Navigating Child Abuse Investigations and the Players Involved

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FIRST
THINGS
FIRST
Who Are You Going to Call?

• Child Abuse Pediatrician
• Social Worker
• Child Protective Services
• Law Enforcement
Mandated Reporting Laws

• Differ by State/Territory

• Those that designate specific persons always include physicians, nurses, and other healthcare professionals

• 18 states and Puerto Rico designate ALL persons as mandated reporters
Mandated Reporting Laws

• Some institutions have internal policies/procedures regarding notification of superiors when abuse is suspected.

• 32 state statutes designate what to do in regard to “institutional” reports. In 9 of these states the reporter must notify CPS first.

• 17 states specifically describe that the reporter is not relieved of their responsibility to report when notifying a supervisor.
What IS the Mandate Anyway?

• Wording depends on the state you work/live in
  ▫ “suspects”
  ▫ “has reason to believe”
  ▫ “reasonable cause to suspect”
  ▫ “has knowledge of”
  ▫ “observes”

• There is never a burden placed upon the reporter to prove that abuse or neglect has taken place
Do I Really HAVE to?
What If I Am WRONG?!
Will I Get In Trouble?
Will The Family Find Out It’s Me?
Making The Call

• You have satisfied your mandate if you notify Child Protective Services

• In many states you may report to law enforcement instead
Information That You Need

- Demographic information of the child
- Location of the child
- Reason for your suspicion
- Family composition
- Contact information for the child and family
Tips for Reporting

• DETAILS

• Do not downplay your concerns

• Leave your name and contact information
Find Your State’s Statutes

https://www.childwelfare.gov/topics/systemwide/laws-policies/state/
Role of CPS

• Assure the safety of the child

• Conduct an investigation regarding the concerns of abuse/neglect

• Investigate and assure the safety of other children in the home
Role of CPS

• Develop a Safety Plan if the child remains within the “family” with a non-offending caretaker

• Their goal is maintain the integrity of the family unit
Role of Law Enforcement

- Assure the safety of the child
- Investigate the criminal aspects of the case
- Obtain search and arrest warrants, make arrests when appropriate
- Prepare the case and submit it to the District Attorney’s office for review for prosecution
What About Those CAPs?

• CAP = Child Abuse Pediatrician

• Board Certified Subspecialty of Pediatrics

• Specialized training in mechanisms of injury, identification of worrisome physical examination findings, & diagnosis of abuse/neglect
How Can We Help?

- Serve as a liaison between the medical professionals and investigators

- Help elucidate whether there are abuse/neglect concerns

- Make recommendations on what further diagnostic testing should be obtained
How Can We Help?

• Review medical records

• Participate in MDT meetings

• Serve as expert witnesses in court