

# City of San Diego

## Parks & Recreation Department CHILD ABUSE REPORTING PROCEDURES for NON-MANDATED REPORTERS

(Updated 11-03)

### DEFINITIONS

CHILD ABUSE - physical abuse, neglect, sexual abuse or emotional abuse of a “child” under the age of 18 years.

NON-MANDATED REPORTERS - all volunteers, and employees who do NOT directly supervise children (primarily employees in office and field positions); no *legal* requirement to report, however, expected to notify supervisor.

### NON-MANDATED REPORTERS: volunteers, and field, office, and building staff

- (a) If it is an emergency, call 911.
- (b) If it is not an emergency, notify a Department Supervisor who will assess the situation and determine if a report needs to be made. If questions whether on not to make a report, call either SDPD or the Child Abuse Hotline (numbers provided below). If a decision is made to make a report, then either the supervisor or the *non*-mandated reporter can make the call and follow the same documentation procedures for mandated reporters.
- (c) To make a report, call:
  - San Diego Police Department weekdays (619) 531-2260; weekends and after hours 531-2000

OR

  - CHILD ABUSE HOTLINE at 858/560-2191

San Diego Police Department (SDPD) and the Child Abuse Hotline will complete/submit the Suspected Child Abuse Report within 36 hours of the call.
- (d) Record the following information in your files:
  - date and time the report was made
  - name (optional), supervisor and work location of the staff making report
  - name of agency contacted (SDPD or Child Abuse Hotline)Keep the original and submit a copy to Division Office Manager.

### ADDITIONAL PENAL CODE CONSIDERATIONS

#### RE: NON-MANDATED REPORTERS

Any *non*-mandated reporter cannot incur civil or criminal liability unless it can be proven that a false report was made (and that the *non*-mandated reporter knew the report was false). *Non*-mandated reporters are not *required* to give their names although it is helpful to do so if more information is needed at a later date. The penalty for retaliation against a reporter of suspected child abuse is a felony.

## WHAT IS CHILD ABUSE?

Under California law, child abuse is a crime. Children need protection because they are vulnerable and often unable to speak for themselves. The California Child Abuse Reporting Law, along with other state laws, provides the legal basis for action to protect children and to allow intervention by public agencies if a child is maltreated.

California law defines child abuse as any of the following:

- A child is physically injured by other than accidental means
- A child is subjected to willful cruelty or unjustifiable punishment
- A child is abused or exploited sexually
- A child is neglected by a parent or caretaker who fails to provide adequate food, clothing, shelter, medical care or supervision.

Any child may be victimized. Child abuse crosses all socioeconomic, ethnic, cultural, occupational, religious and age groups. It can occur in the child's home or outside the family. Tragically, it happens most often at home, and usually the abuser is known to the child. Generally, the abuser is a caretaker. A caretaker can be a parent, stepparent, relative or a child care provider.

## WHY SHOULD I REPORT CHILD ABUSE?

Sometimes people are afraid to get involved in a child abuse situation. Ignoring any problem will not make it go away or get better. Ignoring child abuse may result in serious injury or even the death of a child.

All children have the right to grow up in a safe environment. Child abuse, in all its forms, has a more long-lasting and negative effect on children, families and the whole community than most people realize. At its worst, its destructive impact haunts its victim through life and can prevent the child from becoming a productive adult. Parents who were mistreated as children will often mistreat their children. The National Center on Child Abuse and Neglect reports that over 2,000 children die each year due to abuse or neglect. Reporting child abuse is a first step in stopping this devastating cycle.

People who hurt children usually need help to change their behavior. Many only get help after someone calls attention to the fact they need it, by reporting the abuse of their child.

## WHAT WILL HAPPEN TO ME IF I MAKE A REPORT?

Anyone who reports known or suspected child abuse is protected by the law from civil or criminal liability, unless it can be proven the report was false and the person who made the report knew it was false. Any person, except a mandated reporter, who reports child abuse may remain anonymous. *(Some groups of persons are specified in law as mandated reporters and are required to give their names. They are also provided unqualified immunity from civil liability.)* However, it is helpful to give your name and telephone number to the social worker or law enforcement officer taking the report, in the event he or she needs to obtain more information later.

## **HOW DOES CHILD ABUSE GET REPORTED?**

A report is made by telephoning one of the local child protective agencies and talking with them about the child's situation. A child protective agency is either the county social services department (*in a few counties it is the probation department*) or the local law enforcement agency (*police or sheriff*). Social services departments provide child welfare services in California. Except for situations involving allegations of general neglect, child protective agencies are required to cross-report to each other. "Cross-reporting" means that the different agencies inform each other of reports so that each agency can take appropriate steps to respond. "General neglect" means the negligent failure of a person to provide adequate food, clothing, shelter, medical care or supervision for a child under the person's care or custody. General neglect is handled only by the social services department.

## **HOW DO I KNOW WHEN TO REPORT CHILD ABUSE?**

Reporting should be done when a person either knows or suspects that a child has been or is in danger of abuse or neglect. Hard proof is not needed to make a report. However, reports must be made in good faith. Use common sense. A report of child abuse is serious and may have a lifelong impact on the child and his or her family. Never make a false or malicious report. If you are in doubt at all about whether to report a particular situation, telephone the emergency response intake worker at your local child protective agency in the county social services or probation department and discuss the situation.

## **WHAT HAPPENS AFTER A REPORT IS MADE?**

When receiving a report about suspected child abuse or neglect, the social worker or law enforcement officer on duty will speak to the person making the report in order to obtain information about the child. The kind of information needed includes answers to such questions as: What type of abuse has occurred? Who or what caused the abuse? Most importantly, the person receiving the call will need to ask: "Is the child still in a dangerous situation or in need of medical care?"

No two reports are handled in exactly the same way. Decisions by all the people involved are based on each child's situation. Even reports on two children in the same family may be handled differently; the agency receiving the report will determine how to proceed, based on the information available. What the response will be and how quickly it will be made depends on the seriousness of the events reported and the situation the child faces. Where it appears that the child is in danger, the response will be immediate. Where there is less risk involved, it may be three to ten days before action is taken. Not all reports are serious enough to require the assistance of the law enforcement agency. In those events, the family may be contacted only by the local social service department. An in-person response may not be made when the county social services department, based upon an assessment, determines that one is not appropriate.

The investigations by the child welfare services agency and law enforcement are conducted separately. The child welfare agency will concern itself with the welfare of the child and family. Law enforcement efforts will focus on obtaining evidence to determine whether a crime has been committed and by whom.

## Physical and Behavioral Indicators of Child Abuse and Neglect

TYPE	PHYSICAL INDICATORS	BEHAVIORAL INDICATORS
<b>PHYSICAL ABUSE</b>	<p>Unexplained Bruises and Welts:</p> <ul style="list-style-type: none"> <li>- on face, lips, mouth</li> <li>- on torso, back, buttocks, thighs in various stages of healing</li> <li>- clustered, forming regular patterns</li> <li>- reflecting shape of article used to inflict (electric cord, belt buckle) on several different surface areas</li> <li>- regularly appear after absence, weekend or vacation</li> </ul> <p>Unexplained Burns:</p> <ul style="list-style-type: none"> <li>- cigar, cigarette burns, especially on soles, palms, back or buttocks</li> <li>- immersion burns (sock-like, glove-like, doughnut shaped on buttocks or genitalia)</li> <li>- patterned like electric burner, iron, etc.</li> <li>- rope burns on arms, legs, neck or torso</li> </ul> <p>Unexplained Fractures:</p> <ul style="list-style-type: none"> <li>- to skull, nose, facial structure</li> <li>- in various stages of healing</li> <li>- multiple or spiral fractures</li> </ul> <p>Unexplained Lacerations or Abrasions</p> <ul style="list-style-type: none"> <li>- to mouth, lips, gums, eyes</li> <li>- to external genitalia</li> </ul>	<p>Wary of Adult Contacts</p> <p>Apprehensive When Other Children Cry</p> <p>Behavioral Extremes:</p> <ul style="list-style-type: none"> <li>- aggressiveness, or</li> <li>- withdrawal</li> </ul> <p>Frightened of Parents</p> <p>Afraid to go Home</p> <p>Reports Injury by Parents</p>
<b>PHYSICAL NEGLECT</b>	<p>Consistent Hunger, Poor Hygiene, Inappropriate Dress</p> <p>Consistent Lack of Supervision, Especially in Dangerous Activities or Long Periods</p> <p>Unattended Physical Problems or Medical Needs</p> <p>Abandonment</p>	<p>Begging, Stealing Food</p> <p>Extended Stays at School (early arrival and late departure)</p> <p>Constant Fatigue, Listlessness or Falling Asleep in Class</p> <p>Alcohol or Drug Abuse</p> <p>Delinquency (e.g. thefts)</p> <p>States There is No Caretaker</p>
<b>SEXUAL ABUSE</b>	<p>Difficulty in Walking or Sitting</p> <p>Torn, Stained or Bloody Underclothing</p> <p>Pain or Itching in Genital Area</p> <p>Bruises or Bleeding in External Genitalia, Vaginal or Anal Areas</p> <p>Venereal Disease, Especially in Pre-teens</p> <p>Pregnancy</p>	<p>Unwilling to Change for Gym or Participate in Physical Activities</p> <p>Withdrawal, Fantasy or Infantile Behavior</p> <p>Bizarre, Sophisticated or Unusual Sexual Behavior or Knowledge</p> <p>Poor Peer Relationships</p> <p>Delinquent or Run Away</p> <p>Reports Sexual Assault by Caretaker</p>
<b>EMOTIONAL ABUSE</b>	<p>Speech Disorders</p> <p>Lags in Physical Development (Failure to Thrive)</p>	<p>Habit Disorders (sucking, biting, rocking, etc.)</p> <p>Conduct Disorders (antisocial, destructive, etc.)</p> <p>Neurotic Traits (sleep disorders, inhibition of play)</p> <p>Psychoneurotic Reactions (hysteria, obsession, compulsion, phobias, hypochondria)</p> <p>Behavior Extremes:</p> <ul style="list-style-type: none"> <li>- compliant, passive</li> <li>- aggressive, demanding</li> </ul> <p>Overly Adaptive Behavior:</p> <ul style="list-style-type: none"> <li>- inappropriately adult</li> <li>- inappropriately infant</li> </ul> <p>Developmental Lags (mental, emotional)</p> <p>Attempted Suicide</p>

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