



## REPORTING CHILD ABUSE OR NEGLECT

### THE LAW

Every state in the United States has child abuse and neglect reporting law requiring that adults report suspected or alleged abuse, neglect, or maltreatment of a child. In many states, *every adult* is a mandated reporter. Other states list those adults who are required to report – usually by profession or licensure. Every ministry should strive to be *proactive* in issues related to child protection.

Regardless of whether your state statute lists *all adults* as mandated reporters, the best practice for ministries is to require *all adults who wear your nametag* (as volunteers or employees) to report suspicions of abuse or neglect to the appropriate child protection or law enforcement authorities (i.e. 911). Legal requirements that require the report of *suspected* abuse or neglect are intentionally broad: **when in doubt, REPORT.**

### DETERMINING YOUR REPORTING AUTHORITY

BEFORE encountering an allegation or reportable event, ministry leaders should know when and to whom a report should be made. Accordingly, every ministry must research and understand the reporting process for its jurisdiction, and this information must be documented and disseminated to staff members and volunteers. If your ministry has multiple locations or campuses, this exercise must be completed for each location. If multiple locations are within the same county, it is likely that the entity to whom an organization should report will be the same.

#### Accessing State Reporting Laws

Start by accessing state reporting requirements as if you had information requiring a report. Using Madison, WI as an example, undertake an online search for '*child abuse reporting hotline Madison Wisconsin*'. The first search result lists a county (and tribe) contact map for reporting within the state of Wisconsin. Click on the interactive map for contact information for reporting in a specific county, including telephone numbers.

Call the provided number and confirm that you have reached the appropriate entity or agency for your location. Ask the representative to describe the information needed to complete a report, and the appropriate process for making a report. (Example: time frame requirements, written vs. oral reports, ability to make reports online, etc.)

This call should confirm *to whom* to report, *where* to report, *how* to report and *what* to report (e.g. content).

## **Document Your Findings**

After completing the process above, create a memo documenting your findings. This memo should include:

- the hotline telephone number to call when making a report;
- the web address or website, if an online reporting process is available\*;
- the process for reporting and required timelines (i.e., within 24 hours);
- a list of required or suggested information to be included in a report.

Note the name and position or title of the individual providing this information, and the date the information was provided. Update and confirm this information once each year, as reporting statutes are changing nationwide.

When completed, this memo, and all subsequent versions created yearly, should be forwarded to the Organization's administrative office. All employees and volunteers should be given a copy of the latest version of this memo to ensure that all staff members understand current reporting requirements and ministry reporting policy. Include internal reporting obligations and processes in this document.

## **Making a Report**

Include a reminder in the memo reminding the reporter to create an Incident Report. The Incident Report should include:

- the name of the reporter;
- the date, time and location of the report;
- the information reported;
- the person to whom the report was made, including title or position, and
- a file number or report confirmation number.

A copy of the Incident Report should be immediately forwarded to at least *three* ministry leaders named in the memo. Information included in the Incident Report should be brief, factual and straightforward, avoiding speculative statements or attribution of responsibility or fault.

## **Past Reportable Events- Historical Allegations**

It is possible that this exercise will bring to light past events that *should* have been reported. It is never too late to do the right thing: if it was reportable THEN, it should be reported NOW. Suspicions or allegations that *should* have been reported in the past **SHOULD BE REPORTED NOW**.

In the event a past reportable event arises, follow the process above and report to appropriate authorities. If the report relates to an individual who was a minor child when the allegation was communicated, but is now an adult, make the report to law enforcement (911 or the non-emergency contact for police). In general, the county and state where the abuse or neglect occurred is the appropriate locale to receive the report.

Again, once the report is completed, create an Incident Report and immediately forward the Report to three ministry leaders named in the memo or process above.

## REPORTING TO INSURANCE CARRIER

Some reportable events should be immediately reported, in writing, to the ministry's insurance carrier. When in doubt, seek [legal guidance](#).

**\*Web-based reports should not be utilized if a child is in immediate danger or experiencing ongoing harm.**

## ALTERNATIVE PROCESS

### Step-by-Step Guide to Locating Your State's Reporting Requirements

1. Go to [www.childwelfare.gov](http://www.childwelfare.gov).
2. Click 'State Resources' on the blue menu near the top of the page.
3. In the dropdown menu, click 'State Statutes'.
4. Select the state(s) you'd like to view.
5. Select any topic you'd like to view. Suggested topics include:
  - a. Clergy as Mandatory Reporters of Child Abuse and Neglect
  - b. Definitions of Child Abuse and Neglect
  - c. Immunity for Reporters of Child Abuse and Neglect
  - d. Making and Screening Reports of Child Abuse and Neglect
  - e. Mandatory Reporters of Child Abuse and Neglect\*
  - f. Penalties for Failure to Report and False Reporting of Child Abuse and Neglect

\*Tip: The word 'shall' means must (required by law) and the word 'may' means optional (not required by law). When identifying mandatory reporters, any individual that 'shall' report abuse or suspicions of abuse is considered a mandatory reporter and thus required *by law* to report.

Check this database semi-regularly (every 6 months) to ensure that your ministry's reporting procedures are current according to state law.

For questions related to interpreting and/or applying your state's reporting requirements, visit our [Legal Consultation](#) page to learn more (including legal fees) or schedule a telephone consultation with MinistrySafe legal professionals.