

PROTECTING CHILDREN: REPORTING CHILD ABUSE AND NEGLECT

Every year, thousands of children are victims of child abuse and neglect. The Centers for Disease Control and Prevention (CDC) reports that there were 683,000 victims of child maltreatment (i.e., child abuse and neglect) reported to Child Welfare Services (CWS) in 2015.¹ Unfortunately, these high numbers may actually underestimate how many children experience abuse and neglect. According to the CDC, a non-CWS study estimated that 1 in 4 children experience some form of child abuse or neglect in their lifetimes.¹ While these numbers are shocking and heartbreaking, **remember there is something you can do to help**. Vulnerable children need adults like you to protect them from harm.



WHO SHOULD REPORT CHILD ABUSE AND NEGLECT?

All adults can play a role in protecting children. Anyone can report a suspicion of child abuse and/or neglect.

Community members have an important role in protecting children. Although community members are not mandated by law to report child abuse and neglect, reporting any suspicions to Child Welfare Services can make a big difference in a child's life. Community members are not required to give their names when making reports.²

Mandated reporters are required by law to report suspicions of child abuse and neglect because of their professional roles. Mandated reporters include all school and district employees (i.e., teachers, administrators, staff, and athletic coaches); medical and mental health professionals; clergy; child care workers; youth program employees; firefighters; and police officers. For a full list of mandated reporters, visit <http://mandatedreporter.ca.com/who/who.htm>

Facts about mandated reporters:

- It is not the job of the mandated reporter to determine whether the allegations are valid. Child Welfare Services will make that determination.
- Mandated reporters must give their names when making a report, but their identity is kept confidential and is only shared with those allowed by law under Penal Code 11166 and Welfare and Institutions Code 827.
- Mandated reporters must report suspected abuse as soon as possible by telephone and must fax a written report within 36 hours.
- Informing a supervisor does not substitute for reporting to Child Welfare Services, and a supervisor cannot hinder reporting.
- Legally mandated reporters can be criminally liable for failing to report suspected abuse or neglect. The penalty for this misdemeanor is up to six months in jail and/or up to a \$1,000 fine, among other potential consequences.
- For answers to frequently asked questions about mandated reporters, visit <http://mandatedreporter.ca.com/faq/faq.htm>

If You Have Concerns

If you suspect that a child is being abused or neglected, reporting your suspicions to Child Welfare Services can help protect the child, protect other children in the home, and provide help for the parents of the child.

1) <https://www.cdc.gov/violenceprevention/childmaltreatment/index.html>

2) <https://www.cde.ca.gov/lr/ss/ap/childabuserreportingguide.asp>

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Child maltreatment, according to the CDC, includes all types of abuse and neglect of a child under the age of 18 by a parent, caregiver, or another person in a custodial role (e.g., clergy, coach, teacher).³ However, anyone can be a perpetrator, including a neighbor, another child, a family friend, or a distant relative. Although the role of the perpetrator in the child's life determines which agency should receive your report, you only need to contact Child Welfare Services (CWS), as CWS will cross-report to the appropriate law enforcement jurisdiction in the event that CWS is not the appropriate agency. You are, of course, also welcome to call law enforcement, and they will cross-report to CWS. **There are four common types of child maltreatment: neglect, physical abuse, emotional abuse, and sexual abuse.** There is also information in this document about the commercial sexual exploitation of children (CSEC).

WHAT ARE THE WARNING SIGNS OF ABUSE AND NEGLECT?

NEGLECT

Neglect is the failure of a child's parent or guardian to supply the child with adequate food, clothing, shelter, medical treatment, etc. Neglect can also include not supervising a child adequately for his/her age and development.

Signs of neglect may include the following:⁴

- Inappropriate dress for the weather (lack of provisions, not child's choice)
- Untreated medical or dental conditions
- Inappropriate responsibility for younger siblings
- Apparent lack of supervision
- Poor hygiene or offensive body odor.

EMOTIONAL ABUSE

Emotional abuse is a pattern of behavior that impairs a child's emotional development or sense of self. It includes constant criticism, threats, isolation, targeting or rejection, as well as withholding love, support or guidance. Emotional abuse may also include extreme or bizarre acts of punishment and domestic violence or violence occurring in the home.

Signs of emotional abuse may include the following:⁴

- Being excessively withdrawn, fearful, or anxious about doing something wrong
- Showing extremes in behavior (e.g., extremely compliant or demanding; extremely passive or aggressive)
- Lack of attachment to the parent or caregiver
- Acting either inappropriately adult-like (e.g., taking care of other children) or inappropriately infantile (e.g., rocking, thumb-sucking, throwing tantrums).

PHYSICAL ABUSE

Physical abuse is non-accidental physical injury—ranging from minor bruises to severe fractures or death—as a result of punching, beating, kicking, biting, shaking, hitting, burning, or otherwise harming a child. The injury may or may not be intentional, and it may result from excessive discipline.

Signs of physical abuse may include the following:⁴

- Frequent injuries, unexplained bruises, welts, or cuts
- Injuries that appear to have a pattern, such as a hand print or a belt mark
- Being "watchful" and "on alert" as if waiting for something bad to happen
- Shying away from touch, flinching at sudden movements, or seeming afraid to go home
- Wearing inappropriate clothing to cover up injuries, such as long-sleeved shirts on hot days.

3) <https://www.cdc.gov/violenceprevention/childmaltreatment/index.html>

4) <https://www.cde.ca.gov/lr/ss/ap/childabusereportingguide.asp>

PROTECTING CHILDREN: REPORTING CHILD ABUSE AND NEGLECT

WHAT ARE THE WARNING SIGNS OF ABUSE AND NEGLECT?

SEXUAL ABUSE

Sexual abuse is any sexual act between a child and an adult. Such acts may include touching, violation of privacy, exposing one's genitals, exploitation, and rape. In addition, you should report knowledge or reasonable suspicion of sexual intercourse between 1) a minor who is under 14 years old and a partner 14 years old or older, irrespective of consent, and 2) sexual intercourse between a minor who is under 16 years old and a partner 21 years old or older, irrespective of consent.⁵

Signs of sexual abuse may include the following:⁶

- Displaying knowledge, interest in sexual acts, or seductive behavior inappropriate to his or her age
- Making strong efforts to avoid a specific person without an obvious reason
- A sexually transmitted disease (STD) or pregnancy, especially under the age of 14
- Running away from home
- Significant and sudden changes in behavior, including depression or withdrawal.

COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

Commercial Sexual Exploitation of Children or CSEC (human trafficking) is the exchanging of sex or sexual acts for something of value or the promise of something to the child or another person.

Signs of CSEC may include the following:⁷

- Chronic running away
- Irregular school attendance
- Lack of official identification documents or personal possessions
- A noticeably older "boyfriend" or "girlfriend"
- Refers to frequent travel to other cities
- Signs of physical injuries and abuse (e.g., bruises)
- Tattoos or branding marks on the neck and/or lower back
- Multiple sexually transmitted diseases
- Signs of emotional distress, including depression, withdrawn behavior, anxiety, submissive behaviors, and paranoia.

The following are NOT considered child abuse or neglect:

- Situational fighting between minors (Penal Code (PC) 11165.6)
- Reasonable and necessary force used by school personnel to quell physical disturbances to obtain possession of a weapon, or to defend themselves (PC 11165.4)
- Spanking that is "reasonable" and "age-appropriate" that does not leave bruises on the child (PC 11165.5)
- In some cases, a child receiving treatment by spiritual means or not receiving medical treatment for religious reasons (PC 11165.2)
- Intercourse by a minor when there is no indication of neglect, abuse, force, threat, fear, or other duress and
 - both partners are under 14 years and similar in age and development;
 - one person is 14 or 15 years old and his or her partner is at least 14 years old but under 21 years old;
 - or both partners are 16 years old or older.⁵

Call Child Welfare Services (CWS) if you suspect that a child has been abused or neglected
Call CWS at (888) 400-0022 (toll-free) or (530) 669-2345 (local)

5) <http://teenhealthlaw.org/wp-content/uploads/2015/12/Ca-MinorConsentConfidCAR-20164thed.pdf>

6) <https://www.cde.ca.gov/lr/ss/ap/childabusereportingguide.asp>

7) <https://nche.ed.gov/wp-content/uploads/2018/10/trafficking.pdf>

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WHO DO YOU CALL TO REPORT SUSPECTED CHILD ABUSE/NEGLECT?

If there is an emergency situation in which a child is being threatened or harmed or the child expresses fear and the threat of harm is imminent, CALL 911 IMMEDIATELY.

If the situation is not urgent, call Child Welfare Services (CWS) if you suspect that a child has been abused or neglected. CWS welcomes consultation calls. You can talk to intake social workers about when or if a report is necessary and what community resources may be available. CWS will cross-report to law enforcement when appropriate.

Call CWS at (888) 400-0022 (toll-free) or (530) 669-2345 (local)

WHAT SHOULD YOU BE PREPARED TO REPORT WHEN YOU CALL?

When reporting abuse and/or neglect, it is your role to provide as much information as possible, including any information about the child and your suspicions.⁸ You should be prepared to give the name, age, date of birth, address and phone numbers of the child(ren), siblings, caregivers, and perpetrators, as well as the details of the abuse you suspect. You should also be prepared to talk about the abusive behavior, the perpetrator, and the impact on the child. **If you do not have all of this information, you should still call to consult with Child Welfare Services and/or make a report.**

You do not have to have witnessed the abuse or have definite proof that the child may be subject to child abuse and neglect. You only need to have a “reasonable suspicion” that a child has been the subject of child abuse or neglect.

FOR MORE INFORMATION

- **Child Abuse and Neglect Prevention from the Centers for Disease Control and Prevention (CDC)**
<https://www.cdc.gov/violenceprevention/childmaltreatment/index.html>
- **Child Abuse Identification and Reporting Guidelines from the California Department of Education**
<https://www.cde.ca.gov/ls/ss/ap/childabusereportingguide.asp>
- **Child Abuse Mandated Reporter Training from the California Department of Social Services**
<http://mandatedreporterca.com/>
- **Child Sex Trafficking from the National Center for Missing & Exploited Children (NCMEC)**
<https://www.missingkids.org/theissues/trafficking>
- **Minor Consent, Confidentiality, and Mandatory Reporting of Child Abuse in California by National Center on Youth Law**
<http://teenhealthlaw.org/wp-content/uploads/2015/12/Ca-MinorConsentConfidCAR-20164thed.pdf>
- **Recognizing Child Abuse and Neglect: Signs and Symptoms from Child Welfare Information Gateway**
<https://www.childwelfare.gov/pubPDFs/signs.pdf>

8) <https://www.cde.ca.gov/ls/ss/ap/childabusereportingguide.asp>



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