



REPORTING CHILD ABUSE AND NEGLECT

STATEWIDE 24-HOUR
CHILD ABUSE HOTLINE

1-800-522-3511



WHAT IS CHILD ABUSE?

Child abuse is defined by law as **harm** or **threatened harm** to a child's health and safety by a person responsible for the child's health and safety. This includes a parent, a legal guardian, a foster parent, or a person 18 years of age and older with whom the child's parent cohabitates, or any other adult residing in the home of the child.

Harm or threatened harm includes -

- **Physical Abuse:** non-accidental physical injury to a child under 18 years of age. Even though the injury is not an accident, there may not have been intent to hurt the child. Physical abuse indicators may be:
 - o Physical Indicators - questionable bruises, welts, burns, abrasions, fractures or lacerations; or
 - o Behavioral Indicators - extreme aggressiveness or withdrawal, being frightened of parents, or afraid to go home.
- **Neglect:** failure or omission to provide food, clothing, shelter, medical care, supervision, or special care made necessary by the physical or mental condition of the child. Neglect indicators may be:
 - o Physical Indicators - consistent lack of supervision, unattended medical needs, or physical problems; or
 - o Behavioral Indicators - frequently absent or tardy.
- **Sexual Abuse or Exploitation:** includes, but is not limited to, rape, incest, lewd or indecent acts or proposals, and allowing, permitting, or encouraging a child to engage in prostitution or pornography. Sexual abuse indicators may be:
 - o Physical Indicators – torn, stained, or bloody underclothing; or
 - o Behavioral Indicators – bizarre or unusual sexual behavior or knowledge; detailed and age-inappropriate understanding of sexual behavior; or suicide threats or attempts.
- **Emotional Abuse:** mental injury from incessant rejecting, terrorizing, isolating, exploiting, corrupting, and denying emotional responsiveness. Indicators may be:
 - o Behavioral Indicators - overly compliant or demanding, extreme passivity or aggression, inappropriately adult, or infantile; or
 - o Caretaker Indicators - blames or belittles the child, treats child as the family scapegoat, unreasonable demands, or impossible expectations without regard to the child's development capability.

WHO IS REQUIRED TO REPORT SUSPECTED CHILD ABUSE?

State law requires every health care professional, teacher, and every **OTHER** person who has **reason to believe** that a child under 18 years of age is being abused or neglected, or is in danger of being abused or neglected, must report the **suspicion** of abuse or neglect promptly to the Oklahoma Department of Human Services (DHS).

- **Failure to report** suspected abuse or neglect is a crime. No person, regardless of their relationship to the child or family, is exempt from reporting suspected abuse or neglect. However, a person reporting in good faith is immune from both civil and criminal liability.
- By law, reporting child abuse or neglect is an **individual responsibility**. As the individual who suspects abuse or neglect, **you** are legally responsible for making certain that the report is made to DHS.
- If you have obtained the information leading to your suspicions from a professional relationship, your legal responsibility is **NOT** satisfied by merely reporting your suspicions to a supervisor. If applicable, it is important to follow your agency's or school's procedures regarding *informing* a supervisor of your concerns, but permission to report is not necessary. You must not let organizational procedures or policies obstruct your duty to report **PROMPTLY** to DHS.

A report is a **request for a safety evaluation** to gather facts and protect the child. The individual making the request does not need proof of the abuse or neglect prior to reporting. Investigation and validation of child abuse and neglect reports are the responsibility of DHS or law enforcement officials. If you become aware of additional incidents after the initial report was made, another report to DHS with the additional concerns and information should be made.

IS THE REPORT I MAKE CONFIDENTIAL?

DHS policy and state law require **strict maintenance** of the confidentiality of reporters of child abuse or neglect.

If the incident does become court involved, information on the reporter could be requested by the court. It is rare, however, for the reporter's identity to be made known in court. Anonymous reports are also accepted, but providing your name and contact information may help the child welfare worker contact you in regards to obtaining more information or with additional questions.

HOW DO I REPORT A SUSPICION OF CHILD ABUSE?

Promptly contact DHS, Child Welfare Services by calling the statewide, 24-hour Hotline number, **1-800-522-3511**. Accurately reporting the nature of the abuse or neglect is critical. Do not overstate or minimize the extent of the suspected abuse or neglect.

WHAT INFORMATION SHOULD I BE READY TO REPORT?

- The names, addresses, ages and whereabouts of the child and the child's parents, or other persons responsible for the child's welfare, such as at the school, work, daycare, or hospital;
- Information pertaining to support systems for the family, other individuals who may be aware of the abuse or neglect, or any safety-related issues child welfare may need to be aware of prior to making contact with the family, such as domestic violence, presence of weapons, or use of illegal substances;
- The nature and extent of the abuse or neglect;
- Any historical information on the family related to the safety and well-being of the children and their parents or other identified caretakers; and
- Any other information you believe might be helpful in establishing the cause of the injuries and the identity of the person responsible.
- If a reporter does not have all of the information listed above, he or she should go ahead and report the details of what is known concerning the suspicion of abuse or neglect.

WHAT HAPPENS AFTER THE REPORT IS MADE?

The report is screened to determine if the allegation meets the statutory definition of abuse and neglect and if the report falls within the scope of DHS' responsibility. If the alleged abuse is perpetrated by someone other than a caretaker, DHS is required to forward the report to law enforcement. DHS is mandated to investigate or conduct assessments regarding allegations of abuse or neglect by a parent or caretaker. DHS established the following timeframes to determine the urgency of the response.

- **Priority One** - The report indicates the child is in present danger. The situation is responded to immediately the same day the report is received.
- **Priority Two** - The response time is based on the child's vulnerability and risk of harm. A report designated as an investigation is responded to in a shorter time period than an assessment. An investigation is initiated in no more than five-calendar days from acceptance, unless a special circumstance exists that prevents the initiation. An assessment is initiated in no more than ten-calendar days from acceptance.

WHAT HAPPENS WHEN AN INVESTIGATION IS ASSIGNED?

A child protective services (CPS) **investigation** is conducted when the allegations in the report indicate there is serious abuse or neglect resulting in an immediate safety threat to a child. An investigation is accepted and assigned by the two different priorities.

After a report is accepted for investigation, as much information as possible is gathered about the reported allegations and family dynamics that jeopardize the child's safety and the protective capacity of the family is assessed.

During the investigation, each alleged child victim is seen or interviewed first, followed by each sibling, each family member responsible for the child's health, safety, or welfare, the alleged perpetrator, and other persons with information. The CPS investigation determines the findings and identifies if child abuse or neglect is:

- ***Ruled Out;***
- ***Unsubstantiated; or***
- ***Substantiated***

All reports are submitted to the District Attorney's office upon completion. When the child or children are deemed unsafe, a safety plan can be implemented to control the safety threats or court action may be recommended.

DHS can submit a request to the District Attorney's office for the court to order removal of the child or children from the home. They can also be placed in protective custody by the police. **DHS staff does not have the authority to remove a child from their home.**

WHAT HAPPENS IF AN ASSESSMENT IS ASSIGNED?

A CPS **assessment** means a comprehensive review of child safety and an evaluation of family functioning and protective capacities conducted in response to a child abuse or neglect referral that does not allege a serious and immediate safety threat to a child. A CPS assessment is conducted when the report concerns abuse or neglect that is not serious or extremely dangerous. A report assigned as an assessment is responded to in 10-calendar days or less after acceptance. No findings are made on CPS assessments.



ARE SOME REPORTS OF SUSPECTED ABUSE NOT ASSIGNED BY DHS?

Yes, there are situations that do not meet the legislative mandate for a DHS investigation. Usually, this is because:

- insufficient information was provided to locate the family and child;
- the report does not meet the legal definition of abuse and neglect; or
- the alleged perpetrator is a person other than a parent or caretaker, such as a neighbor or teacher.

Examples of screened-out reports may include: adolescents with behavioral problems, such as delinquency or truancy, which is not related to abuse or neglect; parent/child conflicts where no abuse or neglect is occurring; or overreactions to poor parenting practices.

WHAT INFORMATION SHOULD THE REPORTER EXPECT FROM DHS AFTER A REPORT IS MADE?

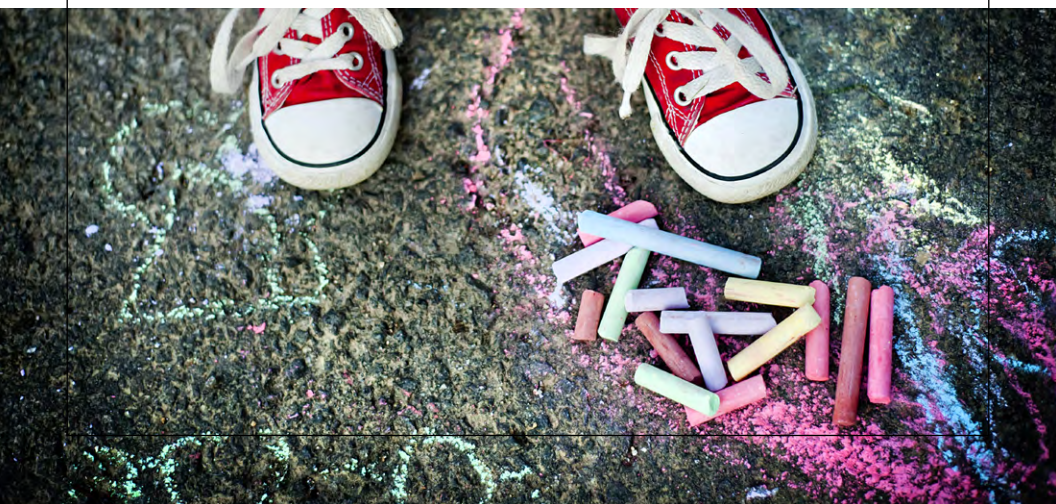
After a report is made, the reporter may obtain information on the report's status, which may include whether the case was investigated, assessed, or screened out. When the report was screened out, reporters may be informed of the reason for this decision. When the report was accepted for investigation or assessment, reporters may be told the investigation's finding or that the assessment was concluded. Investigation findings and concluded assessments are forwarded to the District Attorney's office in accordance with Oklahoma law. Reporters are **not**, however, entitled to investigation or assessment details. Anonymous reporters are not entitled to receive information on the status of the report since child welfare has no way of verifying their identity.

If you are unsatisfied with the way an investigation was handled, you can provide critical **feedback** through the supervised structure of an investigating agency. Within DHS, first contact the child welfare supervisor on the investigation. If you are still unsatisfied, proceed through the **chain of command** to the district director and the regional deputy director.

THE DIFFERENCE BETWEEN ABUSE AND DISCIPLINE

For children to grow up and become productive members of society subject to society's norms, values, and rules, all children need discipline. **Discipline is a learning process designed to teach appropriate behaviors.** Unlike discipline, ***abuse is not a learning process.*** ***Abuse inflicts pain to stop behavior.*** It does not teach alternative, correct behavior. Therefore, abused children do not learn correct behavior. They learn to avoid punishment.

The intent of the **reporting law** is not to interfere with appropriate parental discipline, but to respond to extreme or inappropriate parental actions. ***Actions that are excessive or forceful enough to leave injuries or cause damage to the psyche are considered abusive.***



GUIDELINES FOR CHILDREN LEFT ALONE

In Oklahoma, there are no statutory or public policy requirements regarding the age a child must be in order to be left alone. The safety and well-being of children is considered to be a parental responsibility. It is a parental decision to determine if a child, six years of age and older, is mature enough to care for himself or herself in an adult's absence.

Considerations When Leaving a Child Alone:

- Does the child have the maturity to be left alone regardless of the child's age?
- How long will the child be left alone?
- Will the child be alone during the day or at night?
- Is the surrounding neighborhood safe?
- Is there immediate access to an adult?
- Does the child have the knowledge to know what to do in an emergency?
- Is the child caring for other children?
- Does the child know how to use household appliances properly?
- Are other children visiting the home?
- Does the child know the parents' whereabouts at all times?
- Is the child comfortable being left alone?

Recommended Guidelines for Parental Decision Making:

Preschool/Kindergarten

- Infants and children under six years of age should never be left alone without adult supervision.

Grade School

- In general, a grade school child, who demonstrates the ability to be responsible and mature, may be left alone one to two hours during the day with access to a responsible adult and no responsibility for caring for younger children.

Middle School

- In general, a middle school child, who demonstrates the ability to be self-sufficient, may be left alone for up to four hours during the day and evening. The child may care for one to two younger children, if there is constant access to a responsible adult.



CPS Response to Report of Children Left Alone

The focus of DHS Child Welfare Services is to respond to situations where children are reported to be unsafe or at the risk of harm. Action is contingent upon the child's age and the degree of danger.

DHS staff cannot remove children from their home; however, if it is determined that the child cannot take care of himself or herself and there is no responsible adult available, the **child may be placed into police protective custody**.



