

Recognizing and Reporting Child Abuse in Pennsylvania

Recognizing Abuse

- **Intentionally - Done with the direct purpose of causing the type of harm that resulted**
- **Knowingly - Understanding that the harm is “practically certain to result”**
- **Recklessly – Conscious disregard for foreseeable risk**

Possible Indicators of Child Abuse

The following list of indicators may be used as a guide to help determine if there is a suspicion of child abuse or neglect. These indicators can also exist in situations where a child is NOT abused or neglected; they are only suggestive of abuse or neglect. The presence of any one or more of these indicators may have an entirely appropriate or unrelated explanation.

Potential Red Flags -PHYSICAL ABUSE - Child

- Unexplained bruises, welts, human bite marks, bald spots
- Numerous bruises in various stages of healing
- Marks on many surfaces of the body
- Unexplained burns, especially cigarette or immersion burns
- Withdrawal or aggression – behavioral extremes
- Uncomfortable with physical contact
- Afraid to go home
- Dressed inappropriately for the weather
- Cringes when approached by an adult (fears getting hit) – hypervigilant
- Overreacts to accidents such as spilling milk
- Does not want to talk about home life
- Extreme attentiveness to needs of parents

Potential Red Flags of PHYSICAL ABUSE – PARENT

- Contradictory statements about child's injury
- Excessive anxiety about child's behavior
- Labels child as a “problem” – describe the child in very negative terms
- Says child makes up stories and that child should not be believed
- Verbally aggressive toward child
- Unrealistic expectations for the child's behavior – uses harsh discipline
- Has a history of abuse themselves as a child

Potential Red Flags -SEXUAL ABUSE – CHILD

- Pain or itching in genital area
- Bruises or bleeding in external genitalia
- Frequent urinary or yeast infections
- Torn, stained or bloody underclothing
- Sexually transmitted diseases
- A child's report or self-disclosure
- Sexual knowledge beyond what is natural for a child
- Preoccupation with their body
- Acting out sexual behavior
- Withdrawal, chronic depression
- Self-devaluation and lack of confidence

- Problems with bedtime or afraid to go to bed
- Bedwetting – especially if it begins in a child who has been dry

Most children don't tell even if they are asked or they deny that something has happened due to:

- They are too young to put it into words – they have normalized the experience
- They are threatened or bribed by the abuser to keep it secret
- They fear being taken away from their family
- They are afraid they will not be believed
- The abuser promises gifts or rewards for keeping the secret
- They blame themselves or believe they are being punished for being “bad”
- They are ashamed or embarrassed that they cooperated with the perpetrator
- They worry about getting into trouble or getting the family member in trouble.

Potential Red Flags in Teens

- Poor self-image
- Poor peer relationships, limited social life, guarded in relationships
- Running away
- Poor academic performance, truancy, conflict with authority
- Sexually provocative or promiscuous
- Delinquent behavior – substance abuse, stealing, lying fighting
- Depression – isolation
- Suicidal; thoughts or gestures
- Self-mutilation
- Recurrent physical complaints without medical findings
- Eating disorders – either sudden weight loss or gain
- Angry
- Layering clothing, sleeping in clothing, discarding underwear

Potential Red Flags -Neglect and Emotional Maltreatment

There can be an overlap in these characteristics with physical and sexual abuse

- Unattended medical needs
- Consistent lack of supervision
- Persistent hunger, poor hygiene or inappropriate dress
- Delayed physical and emotional development
- Substance abuse in the family
- Regularly displays fatigue or listlessness
- Steals food or begs
- Passive or aggressive behavior extremes
- Frequently absent from school
- Frequently dirty and lacks sufficient clothing for the weather

Child Protective Service Law Definitions:

Child abuse, according to the CPSL, means intentionally, knowingly or recklessly doing any of the following:

- *Causing bodily injury to a child through any recent act or failure to act.*

- *Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.*
- *Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.*
- *Causing sexual abuse or exploitation of a child through any act or failure to act.*
- *Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.*
- *Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.*
- *Causing serious physical neglect of a child.*
- *Causing the death of the child through any act or failure to act.*
- *Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).*

Child abuse also includes certain acts in which the act itself constitutes abuse without any resulting injury or condition. These recent acts include any of the following:

- *Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.*
- *Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.*
- *Forcefully shaking a child under one year of age.*
- *Forcefully slapping or otherwise striking a child under one year of age.*
- *Interfering with the breathing of a child.*
- *Causing a child to be present during the operation of a methamphetamine laboratory, provided that the violation is being investigated by law enforcement.*
- *Leaving a child unsupervised with an individual, other than the child's parent, who the parent knows or reasonably should have known was required to register as a Tier II or III sexual offender or has been determined to be a sexually violent predator or sexually violent delinquent.*

"Recent" is defined as an abusive act within two years from the date the report is made to ChildLine. Sexual abuse, serious mental injury, serious physical neglect and deaths have no time limit.

Training for Mandated Reporters

<http://www.pacwrc.pitt.edu/#>

Reporting Abuse – Who – What- How and When

Mandated Reporters – Who is required by law to make a report to Childline?

An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, is a person responsible for the child's welfare or has direct contact with children.

Participants in this training are mandated reporters because of their role in the church either as a paid professional or in a volunteer capacity.

This includes:

A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization.

Safe Sanctuaries Conference Policy

<https://www.epaumc.org/wp-content/uploads/2014/10/2016-09-Safe-Sanctuaries-Resolution-FINAL-Amended.pdf>

In the event that a member of the clergy becomes aware of suspected child abuse as a result of confidential communication which is protected under 42 PA C.S. 5943 (relating to confidential communications to clergymen), the conference legal counsel should immediately be consulted.

Reasonable Cause to Suspect

This is a determination made, based on the mandated reporter's knowledge of the circumstances observations (indicators of possible abuse) familiarity with the individuals which now includes:

Learning of the abuse from someone other than the child who was allegedly abused *

- *The mandated reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service.*
- *The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.*
- *A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse. **
- *An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.*

**Nothing in this section shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse,*

If a child makes a disclosure to you

Mandated reporters often have an established relationship with child which may give them the advantage of being able to have a conversation with a child using terms the child will understand. When child abuse and/or neglect is suspected, mandated reporters need to **only obtain enough information** to make a report.

If a child starts disclosing information regarding child abuse and/or neglect, mandated reporters should try to assure privacy for a potentially sensitive conversation. During disclosure, mandated reporters should maintain eye contact and avoid displaying any signs of shock or disapproval. Mandated reporters should only ask limited open-ended questions that allow the child to freely discuss the incident without being led during the conversation. For example, *"How did you get that bruise?"* Again, these discussions should only proceed to the point needed to **determine whether a report needs to be made to Childline.**

Children may want to tell what has happened but may also want to maintain loyalty to their parent(s). If a report is going to be made, maintain the trust with the child by explaining that you need to seek help for them. Reassure the child that you are glad they were able to tell you.

It is important to note that a mandated reporter should not do an "investigation". This must be left to the appropriate authorities. In some instances this could compromise the actual investigation.

Good Faith

A person making a report of suspected child abuse is immune from civil and criminal liability as long as the report was made in good faith.

How and When

Mandated reporters must make an immediate and direct report of suspected child abuse to ChildLine either electronically at www.compass.state.pa.us/cwis or by calling 1-800-932-0313.

After making the report to ChildLine, the mandated reporter is required to immediately notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge.

Childline 1-800-932-0313

If you are not sure that the circumstances meet the definition of child abuse, call Childline and discuss the situation. They will guide you.

Each call is answered by a trained intake specialist who will interview the caller to determine the most appropriate course of action. Actions include forwarding a report to a county agency for investigation as child abuse or general protective services, forwarding a report directly to law enforcement officials or refer the caller to local social services (such as counseling, financial aid and legal services).