

Child Abuse Prevention and Treatment Act

Legislative Authority:

Child Abuse Prevention and Treatment Act, as amended

U.S. Code Citation:

42 USC 5101 **et seq**; 42 USC 5116 **et seq**

ACF Regulations:

45 CFR 1340

Summary of Legislative History:

The Child Abuse Prevention and Treatment Act (CAPTA) was originally enacted in P.L. 93-247. The law was completely rewritten in the Child Abuse Prevention, Adoption and Family Services Act of 1988 (P.L.100-294, 4/25/88). It was further amended by the Child Abuse Prevention Challenge Grants Reauthorization Act of 1989 (P.L. 101-126, 10/25/89) and the Drug Free School Amendments of 1989 (P.L. 101-226, 12/12/89).

The Community-Based Child Abuse and Neglect Prevention Grants program was originally authorized by sections 402 through 409 of the Continuing Appropriations Act for FY 1985 (P.L. 98-473, 10/12/84). The Child Abuse Prevention Challenge Grants Reauthorization Act of 1989 (P.L. 101-126) transferred this program to the Child Abuse Prevention and Treatment Act, as amended.

A new title III, Certain Preventive Services Regarding Children of Homeless Families or Families at Risk of Homelessness, was added to the Child Abuse and Neglect Prevention and Treatment Act by the Stewart B. McKinney Homeless Assistance Act Amendments of 1990 (P.L. 101-645, 11/29/90).

The Child Abuse Prevention and Treatment Act was amended and reauthorized by the Child Abuse, Domestic Violence, Adoption, and Family Services Act of 1992 (P.L. 102-295, 5/28/92) and amended by the Juvenile Justice and Delinquency Prevention Act Amendments of 1992 (P.L. 102-586, 11/4/92).

The Act was amended by the Older American Act Technical Amendments of 1993 (P.L. 103-171, 12/2/93) and the Human Services Amendments of 1994 (P.L. 103-252, 5/19/94).

CAPTA was further amended by the Child Abuse Prevention and Treatment Act Amendments of 1996 (P.L. 104-235, 10/3/96), which amended Title I, replaced the Title II Community-Based Family Resource Centers program with a new Community-Based Family Resource and Support Program and repealed Title III, Certain Preventive Services Regarding Children of Homeless Families or Families at Risk of Homelessness.

CHILD ABUSE PREVENTION AND TREATMENT ACT

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SEC. 1. SHORT TITLE.

This Act may be cited as the " Child Abuse Prevention and Treatment Act. "

SEC. 2. FINDINGS.

Congress finds that--

1. each year, close to 1,000,000 American children are victims of abuse and neglect;
2. many of these children and their families fail to receive adequate protection or treatment;

3. the problem of child abuse and neglect requires a comprehensive approach that--
 - A. integrates the work of social service, legal, health, mental health, education, and substance abuse agencies and organizations;
 - B. strengthens coordination among all levels of government, and with private agencies, civic, religious, and professional organizations, and individual volunteers;
 - C. emphasizes the need for abuse and neglect prevention, assessment, investigation, and treatment at the neighborhood level;
 - D. ensures properly trained and support staff with specialized knowledge, to carry out their child protection duties; and
 - E. is sensitive to ethnic and cultural diversity;
4. the failure to coordinate and comprehensively prevent and treat child abuse and neglect threatens the futures of thousands of children and results in a cost to the Nation of billions of dollars in tangible expenditures, as well as significant intangible costs;
5. all elements of American society have a shared responsibility in responding to this national child and family emergency;
6. substantial reductions in the prevalence and incidence of child abuse and neglect and the alleviation of its consequences are matters of the highest national priority;
7. national policy should strengthen families to prevent child abuse and neglect, provide support for intensive services to prevent the unnecessary removal of children from families, and promote the reunification of families if removal has taken place;
8. the child protection system should be comprehensive, child-centered, family-focused, and community-based, should incorporate all appropriate measures to prevent the occurrence or recurrence of child abuse and neglect, and should promote physical and psychological recovery and social re-integration in an environment that fosters the health, safety, self-respect, and dignity of the child;
9. because of the limited resources available in low-income communities, Federal aid for the child protection system should be distributed with due regard to the relative financial need of the communities;
10. the Federal government should assist States and communities with the fiscal, human, and technical resources necessary to develop and implement a successful and comprehensive child and family protection strategy;
11. the Federal government should provide leadership and assist communities in their child and family protection efforts by--
 - A. promoting coordinated planning among all levels of government;

- B. generating and sharing knowledge relevant to child and family protection, including the development of models for service delivery;
- C. strengthening the capacity of States to assist communities;
- D. allocating financial resources to assist States in implementing community plans;
- E. helping communities to carry out their child and family protection plans by promoting the competence of professional, paraprofessional, and volunteer resources; and
- F. providing leadership to end the abuse and neglect of the nation's children and youth.