

Why Staff Fail to Report Suspected Child Abuse: Strategies to Ensure Consistent Reporting

Early Childhood Investigations

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Alan Guttman

Program Manager

Early Childhood and Special Education Initiatives

Center for Technology in Education

Johns Hopkins University

Overview

- ◆ Review of types of child abuse
- ◆ Who are mandated reporters
- ◆ Categories of mandated reporters
- ◆ Reasons for reporting suspected child abuse
- ◆ Why mandated reporters fail to report suspected child abuse
- ◆ Typical Concerns: Guided Role Play
- ◆ Anecdotal Cases

Types of Child Abuse

- ◆ **Physical Abuse**
- ◆ **Physical Neglect**
- ◆ **Sexual Abuse**
- ◆ **Emotional Maltreatment**

Types of Abuse Defined

- **PHYSICAL ABUSE**

Non-accidental physical injury

- **PHYSICAL NEGLECT**

Severe Malnutrition

Health and Safety of child put at risk

- **SEXUAL ABUSE**

Sexual assault or exploitation of minors

Chronic molestation or single incident

Exploitation related to pornography

- **EMOTIONAL MALTREATMENT**

Verbal assaults, belittling

Constant family discord



Physical Indicators of Abuse

Physical Abuse

- ◆ Burns (cigarette, rope, scalding water)
- ◆ Fractures, lacerations, bruises that cannot be explained
- ◆ Facial injuries (black eyes, broken jaw)
- ◆ Pattern of bruising (different stages of discoloration)

Neglect

- ◆ Failure to thrive
- ◆ Malnutrition
- ◆ Inappropriate dress for weather
- ◆ Dirty, unkempt
- ◆ Unattended medical conditions

Sexual Abuse

- ◆ Bruising around genital area
- ◆ Swelling or discharge from vagina or penis
- ◆ Visible lesions around mouth or genitals
- ◆ Painful urination, defecation

Behavioral Indicators of Abuse

Physical Abuse

- ◆ Hostile or aggressive behavior towards others
- ◆ Extreme fear or withdrawn behavior
- ◆ Self destructive behavior / Verbally abusive

Neglect

- ◆ Clingy or indiscriminate attachment
- ◆ Isolates self
- ◆ Seems depressed or passive

Sexual Abuse

- ◆ Sexualized behavior (knowledge of explicit sexual behavior)
- ◆ Self destructive
- ◆ Eating disorders
- ◆ Promiscuous behavior

Emotional Abuse

- ◆ Lacks self-esteem; puts self down constantly



Child Maltreatment*

- **740,517 Substantiated Cases of Maltreatment**

Maltreatment by Types:

- **Physical Abuse: 79,866 (10.8%)**
- **Neglect: 436,944 (59%)**
- **Medical Neglect: 6,759 (.9%)**
- **Sexual Abuse: 56,460 (7.6%)**
- **Psychological Maltreatment: 31,366 (4.2%)**
- **Multiple Maltreatments: 97,123 (13.1%)**
- **Other: 31,207 (4.2%)**

*Data from *Child Maltreatment* ©2007

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Maltreatment Fatalities by Age*

- 1,280 Maltreatment Fatalities

Maltreatment Fatalities by Age:

– < 1 Year Old:	540 (42.2%)	} 88.9%
– 1 Year Old:	211 (16.5%)	
– 2 Years Old:	137 (10.7%)	
– 3 Years Old:	80 (06.3%)	
– 4-7 Years Old:	165 (12.9%)	
– 8-11 Years Old:	60 (04.7%)	
– 12-15 Years Old:	57 (04.5%)	
– 16-17 Years Old:	26 (02.0%)	

* Data from *Child Maltreatment* ©2007
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POLL #1



Who are Mandated Reporters?

- ◆ **Child care custodians**
- ◆ **Health practitioners**
- ◆ **Employees of a child protective agency**
- ◆ **Commercial film and photographic print processors**



Child Care Custodians

- ◆ **Employee of a Licensed Child Care**
- ◆ **Group home personnel**
- ◆ **Instructional Assistant**
- ◆ **Licensing Worker**
- ◆ **Teacher**
- ◆ **Principal**

Who Reported*

57.4% of Reports Received from Professionals

- **Suspected Maltreatment Reports by Source**

- Educational Personnel: 310,837 (17%)
 - Child Daycare Providers: 16,305 (.9%)
 - Social Service Personnel: 185,646 (10.1%)
 - Medical Personnel: 152,520 (8.3%)
 - Mental Health Personnel: 78,386 (4.3%)
 - Legal/Law Enforcement: 295,960 (16.2%)
- } 28%

Victims: 9,807 (0.8%)

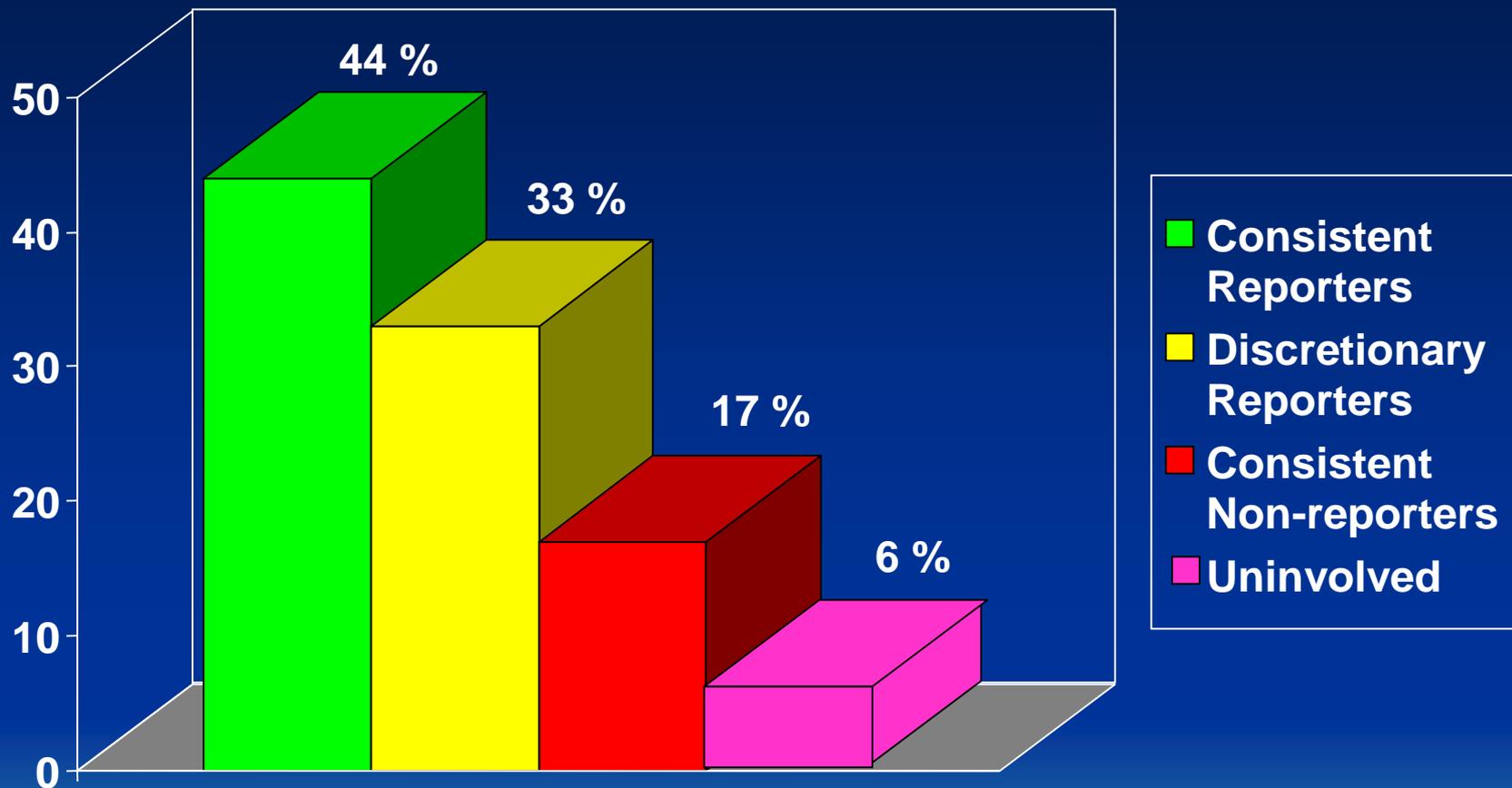
*Data from *Child Maltreatment* ©2007

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Categories of Mandated Reporters

- 🕒 **Consistent Reporters**, who always reported
- 🕒 **Discretionary Reporters**, who sometimes reported and sometimes did not
- 🕒 **Consistent Nonreporters**, who never reported
- 🕒 **Uninvolved**, who have never encountered suspected child abuse

Categories of Reporters by %



Percent

Source: Gail Zellman, *Child Abuse Reporting and Failure to Report Among Mandated Reporters*

POLL #2



Reasons **FOR** Reporting Suspected Child Abuse

 Legal and Professional Responsibilities

 Immediate Intervention

 Provide Assistance

Virginia and Mandated Reporting

- § 63.2-1509 A... If the information is received by a teacher, staff member, resident, intern or nurse in the course of professional services in a hospital, school or similar institution, **such person may, in place of said report, immediately notify the person in charge** of the institution or department, or his designee, **who shall make such report forthwith.** If the initial report of suspected abuse or neglect is made to the person in charge of the institution or department, or his designee, pursuant to this subsection, **such person shall notify the teacher, staff member, resident, intern or nurse who made the initial report when the report of suspected child abuse or neglect is made to the local department or to the Department's toll-free child abuse and neglect hotline**, and of the name of the individual receiving the report, and shall forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report.



Reasons **FOR** Reporting

- **LEGAL AND PROFESSIONAL RESPONSIBILITIES**

- Legal requirement

- Fear of lawsuit

- Workplace policy

- **PROVIDE ASSISTANCE**

- Get help for child / family

- Ensure continued treatment

- Alert family to seriousness

- **IMMEDIATE INTERVENTION**

- Stop maltreatment

- Involve Child Protective Services expertise

- Police to quickly protect child



Why Mandated Reporters **FAIL** to Report Suspected Child Abuse

- ◆ Personal concerns
- ◆ Concerns about the effects of a report
- ◆ Victim characteristics
- ◆ Case characteristics
- ◆ Evidence issues
- ◆ System concerns



Why Mandated Reporters **FAIL** To Report

- **PERSONAL CONCERNS**

- Time consuming

- Not sure how to do it

- Fear of lawsuit for reporting

- Discomfort with family

- Unwilling to breach

- Fear of losing job

- Fear of being disciplined

- Bad personal experience with reporting

- Fear of retribution

- **CONCERNS ABOUT EFFECTS**

- Increased Risk

- Family Disruption

- Treatment Disruption

- Fear of hurting someone they have connection with (child, family, parents)



Why Mandated Reporters **FAIL** To Report

- **VICTIM CHARACTERISTICS**
 - Adult victim
- **CASE CHARACTERISTICS**
 - Already reported
 - Situation resolved
- **EVIDENCE ISSUES**
 - “I can’t ‘see’ it because I can’t think about it”
 - Not serious enough
 - Initial impression misleading
 - Lack of evidence
- **SYSTEM CONCERNS**
 - Help child better myself
 - Authorities do nothing
 - CPS overreacts
 - “...but I turned out okay”
 - Insensitive Police response
 - “Bad things happened to me in the system”



POLL #3



We don't share that information.

Include in:

- **Parent handbooks and trainings**
- **Personnel policies & procedures**
- **Staff in-service trainings**

Consider a Two-Part Policy

Part 1: Procedures mandated by law

- **Fulfills legal requirements**
- **Maintains external confidentiality**
- **Provides for internal confidentiality when necessary**

Part 2: Agency procedures

- **Ensures staff support for reporter and all staff**
- **Maintains external confidentiality**
- **Prepares agency to support child and family**

Consider Safety Strategies

- **Physical safety of staff and families:**
 - Onsite security
 - Private Unarmed security
 - Private Armed security / Off-Duty Police
 - Temporary restraining order if necessary
- **Communication with staff and families:**
 - Maintain confidentiality procedures
 - Note any specific threats
 - Ensure staff and families that safety measures have been taken



Typical Concerns: Guided Role Play

From *Caregivers of Young Children: Preventing and Responding to Child Maltreatment*

-  The parents seem like very angry people. What if the parents come after me.
-  I have no right to intervene in a family's affairs.
-  Their cultural practices are different from mine. I have no right to impose my child-rearing beliefs on them.

Typical Concerns: Guided Role Play

From Caregivers of Young Children: Preventing and Responding to Child Maltreatment



I've worked with this parent and family for 5 years. I just can't believe he would sexually abuse the children. There must be some other explanation.



I just started at the center and don't want to be considered a troublemaker...but Mrs. Littleton is extremely rough with the children, and yesterday she left finger marks on both of Carmen's arms.

Typical Concerns: Guided Role Play

From Caregivers of Young Children: Preventing and Responding to Child Maltreatment

 The last time I reported, nothing happened. The child is still with his family, and the father is still abusing him. The CPS caseworker never even got in touch with me... This time, I'm not going to bother reporting.

 I really don't think anything will get done, so what's the use of reporting.

Typical Concerns: Guided Role Play

From *Caregivers of Young Children: Preventing and Responding to Child Maltreatment*



I might be sued by the parents for making a false report.



In every State, mandated reporters are immune from civil liability for making a report in good faith (where knowledge or reasonable suspicion exists), even if it is not substantiated by the investigator. Even if someone does sue you, the court will dismiss the case when they find out that you are a mandated reporter. Some States have provisions to pay your legal fees if you must defend a lawsuit.

Anecdotal Cases

- ☞ My agency's *Policies & Procedures* require me to report all suspected abuse to the nurse. I am told that the nurse will *handle* all reports.
- ☞ I usually ask parents about their child's allegations before deciding to report.
- ☞ My director is good friends with the mother of a child who has disclosed to me. I don't want to lose my job.

Anecdotal Cases

- The Head Start mental health consultant reports that the mother of a boy in the program is the victim of domestic violence. The child's teacher reports that the boy is using degrading words when he speaks to girls in the class.
- A friend approaches me and tells me her sister is the victim of domestic violence. She also indicates that the young children in the home are witnessing the violence. My friend knows that I am a mandated reporter.



Anecdotal Cases

- ☐ Draft Policy on Confidentiality regarding Suspected Child Abuse Reports: *The parent or guardian of the child involved will be informed unless the safety and well-being of the child is jeopardized by doing so.*
- ☐ Even though I see new *suspicious* bruises, I don't need to report. We already reported on this child last week.

Conclusion

- ◆ **Identifying Child Abuse**
- ◆ **Mandated Reporters**
- ◆ **Reasons for Reporting**
- ◆ **Why Mandated Reporters Fail To Report Suspected Child Abuse**
- ◆ **Typical Concerns and Anecdotal Cases**



Remember...Protect Our Children

**IF YOU
SUSPECT CHILD ABUSE
REPORT!**



VIDEO

Shadows to Light

**Produced by
California Department of Justice
©1995**

Full Video Viewable at:

[Shadows to Light on YOUTUBE](#)



Contact Information

Alan Guttman

Alan.Guttman@jhu.edu

(410) 516-9855

