of all calls to state abuse hotlines, said Caren Kaplan, a child protection manager for the Child Welfare League of America.

The false reports tax the state's abuse hotline and local child abuse investigators, said Owen Roach, a DCF spokesman in Tallahassee.

Abramowitz said he hopes once a chronic false reporter is identified, the department can discourage the behavior by sending a letter outlining the state statute. If that doesn't dissuade the person from making malicious allegations, the state can take administrative legal action and seek a fine up to \$10,000.

Besides putting an end to false reporting, DCF wants to gain much-needed control over its investigators' workload by implementing a handful of other policies.

First, the department hopes a pilot project, which allows 40 of the district's 88 investigators to dictate their notes by phone to an outside company, will save investigators hours of time formerly spent on data entry. The process would be similar to the way doctors dictate their medical notes.

After the dictation, the company would send the typed notes to the investigators' computers. The cost will be a penny a word. The department doesn't know what the total price will be.

DCF also has chosen 29 workers from other divisions of the state agency to work nights and weekends, helping investigators close cases more quickly by doing data entry and interviews. The workers will be paid overtime. The department has attracted interest from seven people in the community who have volunteered to assist investigators. Those people -- such as police officers or social workers with investigative experience -- now are undergoing background checks.

In addition, the department is placing liaisons in each juvenile judge's courtroom to represent investigators in court. This will investigate to put more of their energies into determining the safety of children on their caseloads. And the department is trying to do a quicker job of moving finished cases from investigators to family services counselors. That also will save investigators time, because they no longer will be the ones responsible for visiting a

child and making sure a troubled family is getting the help it needs.

Lastly, Abramowitz said, he is sending out daily affirmations to his staff by e-mail to encourage them.

"I've been calling staff at random and telling them I value them," he said.

The new initiatives, and rejuvenation of old ideas, impressed John Walsh, a child-welfare lawyer who heads Palm Beach County's Foster Children's Project. Walsh, who represents abused and neglected children in court, has seen firsthand what happens the department doesn't support its investigators and protect the children under its watch.

"I like the idea that they're thinking outside the box," Walsh said. "... These little things will add up eventually and make the job a little more bearable."

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DCF targets false hot-line calls

By Kathleen Chapman, Palm Beach Post Staff Writer
Monday, April 21, 2003

WEST PALM BEACH -- A Palm Beach County woman opened a certified letter from the Department of Children and Families this month to learn she may have unwittingly committed a felony.

In intimidating legal language, the letter notified her that she was under investigation for making a false and malicious call to the state's child abuse hot line. It went on to warn that she could be fined as much as \$10,000 -- or spend five years in prison.

That letter is the first of several notifying Palm Beach County residents that DCF plans to begin enforcing a little-known law.

Though the letters will go only to a handful of the clearest offenders, DCF Deputy Administrator Alan Abramowitz hopes they will send a wider message that his workers' time cannot be wasted.

Child-abuse investigators have long seethed over false reports they know are designed to smear an ex-spouse, harass a neighbor or win a custody case. DCF leaders say such false alarms are putting a massive drain on state time and money. Even worse, they say, the calls put families through embarrassing ordeals, and burn up resources better focused on real cases of abuse.

DCF officials believe that between 5 percent and 15 percent of allegations are deliberately fabricated. But they have only pursued the false reporters in rare cases. Betty Robinson, spokeswoman for DCF in the Treasure Coast, said her agency has referred only a couple of cases to law enforcement in the last several years.



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State attorneys don't like to deal with false-reporting cases, which are difficult to investigate and nearly impossible to prove, Robinson said. In fiscal year 2000-01, the last year the state kept such data, 162 allegedly false reports were referred to law enforcement across Florida. Less than 30 were prosecuted.

Abramowitz is relying on an even more obscure law that allows the agency to levy fines without a criminal trial.

Most of the cases won't have to go that far, Abramowitz said. He dropped the case against the first woman this week after meeting with her and explaining why she should not have taken her complaint to DCF.

Stephen Zaharko, a supervisor of seven investigators in Delray Beach, said the false callers' targets are predictable: ex-wives, ex-boyfriends, ex-neighbors. Some reports from the middle of the night note that callers were slurring their words.

Many divorcing parents, angry about increased child support or cancelled visitations, go to DCF with the same allegations they used against a spouse in family court.

Those bogus calls are maddening to investigators, Zaharko said. Required by law to interview every child reported abused, they spend hours trying to track down multiple siblings. Then they guide the children through painful interviews, and in the worst cases, invasive physical examinations for sexual abuse. Then they spend another hour or two documenting their lack of findings.

"Every caseworker I've ever known has said: 'When is somebody going to do something about this?' " Zaharko said.

Over the years, Zaharko has referred many cases to the district's legal department, but rarely has seen anything done.

"They know if they go outside and pull a fire box, they are going to get arrested. They know if they call 911, they are going to get arrested. But they know they can do the same to DCF again and again and not get caught. That's the problem."

Abramowitz's initiative already has improved morale, Zaharko said.

Formerly an attorney for DCF in northwest Florida and the Orlando region, Abramowitz has started similar programs elsewhere.

DCF District 7, which includes Orlando and the Space Coast, has investigated 56 callers and sent 25 letters of intent to fine since Abramowitz helped start an initiative there in early 2001. Spokeswoman Yvonne Vassel said investigators there routinely refer suspected false

The Palm Beach Post

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callers and ask the agency lawyers to "get this person out of my life."

Abramowitz's former district in northwest Florida also has aggressively pursued false callers. Three Marion County teens were given community service for false reports of sexual abuse they called in last year.

But Abramowitz stresses that it is important to strike a balance, and never discourage well-intentioned callers. About 48 percent of all investigations statewide were closed last year with no indicators of abuse, and DCF officials say most of those were not malicious.

Some critics say cracking down on false and frivolous reports is futile as long as people are allowed to anonymously call the hot line. They point to statistics that show a higher percentage of anonymous reports -- 63 percent last year -- turn out to be unfounded.

But John Cooper, deputy director for the abuse hot line in Tallahassee, said anonymity helps callers who fear retribution. Some simply don't trust the agency to follow state laws that keep their names confidential, he said.

In the Orlando region, Vassel points to a recent case where a woman called to report a neighbor's boyfriend had been having sex with the neighbor's child.

When DCF investigated, they found no evidence of abuse, just a long history of injunctions, legal disputes and 911 calls involving the women.

DCF fined the caller \$1,000.

"She still hasn't paid up," Vassel said. "But it doesn't look like she has put in another report."

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