

HD 300: Child Abuse & Neglect: Unit 14: Recognizing and Reporting Abuse

[Dr. Margaret Young]

Slide # 1

HD 300 Child Abuse & Neglect

Unit 14 Recognizing and Reporting Abuse

Audio:

In this unit we are going to discuss recognizing and reporting abuse. Often we have questions about what exactly we should report, when should we tell somebody that we think something is going on. If a child, a young child has been left alone in a car should we report that? What if you see a mother hitting her child in a store should we report that? What if your next door neighbors and you think there is child abuse going on and the family is really violent. What do you do about that if you are afraid the family will retaliate? So we are going to discuss some of these concerns.

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History of Reporting

- Until the late 19th century, little interest and no policies for child protection
- Mandatory reporting was first required in the 1960s
- Battered child syndrome described in 1962, but many still failed to report obvious abuse

Audio:

Let's just look at the history of reporting. It really wasn't until the late 19th century that interest emerged in reporting child abuse. In fact there weren't any policies at all for child protection until the late 19th century as far as reporting child abuse. Mandatory reporting was first required in the 1960's. Mandatory means required by law to report. And even though the battered child syndrome was described in 1962 many, even doctors still failed to report obvious abuse.

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History of Reporting

- By 1966, all states had laws mandating physicians to report battered children.
- In the late 60's and early 70's, other professionals were added to the list of mandatory reporters, and...
- Definitions were broadened to include sexual abuse and exploitation.

Audio:

However by 1966 all states had laws that mandated physicians to report battered children. In the late 60's and early 70's other professionals were added to the list of mandatory reporters and definitions were broadened to include sexual abuse and exploitation. For the most part professionals means anyone who works with or cares for children. So medical personal, school personal, childcare personal or caregivers in the home.

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History of Reporting

- 1974- the Child Abuse Prevention and Treatment Act was passed
- Defined child abuse
- Set the standard for state mandatory reporting laws
- States needed to implement laws to receive federal child protection funds.

Audio:

In 1974 the child abuse prevention and treatment act was passed which defined child abuse; set

the standard for state mandatory reporting laws. And states needed to implement these laws to receive federal child protection funds. And that had to do with the idea that in some states they had good reporting laws and in some states they had very little at all so the federal court made it standard across the states.

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State Laws

- Definitions of what is to be reported vary by state.
- 50% do not report poverty- related neglect
- 22% do not include emotional abuse
- 55% omit educational neglect
- 24% do not include medical neglect
- “Good Faith” Concept
- Broad definitions result in higher reporting rates

Audio:

If you think about state laws there is still variation in what needs to be reported and it varies state by state. For example 50% of states do not require people to report poverty related neglect. 22% of states do not include emotional abuse as something that needs to be reported. 55% do not require that educational neglect be reported. 24% do not include medical neglect. However most states have a good faith policy in place. What that means is, if a person reports something that they think is child abuse and they really do think its child abuse and it turns out not to be then the parents or the caregivers cannot turn around and sue the reporter. Good faith is the key term here because once in a while you will get someone for example this happens in custody cases where one parent will accuse the other one of child abuse. And in most cases when abuse is not going on but it's done punitively to hurt the other person those people can be prosecuted. The other thing that most states allow is for the person to not only report in good faith, but you can report anonymously. You do not have to leave your name but it's really helpful for CPS and the police to have a way of contacting you or you may want to touch back with them from time to time to see if they need more information. So if the neighbors next door for example are very violent family and you feel that there is child abuse going on but you haven't dared report it because you are afraid that the violent people might retaliate you can report anonymously. What we've found is the broader the definition are for child abuse the higher the reporting rates. And in all states, while we are talking about state laws, in virtually all states professionals who work with or care for children are designated as mandatory reporters. That is, they are required by law to report. So as we said, doctors, nurses, school personnel, counselors, therapists, law enforcement personnel are all considered mandated reporters in most states. Some states require anyone who as reason to believe child abuse or neglect is occurring is mandated to report. So that means, neighbors, passerby, clerks and so on are required by law to report if they observe what they believe to be child abuse or neglect. And that's not a bad idea for any state because if someone doesn't report child abuse, the child certainly isn't going to .Someone needs to step in on the behalf of the child.

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What if you do not report?

- Research suggestions that only 40% of abuse cases are reported
- Failure to report can result in being charged with a Class B misdemeanor
- Professionals may be held accountable and lose their license to practice.

So what happens if you think child abuse is going on and you don't report it? Research suggests that only 40% of child abuse cases are reported. And persons who are not professionals working with children are not very likely to be charged with a class B misdemeanor but mandated reporters could be. However for non-mandated reporters, that is the passerby or neighbors they should still act on behalf of the child and report. So if they see a young child left unattended in a car or wandering alone in a mall they should report. They can remain anonymous even though as we mentioned CPS and law enforcement need some way of contacting the person if further information is needed. Professionals on the other hand face more serious consequences if they fail to report abuse. They will not only be charged with a misdemeanor but they could lose their license to practice.

Audio:

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When and Where to Report

- Report ASAP- immediately if possible.
- Child Protective Services
 - Handles investigating and counseling
- Law Enforcement
 - Handles criminal charges
 - Better response from police

Audio:

So when and where do we report? First of all you should report as soon as possible. Immediately if that is possible. Another place to report is Child Protective Services. Child Protective Services handles investigating child abuse reports and counseling. And law enforcement is the other place where you can turn in a report. Law enforcement handles criminal charges and you often can get a better response from the police. Now Child protective services and law enforcement work hand in hand in child abuse reports and often both a law enforcement officer and a CPS worker will visit a home together to follow up on a child abuse allegation. CPS in most states is notoriously underfunded and understaffed and overworked and sometimes they simply do not have the resources or personnel to address all of the complaints. In a recent seminar on child abuse that was hosted by Gonzaga University school of law it was noticed that often one gets a more prompt response by notifying law enforcement first and then they can notify child protective services.

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What to Report

- Name, age and home address of the child
- Name and address of parents or other person responsible for child's care
- Whereabouts of the child
- Nature and extent of the abuse/neglect
- Identity of any individual responsible for the abuse or neglect
- Any other information that would help determine the cause of the abuse or neglect

Audio:

So what do we report? The Name age and home address of the child if you know it. Sometimes if you just see a strange child that is being left in the car you may not know that information. But if you know it, then report it. if you know this information then provide the address and information of the parents or whoever is responsible for the child's care. Let CPS or the police

know where the child is. Is the child at home? At school? Sitting in a car, locked in a car or where is the child? What is happening? The nature or extent of the abuse or neglect. What have you observed, what do you see happening? Or what do you think might be happening based on what you have heard going on next door. Identify any individual that may be responsible for the abuse or neglect. And any other information that may help to determine the cause of the abuse or neglect or to help the police officers or CPS know what to look for and where to investigate.

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Professionals

- All professionals need to have training in recognizing child maltreatment
- All professionals should know their state's laws regarding reporting
- Deal with confidentiality issues early in the professional relationship
- If the child discloses abuse, the professional **MUST** report

Audio:

Now with professionals, all professionals who work with children need to have training in recognizing child maltreatment and they should be familiar with their states laws regarding reporting child abuse. Professionals need to deal with confidentiality issues early in the professional relationship. Basically, a professional cannot keep a secret. They are required by law to report. The only people who are not required by law to report are the lawyer/client privileges and between a priest if the person is in a confessional and as we talk about religion and child abuse we can talk about what some religious leaders have done to address that situation otherwise you can't keep a secret. And if a child discloses abuse the professional must report it.

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Professionals

- If the professional has suspicions:
 - Do not immediately dismiss
 - Evaluate further
 - If dismissed as abuse, follow up and monitor
- If uncomfortable with the situation, get someone else with experience.

Audio:

If the professional has suspicions that a child is being abused the guidelines are that the professional should not immediately dismiss it and just put it out of their mind and just think oh, that's probably not going on, they need to evaluate it further- why did the suspicious arise in the first place. And if they investigate it and then dismiss abuse follow up and monitoring just to be sure is always a good idea. And if a teacher or someone else who is working with the child isn't comfortable with the situation, they are not 100% sure if its abuse or they are not sure what needs to be reported and what doesn't need to be reported then they should get help from someone else who has experience that can give them some guidance here.

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Professionals

- Informing parents of the charges
 - This may put the child at risk
 - The child may need to be placed in protective custody prior to informing the parents
- Keep good records
- Follow up with any agencies
- Participate in on-going training

Audio:

Now when it comes to informing parents of the charges against them this may put the child at risk. If child abuse has been reported and the parent is immediately called and said, by the way we got a report that you are abusing your child; this can put the child at risk. In our neighborhood my neighbor next door was mowing the lawn and looked in the basement window of the house on the other side and he could see that a child was in that room, there was no furniture, no toys and the child didn't have any clothes on. And as he looked later on in the day, and in fact as he looked 2 or 3 days later this seemed to be the situation and he wondered if he should report it. And I told him that it needed to be reported but the neighbor was reluctant to do so - so I reported it. We didn't of course inform the parents however as soon as the parents got word that CPS was coming to look they immediately packed up and left the house. We have no idea what happened to the child. And the child may need to be placed in to protective custody before the parents are informed. Something that is really, really important for professional is keeping good records. Keeping good records is critical in any case where child abuse is being alleged. The statement "if it isn't in writing it didn't happen" can surface if the case goes to court so keep that in mind. Have it in writing, keep good records, if you have photos or video tape or whatever keep good track of that. The professional should follow up with any agency's that are brought in to help with the child abuse situation, so for example if it's a teacher that reports and CPS then comes in and counseling comes in the teacher should follow up to see what has happened with that child. And professionals should participate in ongoing training that has to do with recognizing and reporting abuse.

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Decision to Report

- Situation influences
 - Victim attributes
 - Type & severity of abuse
- Legal Factors
 - Knowledge of the law
 - Legal requirements

Audio:

Now the decision to report, and often a person is in a dilemma whether to report or not. And the following are some factors that may influence that decision. The thing to remember is that the child often cannot speak for himself or herself and is dependent on others to intervene. So the decision then, it may be that the situation influences the decision to report. Victim attributes. Is the child a preschooler or is the child 16 years old. And the type and severity of abuse. It's not too hard to decide if the child is being beaten up whether to report it but what if the mother is screaming and yelling at the child 24/7. How do we report that? So the situation. There are some legal factors that may be involved. Knowledge of the law. Some people are ignorant of the law and they don't know that they need to report. And then what are the legal requirements? Is the person a mandated reporter? If the person is a mandated reporter they should know whether or not they are supposed to report.

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Decision to Report

- Professional Characteristics
 - Years of experience
 - Level of training

- Experience reporting
- Organizational factors
 - Ethical guidelines
 - Formal reporting guidelines
 - Institutional policy
 - Support for reporting

Audio:

The decision to report, professional characteristics can come in, years of experience for example a counselor may have a better grasp of what needs to be reported compared to a first term school teacher who has just been hired. The level of training of the professional and the experience they have in reporting. That doesn't mean that just because the person isn't experienced and doesn't have a high level of training shouldn't report but we are saying that people who have had experience will be more likely to report rather than to agonize about whether they should or should not report. There may be some organizational factors, whether you are in a hospital or working for a school or working for some type of accompany the company may have ethical guidelines. In fact in some school s rather than the teacher reporting to CPS the school will want the teacher to report to the principal and then the principal decides whether or not to report. The bottom line is in most states is that even though the school has these protocols, the teacher himself or herself is still a mandated reporter and she can go to the principal and if the principal reports then that's fine but if the principle doesn't report the she or he still has an obligation so the formal reporting guidelines may vary from institution to institution and so do policies and support for reporting. And this is especially clear in schools where if the teacher reports and the principal doesn't think it should have been reported there may be problems for that teacher.

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Cost & Benefits of Reporting

- Costs of reporting
 - Disruption of therapy/treatment
 - Reliance on CPS to handle the investigation
 - Family faces CPS and legal investigation
- Benefits of reporting
 - Stops the abuse
 - Maintains the trust
 - Upholds the law

Audio:

Let's just consider some of the costs and benefits of reporting. And again, just because there is costs and benefits does not relieve someone of the obligation to report. Some of the costs of reporting, first of all if it's a therapist it can disrupt therapy or treatment because maybe something is disclosed during the course of therapy and the therapist being a mandated reporter now has to report it that means that CPS has to come in and Law enforcement has to come in and it may disrupt what is going on between the therapist and the client. Then the professional has to rely on CPS to handle the investigation and it means that the family is going to be facing a lot of legal issues and CPS and sometimes professionals are reluctant to report because they feel like therapy is going well and they don't want to disrupt the family however this still does not waive them from the obligation. Some of the benefits of reporting, it stops the abuse, hopefully, it maintains trust, and it's the legal thing to do.

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Not Reporting

- Costs of not reporting
 - Potential for more abuse
 - Potential for legal action
 - Potential for professional action
- Benefits of not reporting
 - Maintains confidentiality
 - Protects the child/family from the “system”

Audio:

Now what about if a person doesn't report and the costs of not reporting. Potential for more abuse, potential for legal action against the person who failed to report, class b misdemeanor and for professionals more than that. The potential for legal action means that the person could get their license taken away from them and not be allowed to teach or counsel or do therapy. Some of the benefits if there are any of not reporting, the therapist or the teacher then can maintain confidentiality, or the priest can, and it protects the child from the system. However these so called benefits pale in the light of what happens if child abuse is not reported.

Slide # 16

Recognizing Physical Abuse

- Physical indicators
 - Unexplained bruises, burns, fractures, lacerations or abrasions
- Behavioral indicators
 - Wary of adult contacts
 - Apprehension when other children cry
 - Behavioral extremes
 - Frightened of parents or caregivers
 - Afraid to go home
 - Reports injury by parents of caregivers

Audio:

We just want to take a few minutes now and talk about how do we recognize physical abuse and the other types of abuse because you can't report abuse if you don't recognize it. As we talk about these signs and symptoms just because a child has a certain sign or symptom does not necessarily mean that they are being abused. However if the child has a cluster of behaviors or a cluster of symptoms then a red flag should go up and you should question, is this child being abused and if you are not sure then you should error on the side of the child and report it know that you can report anonymously if you want and knowing that if you report in good faith that you can't be sued for reporting. So let's just talk about recognizing physical abuse. Some of the physical indicators that a child may be being abused are unexplained bruises, burns, fractures, lacerations or abrasions. Some behavioral indicators how the child is behaving, if the child is afraid of adults or wary or suspicious of adult contacts. If the young child becomes apprehensive if other children start to cry, now that is kind of normal with a lot of kids and doesn't necessarily mean they are being abused but keep in mind that if there is a cluster of things going on and especially if the behavioral indicators are accompanied by the physical indicators then you should question whether its abuse. Behavioral extremes, either very passive or very aggressive. If

the child appears to be frightened of the parents or caregivers, if the child starts, it isn't unusual for a child to cry when they are left at daycare, that's just normal attachment. Children don't want to be left at the daycare center, although some children really enjoy it. However if the child appears to be genuinely frightened of the babysitter or if the child is being cared for by the sitter and the parents come to pick it up and the child acts very afraid then a little alarm should go off. If the child is afraid to go home. We had a young boy who was about 12 who delivered our papers in the evening and he would deliver our paper and ask if he could come in and he would stay at our house for several hours watching TV. We happened to know the child's parents and the situation in his home was really awful and the police were over there all the time and he was afraid to go home. And then if the child reports that they have been injured by the parent or caregiver. If the child comes home from school and says mom, my teacher hit me or the little child comes home from the babysitter and says my babysitter pulled my hair or hit me or if the child goes to school or to the caregiver or to a counselor and reports that someone has injured them.

Slide # 17

Recognizing Physical Neglect

- Physical indicators
- Constant hunger
- Poor hygiene
- Inappropriate dress
- Consistent lack of supervision
- Unattended physical problems or medical needs
- Abandonment

Audio:

Recognizing physical neglect. Some of the physical indicators that a child is being physically neglected. If the child is constantly hungry, if there is poor hygiene- the child has dirty clothes, has body odor all the time and is dirty. Inappropriate dress- a child who is sent to school in the winter time in sandals with no coat for example. Consistent lack of supervision and sometimes neighbors will report that. If a child is out on the streets, you know for a 6 year old is out playing till midnight and not called in that could be an indication that the child is being neglected. Any unattended physical problems or medical needs by the child and if the child has been abandoned.

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Recognizing Physical Neglect

- Behavioral indicators
- Begging, stealing food
- Extended stays at school
- Constant fatigue, listlessness or falling asleep in class
- Alcohol or drug abuse
- Delinquency
- Child reports there is no caretaker

Audio:

Some of the behavioral indicators that are associated with physical neglect are the child begging and stealing for food, and hoarding food by the way. Extended stays at school, the child doesn't want to go home. If the child is constantly tired, falling asleep in class doesn't seem to have any energy. Alcohol or drug abuse by a child, delinquency, and the child reports that there is no

caretaker. This is not unusual by the way, this happens when children are abandoned by their parents or abandoned on the streets.

Slide # 19

Recognizing Sexual Abuse

- Physical indicators
- Difficulty walking or sitting
- Torn, stained, or bloody underclothes
- Pain or itching in the genital area
- Bruises or bleeding in the external genitalia, vaginal, or anal areas
- STD's
- Odor
- Symptoms of pregnancy

Audio:

Recognizing sexual abuse, some of the physical indicators, and some of these are review of what we've had in the semester up to this point. The child has difficulty walking or sitting. Now maybe they've had an injury and maybe they fell. But torn, stained or bloody underclothes. Pain or itching in the genital area. Bruises or bleeding in the external genitalia, vaginal or anal areas. If the child is observed to have a sexually transmitted disease. Many children who are sexually abused have a distinctive odor that may be related to a sexually transmitted disease and if a young girl has signs and symptoms of pregnancy that would also be a physical indicator of sexual abuse.

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Recognizing Sexual Abuse

- Behavioral Indicators
- Unwilling to change for or participate in PE
- Withdrawal, fantasy or infantile behavior
- Bizarre, sophisticated or unusual sexual knowledge or behavior
- Poor peer relationships
- Delinquent or runaway
- Child reports sexual assault

Audio:

Some of the behavioral indicators that perhaps a child has been sexual abused. Children who are unwilling to change for or participate in PE. Now a lot of girls are unwilling to do this who have not been sexually abused so you would probably want to be looking for other signs and symptoms of abuse. Withdrawal, fantasy or infantile behavior by the child. Bizarre, sophisticated or unusual sexual knowledge or behavior. Poor peer relationships, now just because a child doesn't get along with the other children doesn't mean that they have been sexually abused but if its going hand in hand with some of these other indicators then a flag ought to go up for you. Delinquent or runaway children. And if a child reports sexual assault then obviously at least the child has reported it so you can assume that perhaps something has gone on.

Slide # 21

Recognizing Emotional Abuse

- Physical indicators
 - Lags in Physical development
 - Failure to Thrive

- Behavioral Indicators
 - Habit disorders (sucking, biting, rocking)
 - Conduct disorders (anti-social; destructive)
 - Neurotic traits (sleep disorders; inhibition of play)
 - Psychoneurotic reactions (hysteria, obsession, compulsion, phobias, hypochondria)

Audio:

Recognizing emotional abuse. Some of the physical indicators are that there may be lags in physical development specifically failure to thrive syndrome. The number one reason for failure to thrive is emotional abuse. Some of the behavioral indicators, some of these children have habit disorders that include sucking, biting and rocking. They may have conduct disorders these are antisocial or destructive behaviors. The child that tears up the classroom, that destroys other peoples properties. Neurotic traits such as sleep disorders and inhibitions of play. Psychoneurotic reactions such as hysteria, obsession, compulsiveness, phobias and hypochondria.

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Recognizing Emotional Abuse

- Behavioral indicators
- Behavior extremes
 - Compliant/passive
 - Aggressive/demanding
- Overly adaptive behavior
 - Inappropriately adult-like
 - Inappropriately infantile
- Developmental lags (mental, emotional)
- Suicidal ideation/attempts

Audio:

Some of the behavioral indicators that a child may be emotionally abused are behavior extremes that may range from being compliant and passive to being aggressive and demanding. Overly adaptive behavior, some of these children are inappropriately adult like while some are inappropriately infantile. There may be developmental lags, specifically mental and emotional. And in these children suicidal ideation and attempts are not unusual.

Slide # 23

Responding to Disclosure

- When a child discloses abuse:
 - Be on the same eye level as the child
 - Be tactful
 - Be calm; do not react with shock or disgust
 - Assess the child's safety needs and the urgency of the situation
 - Find out what the child wants from you

Audio:

Now how is the best way to respond to disclosure? When a child discloses abuse and this information comes from people who have worked for many years with children and in counsel to children. It's a good idea to be on the same eye level as the child rather than towering over them. Be tactful and be calm. Don't react with shock or disgust when a child tells you something that has happened. Then assess the child's safety needs and the urgency of the situation. And find out what the child wants from you.

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Responding to Disclosure

- When a child discloses abuse:
- Validate the child's feelings
- Believe the child and be supportive
- Assure the child that you care
- Assure the child that he/she is not to blame
- Let the child know what you will do
- Tell the child you are glad he/she told you

Audio:

And when the child discloses abuse, validate the child's feelings. Believe the child and be supportive. You know, say "I'm really glad that you told me this, I'm sorry that this has happened to you". Assure the child that you care about them and that he or she is not to blame. Let the child know what you will do. "We will get help for you". And even if the child doesn't want you to tell just say "your daddy needs help, or your mommy needs help and we are going to call someone to help them so they won't hurt you anymore". And tell the child that "you are glad that they were brave and that they had the courage to tell you that they had something going on in their life".

Slide # 25**Responding to Disclosure**

- When a child discloses abuse:
- Tell the child you will try to get help.
- Tell the child you will have to tell someone whose job it is to help children with these kinds of problems
- Do NOT interview or interrogate the child.
- Let the child tell his/her own story; leave out your own assumptions.

Audio:

And when a child discloses abuse tell the child that you will try and get help, and that you have to tell someone whose job it is to help children. Do not interview or interrogate the child. We will have a unit on false memory syndrome where we really go over this because the things that are said to the child at the time of disclosure can alter their memory and later on if anything needs to go to court what happens in an initial interview can corrupt the whole process of what a child remembers. You can ask the child what happened, but don't ask specifics just let the child disclose to you what happened. Don't put a child's name, you know don't say something like, "well was it your father that did this?" don't say that, you can ask "who did this" or "What happened" but you should not interview or interrogate the child, just take the child's report and pass that along and then let the experts who are trained take the interview of the child. And let the child tell their own story and leave out your own assumptions about what should happen.