

CHILD ABUSE REPORTING

A MANDATED REPORTER'S GUIDE



GEORGE GASCÓN
DISTRICT ATTORNEY

Who Must Report?

Certain personnel who have contact with children or responsibility for their care and supervision are required by state law to report apparent or suspected child abuse and neglect.

Every mandated reporter is individually responsible for following the law. However, if two or more mandated reporters become aware of a case of suspected child abuse or neglect, they may, by agreement, select one person to make the report.

Failure to report in accordance with the law is a misdemeanor punishable by up to six months in jail and/or a fine of \$1,000. It also may result in the loss of one's professional license or credential.

Mandated reporter occupations listed in state law are:

- Teacher; teacher's aide; teacher's assistant; instructional aide
- School administrator; school principal; assistant principal; school dean; school attendance and/or child welfare supervisor; certificated pupil personnel employee; classified employee of a public school; administrator or employee of a school-based child abuse prevention program; athletic coach, assistant coach or graduate assistant involved in coaching at public or private postsecondary educational institutions; athletic administrator or athletic director employed by any public or private school
- California Department of Education or county office of education employee whose duties involve regular contact with children
- Physician; medical resident or intern; podiatrist; surgeon; coroner; medical examiner; chiropractor; optometrist; licensed nurse; dentist; dental hygienist; state or county public health employee who treats a minor for venereal disease or any other condition
- Clinical social worker; marriage, family and child therapist/counselor, including interns and trainees; psychiatrist; psychologist; registered psychological assistant or alcohol and drug counselor
- Child care institution employee, including residential care and group home personnel; day camp administrator; day care and community care facility employee, administrator or licensee; foster parent; Head Start program teacher; licensing worker or evaluator employed by a licensing agency or youth center, youth organization or youth recreation program administrator or employee; administrator or employee of an organization whose duties require direct contact and supervision of children
- Child support agency caseworker or inspector; child visitation monitor; county welfare employee; Court Appointed Special Advocate (CASA) program employee or volunteer; in-home services provider; public assistance worker; social worker
- District attorney investigator; peace officer; parole officer; probation officer; school district police officer or school security officer; any employee of a police, sheriff's or probation department
- Emergency medical technician; firefighter (except volunteer); paramedic
- Animal control officer; humane society officer
- Clergy, including minister, priest, rabbi, religious practitioner or functionary of a church, temple or recognized denomination or organization; a custodian of records for any clergy member
- Commercial film and photographic print processor, including employees of processors
- Commercial computer technician

REPORT SUSPECTED CHILD ABUSE OR NEGLECT

Child Protection Hotline

(800) 540-4000

Toll-Free Within California

Outside California

(213) 639-4500

TDD (Hearing Impaired)

(800) 272-6699



Helping Crime Victims Become Survivors

Los Angeles County District Attorney's Office
Bureau of Victim Services
da.lacounty.gov/victims

(800) 380-3811



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What Must Be Reported?

Mandated reporters must report the following suspected crimes against a child (person under 18 years of age):

- Sexual abuse – includes molestation, sexual assault, rape, incest or sexual exploitation
- Physical abuse – includes intentional infliction of an injury upon a child, such as corporal punishment that results in bruises, cuts, abrasions, burns, fractures or other traumatic conditions
- Neglect - includes a caretaker's failure to provide adequate food, clothing, shelter, medical care or supervision
- Emotional abuse - includes cruel treatment, threats, humiliation and deprivation that causes unjustifiable mental suffering
- Endangerment - includes a caretaker causing or permitting a child's person or health to be endangered, even if no actual injury occurs

Protections for Mandated Reporters

Employers of mandated reporters may not inhibit or impede reporting in any way, nor may they sanction or dismiss an employee for making a report.

A mandated reporter is immune from civil and criminal liability in connection with a report, unless they knowingly made a false report.

If a mandated reporter faces legal action in connection with a report, the state will reimburse up to \$50,000 for the reporter's legal defense costs.

State law has measures to protect the confidentiality of mandated reporters. A mandated reporter's identity may be disclosed only to certain authorized parties, including personnel in child protection and law enforcement agencies. If a criminal child abuse case is taken to trial, a mandated reporter may be required to testify in court.

How To Make a Report

Step 1:

A mandated reporter who reasonably suspects that a child has been abused or neglected must make a report by telephone immediately or as soon as practically possible.

"Reasonable suspicion" means that a reasonable person, drawing upon experience and/or training, would suspect abuse or neglect based on observations or available information.

Suspected abuse or neglect must be reported either to the local law enforcement agency or the 24-hour Child Protection Hotline at **(800) 540-4000**.

Telephone reports must include the reporting party's name, the child's name and location and the nature and extent of the abuse or injury.

Step 2:

A mandated reporter must make a written Suspected Child Abuse Report (SCAR) on the designated Department of Justice Form SS 8572 within 36 hours of the telephonic report.

If the telephonic report was made to a law enforcement agency, the written report must be mailed to that agency's place of business.

If the telephonic report was made to the hotline, the written report must be emailed or mailed to the Department of Children and Family Services (DCFS).

For the email form and instructions, visit the DCFS website at **mandreptla.org**.

A paper SCAR may be mailed to: DCFS, 1933 S. Broadway, 5th Fl., Los Angeles, CA 90007.

SCAR forms are available at:

- **oag.ca.gov/childabuse/forms**
- **mandatedreporterca.com**