

# MANDATORY REPORTING

## How do I report in my state?

Laws vary state by state - it may be child protective services, a department of family and child services of your county, or law enforcement. Generally, if the suspected offender is in the home with the child, it is better to contact child protective services.

**IF A CHILD IS IN IMMEDIATE DANGER CALL 911**

## What is a mandated reporter?

A mandated reporter is a person required by law to report reasonable suspicions of abuse. Check your state's reporting laws to determine if your profession is designated as a mandated reporter - some states require all citizens to report.

Regardless of the specific mandated reporter law, all adults should report suspected abuse to protect children.

**State laws require that you have reasonable suspicion that abuse is occurring. This means you do not need proof of sexual abuse to make a good faith report to authorities.**

## What is a "good faith" report?

A good faith report requires reasonable suspicion of abuse, including any of the following:

- you witnessed a pattern of boundary violations by an adult or youth.
- you intervened in boundary violations, and yet the person continues.
- you received a disclosure of abuse or boundary violations from a child.
- you see physical signs of sexual harm.

## When should I report?

State law will dictate how soon you are required to make the report. Some state laws specify that a report must be made immediately after you have reason to believe; some state laws specify within 24 or 48 hours.

## What information do I need to **MAKE A REPORT?**

### NECESSARY INFORMATION

- Child's name, address, and age
- Parents' name and address
- Nature of the abuse

### HELPFUL INFORMATION\*

- Perpetrator's name
- Details of the abuse

\*If the child does not readily supply this info, **DO NOT** continue to question or investigate. It could interfere later with the investigation.

### DID YOU KNOW?

You may add to your report or follow up on status with child protective services at any time.



**IMMEDIATELY REPORT SUSPICION, DISCOVERY, OR CHILD DISCLOSURE OF SEXUAL ABUSE**

## Who should report?

Most states require that the person who has reasonable suspicion be the one to make the report. Do not delegate this to someone else, even your supervisor.

## Am I liable if I make a report and it is not substantiated?

No. Those persons making a report in good faith are protected from liability.

## How do I follow up on my report?

You can ask to be told the outcome of your report, and what actions are being taken.

If you are not satisfied, you can ask to speak to a supervisor at child protective services or law enforcement. If you have new information later, you can request it be added to your report.

**After you have made the report, follow your organization's policy about who to notify.**

# MORE FREQUENTLY ASKED QUESTIONS

## Do I need proof to make a report?

Most state law indicates that a report should be made when there is reason to believe that a child has been abused, is being abused, or is in danger of being abused. You should make the report as soon as you have reason to believe or receive a disclosure. You do not need to have proof that abuse is occurring. Some state laws indicate “reasonable suspicion” as necessary for the report. Again, this means that you do not have to have proof - just knowledge to reasonably suspect abuse. Do not wait for proof or more information to make a report.

## Do I need to create a written report?

Sometimes after calling in you may also be asked to submit a written report. In addition to making the report to the appropriate authority, follow your employer’s procedures regarding notification to supervisors.

## What if a child is in immediate danger?

If you believe a child to be in danger, call law enforcement immediately and state that you believe the child to be in imminent danger.

## What information will I need to provide when making a report?

At a minimum, you will need to provide the name, address, age of the child, the name(s) and address(es) of the parents or guardians, and the nature of the abuse. The name of the perpetrator and the relationship to the child as well as any other details of the abuse are helpful, but if the child does not readily supply this information do not continue to question or investigate further. Law enforcement or child protective services will perform the investigation and you can add details to a report if they later become available. You are entitled to follow up at any point on a report to child protective services, which must provide you with current investigation status.

## Do I need to provide my name when making a report?

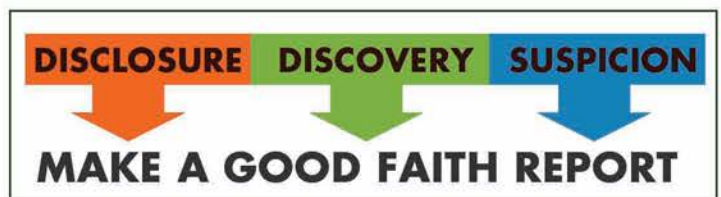
You do not need to provide your name unless you are a mandated reporter and required to do so by the law in your state; however in all cases mandated reporters contact information is confidential and protected by law. While anonymous reports are allowable, it is helpful to provide your name in the event that further information is needed.

## What are the penalties for not reporting?

A person who is required to report child abuse and who fails to do so has committed a crime. Penalties vary by state and can include fines and imprisonment.

## What if I think I don’t have enough information to make a report?

It is always best to err on the side of the child. The agency you are reporting to will help determine if there is enough information to proceed. If there is not, the report remains on file. If you receive additional information, you can always call back and add to the report. If additional reports are made for that same child, then sometimes multiple reports can lead to an investigation.



## Should I tell the parents of my report?

It is best not to contact parents about your suspicions before making a report. Doing so could result in retribution against the child, destruction of evidence, or fleeing of the perpetrator with or without the victim. Under some conditions, you may need to maintain open communication with the parent. When this happens, never accuse a parent of wrongdoing and explain that you are legally responsible to report.

## REFERENCES

**Mandatory Reporter Laws, by State:**

<http://1.usa.gov/1UdFJDj>

**Penalties for Failure to Report, by State:**

<http://1.usa.gov/1PlunNM>