



State of Alabama
Department of Child Abuse
and Neglect Prevention



**The Role of Mandated Reporters
of Child Abuse and Neglect**
*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
- Erin's Law – efforts of state task force for child sexual abuse prevention
- 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”

34 years of prevention efforts!



Community-Based Child Abuse Prevention Programs

- Parent Education & Support
- Fatherhood Initiatives
- 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 | • Nurses |
| • Social Workers | • Podiatrists |
| • Child Care Employees | • Chiropractors |
| • Clergy | • Optometrists |
| • School Teachers/Officials | • Osteopaths |
| • Dentists | • Coroners |
| • Law Enforcement | • Medical Examiners |
| • Peace Officers | • Surgeons |
| • Mental Health Professionals | • Physician |
| • Pharmacists | • 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



Erin's Law

- Erin Merryn – child sexual abuse victim turned advocate to pass legislation in each state
- Alabama passed Erin's Law 2015 legislative session and signed into law on June 11, 2015
- Established Governor's Task Force on Child Sexual Abuse Prevention



Update on Erin's Law

- Task Force on the Prevention of Child Sexual Abuse met during 2015 and presented Gov. Bentley with recommendations in Dec. 2015
- HB238 passed and signed by Gov. Bentley in May 2016 adding amendments to Erin's Law
 - All K-12 Public schools (including Pre-K) shall establish a child sexual abuse prevention program
 - The content of instruction shall be at the discretion of the local board as noted in interim superintendent Dr. Philip Cleveland's memo to City and County Superintendents
 - Professional training component for school personnel added, requiring mandatory reporting training



Recent Alabama Headlines pertaining to teacher-student alleged inappropriate conduct

- Alabama teacher, coach arrested after 'touching' 5 female students
 - School system facing lawsuit after teacher allegedly offers "grades for sex"
 - Accused Alabama man's lawyer wants teacher-student sex law ruled unconstitutional
 - Female teacher arrested after accusation of having inappropriate relationships with two of her students
 - Middle school teacher fired, accused of inappropriate conduct with student
 - Former High School teacher arrested for sexual contact with student
 - Former Jefferson County school official pleads guilty to child enticement, porn charges
-
- Alabama had a higher rate of incidents of school employees sexually assaulting or engaging in inappropriate contact with students than any other state in the nation according to a study compiled by a former U.S. department of education staffer



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.

http://dhr.alabama.gov/services/Child_Protective_Services/Written_Report_MandatoryReporters.aspx

DHR On-line Mandatory Training



- Link under Child Protective Services
 - www.dhr.alabama.gov
- Link under CTF web site
 - Training opportunities
 - www.ctf.alabama.gov



INTERACTIVE TRAINING Contact Us
moodlehelp@ahr.al

Sometimes, you're the only protection they have.



GET STARTED **MAKE A REPORT** **DEFINITIONS**


INTRODUCTION

Welcome to training for mandated reporters in Alabama! Click on the "Get Started" button above to access the course enrollment page where you may select and enroll in the training that you want to complete.

Code of Alabama § 26-14-3 (1975) provides for the mandatory and permissive reporting of child abuse/neglect by "any person having knowledge or information concerning the child," primarily the Department of Human Resources (DHR) and law enforcement, when any person suspects children are being abused or neglected. The **Child Abuse Mandated Reporters Training** explains:

- Why it is important to report child abuse and neglect
- Who is required to report it
- How to recognize it
- How and when to report it
- What happens after a report is made

The Alabama Adult Protective Services (APS) Act of 1976 (Code of Alabama § 38-9-2 through 38-9-11) addresses...



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 (205) 423-4850
 - Mobile (251) 450-7018
 - Huntsville (256) 427-6200



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

Note: You may also contact local law enforcement.

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?*

- 3.36 million reports of child abuse or neglect were reported in 2015
 - 75% neglected – 17% physically abused
8.4% sexually abused
- 683,00 children classified as being maltreated (estimate)
- 1,670 children died in the United States in 2015 from abuse & neglect
- 16.4% of children experience some form of maltreatment

*NCANDS – Children's Bureau



Alabama's Kids

- Alabama is ranked 46th 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: Annie E. Casey Foundation's 2016 KIDS Count Data Book
See also the Alabama Kids Count Data Book for 2015 for additional state statistics.
www.alavoces.org



The Alabama Story

- 8,466 victims (2015)
- 39.5% Neglect
- 52% Physical Abuse
- .2% Psychological Abuse
- 17% Sexual Abuse



Most indicated abuse victims in Alabama are under the age of four.

*Note – percentage above 100% based on total maltreatment types



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
- Promote the "protective factors" training



What Child Maltreatment Means to Society

- Annual cost of child abuse and neglect is \$124 Billion nationally
- Annual cost to Alabama is over \$2.3 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



“Childhood should be carefree, playing in the sun: not living a nightmare in the darkness of the soul.”

Dave Pelzer

“Child abuse casts a shadow the length of a lifetime.”

Herbert Wood



Contact Information

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Prevent Child Abuse America
www.preventchildabuse.org



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