Mandatory Reporting
Learning your legal obligations to reporting the signs of suspected child abuse
Overview

- History and Mission of the Alabama Department of Child Abuse and Neglect Prevention (ADCANP) & Prevent Child Abuse Alabama (PCAA)
- Define and identify the signs of suspected child abuse and neglect
- Role of a Mandatory Reporter
- Impact of Abuse
- Prevention of Abuse
- Questions
History

- The Martin-Aldridge Child Abuse and Neglect Prevention Act adopted by Legislature in 1983
- Established the Department of Child Abuse and Neglect Prevention “The Children’s Trust Fund”
Community-Based Child Abuse Prevention Programs

- Parent Education & Support
- Fatherhood
- Home Visitation
- Community Awareness
- Respite Care
- School based
- Non-school based after school
- Mentoring
Department of Child Abuse & Neglect Prevention

- Community-Based Prevention Programs
- Public Policy Advocacy
- Public Education
- Network of Grantees
- Affiliated with National Organizations
  - National Alliance of Children’s Trust & Prevention Funds
  - Prevent Child Abuse America
What is a Mandatory Reporter?

Any person whose profession brings them in contact with children on a daily basis is legally obligated to report signs of suspected child abuse or neglect.

- Employees at hospitals, clinics and sanitariums
- Social Workers
- Child Care Employees
- Clergy
- School Teachers/Officials
- Dentists
- Law Enforcement
- Peace Officers
- Mental Health Professionals
- Pharmacists
- Nurses
- Podiatrists
- Chiropractors
- Optometrists
- Osteopaths
- Coroners
- Medical Examiners
- Surgeons
- Physician
- Doctors
Added to Mandatory Reporter Law

- Physical Therapists
- Public and private K-12 Employees
- Employees of public and private institutions of postsecondary and higher education
Other Changes to Mandatory Reporter Law

- The statement “or cause reports to be made of the same” has been eliminated from the law.
- It is the responsibility of the mandatory reporter to make the report and follow up with a written report to the county DHR.
What is Child Abuse?

Harm or threatened harm to a child’s health or welfare which can occur through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse, sexual exploitation or attempted sexual exploitation.
Different Types of Child Abuse

- Physical
- Sexual
- Emotional
- Neglect/ Failure to thrive
Physical Abuse

Abuse means harm or threatened harm to the health or welfare of a child through:

- Non-accidental physical injury
- Sexual abuse or attempted sexual abuse
- Sexual exploitation or attempted sexual exploitation
- Hitting
- Kicking
- Biting
- Burning
- Pushing
- Shaking
- Any other physical act that can cause injury to a child

Citation: Ala. Code § 26-14-1(1)
Signs to Look for with Physical Abuse

- Bruises
- Marks in the shape of an object
- Unexplained bruises, burns or cuts
- Fear of adults
- Destructiveness toward self or others
- Poor social skills
- Aggression
- Defiance
- Clothing that may be inappropriate
Sexual Abuse

- **Sexual abuse** includes:
  - The employment, use, persuasion, inducement, enticement, or coercion of any child to engage in or having a child assist any other person to engage in any sexually explicit conduct
  - Any simulation of the conduct for the purpose of producing any visual depiction of the conduct
  - The rape, molestation, prostitution, or other form of sexual exploitation of children
  - Incest with children

  **Citation:** Ala. Code § 26-14-1(1)

- **Sexual exploitation** includes:
  - Allowing, permitting, or encouraging a child to engage in prostitution
  - Allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes

  **Citation:** Ala. Code § 26-14-1(1)
Signs to Look for with Sexual Abuse

- Inappropriate displays of affection
- Unusual interest in or inappropriate sexual knowledge
- Over-compliance
- Pain during urination
- Difficulty walking or sitting
- Frequent vomiting
- Wetting pants
Emotional Abuse

- Emotional Abuse includes non-accidental mental injury.
  - Belittling
  - Terrorizing
  - Lack of nurture
  - Rejecting
  - Inconsistent parenting
  - Violent environment

Citation: Ala. Code § 26-14-1(1)
Signs to Look for with Emotional Abuse

- Depression or withdrawal
- Lack of emotion
- Lack of interest
- Speech, sleep or eating disorders
- Repetitive actions, such as rocking, sucking or biting
- Increased emotional needs
Neglect

*Neglect* means negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.

Citation: Ala. Code § 26-14-1(1)

- Physical neglect
- Educational neglect
- Emotional neglect
Signs to Look for with Neglect

- Clothing that is dirty, torn, poorly fitting or inappropriate for the weather
- Sleepiness
- Poor hygiene
- Untreated medical or dental problems
- Inappropriate responsibility for younger siblings
- Frequent tardiness or absences from school
- Apparent lack of supervision
A Child’s Basic Needs

- Nutrition
- Sleep
- Shelter
- Cleanliness
- Medical care
- Safety
- Supervision
- Socialization
If you suspect abuse, what should you do?

- Trust your instincts
- Take notes
- Look at the facts
- Make a report using form: DHR-FCS-1593 available at your county DHR office or available online.

STATE OF ALABAMA DEPARTMENT OF HUMAN RESOURCES

WRITTEN REPORT OF SUSPECTED CHILD ABUSE/NEGLECT

Please print or type all known information. The Child Abuse/Neglect Reporting Law and instructions are explained on the back of this form.

SECTION I - CHILDREN ALLEGEDLY ABUSED OR NEGLECTED

<table>
<thead>
<tr>
<th>NAME (First, Middle Initial, Last)</th>
<th>SEX</th>
<th>ETHNICITY</th>
<th>DATE OF BIRTH/AGE</th>
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ADDRESS

Street Address | City | State | Zip | Telephone Number

SECTION II - OTHER PERSONS LIVING WITH THE CHILDREN (Include parents/custodians and other children in the home)

<table>
<thead>
<tr>
<th>NAME (First, Middle Initial, Last)</th>
<th>DATE OF BIRTH / AGE</th>
<th>ETHNICITY</th>
<th>RELATIONSHIP TO THE CHILDREN</th>
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SECTION III - PERSON(S) ALLEGEDLY RESPONSIBLE FOR THE ABUSE OR NEGLECT

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<th>NAME (First, Middle Initial, Last)</th>
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Street Address | City | State | Zip | Telephone Number | Relationship To Children Allegedly Abused/Neglected

SECTION IV - ABUSE OR NEGLECT ALLEGATIONS (Describe what happened, how it affected the children, and the date(s) occurred, if known.)


Did you see the abuse or neglect when it occurred?  [ ] Yes  [ ] No  If no, how did you find out about it?

Please identify other people who witnessed the abuse/neglect or who may have information about the child’s or family’s situation.

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship to Children</th>
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SECTION V - OTHER PERTINENT INFORMATION

SECTION VI - REPORTER

Name | Address | Telephone Number | Title/Agency/Relationship To Child |
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Did you verbally report the allegations to the Department of Human Resources or law enforcement?  [ ] Yes (specify to whom in section below)  [ ] No

Name | Name of County DHR, Police Department, or Sheriff’s Department | Date Reported
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Signature | Date
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For DHR Use Only

County | Case # | Date Report Received
|-------|--------|----------------------|

DHR-FCS-1591 (September 2002)
What is your liability?

All persons reporting suspected child abuse or neglect (whether required by law or not) are presumed to be acting in good faith. Alabama law provides immunity from liability for actions by mandatory reporters.

Citation: Ala. Code § 26-14-9

It is not necessary to prove that the abuse or neglect happened. You must have a reasonable suspicion.
Is your job protected?

“A public or private employer who discharges, suspends, disciplines, or penalizes an employee solely for reporting suspected child abuse or neglect ... shall be guilty of a Class C misdemeanor”

Citation: Ala. Code § 26-14-3(g)
How to File a Report

- Phone the Alabama Department of Human Resources (DHR) in your county
  - Montgomery (334) 293-3305
  - Birmingham
  - Mobile
  - Huntsville

Reports can also go to the DHR State Family Services Division (334) 242-9500

If a life-threatening situation exists - DIAL 911
What information should you include in a Report?

- Child’s name & location
- Names & addresses of parents or guardians
- Type and extent of child’s injuries
- Information about previous injury that might be related
- Your name and the name of organization, school or agency
- Name of person or persons responsible for the abuse
Penalties for Failure to Report

“Any person who shall knowingly fail to make the report required by this chapter shall be guilty of a misdemeanor and shall be punished by a sentence of not more than 6 months’ imprisonment or a fine not more than $500.00.”

Citation: Ala. Code § 26-14-13
How Common is Child Abuse & Neglect Nationally?*

- 3.7 million reports of child abuse or neglect were reported in 2011
  - Approximately 6 complaints per minute per day
- 681,000 children classified as being maltreated
- 1,750 children died in the United States in 2011 from abuse & neglect
- 14.3% of children experience some form of maltreatment

*Centers for Disease Control & Prevention
Alabama’s Kids

- Alabama is ranked 44th in the nation based on 10 key indicators of child well-being

  - Low-birth weight babies
  - Infant mortality rate
  - Child death rate
  - Teen death rate
  - Teen birth rate
  - High school drop out rate
  - Teens not attending school & not working
  - Children living in families where no parent has a full time/year round job
  - Children in poverty
  - Children in single parent families

Source: Alabama Kids Count 2013 Data Book
The Alabama Story

- 9,824 cases (2012)
- 39%  Neglect
- 49%  Physical Abuse
- .5%  Psychological Abuse
- 22%  Sexual Abuse

Most indicated abuse victims in Alabama are under the age of four.
Long term effects of child abuse

- Learning disorders or speech deficits
- Dropping out of school
- Sexually transmitted diseases
- Teenage pregnancy
- Substance abuse
- Unemployment
- Crime and violence
- Brain damage
- Suicide
- Depression, anxiety or low self-esteem
Risk Factors for Abuse

- Living at or below the poverty level
- Lack of high school diploma
- Mental Illness
- Abuse during childhood
- Lack of knowledge of effective parenting techniques
- Lack of understanding child development
- Substance abuse
- Past unplanned or premarital pregnancy
- Abuse from their partner
- Unemployment
Community Action and Prevention

- Promote community awareness
- Educate parents
- Educate children
- Provide role models and dependable child care
- Work with community leaders
- Support special programs
- Support children’s legal rights
What Child Maltreatment Means to Society

- Annual cost of child abuse and neglect is $124 Billion
- A child who is abused or neglected is 59% more likely to be arrested as a juvenile than other children
- An estimated one-third of abused and neglected children will eventually victimize their own children
The Cost of Child Abuse vs. Child Abuse Prevention in Alabama

- **Direct Costs** $392,131,895
  - Hospitalization Bills
  - Chronic Health Problems
  - Mental Health Treatment
  - Use of Child Welfare System
  - Judicial System Cost for Prosecution

- **Indirect Costs** $128,771,935
  - Special Education Costs
  - Juvenile Delinquency
  - Lost Productivity to Society (including mortality and unemployment)
  - Adult Criminality

- **Total** $520,800,290

Source: CBER, University of Alabama Study 2007

- **CTF Budget for Prevention in 2014-2015** $7,004,104
“Confronting the child abuse crisis is costly. Ignoring the direct and indirect expenditures associated with attempts to resolve the social problem will not make the task less costly nor will it result in the most efficient practice choices.”

Dr. Deborah Daro
Senior Research Fellow
Chapin Hall at the University of Chicago
Contact Information

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Executive Director
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334.262.2951

Prevent Child Abuse America
www.preventchildabuse.org

National Alliance of Children’s Trust & Prevention Funds
www.ctf.alliance.org