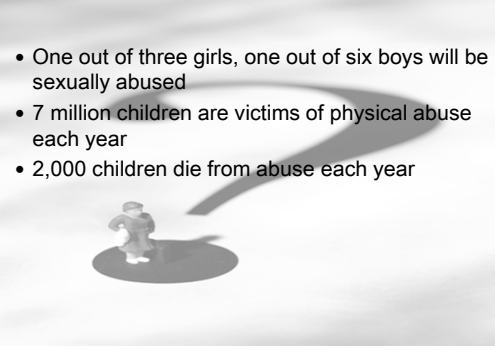


Mandated Reporter Training

Amy Russell, MEd, JD, NCC
Deputy Director
National Child Protection Training Center
amy.russell@ncptc.org
507/457-2893
www.ncptc.org


How Common is Child Abuse?

- One out of three girls, one out of six boys will be sexually abused
- 7 million children are victims of physical abuse each year
- 2,000 children die from abuse each year



Many Fail to Protect

- Many physically abused children are known to a number of adults
- Mandated reporters fail to report 60% of the cases where abuse is suspected



Will Reporting Do Any Good?

- Mandated reporting laws have reduced child abuse deaths by 50%
- 66% of all substantiated child abuse cases come from mandated reporters
- Child abuse rarely stops without intervention

What Can I Do to Help?

- Mandated reporter training
- Understand how kids disclose abuse
- Recognize behavioral and physical signs
- Help parents on the edge
- Teach that abuse is preventable
- Spread the word to co-workers

Child Protection System Overview



Federal Child Abuse Protection and Treatment Act (CAPTA, 1974; P.L. 93-247)

- Requires the states to:
 - Develop systems to receive and screen reports of maltreatment
 - Conduct investigations and make determinations
 - Provide services and interventions to keep children safe
- CAPTA was reauthorized on June 25, 2003, by the Keeping Children and Families Safe Act of 2003 (P.L. 108-36).

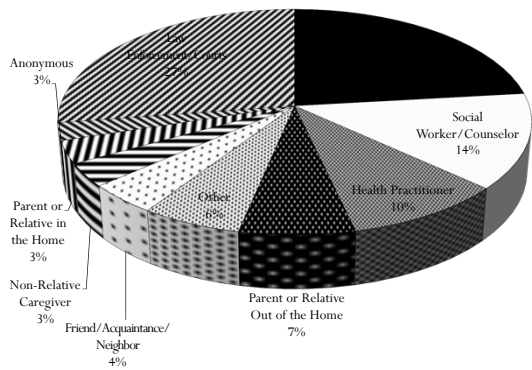
Maltreatment Types

- Neglect – 64.7%
- Physical Abuse – 32.2%
- Sexual Abuse – 10.2%
- Mental Injury – <0.05%


Percentages exceed 100% because report may have more than one type of maltreatment

Approximately 50% of referrals to CPS comes from schools and LE

Reporters of Child Maltreatment (2007)




Mandated Reporting



Mandated Reporting

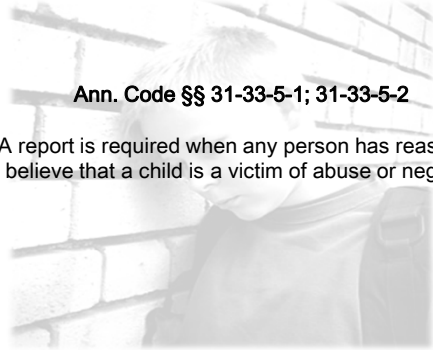
- Who must report?
- Why report?
- When should it be reported?
- Where should abuse be reported?
- What must be reported?



Mandated Reporters

- **Ann. Code § 31-33-5-2**
Mandatory reporters include any staff member of a medical or other public or private institution, school, facility, or agency.
- **Ann. Code § 31-33-5-1**
Any person who has reason to believe that a child is a victim of abuse or neglect must report.

What to Report



Ann. Code §§ 31-33-5-1; 31-33-5-2

A report is required when any person has reason to believe that a child is a victim of abuse or neglect.

Where to Report

• **Ann. Code §§ 31-33-5-1 to 31-33-5-4**

A mandated reporter who has reason to believe that a child is a victim of abuse or neglect shall immediately make an oral report to the Department of Child Services or a local law enforcement agency.

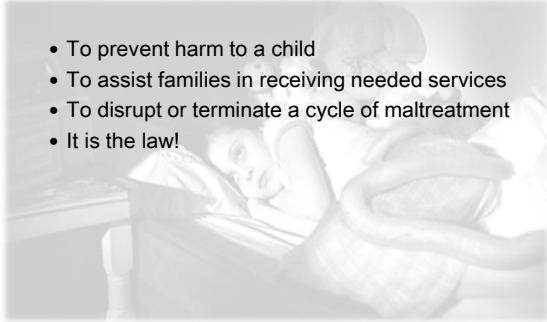
When to Report

• A report must be made immediately ...



Why Report?

- To prevent harm to a child
- To assist families in receiving needed services
- To disrupt or terminate a cycle of maltreatment
- It is the law!



What Info to Report?

- Name of offender if known
- Name of alleged victim
- Nature and extent of the maltreatment
- Name and address of the reporter (if mandated reporter)

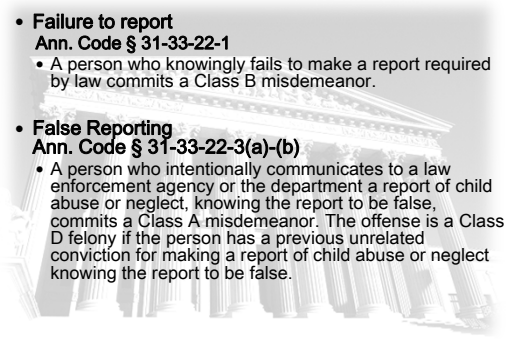


What Happens After a Report?

- Ann. Code §§ 31-33-7-1; 31-33-8-1; 31-33-8-7(a); 31-33-8-12(a)
 - The department shall arrange for receipt, on a 24-hour, 7-day per week basis, of all reports of suspected child abuse or neglect.
 - The department shall initiate an immediate and appropriately thorough child protection investigation of every report of known or suspected child abuse or neglect the department receives.

Failure to Report: Penalties & Protections

- **Failure to report**
Ann. Code § 31-33-22-1
 - A person who knowingly fails to make a report required by law commits a Class B misdemeanor.
- **False Reporting**
Ann. Code § 31-33-22-3(a)-(b)
 - A person who intentionally communicates to a law enforcement agency or the department a report of child abuse or neglect, knowing the report to be false, commits a Class A misdemeanor. The offense is a Class D felony if the person has a previous unrelated conviction for making a report of child abuse or neglect knowing the report to be false.



Physical Abuse



Definition: Physical Abuse

Physical abuse is any non-accidental injury to a child under the age of 18 by a parent or caretaker

Physical Abuse

- Physical injury
 - Mental injury
 - Dangerous actions
 - Threatened injury
- Physical abuse is most often thought of as an intentional action that results in an injury to the child, but also includes other actions which present dangerous level of risk of harm

Signs of Physical Abuse (CWIG, 2007)

- Consider the possibility of physical abuse when the child:
 - Has unexplained burns, bites, bruises, broken bones, or black eyes
 - Has fading bruises or other marks noticeable after an absence from school
 - Seems frightened of the parents and protests or cries when it is time to go home
 - Shrinks at the approach of adults
 - Reports injury by a parent or another adult caregiver

Signs of Physical Abuse (CWIG, 2007)

- Consider the possibility of physical abuse when the parent or other adult caregiver:
 - Offers conflicting, unconvincing, or no explanation for the child's injury
 - Describes the child as "evil," or in some other very negative way
 - Uses harsh physical discipline with the child
 - Has a history of abuse as a child

Physical Abuse

- Kids injure themselves (knees, arms, hands, etc)
- Injuries to back, inner thigh, genitals, behind ears are suspicious
- Pockets of missing hair is suspicious
- Does the explanation of the injury make sense?
- Is there an unusual and consistent pattern?





Physical Abuse

- Bruises on the buttocks indicate a lot of force
- Bruises are not always easy to detect (dark complexion)
- The head, genitals, stomach and vital organs are off limits
- Objects are more dangerous than an open hand
- A traditional spanking on the buttocks with an open hand that does not cause injury is not a crime

What Are the Risks of Spanking?

- Spankers more likely to use other forms of corporal punishment
- Aversive discipline more likely when parent is angry, depressed, fatigued, stressed
- 1003 Minnesota moms: 44% spanked most often when they had "lost it."



Sexual Abuse



Definition: Child Sexual Abuse

Sexual abuse is the subjection of a child to a criminal sexual act or threatened act by a person responsible for the child's care or by a person who has a significant relationship to the child or is in a position of authority.

Seven horizontal lines for notes.

Sexual Abuse Includes Abuse by...

- Person in a position of authority
 - Duty or responsible for health, welfare or supervision of child no matter how brief
- Person responsible for child's care inside family unity
 - Child care responsibilities
- Person responsible for child's care outside family unit
 - School or daycare employees, coach, etc.
- Person w/ significant relationship to child
 - Related by blood, marriage or adoption

Seven horizontal lines for notes.

Criminal Sexual Contact

- Penetration
 - Any intrusion into genital or anal opening for sexual gratification, including oral sex
- Sexual Contact
 - Touching of child's "intimate parts" or having child touch intimate parts of another on skin or clothes if w/ sexual or aggressive intent
- Degrees of CSC aggravated by use of force, threats or infliction of harm, age or vulnerability of child

Seven horizontal lines for notes.

CSA Also Includes:

- Violation of prostitution laws w/ minor
- Involving child in sexual performance
- Threatened sexual abuse includes:
 - Unsupervised exposure to untreated sex offender
 - Purposefully exposing private parts to child
 - Purposefully walking in on bathing or dressing child
 - Peeping on a child

CSA May Also Include ...

- Attempting to engage child in sexual activity by solicitation, request or force
- Unexplained injury to genitals suspicious of sexual abuse
- Purposefully exposing child to sexual activity
- Child diagnosed w/ sexually transmitted disease

History and Medical Evaluation

- Three components to consider:
 - History or child's statements
 - Behavioral assessment
 - Physical examination
- NOTE: Neither physical examination nor behavioral indicators should stand on their own; they can only support the history

Signs of Sexual Abuse (CWIG, 2007)

- Consider the possibility of sexual abuse when the child:
 - Has difficulty walking or sitting
 - Suddenly refuses to change for gym or to participate in physical activities
 - Reports nightmares or bedwetting
 - Experiences a sudden change in appetite
 - Demonstrates bizarre, sophisticated, or unusual sexual knowledge or behavior
 - Becomes pregnant or contracts a venereal disease, particularly if under age 14
 - Runs away
 - Reports sexual abuse by a parent or another adult caregiver

Signs of Sexual Abuse (CWIG, 2007)

- Consider the possibility of sexual abuse when the parent or other adult caregiver
 - Is unduly protective of the child or severely limits the child's contact with other children, especially of the opposite sex
 - Is secretive and isolated
 - Is jealous or controlling with family members

“Abnormal” Sexual Behavior

- Placing child's mouth on sex part
- Asking to engage in sex acts
- Masturbating with object
- Inserting objects in vagina/anus
- Imitating intercourse

“Abnormal” Sexual Behavior

- Making sexual sounds
- French kissing
- Undressing other people
- Asking to watch sexually explicit television
- Imitating sexual behavior with dolls

Neglect



Definition: Neglect

Neglect is the chronic failure of a parent or caretaker to provide a child under 18 with basic needs such as food, clothing, shelter, medical care, educational opportunity, protection and supervision.

Neglect

- Failure to provide basic care when reasonably able to do so
- Failure to protect child from conditions or actions that seriously endanger the child
 - Unsafe or unreliable caretaker
 - Involving child in criminal act that seriously endangers child
 - Ongoing abuse b/n siblings
 - DUI w/ child in vehicle if responsible for care

Neglect

- Medical
 - If substantially endangers child's health
- Prenatal exposure to controlled substances & alcohol
 - Reporting at birth or during pregnancy
- Supervision
 - Failure to provide for necessary supervision or child care arrangements

Supervision

- Leaving a child alone:
 - Under 8: should not be left alone
 - 8 – 10 YO: Up to 3 hours
 - 11 – 13 YO: Up to 12 hours
 - 14 – 15 YO: Up to 24 hours
 - 16 – 17 YO: Over 24 hours w/ emergency plan
- Babysitting
 - Children under 11 should not provide care
 - Children 11-17 YO: See above
- Modifying factors: age, vulnerability, maturity, disability, etc.

Neglect

- Education
 - Unexcused absences
- Food and clothing
 - If food, resulting in growth delay or malnutrition
 - Serious endangerment resulting from lack of clothing necessary for weather
- Shelter
 - Dangerous living conditions (weather or property or environmental conditions)

Signs of Neglect (CWIG, 2007)

- Consider the possibility of neglect when the child:
 - Is frequently absent from school
 - Begg or steals food or money
 - Lacks needed medical or dental care, immunizations, or glasses
 - Is consistently dirty and has severe body odor
 - Lacks sufficient clothing for the weather
 - Abuses alcohol or other drugs
 - States that there is no one at home to provide care

Signs of Neglect (CWIG, 2007)

- Consider the possibility of neglect when the parent or other adult caregiver:
 - Appears to be indifferent to the child
 - Seems apathetic or depressed
 - Behaves irrationally or in a bizarre manner
 - Is abusing alcohol or other drugs

Psychological Abuse

(Mental Injury)

Definition: Mental Injury

Mental injury is harm to the child's psychological capacity or emotional stability evidenced by an observable and substantial impairment of the child's functioning

Psychological Maltreatment Should Be Considered When:

- Lack of attachment between infant and parent
- Lack of responsiveness to environment
- Failure-to-thrive
- Parent is highly critical and negative toward the infant/child

Signs of Emotional Maltreatment

- Consider the possibility of emotional maltreatment when the child:
 - Shows extremes in behavior, such as overly compliant or demanding behavior, extreme passivity, or aggression
 - Is either inappropriately adult (parenting other children, for example) or inappropriately infantile (frequently rocking or head-banging, for example)
 - Is delayed in physical or emotional development
Has attempted suicide
 - Reports a lack of attachment to the parent

Signs of Emotional Maltreatment

- Consider the possibility of emotional maltreatment when the parent or other adult caregiver:
 - Constantly blames, belittles, or berates the child
 - Is unconcerned about the child and refuses to consider offers of help for the child's problems
 - Overtly rejects the child

Examples of Psychological Abuse

Maltreatment Type	Description
Ignoring	Failure to acknowledge child's presence or needs
Rejecting	Refusal to touch or show affection
Isolation	Prevention of "normal" interactions with others
Corrupting	Reinforcing or ignoring delinquent behavior

Examples of Psychological Abuse

Maltreatment Type	Description
Verbal assaults	Humiliating and threatening the child
Terrorizing	Threatening child with extreme or frightening punishments
Exploiting	Using child to fulfill caretaker's needs
Close confinement	Restricting a child's movement

The ABCs of Information-Gathering

The Child Sexual Abuse Accommodation Syndrome (Summit, 1983)

Helps us understand how children experience their abuse ...

- Secrecy
- Helplessness
- Entrapment and accommodation
- Delayed or unconvincing disclosure
- Retraction / recantation

Children Disclose in Several Ways

- Behaviors
- Emotions
- Language



Children's Disclosures – Language

- Direct Disclosure
- Indirect Hints
 - "I don't like it when my uncle Bill baby-sits me."
- Disguised Disclosure
 - "I have a friend who ..."
- Disclosure with Strings Attached
 - "If I tell you something, can you keep it a secret?"

- Disclosure of abuse is a process, not an event

The Information Gathering Process

Remember ABCDE-R

- Access private location
- Build rapport
- Concern identification
- Discuss the facts
- End respectfully
- Report the Abuse



Use the ABCDE-R Process When ...

- You know or have reason to believe that a child may be a victim of abuse or neglect.
- When a child has indicated that s/he is a victim of abuse or neglect.



The ABCDE-R Process

- Access Private Location
 - Utilize a comfortable, private environment
 - Minimize distractions
 - Let the child know s/he is not in trouble
 - Consider informed consent
- Build Rapport
 - Give the child your undivided attention
 - Provide unconditional acceptance

The ABCDE-R Process

- Concern Identification
 - Directly and openly state concern or observations
 - Encourage and allow the child to respond
 - Pay attention to verbal & nonverbal responses
- Discuss the Facts
 - Who, What, Where, When (if possible)
 - Avoid asking for additional details – listen if provided
 - Reflect child’s sentence structure and words
 - Provide reassurance as needed

The ABCDE-R Process

- End Respectfully
 - Ensure child's safety
 - Reassure the child that it was a good thing to tell
 - Let the child know what you will do
 - Ask if child has any questions
- Report to LE or CPS
 - "Know or have reason to believe"
 - Document immediately: use the child's words
 - Continue to document (if appropriate)

The ABCDE-R Process "Don'ts"

- DO NOT:
 - Notify the alleged perpetrator
 - Report to someone within your organization in lieu of your report to the authorities
 - Make a video or audio recording of your conversation
 - Disclose confidential information
 - Lie or make promises to the child
 - Pretend as though nothing has happened

Real-World Scenarios

Scenario #1

• Tony, age 16, has been seeing a therapist for a few months because he has issues with anger. Tony comes to one of his therapy sessions extremely upset. He explains that an adult male friend of the family took his younger brother to an amusement park yesterday but didn't take him. He is very angry that this man doesn't take him places anymore. When the therapist asks about the things they used to do together, Tony discloses that the man has touched his private parts several times.

- What obligations, if any, do you have under the mandatory reporter statute?
- What moral obligations, if any, do you have?

Scenario #2

• Mary, age 4, complains to her caretaker about stomach pains as soon as she arrives at day care. When the caretaker asks Mary to point to where it hurts, Mary pulls up her shirt and reveals bruises on her stomach and chest. The caretaker takes Mary out into the hallway for privacy and asks how she got the bruises. Mary responds, "I'm not supposed to tell," and begins crying uncontrollably. Mary refuses to respond to any additional questions.

- What obligations, if any, do you have under the mandatory reporter statute?
- What moral obligations, if any, do you have?

Scenario #3

• Noah, age 7, received several unsatisfactory marks on his report card. On the playground the next day, Noah told his teacher that his mother was mad and gave him a "whoopin" over his report card. The teacher asked if he hurt anywhere or had any bruises. Noah said no. The teacher observed no visible marks or bruises on Noah's exposed legs or arms. Noah explained that his mother whoops all the kids in the family with her hand, or sometimes with her bedroom slippers, when they're bad. Then he ran off to play with his friends.

- What obligations, if any, do you have under the mandatory reporter statute?
- What moral obligations, if any, do you have?

Scenario #4

• Carlos, a 4 month old male infant arrives at the emergency room with his parents and is suffering from significant head trauma and bleeding in the ear. The parents explain that they think the child fell off the couch and hit his head but they are not sure because they were sleeping in the other room. The 4-month-old was on the couch watching TV with his 6 year old sister. The parents said the 6 year old woke them up and told them that the boy fell off the couch. When the child would not stop crying they immediately took the child to the emergency room.

- What obligations, if any, do you have under the mandatory reporter statute?
- What moral obligations, if any, do you have?

Scenario #5

• Stephen, age 6, arrives at school on Tuesday after being absent the previous day. You have noticed that Stephen is often absent on Mondays. Stephen is usually shy, but today he appears especially distracted and withdrawn. You notice that Stephen is wearing a long-sleeve flannel shirt, although it's 80 degrees outside and the school has no air conditioning. When the final bell rings for recess, Stephen is just "hanging around." All the other children have gone outside to play. He typically loves to join in the fun at recess. You ask Stephen to roll up his sleeves and you notice linear bruising on his arms. Stephen tells you he fell down the stairs.

- What obligations, if any, do you have under the mandatory reporter statute?
- What moral obligations, if any, do you have?

Scenario #6

• You work for a private bus company and you are substituting for the kindergarten bus driver who is out sick. At the end of the day a five year old girl tells you the other bus driver, who wears shorts, sometimes has his privates showing when she gets on the bus in the morning.

- What obligations, if any, do you have under the mandatory reporter statute?
- What moral obligations, if any, do you have?

Scenario #7

- As an Early Childhood Special Education Teacher's volunteer unpaid assistant, you have a five year old boy in your class who is mildly autistic. He tells you that "daddy puts his pee-pee in my butthole." Your school's written policy states any suspicions of child abuse are to be reported to the principal. The policy also states that your obligations, under law, are fulfilled once you report to the principal.
- What obligations, if any, do you have under the mandatory reporter statute?
- What moral obligations, if any, do you have?

Scenario #8

- While at a block party in your neighborhood, you observe one of your neighbor's pre-school children has bruises on her inner thighs and behind her knees. When the child reaches up to get a brownie the back of her shirt raises up and you see bruises along her lower vertebrae. You ask how she got her "owies." Her mother interrupts you stating, "What are you going to do? Make mountains out of molehills?" and leaves with her child.
- What obligations, if any, do you have under the mandatory reporter statute?
- What moral obligations, if any, do you have?

Scenario #9

- You are a teenage girl and agree to baby-sit your aunt's kids when you walk in on your five-year-old niece and her six-year-old sister in a bedroom together. You observe the six year old performing cunnilingus on the five year old.
- What obligations, if any, do you have under the mandatory reporting law?
- What obligations, if any, do you have morally?

Scenario #10

- As a teacher on a field trip to a museum, you are chaperoning students from other classes in addition to your own class. A student from another class approaches you and tells you while she was alone in the restroom a museum employee grabbed her from behind and fondled her breasts.
- What are your obligations, if any, under the Mandatory Reporting Act?
- What are your moral obligations, if any?

Can moral obligations create a legal obligation for mandated reporters?

- Is there a “good Samaritan” statute that creates a legal obligation for all citizens, including mandated reporters?



**Good Samaritan Statute:
Minn. Stat. §604A.01**

Subd. 1, Duty to Assist. “A person at the scene of an emergency who knows that another person is exposed to or has suffered grave physical harm, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the person exposed. Reasonable assistance may include obtaining or attempting to obtain aid from law enforcement or medical personnel. A person who violates this subdivision is guilty of a petty misdemeanor.”

Resources

- Child Welfare Information Gateway – www.childwelfare.gov
- Childhelp® – www.childhelp.org/
- The Childhelp National Child Abuse Hotline – 800-4-A-CHILD
- National Center for Missing & Exploited Children – www.ncmec.org
- National Child Protection Training Center – www.ncptc.org
- Prevent Child Abuse America – www.preventchildabuse.org
- U.S. Department of Health and Human Services Administration for Children and Families – www.acf.hhs.gov

Question or Comments?