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# Reporting Child Abuse and Neglect

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**P**rotecting children from abuse and neglect is a community responsibility. Most adults want to help children and their families, but are unsure how to get involved. Often, it can be as simple as helping out a neighbor who needs a break by watching his or her child for a few hours. At other times, you may have more serious worries or suspicions that a child may have already been harmed or neglected. Figuring out next steps can be a difficult and confusing process. What is most important is to not let discomfort and confusion interfere with helping children be safe, even if you must reach out to others for professional help.

In most states, professionals who work with children in any capacity are identified as “mandated reporters” and are required by law to report suspected child abuse or neglect. Approximately 18 states define mandated reporters more broadly to include any citizen who suspects that a child is being abused or neglected.

No matter your state laws, learning the appropriate ways to respond to suspected maltreatment and becoming an informed and involved community member are important first steps toward protecting children. Remember, it is the responsibility of all individuals and community members — not just mandated reporters — to respond to the suspected maltreatment of any child. Trust your instincts. Just as we all know to call 911 in a medical emergency, we need to have an action plan for times when we suspect children are being abused or neglected.

## Why Don't Some People Report Child Abuse and Neglect?

Among the most frequently identified reasons for not reporting are lack of knowledge about child abuse and neglect and lack of familiarity with state reporting laws. Other reasons people don't report include:

- Choosing instead to effectively intervene independent of the formal system.
- Fear or unwillingness to get involved.
- Fear that a report will make matters worse.
- Reluctance to risk angering the family.
- Concern that making a report will negatively impact an existing relationship with the child or others.
- Belief that someone else will speak up and do something.

Although these feelings are understandable and it can be frightening to respond to suspected child abuse and neglect, the consequences of *not* reporting your worries to child welfare professionals could be seriously detrimental to a child's safety. In some cases, they might even be life threatening. So don't be afraid to call and ask for help. Your call will help child welfare professionals determine the most appropriate response, including whether or not an assessment or investigation of the situation is needed and what further supports may be beneficial or necessary. A trained set of eyes on the situation may be the best response when other efforts have failed or the seriousness of a situation requires it. It is not your responsibility to investigate, it is your responsibility to be involved and contact appropriate professionals when you have heightened concerns. The safety of a child is at stake.

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### What Can You Do If You Believe a Child Is Being Abused or Neglected?

An excellent way to help improve a situation for a child and create connections within your community is to **become comfortable involving yourself in the lives of others**. Whether it is helping to alleviate stressful situations you see in public places, such as helping a parent with a small child get through the checkout line at the grocery store, or offering to listen to an acquaintance who seems aggravated with his or her children, your support in even the smallest ways can make a huge difference in preventing possible harm to children.

**Report your suspicions to your local child abuse or child protection hotline.** Again, everyone has the right and responsibility to report any incidence of suspected child abuse or neglect at any time. You do not need to have “evidence” or actual knowledge of abuse when you make a report; all you need is **reasonable cause, suspicion or belief based on your observations**. Information to support your concern may include your firsthand observations or beliefs, your professional training or experience, or statements made to you by the child or parent. The more specific and concrete information you can provide, the better.

It is also important for you to know that all states have laws that protect reporters from legal liability as long as reports are made in good faith.

### Whom Do You Call? Then What Happens?

To report suspected abuse or neglect, contact your local child welfare agency. Depending on where you live, this agency might be called Department of Social Services, Children and Family Services or Human Welfare. The contact number for your local child welfare agency can be found online at <http://www.childwelfare.gov/> If you feel that the child is

in an emergency situation, however, call 911 or your local law enforcement agency immediately.

The person who responds to your call will ask you several questions in order to provide the assessment or investigative team with sufficient information. Keep in mind that you do not need to know all the answers to make a report; you just need to be as comprehensive, specific and clear as possible with what you do know. Questions you may be asked include:

- What is your relationship to the child?
- What is the child’s name, age and address? (If you don’t know the answers to this question, you can provide descriptive information that will enable investigators to locate the child.)
- What is the suspected abuser’s name, relationship to the child and address or license plate number?
- What are the names, address(es) and telephone number(s) of the child’s parents?
- Can you describe the type of abuse you suspect, when it occurred and/or your reasons for suspecting abuse?
- What is the current location of the child?
- What is your assessment of the child’s current level of safety?
- What can you tell us about the child’s siblings and any related safety concerns?
- What are the names, addresses and telephone numbers of other witnesses?
- Are you aware of any previous situations of abuse or neglect and/or the family’s involvement with the child welfare system?

Although anonymous reports can be made in every state, child welfare agencies generally discourage anonymity for many reasons. First, knowing the identity of the reporter can help the child welfare worker gather information during the investigative process to ensure the child’s safety. Second, if the

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case goes to trial, the child welfare worker may need to rely on the reporter to be a crucial evidentiary witness.

Unfortunately, many child welfare agencies are severely underfunded and understaffed. Typically, reports of child abuse and neglect are prioritized based on whether the child is in immediate risk or danger. Be patient. You may have to call more than once. If you do, make sure you let the agency know that it is not your first time making a report on the family in question.

### Who Investigates Complaints of Child Abuse and Neglect?

The state or county agency that provides child protective services has the legal authority and obligation to assess, investigate and evaluate reports of child abuse and neglect and to provide services when needed. During the early investigation stage, child welfare workers are responsible for determining:

- Whether abuse or neglect has likely occurred;
- Whether there is immediate danger or risk to the child;
- What the motivation, capacity and intent of the alleged perpetrator is; and
- What the ability of a non-offending caregiver is to protect the child in the immediate future.

If the child is in immediate danger, the child welfare worker may place him or her under emergency protective services, which may include in-home support and supervision or the temporary removal of the child to a safe alternative environment (e.g., with other family members or in foster care). If the child is removed from the home under these circumstances, the court and family must be notified and

an emergency/temporary custody review hearing must be held, typically within 48 to 72 hours.

If the child welfare worker determines that there are safety concerns -- yet it is safe to leave the child in the home -- the worker is responsible for creating a plan to keep the child safe in that environment and for organizing or providing any needed support for the child and the family. Support may come from a variety of sources, including extended family, local community organizations and child protective services.

### What Happens to the Child and Family If a Report Is Substantiated?

After a more comprehensive assessment, the child welfare worker must determine whether abuse or neglect occurred. If the allegations of abuse or neglect are substantiated, the child protection agency and/or courts will evaluate the case and determine what level of intervention is necessary. Interventions are dependent on the severity of the circumstances and may include voluntary assistance and services, court-ordered supervision and services, out-of-home placement and -- as a last and complicated intervention -- termination of parental rights.

If a court orders the child to be removed from the home and placed under the supervision of the child welfare agency, two important federal laws come to bear. Both the Adoption and Safe Families Act of 1997 (P. L. 105-89) and the Adoption Assistance and Child Welfare Act of 1980 (P. L. 96-272) legally mandate child welfare workers to make "reasonable efforts" to reunite the family whenever possible and establish timeframes for achieving this goal or another permanency solution. If, after a thorough investigation, it is determined that the child is in need of substitute care, the child may go to live with other relatives ("kinship care") or in an alternate care arrangement (e.g., foster care). The child would

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remain in this placement arrangement until it is determined that the child is no longer in danger in the home or until services can be provided for the child and family to ensure the child's safety.

In some cases, it is necessary for law enforcement to file criminal child abuse charges, depending on the nature and severity of the abuse or neglect. The range of legal penalties for child maltreatment varies from therapy for the perpetrator to incarceration.

### Will You Be Able to Find Out What Happens to the Child?

One difficult conflict arises with the reporter's desire or need to know the outcome of the report, versus the family's right to privacy and confidentiality. Usually, if you are a family friend, neighbor or relative, and not part of the child welfare professional community, you will not receive detailed information about the report.

The child welfare agency may let you know whether the circumstances have been evaluated and whether the case has been opened for further investigation. Many times, however, child welfare agencies are overburdened with high caseloads and too many time demands, and therefore are unable to contact you with information regarding whether the allegations were substantiated. You may request information regarding the status of your report if the agency does not provide it voluntarily.

In some states, professionals who are mandated to report are provided greater detail due to their continued legal obligation, their role in assisting or treating the child and their ability to monitor conditions that might further endanger the child. Thus, most state laws entitle mandated reporters to be informed of the findings of the investigation and the services being provided to protect the child.

### What Happens If You Report and the Case Is Unsubstantiated?

While only a small percentage of reports turn out to be deliberately false, some cases become classified as "unsubstantiated," which means there was not sufficient information regarding the allegation or the identity of the family to confirm abuse or neglect based on the state's legal criteria. Some cases are classified as unsubstantiated if no court action was taken and voluntary services were provided to the child. Criteria for substantiation vary among states because there is no uniform national system for case reporting.

Finally, on behalf of children everywhere, thank you for caring!

### Resources

Children, Youth, & Families Department, Child Care Services Bureau. (1998). *Reporting child abuse — It's everyone's responsibility*. South Deerfield, MA: Channing L. Bete Co., Inc.

Tondrowski, J. (in press). The legal framework for child protective services. In C. Brittain & D. E. Hunt (Eds.), *Helping in child protective services: A competencybased casework handbook*. New York: Oxford University Press.

1. *State laws regarding child abuse reporting vary and are revised continually. Contact your local child protective agency for information about the laws in your state.*
2. *Timeframes for an emergency or temporary custody review hearing are established by law. Contact your local child protective agency for information about the laws in your state.*