

WHAT'S INSIDE

Content of reports

Reporting suspicious
deaths

Reporting substance-
exposed infants

Agency receiving the
reports

Initial screening decisions

Agency conducting the
assessment/investigation

Assessment/investigation
procedures

Timeframes for
completing investigations

Classification of reports

Summaries of state laws

**To find statute
information for a
particular state,
go to**

<https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>

Making and Screening Reports of Child Abuse and Neglect

All 50 states, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands have laws and policies that specify procedures for making and responding to reports of suspected child abuse or neglect. These laws require certain professionals, known as mandated reporters, to make an immediate report when they suspect or know of abusive or neglectful situations. (For more information about the requirements for these individuals to report, see Child Welfare Information Gateway's *Mandatory Reporters of Child Abuse and Neglect* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/manda/>.) State laws and policies also specify the required content of reports, criteria for screening reports, investigation procedures, timeframes for completing investigations, and classification of investigative findings. Many states also have special procedures for handling child fatalities and substance-exposed children.



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Content of Reports

Oral reports can be made to child protective services (CPS), a local law enforcement agency, or a statewide child abuse hotline. In 18 states, American Samoa, Guam, and Puerto Rico, a mandated reporter is required to submit a written report after he or she has made an oral report.¹ In nine states, the District of Columbia, and the Virgin Islands, a written report is required only when requested by the department or agency that received the initial report.²

Most states specify in statute the types of information that should be included in a report of suspected abuse or neglect. The reporter will be asked to provide as much information about the child's situation as he or she can, including the names and addresses of the child and the child's parents or other persons responsible for the child's care, the child's age, conditions in the child's home environment, the nature and extent of the child's injuries, and information about other children in the same environment.

Reporting Suspicious Deaths

Approximately 34 states, American Samoa, Guam, the Northern Mariana Islands, and Puerto Rico provide for specific reporting procedures to be followed when the reporter suspects that child abuse or neglect may have caused the death of a child.³ Typically, the statutes instruct a mandatory reporter to report a suspicious child death to a medical examiner or coroner. For states that do not have specific reporting procedures for suspicious child deaths, standard child abuse reporting procedures apply.

¹ Alabama, California, Colorado, Connecticut, Hawaii, Illinois, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, Nevada, New York, Pennsylvania, and Rhode Island.

² Georgia, Kansas, Kentucky, Maine, New Hampshire, North Dakota, Ohio, Washington, and West Virginia.

³ The word "approximately" is used to stress the fact that states frequently amend their laws. This information is current through January 2017. The 34 states that provide procedures for reporting suspicious child deaths are Arkansas, California, Colorado, Connecticut, Delaware, Florida, Illinois, Indiana, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

Reporting Substance-Exposed Infants

Mothers who use drugs or alcohol during their pregnancy may give birth to infants who show signs or symptoms of drug exposure. The federal Child Abuse Prevention and Treatment Act (CAPTA) requires states to have policies and procedures to address the needs of substance-exposed infants.⁴ Approximately 24 states and the District of Columbia have specific reporting procedures for cases of suspected substance-exposed infants.⁵ In general, these statutes make drug exposure or a positive drug test alone the basis for reporting child abuse or neglect. Standard reporting procedures apply in those states that statutorily define infant drug exposure as child abuse and neglect but have no specific reporting procedures for substance-exposed infants.⁶

Agency Receiving the Reports

In all jurisdictions, the initial report may be made to either CPS or a law enforcement agency. Laws in 34 states, the District of Columbia, Guam, and Puerto Rico require state agencies to maintain centralized telephone lines 24 hours a day, 7 days a week, for the acceptance of child maltreatment reports.⁷ In practice, most states have statewide, toll-free numbers for accepting reports of maltreatment. In some states, reports may be made via the Internet.⁸

⁴ 42 U.S.C. 5106a(b)(2)(B)(iii) (2010).

⁵ Alaska, Arizona, Arkansas, California, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, Oklahoma, Utah, Virginia, Washington, West Virginia, and Wisconsin.

⁶ See Information Gateway's *Parental Drug Use as Child Abuse* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/drugexposed/>.

⁷ Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Idaho, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia, and Wyoming.

⁸ For a state-by-state listing of telephone numbers and websites for making reports, see Information Gateway's "State Child Abuse and Neglect Reporting Numbers," at https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspList&rolType=Custom&RS_ID=5.

In four states, a report involving an Indian child residing on tribal lands can be made directly to a tribal authority or be referred to the tribe for investigation by the state agency.⁹ In three states, the state agency may assist in an investigation only when the tribe requests assistance.¹⁰ For Indian children not residing on tribal lands, protective agencies in four states may respond to a report, but the child's tribe must be notified that a report has been received.¹¹

In six states, the appropriate military authorities must be notified when a report is received that concerns a child whose parent or guardian is a member of the armed forces.¹² In these cases, CPS and military authorities may share information and coordinate their investigations of the reports. In Florida and Idaho, a report is referred to military authorities when the children named in the report reside on a federal military base. In those cases, the military authorities have the sole responsibility to investigate the reports.

Initial Screening Decisions

The laws and policies in all jurisdictions specify procedures for the initial response required by the agencies receiving the reports. The ultimate purpose of the reporting system is to ensure the child's safety and well-being.¹³ In most states, the agency that receives a report of suspected child abuse or neglect will first screen the report to determine whether it meets the criteria for acceptance. For acceptance, the report must concern actions that meet the statutory definition of child abuse or neglect in that state.¹⁴ Typically, this will involve situations of harm or threatened harm to a child committed by a parent, guardian, or other person responsible for the child's care. Reports that do not meet the statutory criteria are screened out. Reports that meet the criteria are screened in and referred to the state CPS agency for response.

⁹ Arizona, Idaho, Minnesota, and New Mexico.

¹⁰ Idaho, New Mexico, and Oregon.

¹¹ California, Idaho, Minnesota, and New Mexico.

¹² Indiana, New Jersey, Oklahoma, South Carolina, Washington, and Wyoming.

¹³ For an overview of the process, see Information Gateway's *How the Child Welfare System Works* at <https://www.childwelfare.gov/pubs/factsheets/cpswork/>.

¹⁴ See Information Gateway's *Definitions of Child Abuse and Neglect* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/define/>.

The approaches used to screen reports vary from state to state, but nearly all states utilize a type of safety assessment to determine which reports require immediate responses. Approximately 37 states and the District of Columbia categorize reports based on the level of risk of harm to the child and assign different response times.¹⁵ Twenty-one states and the District of Columbia use differential response systems in which any case identified as presenting a high risk of harm is assigned to be investigated, and any case where the risk of harm is low is assigned to receive an assessment of the family's strengths and need for intervention services to reduce the risk of future harm to the child.¹⁶

Agency Conducting the Assessment/Investigation

Investigations may be conducted by the CPS agency, a law enforcement agency, or cooperatively by both agencies. To better coordinate the investigative process, five states and the District of Columbia use multidisciplinary teams.¹⁷ These teams typically include representatives from CPS, law enforcement, prosecutors' offices, and health and mental health services who work to reduce trauma to child victims by avoiding the necessity of multiple interviews.

¹⁵ Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, West Virginia, and Wyoming.

¹⁶ Arizona, Colorado, Connecticut, Delaware, Illinois, Kentucky, Louisiana, Maryland, Minnesota, Missouri, Nevada, New York, North Carolina, Ohio, Oklahoma, Texas, Vermont, Virginia, Washington, Wisconsin, and Wyoming.

¹⁷ Delaware, Missouri, Tennessee, Utah, and Virginia. In the District of Columbia, use of multidisciplinary teams is required only for sexual abuse cases.

In approximately 20 states and the Virgin Islands, cases that involve physical or sexual abuse or possible criminal conduct may be investigated by a law enforcement agency.¹⁸ In 13 states, reports are referred to law enforcement agencies when the alleged perpetrator is a person other than the parent or other caregiver.¹⁹ Most states also require cross-reporting among professional entities. Typically, reports are shared among social services agencies, law enforcement agencies, and prosecutors' offices.²⁰

In states that have differential response systems in which cases identified as presenting low risk of harm to the child are assigned to family assessment, those assessments are conducted by CPS or other social services agencies.

Assessment/Investigation Procedures

The primary purpose of an investigation is the protection of the alleged child victim. The focus is on determining the nature, extent, and cause of the abuse or neglect and identifying the person responsible for the maltreatment. Elements of an investigation may include the following:

- A check of agency records to determine prior involvement of the family with CPS
- A visit to the child's home
- An interview or observation of the child victim
- Interviews or observation of other children living in the child's home
- Risk and safety assessments
- Evaluation of the home environment
- Interviews of the child's parents, caregivers, or other adults residing in the child's home
- Checks of criminal records and central registry records for all adults residing in the home
- Medical and mental health evaluations

¹⁸ Alaska, Florida, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, New Hampshire, North Carolina, North Dakota, Oklahoma, South Carolina, Texas, and Wyoming.

¹⁹ Alabama, Alaska, Colorado, Connecticut, Florida, Iowa, Kentucky, Louisiana, Michigan, New Mexico, Oklahoma, Pennsylvania, and Texas.

²⁰ See Information Gateway's *Cross-Reporting Among Responders to Child Abuse and Neglect* at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/xreporting/>.

In states that offer a differential response track, an assessment of the family is conducted when the initial referral does not allege a serious safety or immediate risk of harm to the child. The assessment consists of many of the same elements as an investigation, but the focus is more on engaging the family to identify strengths and service needs and referring the family to community services that will reduce the risk of harm and improve family well-being. Acceptance of the services by the family is voluntary, and no finding of abuse or neglect is made.

A case that has been assigned to the differential response track may be referred for a CPS investigation if, at any time during a family assessment, the department determines that there is reason to believe that substantial child abuse or neglect or a serious threat to the child's safety exists. A report that has been referred for an investigation may be reassigned for family assessment and services at any time if the department determines there is a lower risk to the child.

Timeframes for Completing Investigations

All states require CPS to initiate an investigation in a timely manner, generally within 72 hours. In addition, most states require investigations to be initiated immediately, in as little as 2 hours and no longer than 24 hours, when there is reasonable cause to believe that a child is in imminent danger. In 28 states, the District of Columbia, Guam, and the Northern Mariana Islands, laws also specify a timeframe for completing the investigation or assessment, generally between 30 and 60 days.²¹

²¹ Alaska, Colorado, Connecticut, Florida, Georgia, Hawaii, Illinois, Iowa, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, New Jersey, New Mexico, New York, North Dakota, Ohio, Pennsylvania, South Carolina, Tennessee, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

Classification of Reports

During the course of an investigation, a determination must be made as to whether child abuse or neglect has occurred and the identity of the person responsible for the maltreatment. Many states specify a system for classifying these findings. Generally, reports are “substantiated” when the investigation reveals that maltreatment did, in fact, occur. Other terms for “substantiated” include “founded,” “indicated,” or “confirmed.” In 21 states, the investigation must provide a “preponderance of evidence” before a report can be substantiated; that is, the evidence must show that it is more likely than not that the maltreatment occurred.²² Nine states and the District of Columbia require credible or substantial evidence for substantiation;²³ six states will substantiate a report when there is probable or reasonable cause to believe that abuse or neglect has occurred.²⁴

When the results of the investigation are unable to confirm the occurrence of abuse or neglect, a report may be classified as “unsubstantiated.” Other terms for “unsubstantiated” can include “unfounded,” “not indicated,” or “unconfirmed.”

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of a state’s code as well as agency regulations, case law, and informal practices and procedures.

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²² Alabama, Arkansas, California, Colorado, Georgia, Idaho, Kansas, Kentucky, Maine, Michigan, Missouri, Nebraska, New Jersey, Rhode Island, South Carolina, Tennessee, Texas, Virginia, Washington, West Virginia, and Wisconsin.

²³ Florida, Illinois, Maryland, Nevada, New Mexico, New York, Oklahoma, Pennsylvania, and Wyoming.

²⁴ Arizona, Hawaii, Massachusetts, New Hampshire, Oregon, Utah, and Vermont.

Alabama

Current Through January 2017

Individual Responsibility to Report

Citation: Ala. Code § 26-14-3

All mandated reporters are required to immediately make an oral report when they know or suspect that a child is a victim of child abuse or neglect. The oral report shall be followed by a written report.

Content of Reports

Citation: Ala. Code § 26-14-5

The report shall contain, if known:

- The name and location of the child
- The names and addresses of the child's parents, guardian, or caregivers
- The nature and extent of the child's injuries
- Any evidence of previous injuries
- Any other information that might establish the cause of the child's injuries
- The identity of the person or persons alleged to be responsible for the child's injuries

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ala. Code §§ 26-14-3; 26-14-1

Reports must be made to a duly constituted authority. A duly constituted authority includes:

- The chief of police of a municipality or municipality and county
- The sheriff if the observation of child abuse or neglect is made in an unincorporated territory
- The Department of Human Resources (DHR)
- Any person, organization, corporation, group, or agency authorized and designated by DHR to receive reports of child abuse and neglect

Initial Screening Decisions

Citation: Admin. Code r. 660-5-34-.04; 660-5-34-.10

Once a report has been received, it must be investigated; the investigation is known by the department as the child abuse/neglect initial assessment.

The following criteria must be considered at intake when determining which reports will be investigated first:

- The allegations in the report
- The seriousness of the incident(s)
- The child's vulnerability (i.e., capacity for self-protection) and the potential risk of serious harm to the child

At the conclusion of the assessment, a decision regarding a family's need for ongoing protective services shall be made. This decision may be to discontinue DHR services as no protective services are needed, to provide ongoing casework services, to initiate court action, or to make a referral to another agency for services. The decision is to be made with the parents' or primary caregiver's participation to the extent feasible. In any event, the parents or primary caregivers are entitled to an explanation of the action taken and the reasons for the action.

Agency Conducting the Assessment/Investigation

Citation: Ala. Code § 26-14-6.1

The duty and responsibility for the investigation of reports of suspected child abuse or neglect shall be as follows:

- Reports of suspected child abuse or neglect involving disciplinary or corporal punishment committed in a public or private school or kindergarten shall be investigated by law enforcement agencies.

- Reports of suspected child abuse or neglect committed in a state-operated child residential facility shall be investigated by law enforcement agencies.
- All other reports of suspected child abuse and neglect shall be investigated by the department.

Assessment/Investigation Procedures**Citation: Ala. Code § 26-14-7; Admin. Code r. 660-5-34-.04**

The department shall promptly make a thorough investigation upon receiving either the oral or written report. The primary purpose of such an investigation shall be the protection of the child. The investigation, to the extent that is reasonably possible, shall include:

- The nature, extent, and cause of the child abuse or neglect
- The identity of the responsible person
- The names and conditions of other children in the home
- An evaluation of the parents or person responsible for the care of the child
- The home environment and the relationship of the child or children to the parents or other persons responsible for their care
- All other data deemed pertinent

The investigation may include a visit to the child's home, an interview with the subject child, and may include a physical, psychological, or psychiatric examination of any child or children in that home. If, before the examination is complete, the opinion of the investigators is that immediate removal is necessary to protect a child or children from further abuse or neglect, a court of competent jurisdiction, on petition by the investigators and with good cause being shown, shall issue an order for temporary removal and custody.

The county department shall make a complete written report of the investigation, together with its recommendations.

In regulation: All reports must be cleared through the central registry to determine whether there have been previous reports involving the children, their family members, and all persons allegedly responsible for abuse or neglect.

Timeframes for Completing Investigations**Citation: Admin. Code Ch. R 660-5-34-.04**

The department's response time is the timeframe within which in-person initial contact shall be made with the children who are allegedly abused or neglected (i.e., at risk of serious harm) and all other children in the home. The timeframes for completing investigations are:

- Child welfare staff shall respond immediately, i.e., as soon as possible after a report is received, but no later than 12 hours from receipt of the intake information, when the intake information indicates serious harm will likely occur within 24 hours.
- For situations in which an immediate response is not required, child welfare staff shall respond as quickly as the intake information warrants but no later than 5 calendar days.
- Child welfare staff must make contact with all other children who live in the home of the reported child as soon as the intake information warrants, but no later than 15 calendar days.

Classification of Reports**Citation: Admin. Code r. 660-5-34-.07**

Upon completion of an assessment of a report, the worker must arrive at a disposition as to whether the child has experienced abuse or neglect and whether the person identified as responsible for the abuse or neglect actually was responsible for the abuse or neglect. The following dispositions are used by the department:

- **Indicated:** This disposition is used when a preponderance of the credible evidence and the professional judgment of the worker indicate that abuse or neglect has occurred.
- **Unable to Complete:** This disposition is used only when an assessment cannot be completed due to the worker being unable to secure the information needed to reach a disposition (e.g., family moves and their present whereabouts are unknown; a family that is reported can never be located due to lack of identifying information).
- **Not Indicated:** This disposition is used when a preponderance of the credible evidence and professional judgment does not substantiate that abuse or neglect has occurred.

Alaska

Current Through January 2017

Individual Responsibility to Report

Citation: Alaska Stat. §§ 47.17.020; 47.17.023

Mandated reporters shall report immediately when they have reasonable cause to suspect that a child has suffered harm as a result of abuse or neglect.

A person providing, either privately or commercially, film, photo, or visual or printed matter processing, production, or finishing services or computer installation, repair, or other services, or Internet or cellular telephone services who, in the process of providing those services, observes a film, photo, picture, computer file, image, or other matter and has reasonable cause to suspect that it visually depicts a child engaged in sexual conduct described in § 11.41.455(a) shall immediately report the observation, including all information known about the nature and origin of the film, photo, picture, computer file, image, or other matter.

Content of Reports

Citation: Alaska Stat. § 47.17.025

The department's written report shall include:

- The names and addresses of the child and the child's parents or other persons responsible for the child's care, if known
- The age and sex of the child
- The nature and extent of harm to the child from abuse
- The name, age, and address of the person believed to be responsible for the harm to the child
- Information that may be helpful in establishing the identity of the person responsible for the abuse

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

Citation: Alaska Stat. § 47.17.024

A practitioner of the healing arts involved in the delivery or care of an infant who the practitioner determines has been adversely affected by, or is withdrawing from exposure to, a controlled substance or alcohol shall immediately notify the nearest office of the department of the infant's condition.

Agency Receiving the Reports

Citation: Alaska Stat. §§ 47.17.020; 47.17.023

Reports of suspected abuse or neglect must be made to the Department of Health and Social Services. If the reporter cannot reasonably contact the nearest office of the department and immediate action is necessary for the well-being of the child, he or she shall make the report to a peace officer. The peace officer shall immediately take action to protect the child and shall, at the earliest opportunity, notify the nearest office of the department.

A person reporting suspected child pornography shall make his or her report immediately to the nearest law enforcement agency.

Initial Screening Decisions

Citation: Alaska Stat. §§ 47.17.020; 47.17.025; 47.17.030

The department shall immediately notify the nearest law enforcement agency if the department:

- Concludes that the harm was caused by a person who is not responsible for the child's welfare
- Is unable to determine:
 - » Who caused the harm to the child
 - » Whether the person who is believed to have caused the harm has responsibility for the child's welfare
- Concludes that the report involves:
 - » Possible criminal conduct
 - » Abuse or neglect that results in the need for medical treatment of the child

A law enforcement agency shall immediately notify the department of the receipt of a report of harm to a child from abuse.

Agency Conducting the Assessment/Investigation**Citation: Alaska Stat. § 47.17.030**

The department may, upon receipt of the report, refer the matter to the appropriate health or social services agency if the child resides within the boundaries of a local government. For cases not referred to an agency of a local government, the department shall, for each report received, investigate and take any action, in accordance with law, that may be necessary to prevent further harm to the child or to ensure the proper care and protection of the child.

A local government health or social services agency receiving a report of harm shall, for each report received, investigate and take action, in accordance with law, that may be necessary to prevent further harm to the child or to ensure the proper care and protection of the child. In addition, the agency receiving a report of harm shall forward a copy of its report of the investigation, including information the department requires by regulation, to the department.

Assessment/Investigation Procedures**Citation: Alaska Stat. § 47.17.033**

In investigating child abuse and neglect reports, the department may inquire about the criminal records of the parents or of the alleged abuser, including about the existence of a criminal history record involving a serious offense.

The investigation shall be conducted by a person trained to conduct a child abuse and neglect investigation and without subjecting a child to more than one interview about the abuse or neglect, except when new information is obtained that requires further information from the child. If additional interviews are necessary, the additional interviews shall be conducted, to the extent possible, by the same interviewer who conducted the initial interview of the child.

An interview of a child may be audiotaped or videotaped. If the interview concerns a report of sexual abuse of the child by a parent or caregiver, the interview shall be videotaped unless videotaping the interview is not feasible or will, in the opinion of the investigating agency, result in trauma to the child. An interview of a child that is audiotaped or videotaped shall be conducted by a person trained and competent to conduct the interview and conducted at a child advocacy center, if available.

During a joint investigation by the department and a law enforcement agency, the department shall coordinate an investigation of child abuse or neglect with the law enforcement agency to ensure that the possibility of a criminal charge is not compromised.

Timeframes for Completing Investigations**Citation: Alaska Stat. §§ 47.17.025**

Upon receipt from any source of a report of harm to a child from abuse, the department shall notify the Department of Law and investigate the report and, within 72 hours of the receipt of the report, shall provide a written report of its investigation of the harm to a child from abuse to the Department of Law for review.

Classification of Reports

This issue is not addressed in the statutes reviewed.

American Samoa*Current Through January 2017***Individual Responsibility to Report****Citation: Ann. Code § 45.2002(a), (c)**

Mandated reporters who have reasonable cause to know or suspect that a child has been subjected to abuse or neglect shall immediately report or cause a report to be made to the child protection services (CPS) agency.

Content of Reports**Citation: Ann. Code § 45.2010**

The mandated reporter shall submit a written report that contains the following:

- The name, address, age, sex, religion, and race of the child
- The name and address of the person responsible for the child
- The nature and extent of the child's injuries, including any evidence of previous abuse or neglect
- The names and addresses of the person or persons responsible for the abuse or neglect
- Family composition

- The name, address, and occupation of the person making the report
- Any action taken by the reporting source
- Any other information that might be helpful

Reporting Suspicious Deaths**Citation: Ann. Code § 45.2003**

A mandated reporter who knows or has reasonable cause to suspect that a child has died as a result of abuse or neglect shall report immediately to the Department of Public Safety (department).

The department shall investigate and report its findings to the attorney general and the CPS agency.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports**Citation: Ann. Code § 45.2010**

A report of known or suspected child abuse or neglect is immediately made to the department by a written report prepared by a mandated reporter, if so requested by the receiving CPS agency. The receiving agency will forward a copy of its own report to the central registry on forms supplied by the registry. If at any time a report of suspected child abuse or neglect is made to the CPS agency, the department must be notified. If a report of suspected child abuse or neglect is made to the department, the agency must be notified. Copies of the report of known or suspected child abuse or neglect are immediately transmitted by the receiving agency to the attorney general's office and to the department.

Initial Screening Decisions

This issue is not addressed in the statutes reviewed.

Agency Conducting the Assessment/Investigation**Citation: Ann. Code § 45.2010**

The CPS agency shall conduct the investigation.

Assessment/Investigation Procedures**Citation: Ann. Code § 45.2011**

The primary purpose of the investigation is the protection of the child. The investigation shall include the nature, extent, and cause of the child abuse, sexual abuse, or neglect; the identity of the person responsible; the names and conditions of other children in the home; an evaluation of the parents or persons responsible for the care of the child; and all other pertinent data.

The investigation must include a visit to the child's home, a physical and psychological or psychiatric evaluation of all children in the home, and an interview with the subject child. If the admission to the home, school, or any other place that the child may be, or permission of the parent or other persons responsible for the children for the physical and psychological or psychiatric evaluation cannot be obtained, then the court, upon cause shown, shall order the parents and persons responsible and in charge of any place where the child may be to allow entrance for the interview, evaluations, and investigations.

If, before the evaluation is complete, the opinion of the investigators is that immediate removal is necessary to protect children from further abuse or neglect, the court, on petition by the investigators and with good cause shown, shall issue an order for temporary removal and custody.

Timeframes for Completing Investigations**Citation: Ann. Code § 45.2010**

The CPS agency shall make a thorough investigation promptly upon receiving either the oral or the written report.

Classification of Reports

This issue is not addressed in the statutes reviewed.

Arizona

Current Through January 2017

Individual Responsibility to Report

Citation: Rev. Stat. § 13-3620

Any mandated reporter who reasonably believes that a minor is the victim of abuse or neglect shall report immediately to a peace officer, to the Department of Child Safety, or to a tribal law enforcement or social services agency for any Indian minor who resides on an Indian reservation. If, however, the report concerns a person who does not have care, custody, or control of the minor, the report shall be made to a peace officer only. Reports shall be made immediately either electronically or by telephone.

Content of Reports

Citation: Rev. Stat. § 13-3620

The reports shall contain the following information, if known:

- The names and addresses of the minor and the minor's parents or the person or persons having custody of the minor
- The minor's age
- The nature and extent of the minor's abuse, child abuse, physical injury, or neglect, including any evidence of previous abuse, child abuse, physical injury, or neglect
- Any other information that the person believes might be helpful in establishing the cause of the abuse, child abuse, physical injury, or neglect

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

Citation: Rev. Stat. § 13-3620

A health-care professional who, after a routine newborn physical assessment of a newborn infant's health status or following notification of positive toxicology screens of a newborn infant, reasonably believes that the newborn infant may be affected by the presence of alcohol or a drug listed in § 13-3401 shall immediately report this information, or cause a report to be made, to the department. For the purposes of this subsection, 'newborn infant' means a newborn infant who is younger than 30 days old.

Agency Receiving the Reports

Citation: Rev. Stat. § 13-3620(H); Admin. Code §§ R6-5-5502; R6-5-5501

Reports may be received by a peace officer, to the Department of Child Safety, or a tribal law enforcement or social services agency. When reports are received by a peace officer, the officer shall immediately notify the department. Notwithstanding any other statute, when the department receives these reports, it shall immediately notify a peace officer in the appropriate jurisdiction.

In regulation: The department operates a Child Abuse Hotline to receive and screen incoming communications. If a person calls, visits, or writes a department office other than the Child Abuse Hotline to report child maltreatment, the department shall refer the person or written communication to the hotline.

The Child Abuse Hotline is a statewide, toll-free telephone service that the department operates 24 hours per day, 7 days per week, to receive calls about child maltreatment.

Initial Screening Decisions

Citation: Admin. Code §§ R6-5-5502; 5504; 5506

When the hotline receives a call, staff shall determine the type of alleged maltreatment, whether to classify the call as a report for investigation, and check the central registry for prior reports on the same persons.

If a call is screened in as a report, the hotline staff shall gather additional information using standardized questions, determine whether there are aggravating or mitigating factors, and assign each report a priority code. Staff shall enter the report into the central registry and immediately transmit the report to a local office.

Upon receipt of a report, a child protective services (CPS) unit supervisor shall assign the case for a field investigation, alternative investigation, or alternative response, such as a referral to Family Builders.

Agency Conducting the Assessment/Investigation**Citation: Admin. Code § R6-5-5505**

To comply with the priority response time, entities other than CPS, such as law enforcement or emergency personnel, may initially respond to a report.

Assessment/Investigation Procedures**Citation: Admin. Code §§ R6-5-5507; 5508**

An alternative investigation consists of contact with a mandatory reporter who is currently involved with the family. The information will determine if the child and other children residing in the home are current victims of maltreatment or at risk of imminent harm. If results indicate that an alleged victim is at risk of harm, the case shall be immediately assigned for field investigation.

When conducting a field investigation, a CPS specialist shall determine:

- The name, age, location, and current physical and mental condition of all children in the home of the alleged victim
- Whether any child in the home has suffered maltreatment
- Whether any child in the home is at risk of maltreatment in the future

A CPS specialist shall interview the alleged victim; the alleged victim's caregiver who allegedly committed the abuse; other adults and children residing in the home; and other persons who may have relevant information, including the reporting source, medical personnel, relatives, neighbors, and school personnel. The CPS specialist also shall review available documentation, including medical and psychiatric reports, police reports, school records, and prior CPS files or consult with law enforcement.

A CPS specialist may interview a child without prior parental consent under § 8-802(C)(2). A CPS specialist may exclude the alleged abuser from participating in an interview with the alleged victim, the alleged victim's siblings, or other children residing in the alleged victim's household.

Before interviewing a caregiver, a CPS specialist shall:

- Orally inform the caregiver of the rights and duties under § 8-803(B)
- Give the caregiver a written statement summarizing the same information
- Ask the caregiver to sign a written acknowledgment of receipt of the information

Timeframes for Completing Investigations**Citation: Admin. Code § 56-5-5505**

Priority codes and initial response times are:

- Priority 1 High Risk:
 - » Standard Response: 2 hours
 - » Mitigated Response: 24 hours
- Priority 2 Moderate Risk:
 - » Standard Response: 48 hours
 - » Aggravated Response: 24 hours
 - » Mitigated Response: 72 hours
- Priority 3 Low Risk:
 - » Standard Response: 72 hours
 - » Aggravated Response: 48 hours
 - » Mitigated Response: 72 hours excluding weekends and Arizona state holidays
- Priority 4 Potential Risk:
 - » Standard Response: 7 days
 - » Aggravated Response: 72 hours excluding weekends and Arizona state holidays

Classification of Reports**Citation: Admin. Code. § R6-5-5510**

After completing an investigation and considering the information listed in R6-5-5509, a CPS specialist shall unsubstantiate the allegations or make a proposed finding that the allegation is substantiated based on whether the CPS specialist finds probable cause to believe maltreatment occurred.

Arkansas

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code §§ 12-18-401; 12-18-402

A person may notify the child abuse hotline immediately if he or she:

- Has reasonable cause to suspect that child maltreatment has occurred or a child has died as a result of child maltreatment
- Observes a child being subjected to conditions or circumstances that would reasonably result in child maltreatment

An individual listed as a mandated reporter shall notify the child abuse hotline immediately if he or she:

- Has reasonable cause to suspect that a child has been subjected to child maltreatment or died as a result of child maltreatment
- Observes a child being subjected to conditions or circumstances that would reasonably result in child maltreatment

Content of Reports

Citation: Ann. Code §§ 12-18-303; 12-18-606

For an investigation to commence, the report must contain sufficient information to identify and locate the child or the family.

An investigation shall seek to determine:

- The existence, cause, nature, and extent of the child maltreatment
- The existence and extent of previous injuries
- The identity of the person responsible for the child maltreatment
- The names and conditions of other children in the home
- The circumstances of the parents or caregivers of the child
- The environment where the child resides
- The relationship of the child or children with the parents or caregivers
- All other pertinent data

Reporting Suspicious Deaths

Citation: Ann. Code §§ 12-18-401; 12-18-402

A person may notify the child abuse hotline immediately if he or she has reasonable cause to suspect that a child has died as a result of child maltreatment.

A mandated reporter shall notify the child abuse hotline immediately if he or she has reasonable cause to suspect that a child has died as a result of child maltreatment or died suddenly and unexpectedly. The term 'died suddenly and unexpectedly' means a child death that was not caused by a known disease or illness for which the child was under a physician's care at the time of death, including, without limitation, child deaths as a result of the following:

- Sudden infant death syndrome
- Sudden unexplained infant death
- An accident
- A suicide
- A homicide
- Other undetermined circumstance

Reporting Substance-Exposed Infants

Citation: Ann. Code § 12-18-310

All health-care providers involved in the delivery or care of infants shall:

- Contact the Department of Human Services regarding an infant born and affected with a fetal alcohol spectrum disorder
- Share all pertinent information, including health information, with the department regarding an infant born and affected with a fetal alcohol spectrum disorder

The department shall accept referrals, calls, and other communications from health-care providers involved in the delivery or care of infants born and affected with a fetal alcohol spectrum disorder. The department shall develop a plan of safe care for infants affected with a fetal alcohol spectrum disorder.

Agency Receiving the Reports**Citation: Ann. Code § 12-18-301**

The child abuse hotline, a unit established within the Department of Human Services and the Department of Arkansas State Police or their designee, shall receive and record reports under this chapter. The Child Abuse Hotline shall be staffed 24 hours per day and shall have statewide accessibility through a toll-free telephone number. All persons, whether a mandated reporter or not, may use the child abuse hotline to report child maltreatment or suspected child maltreatment.

Initial Screening Decisions**Citation: Ann. Code §§ 12-18-303; 12-18-601**

The child abuse hotline shall accept a report of child maltreatment or suspected child maltreatment if:

- The allegations, if true, would constitute child maltreatment as defined under this chapter.
- Sufficient identifying information is provided to identify and locate the child or the child's family.
- The child or the child's family is present in Arkansas or the incident occurred in Arkansas.

The department and the state police may develop and implement triage procedures for accepting and documenting child maltreatment reports for a child not at risk of imminent harm if an appropriate referral is made to a community organization or voluntary preventive service.

The department shall assess the safety of a child upon the receipt of an accepted child maltreatment report. The assessment shall include each underlying issue or additional child maltreatment concern that may not have been identified in the original child abuse hotline report.

The department shall work with families related to an accepted child maltreatment report to remedy the conditions or issues that resulted in the child maltreatment report.

Agency Conducting the Assessment/Investigation**Citation: Ann. Code § 12-18-602**

The Department of Human Services and the Arkansas State Police shall cause an investigation to be made upon receiving initial notification of suspected child maltreatment.

Assessment/Investigation Procedures**Citation: Ann. Code §§ 12-18-602; 12-18-605; 12-18-608**

At the initial time of contact with the alleged offender, the person conducting the investigation shall advise the alleged offender of the allegations made against the alleged offender in a manner that is consistent with the laws protecting the rights of the person who made the report.

Upon initiation of the investigation, the primary focus of the investigation shall be whether or not the alleged offender has access to children and whether or not children are at risk and need to be protected.

An investigation of child maltreatment or suspected child maltreatment shall include interviews with:

- The child
- The parents, both custodial and noncustodial
- The alleged offender if neither parent is the alleged offender
- Current or past health-care providers when the allegation of child maltreatment was reported by a health-care provider
- Any other relevant persons

A person conducting an investigation of a child victim, sibling of a child victim, or any other children in the home or under the care of an alleged offender shall have the discretion:

- In the child's best interests, to limit the persons allowed to be present when a child is being interviewed concerning allegations of child maltreatment
- As it relates to the integrity of the investigation, to limit persons present during an interview

The interview with the child victim, siblings of a child victim, or any other children in the home shall be conducted separate and apart from the alleged offender or any representative or attorney for the alleged offender. If the age or abilities of the child victim render an interview impossible, the investigation shall include observation of the child.

Timeframes for Completing Investigations**Citation: Ann. Code § 12-18-602**

All investigations shall begin within 72 hours. However, the investigation shall begin within 24 hours if:

- The allegation is severe maltreatment, excluding an allegation of:
 - » Sexual abuse, if the most recent allegation of sexual abuse was more than 1 year ago or the alleged victim does not currently have contact with the alleged offender
 - » Abandonment and the child is in a facility
 - » Cuts, welts, bruises, or suffocation, if the most recent allegation was more than 1 year ago and the alleged victim is in the custody of the department
- The allegation is that a child has been subjected to neglect as defined in § 12-18-103(14)(B).
- A child has died suddenly and unexpectedly.

Classification of Reports**Citation: Ann. Code § 12-18-702**

Upon completion of an investigation, the department and state police shall determine whether the allegations of child maltreatment are:

- Unsubstantiated: An unsubstantiated determination shall be entered when the allegation is not supported by a preponderance of the evidence.
- True: A true determination shall be entered when the allegation is supported by a preponderance of the evidence.
- True but exempted, which means that the offender's name shall not be placed in the child maltreatment central registry. This shall be entered if:
 - » A parent practicing his or her religious beliefs does not, for that reason alone, provide medical treatment for a child, but in lieu of treatment the child is being furnished with treatment by spiritual means alone, through prayer, in accordance with a recognized religious method of healing by an accredited practitioner.
 - » The offender is an underaged juvenile offender.
 - » The report was true for neglect, as defined under § 12-18-103(13)(B).
 - » The offender is a juvenile who is younger than age 14.
- Inactive: If the investigation cannot be completed, the investigation shall be determined incomplete and placed in inactive status.

California

Current Through January 2017

Individual Responsibility to Report**Citation: Penal Code § 11166**

A mandated reporter who knows or reasonably suspects that a child has been a victim of abuse or neglect shall make an initial report immediately by telephone and prepare and send, fax, or electronically transmit a follow-up written report within 36 hours.

Any commercial film, photographic print processor, or computer technician who has knowledge of or observes any film, photograph, videotape, negative, slide, data, image, video laser disc, computer hardware or software, computer floppy disk, data storage medium, CD-ROM, computer, or computer-generated image depicting a child under age 16 engaged in an act of sexual conduct shall report the instance of suspected child abuse to the law enforcement agency immediately, or as soon as practicably possible, by telephone and shall prepare and send, fax, or electronically submit a written report of it with a copy of the film, photograph, videotape, negative, slide, or image attached within 36 hours.

A county probation or welfare department shall immediately, and in no case in more than 24 hours, report to the law enforcement agency having jurisdiction over the case after receiving information that a child or youth who is receiving child welfare services has been identified as the victim of commercial sexual exploitation, as defined in § 11165.1(d).

When a child or youth who is receiving child welfare services and who is reasonably believed to be the victim of, or is at risk of being the victim of, commercial sexual exploitation, is missing, or has been abducted, the county probation or welfare department shall immediately, or in no case later than 24 hours from receipt of the information, report the incident to the appropriate law enforcement authority for entry into the National Crime Information Center database of the Federal Bureau of Investigation and to the National Center for Missing and Exploited Children.

Content of Reports

Citation: Penal Code § 11167(a)

Reports of suspected child abuse or neglect shall include:

- The name, business address, and telephone number of the mandated reporter
- The capacity that makes the person a mandated reporter
- The information that gave rise to the reasonable suspicion of child abuse or neglect and the source or sources of that information

If a report is made, the following information, if known, also shall be included in the report:

- The child's name, address, present location, and, if applicable, school, grade, and class
- The names, addresses, and telephone numbers of the child's parents or guardians
- The name, address, telephone number, and other relevant personal information about the person or persons who might have abused or neglected the child

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him or her.

Reporting Suspicious Deaths

Citation: Penal Code §§ 11166; 11166.1

The agency shall be notified and a report prepared and sent, faxed, or electronically submitted even if the child has died, regardless of whether or not the possible abuse was a contributing factor to the death and even if suspected child abuse was discovered during an autopsy.

The agency shall notify within 24 hours the licensing office that has jurisdiction over a facility when a child has died while living at or enrolled in that facility.

Reporting Substance-Exposed Infants

Citation: Penal Code § 11165.13

A positive toxicology screen at the time of the delivery of an infant is not in and of itself a sufficient basis for reporting child abuse or neglect. However, any indication of maternal substance abuse shall lead to an assessment of the needs of the mother and child pursuant to § 123605 of the Health and Safety Code. If other factors are present that indicate risk to a child, then a report shall be made.

A report based on risk to a child that relates solely to the inability of the parent to provide the child with regular care due to the parent's substance abuse shall be made only to a county welfare or probation department and not to a law enforcement agency.

Agency Receiving the Reports

Citation: Penal Code § 11165.9

Reports of suspected child abuse or neglect shall be made by mandated reporters, or in the case of reports of a child suffering from severe emotional damage (pursuant to § 11166.05), may be made, to any police department or sheriff's department, not including a school district police or security department; county probation department, if designated by the county to receive mandated reports; or the county welfare department. Any of those agencies shall accept a report of suspected child abuse or neglect whether offered by a mandated reporter or another person or referred by another agency, even if the agency to whom the report is being made lacks subject matter or geographical jurisdiction to investigate the reported case, unless the agency can immediately electronically transfer the call to an agency with proper jurisdiction.

When an agency takes a report about a case of suspected child abuse or neglect in which that agency lacks jurisdiction, the agency shall immediately refer the case by telephone, fax, or electronic transmission to an agency with proper jurisdiction. Agencies that are required to receive reports of suspected child abuse or neglect may not refuse to accept a report of suspected child abuse or neglect from a mandated reporter or another person unless otherwise authorized pursuant to this section and shall maintain a record of all reports received.

Initial Screening Decisions

Citation: Welf. & Inst. Code § 16504; DSS Manual Ch. 31, §§ 105; 120

An immediate in-person response shall be made by a county welfare department social worker in emergency situations. An in-person response is not required when the county welfare department, based upon an evaluation of risk, determines that an in-person response is not appropriate.

In policy: The decision on whether or not an in-person investigation is needed shall include the following:

- The social worker has been able to locate the child and/or the family.
- There exists an open case and the problem is being adequately addressed.
- The allegation meets the legal definition of abuse, neglect, or exploitation.
- The caregiver of the child is the alleged perpetrator or was negligent in allowing, or unable to prevent, access to the child.
- The allegation includes specific acts and/or behavioral indicators that are suggestive of abuse, neglect, or exploitation.
- There is additional information from collateral contacts or records review that invalidates the reported allegation.
- There are previously investigated unsubstantiated or unfounded reports from the same reporter with no new allegations or risk factors.

The decision on whether an in-person investigation is required include the following options:

- Evaluate out, with no referral to another community agency
- Evaluate out, with a referral to an appropriate community agency
- Evaluate out with a referral to the Indian child's tribe, an Indian organization, or other Indian service provider, if available, when there is reason to know that a child is or may be an Indian child
- Accept for in-person investigation

If the referral involves an Indian child, the social worker shall contact the designated representative of the child's tribe so that active efforts to prevent the breakup of the Indian family can be commenced and coordinated with the tribe.

Agency Conducting the Assessment/Investigation

Citation: Welf. & Inst. Code § 16504

Any child reported to the county welfare department as endangered by abuse, neglect, or exploitation shall be eligible for initial intake and evaluation of risk services. Each county welfare department shall maintain and operate a 24-hour response system.

Assessment/Investigation Procedures

Citation: Penal Code § 11167; DSS Manual Ch. 31, § 125

At the time of the initial contact with the individual who is subject to the investigation, the agency shall advise the individual of the complaints or allegations against him or her in a manner that is consistent with laws protecting the identity of the reporter.

In policy: The social worker initially investigating a referral shall determine the potential for the existence of any conditions that place the child or any other child in the household at risk and in need of services. The social worker shall have in-person contact with all of the children alleged to be abused, neglected, or exploited and at least one adult who has information regarding the allegations.

If, as a result of the investigation, the social worker does not find the referral to be unfounded, he or she shall:

- Conduct an in-person investigation with:
 - » All children present at the time of the initial in-person investigation
 - » All parents who have access to the children alleged to be at risk of abuse, neglect, or exploitation
- Make necessary collateral contacts with persons having knowledge of the condition of the children, including tribes, Indian organizations, or other Indian service providers when the child is or may be Indian

A noncustodial parent shall be considered to have access if he or she has regular or frequent in-person contact with the children.

In all cases, the social workers shall inquire with the child, if the child is old enough, the child's parent(s), legal guardian(s), or Indian custodian whether the child is or may be an Indian child and complete and file with the court the Indian Child Inquiry Attachment form. Additionally, the social worker must provide the Parental Notification of Indian Status to the parent, Indian custodian, or guardian for completion and file it with the court. Social workers have an affirmative and continuing duty to inquire about a child's Indian status.

Timeframes for Completing Investigations

Citation: DSS Manual Ch. 31, §§ 110, 115

If the social worker determines that an in-person investigation is necessary, he or she shall initiate the investigation immediately or within 10 calendar days, as appropriate. An immediate investigation is required when:

- The emergency response protocol indicates the existence of a situation in which imminent danger to a child, such as physical pain, injury, disability, severe emotional harm, or death, is likely.
- The law enforcement agency making the referral states that the child is at immediate risk of abuse, neglect, or exploitation.

- The social worker determines that the child referred by the law enforcement agency is at immediate risk of abuse, neglect, or exploitation.

Classification of Reports**Citation: Penal Code § 11165.12**

Reports may be classified as follows:

- A report is unfounded when it is determined by the investigator who conducted the investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect.
- A report is substantiated when it is determined by the investigator who conducted the investigation to constitute child abuse or neglect, as defined in § 11165.6, based upon evidence that makes it more likely than not that child abuse or neglect occurred. A substantiated report shall not include a report where the investigator who conducted the investigation found the report to be false, inherently improbable, to involve an accidental injury, or to not constitute child abuse or neglect.
- A report is inconclusive when it is determined by the investigator who conducted the investigation not to be unfounded, but the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect has occurred.

Colorado

Current Through January 2017

Individual Responsibility to Report**Citation: Rev. Stat. §§ 19-3-304; 19-3-307**

A mandated reporter who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions that would reasonably result in abuse or neglect shall report immediately to the county Department of Human or Social Services, a law enforcement agency, or through the child abuse reporting hotline system as set forth in § 26-5-111. The reporter shall promptly follow up with a written report.

A film processor shall report any suspicion of sexual abuse to a law enforcement agency immediately by telephone and shall prepare and send a written report of it with a copy of the film, photograph, videotape, negative, or slide attached within 36 hours of receiving the information concerning the incident.

Content of Reports**Citation: Rev. Stat. § 19-3-307**

The county department shall submit a report of confirmed child abuse or neglect within 60 days of receipt of the report to the state department. The report, when possible, shall include the following information:

- The name, address, age, sex, and race of the child
- The name and address of the person responsible for the suspected abuse or neglect
- The nature and extent of the child's injuries, including any evidence of previous cases of abuse or neglect of the child or the child's siblings
- Family composition
- The source of the report, including the name, address, and occupation of the person making the report
- Any action taken by the reporting source
- Any other information that might be helpful

Reporting Suspicious Deaths**Citation: Rev. Stat. § 19-3-305; Code of Regs. 12 CCR 2509-2(7.106.1)**

A mandated reporter who has reasonable cause to suspect that a child has died as a result of abuse or neglect shall report that fact immediately to a local law enforcement agency and the appropriate medical examiner. The county department shall forward a copy of such report to the State Department of Human Services.

In regulation: The county department shall assess an incident of egregious abuse or neglect against a child, a near fatality, or a child fatality in intrafamilial and institutional settings in those cases in which:

- There is reason to know or suspect that abuse or neglect caused or contributed to the incident.
- The cause of the incident is unknown or the information given is not consistent with the degree or type of injury and/or subsequent death.

The county department shall coordinate with law enforcement, the district attorney's office, the coroner's office, and hospitals to ensure that prompt notification is made of an incident of egregious abuse or neglect, near fatality, or fatality of a child, that is suspicious for child abuse or neglect.

Assessments shall be coordinated with law enforcement. At a minimum, in cases in which there are no surviving children, the county department shall provide law enforcement and the coroner with information related to any prior involvement with the child, the family, or the person alleged to be responsible for the abuse and/or neglect.

When there are surviving or noninjured children, the county department shall assess the condition of those children and take the action necessary to ensure their protection.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes and regulations reviewed.

Agency Receiving the Reports

Citation: Rev. Stat. §§ 19-3-308; 26-5-111

The county department shall receive the reports of abuse or neglect.

A statewide child abuse reporting hotline system serves as a direct, immediate, and efficient route to the applicable entity responsible for accepting the report and to the applicable entity responsible for responding to an inquiry. It is available 24 hours a day, 7 days a week.

The state board is authorized to adopt rules, as necessary, including, but not limited to, the following:

- The type of technology that may be used, including, but not limited to, a single statewide toll-free telephone number and technologies for language translation and for communicating with people who are deaf or have hearing impairments
- The operation of the hotline system, including the central record keeping and tracking of reports and inquiries statewide, and a requirement that the record keeping and tracking of reports and inquiries be accessible to all counties through the state's case management system
- The standards and steps for information and referral and how an inquiry is routed to the applicable entity responsible for responding to an inquiry
- A formal process for a county department to opt to have the state department receive reports or inquiries on behalf of the county department after hours
- A process for a county department to opt to have another county department receive reports or inquiries on behalf of the county department after hours or on a short-term basis
- Standardized training and certification standards for all staff prior to taking reports and inquiries
- A consistent screening process with criteria and steps for the county department to follow in responding to a report or inquiry
- Rules establishing a consistent decision-making process with criteria and steps for the county department to follow when deciding how to act on a report or inquiry or when to take no action on a report or inquiry

Initial Screening Decisions

Citation: Rev. Stat. § 19-3-308; Code of Regs. 12 CCR 2509-2(7.103.3)

The county department shall respond immediately upon receipt of any report of a known or suspected incident of intrafamilial abuse or neglect to assess the abuse involved and the appropriate response to the report. The assessment shall be in accordance with rules adopted by the State Board of Social Services to determine the risk of harm to such child and the appropriate response to such risks.

Appropriate responses shall include, but are not limited to, screening reports that do not require further investigation, providing appropriate intervention services, pursuing reports that require further investigation, and conducting immediate investigations.

In regulation: The county department shall gather any available information and conduct an initial review. The review shall include, but not be limited to, the following actions:

- Review the state automated case management system and any available county department files within 24 hours for:
 - » Prior referrals and/or involvement with the alleged child victim, family, and persons alleged to be responsible for the abuse or neglect
 - » Actions taken
 - » Services provided to inform whether there is known or suspected abuse or neglect or serious threats of harm to a child
- Obtain information from collateral sources such as schools, medical personnel, law enforcement agencies, or other care providers, as available and appropriate

The county department shall assign a referral for assessment if it:

- Contains specific allegations of known or suspected abuse or neglect as defined in statutes and regulations
- Provides sufficient information to locate the alleged victim
- Identifies a victim younger than age 18

Agency Conducting the Assessment/Investigation

Citation: Rev. Stat. § 19-3-308

The county department shall be the agency responsible for the coordination of all investigations of all reports of known or suspected incidents of intrafamilial abuse or neglect. The county department shall conduct the investigation in conjunction with the local law enforcement agency, to the extent a joint investigation is possible and deemed appropriate, and any other appropriate agency.

If a local law enforcement agency receives a report of a known or suspected incident of intrafamilial abuse or neglect, it shall attempt to contact the county department in order to refer the case for investigation.

Local law enforcement agencies shall have the responsibility for the coordination and investigation of all reports of third-party abuse or neglect by persons age 10 or older. Upon receipt of a report, if the local law enforcement agency reasonably believes that the protection and safety of a child is at risk due to an act or omission on the part of persons responsible for the child's care, that agency shall notify the county department of social services for an assessment regarding neglect or dependency. In addition, the local law enforcement agency shall refer to the county department of social services any report of third-party abuse or neglect in which the person allegedly responsible for such abuse or neglect is younger than age 10.

Assessment/Investigation Procedures

Citation: Rev. Stat. §§ 19-3-308; 19-3-308.3

The investigation, to the extent possible, shall include:

- The credibility of the source or the report
- The nature, extent, and cause of the abuse or neglect
- The identity of the person responsible for the abuse or neglect
- The names and conditions of any other children living in the same place
- The environment and the relationship of any children to the person responsible for the suspected abuse or neglect
- All other data deemed pertinent

The investigation shall include an interview with or observance of the child who is the subject of a report of abuse or neglect. The investigation may include a visit to the child's place of residence or wherever the child may be located, as indicated by the report. In addition, the alleged perpetrator shall be advised as to the allegation of abuse and neglect and the circumstances surrounding such allegation and shall be afforded an opportunity to respond.

Upon receipt of a report, if the county department reasonably believes that an incident of abuse or neglect has occurred, it shall immediately notify the local law enforcement agency responsible for investigation of violations of criminal child abuse laws. The local law enforcement agency may conduct an investigation to determine if a violation of any criminal child abuse law has occurred.

If a county department that is participating in the differential response program determines from an assessment that the known or suspected incident of intrafamilial abuse or neglect is of low or moderate risk, the county department, in lieu of performing an investigation, may refer the family to the differential response program. Participation in the program by families who are referred to the program is voluntary. For each family referred to the program, neither the state department nor a county department is required to make a finding concerning the alleged intrafamilial abuse or neglect in the family.

Timeframes for Completing Investigations

Citation: Code of Regs. 12 CCR 2509-2(7.103.61)

The county department shall assign priority in response time using the following criteria:

- An immediate and/or same day response is required when the report indicates that:
 - » There is present danger of moderate to severe harm.
 - » The child's vulnerability or factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state increase the need for immediate response.
- If the report is received after regular business hours, the timeframe is immediate and/or up to 8 hours.
- Response is required by the end of the third calendar day following receipt of the report when the report indicates that:
 - » There may be an impending danger of moderate to severe harm.

- » The alleged child victim's vulnerability and/or factors such as drug and alcohol abuse, violence, isolation, or risk of flight from one county to another county or state increase the need for intervention in the near future.
- Response is required within 5 working days from the date the report is received when the report indicates maltreatment or risk of maltreatment to a child and indicates an absence of safety concerns.

An assessment shall be completed within 60 calendar days of date the referral was received.

Classification of Reports

Citation: Code of Regs. 12 CCR 2509-1(7.000.2)

Reports may be classified as follows:

- 'Founded': The child abuse or neglect assessment established that an incident of child abuse or neglect has occurred, by a preponderance of evidence.
- 'Inconclusive': There was some likelihood that abuse or neglect occurred, but the child abuse or neglect investigation could not obtain the evidence necessary to make a founded report of child abuse or neglect.
- 'Unfounded': The abuse or neglect assessment established that there is clear evidence that no incident of abuse and/or neglect occurred.

Upon completion of an assessment, the county department shall consider a report founded if there is a preponderance of evidence to support that abuse occurred.

Connecticut

Current Through January 2017

Individual Responsibility to Report

Citation: Gen. Stat. §§ 17a-101a; 17a-101b; 17a-101c; 17a-101h

A mandated reporter who has reasonable cause to suspect that a child has been abused or neglected shall make an oral report, by telephone or in person, not later than 12 hours after the reporter has cause to suspect. The report shall be made to the Commissioner of Children and Families or a law enforcement agency.

No later than 48 hours after making an oral report, a mandated reporter shall submit a written report to the Commissioner of Children and Families. When a mandated reporter is a staff member of a public or private institution or facility that provides care for the child or public or private school, the reporter also shall submit a copy of the written report to the person in charge of such institution, school, or facility. In the case of a report concerning a school employee holding a certificate, authorization, or permit issued by the state Board of Education, a copy of the written report also shall be sent by the Commissioner of Children and Families to the Commissioner of Education. In the case of an employee of a facility or institution that provides care for a child that is licensed by the state, a copy of the written report also shall be sent by the Commissioner of Children and Families to the executive head of the state licensing agency.

A person reporting child abuse or neglect shall provide any person authorized to conduct an investigation with all information related to the investigation that is in the possession or control of the reporter, except as expressly prohibited by state or federal law.

Content of Reports

Citation: Gen. Stat. § 17a-101d

All oral and written reports shall contain, if known:

- The names and addresses of the child and the child's parents or other persons responsible for the child's care
- The age and gender of the child
- The nature and extent of the child's injuries, maltreatment, or neglect
- The approximate date and time the child's injuries, maltreatment, or neglect occurred
- Any information about previous injuries or maltreatment to the child or the child's siblings
- The circumstances in which the maltreatment came to be known to the reporter
- The name of the person suspected to be responsible for the maltreatment
- The reasons the person is suspected of causing the maltreatment or neglect
- Any information concerning any prior cases in which the person has been suspected of causing an injury, maltreatment, or neglect of a child
- Whatever action, if any, was taken to assist the child

Reporting Suspicious Deaths**Citation: Gen. Stat. § 17a-101b**

If the Commissioner of Children and Families receives a report that a child has died, the commissioner shall, within 12 hours of receipt of the report, notify the appropriate law enforcement agency.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports**Citation: Gen. Stat. § 17a-103a**

The Commissioner of Children and Families shall establish and operate the telephone Careline for child abuse and neglect that shall be dedicated to receive reports of child abuse or neglect and to provide information concerning child abuse or neglect. The Careline shall accept all reports of child abuse or neglect regardless of the relationship of the alleged perpetrator to the child who is the alleged victim and regardless of the alleged perpetrator's affiliation with any organization or other entity in any capacity. The commissioner shall classify and evaluate all reports pursuant to the provisions of § 17a-101g.

Initial Screening Decisions**Citation: Gen. Stat. § 17a-101g**

Upon receiving a report of child abuse or neglect in which the alleged perpetrator is a person who is responsible for the child's health, welfare, or care; given access to the child; or entrusted with the care of the child, the commissioner shall cause the report to be classified and evaluated immediately. If the report contains sufficient information to warrant an investigation, best efforts shall be made to commence an investigation of a report concerning an imminent risk of physical harm to a child or other emergency within 2 hours of receipt of the report and to commence an investigation of all other reports within 72 hours.

A report classified by the commissioner as lower risk may be referred for family assessment and services. Any such report may thereafter be referred for standard child protective services if safety concerns for the child become evident. A report referred for standard child protective services may be referred for family assessment and services at any time if the department determines there is a lower risk to the child.

Agency Conducting the Assessment/Investigation**Citation: Gen. Stat. §§ 17a-101g; 17a-101h**

The child protective services investigation shall be conducted by the Department of Children and Families. If the report is a report of child abuse or neglect in which the alleged perpetrator is not a person specified above, the commissioner shall refer the report to the appropriate local law enforcement authority.

For reports classified as lower risk, the commissioner may establish a program of family assessment response whereby the report may be referred to appropriate community providers for family assessment and services without an investigation or at any time during an investigation, provided there has been an initial safety assessment of the circumstances of a family and child and criminal background checks have been performed on all adults involved in the report.

Any person authorized to conduct an investigation of abuse or neglect shall coordinate investigatory activities in order to minimize the number of interviews of any child and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate. The commissioner shall obtain the consent of parents or guardians or other persons responsible for the care of the child to any interview with a child, except that such consent shall not be required when the department has reason to believe such parent or guardian or other person responsible for the care of the child or member of the child's household is the perpetrator of the alleged abuse or that seeking such consent would place the child at imminent risk of physical harm.

Assessment/Investigation Procedures**Citation: Gen. Stat. § 17a-101g**

The investigation shall include a home visit at which the child and any siblings are observed, if appropriate; a determination of the nature, extent, and cause or causes of the reported abuse or neglect; a determination of the person or persons suspected to be responsible for such abuse or neglect; the name, age, and condition of other children residing in the same household; and an evaluation of the parents and the home. The report of the investigation shall be in writing. The investigation also shall include, but not be limited to, a review of criminal conviction information concerning the person or persons alleged to be responsible for the abuse or neglect and previous allegations of abuse or neglect relating to the child or other children residing in the household or relating to family violence.

In response to an accepted family assessment report, the department shall conduct a comprehensive family assessment that shall include a safety and risk assessment and an assessment of family strengths and needs. The assessment shall include personal interviews with the child and the child's parent or primary caregiver, an evaluation of the home environment, and the performance of criminal background checks on all adults residing in the same household. The assessment may include, as appropriate, personal interviews with other children or adults residing in the same household as well as any other caregivers, family members, and collateral contacts. In conducting the assessment, the department shall consider the age and vulnerability of the child, family functioning, family history of abuse and neglect, and family history of involvement with the department. The department shall, upon securing any necessary releases, request any relevant out-of-state history of child abuse or neglect involving any adults residing in the same household.

Timeframes for Completing Investigations**Citation: Gen. Stat. § 17a-101g; State Agency Regs. § 17a-101(e)-4**

If the report contains sufficient information to warrant an investigation, the commissioner shall make the commissioner's best efforts to commence an investigation of a report concerning an imminent risk of physical harm to a child or other emergency within 2 hours of receipt of the report and shall commence an investigation of all other reports within 72 hours of receipt of the report. The department shall complete any such investigation no later than 45 calendar days after the date of receipt of the report.

In regulation: Upon receipt of the report, the department shall make an initial assessment of the potential risk to the child and shall designate the report as:

- 'Emergency,' which will require same-day commencement of the investigation
- 'Severe,' which will require commencement of the investigation within the following day
- 'Nonsevere,' which will require commencement of the investigation within 3 working days

All investigations of reports will be completed within 45 calendar days.

Classification of Reports**Citation: State Agency Regs. § 17a-101(e)-4**

The investigation is considered complete when the department staff have secured sufficient information through personal contact with the child, family, and/or other collateral sources (as appropriate) to:

- Determine whether the report is founded or unfounded
- Determine whether or not further department actions are required to protect and promote the well-being of the child or to assist the parent(s) or other child-caring person to more appropriately respond to and care for the child's needs

Delaware*Current Through January 2017***Individual Responsibility to Report****Citation: Ann. Code Tit. 16, §§ 903; 904**

Any person, agency, organization, or entity who knows or in good faith suspects child abuse or neglect shall make a report in accordance with § 904 of this title. In addition to and not in lieu of reporting to the Division of Family Services, any such person also may give oral or written notification of that knowledge or suspicion to any police officer who is in the presence of such person for the purpose of rendering assistance to the child in question or investigating the cause of the child's injuries or condition.

Any report of child abuse or neglect required to be made under this chapter shall be made by contacting the child abuse and neglect report line for the Department of Services for Children, Youth and Their Families. An immediate oral report shall be made by telephone or otherwise.

Content of Reports**Citation: Ann. Code Tit. 16, §§ 904; 906**

Contents of any written report shall be in accordance with rules and regulations of the division. When a written report is made, the division will contact the reporter within 48 hours to ensure that full information has been received and to obtain additional information, medical records, or both.

Reporting Suspicious Deaths**Citation: Ann. Code Tit. 16, § 906(e)**

In implementing the division's role in the child protection system, the division shall ensure that every case involving the death or near death of a child due to abuse or neglect is reported to the Child Protection Accountability Commission under § 932(a) of this title and every case involving the death of a child to the Child Death Review Commission.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports**Citation: Ann. Code Tit. 16, §§ 904; 905; 906**

Any report required by the reporting laws shall be made to the Division of Child Protective Services in the Department of Services for Children, Youth, and Their Families. The division will maintain a 24-hour toll-free telephone line for accepting reports. Although reports may be made anonymously, the division shall, in all cases, after obtaining relevant information regarding alleged abuse or neglect, request the name and address of any person making a report. When a written report is made by a mandatory reporter, the division shall contact the reporter within 48 hours of receipt of the report in order to ensure that full information has been received and to obtain any additional information or medical records, or both, that may be pertinent.

Initial Screening Decisions**Citation: Ann. Code Tit. 16, § 906**

Upon receipt of a report, the division shall check the internal information system to determine whether previous reports have been made regarding actual or suspected abuse or neglect of the subject child, any siblings, family members, or the alleged perpetrator. The division shall forward reports to the appropriate division staff, who shall determine, through the use of protocols developed by the division, whether an investigation or the family assessment and services approach should be used to respond to the allegation. The protocols for making this determination shall be developed by the division and shall give priority to ensuring the well-being and safety of the child.

Agency Conducting the Assessment/Investigation**Citation: Ann. Code Tit. 16, § 906**

The division may investigate any report, but shall conduct an investigation involving all reports that involve the commission or attempt to commit a crime against a child by a person responsible for the care, custody, and control of the child. The division will contact the Delaware Department of Justice and the appropriate law enforcement agency and provide the agency with a detailed description of the report. The law enforcement agency will assist the division with the investigation and promptly conduct its own criminal investigation and keep the division regularly apprised of the status and findings of its investigation.

Multidisciplinary services shall be used whenever possible in conducting the investigation or family assessment and services approach, including the services of law enforcement agencies, the medical community, and other agencies, both public and private.

Assessment/Investigation Procedures**Citation: Ann. Code Tit. 16, § 906**

The investigation shall include, but need not be limited to, the nature, extent, and cause of the abuse or neglect; collection of evidence; the identity of the alleged perpetrator; the names and condition of other children and adults in the home; the home environment; the relationship of the subject child to the parents or other persons responsible for the child's care; any indication of incidents of physical violence against any other household or family member; background checks on all adults in the home; and the gathering of other pertinent information.

In the family assessment and services approach, the service needs of the family shall be assessed from information gathered from the family and other sources. The division shall identify and provide for services for families where it is determined that the child is at risk of abuse or neglect. The division shall document its attempt to provide voluntary services and the reasons these services are important to reduce the risk of future abuse or neglect. If the family refuses to accept or avoids the proffered services, the division may refer the case for investigation or terminate services. The division shall:

- Commence an immediate investigation if at any time during the family assessment it is determined that an investigation is required or is otherwise appropriate
- Conduct a family assessment on reports initially referred for an investigation if it is determined that a complete investigation is not required

Timeframes for Completing Investigations

This issue is not addressed in the statutes and regulations reviewed.

Classification of Reports

Citation: Code of Regs. CDR 9-300-304

The case finding may indicate that it is substantiated or unsubstantiated. A person who has been substantiated for abuse or neglect must be entered on the child protection registry at one of four designated child protection levels related to the risk of future harm to children:

- Child Protection Level I: Low risk
- Child Protection Level II: Moderate risk
- Child Protection Level III: High risk
- Child Protection Level IV: Highest risk

If the division determines from its investigation not to substantiate the person for abuse or neglect, the person may not be entered on the child protection registry for that reported incident.

District of Columbia

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code §§ 4-1321.02; 4-1321.03

A mandated reporter who knows or has reasonable cause to suspect abuse or neglect of a child shall immediately report to the police department or the Child and Family Services Agency.

Each person required to make a report of a known or suspected neglected child shall:

- Immediately make an oral report of the case to the Child and Family Services Agency or the police department
- Make a written report of the case if requested by the agency or police or if the abuse involves drug-related activity

Content of Reports

Citation: Ann. Code § 4-1321.03

The report shall include, but need not be limited to, the following information if it is known to the person making the report:

- The name, age, sex, and address of the child, the child's siblings, other children in the home, and the parents or other persons responsible for the child's care
- The nature and extent of the abuse or neglect and any previous abuse or neglect
- Any other information that might be helpful
- If the source of the report is a mandated reporter, the identity and occupation of the source, how to contact the source, and any action taken by the source concerning the child

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

Citation: Ann. Code § 4-1321.02(d), (f)

A licensed health professional, law enforcement officer, or humane officer shall report immediately in writing to the Child and Family Services Agency when there is reasonable cause to believe that a child is abused as a result of inadequate care, control, or subsistence in the home environment due to exposure to drug-related activity.

A licensed health professional, who in his or her own professional or official capacity knows that a child under 12 months of age is diagnosed as having a fetal alcohol spectrum disorder, shall immediately report or have a report made to the Child and Family Services Agency.

Agency Receiving the Reports

Citation: Ann. Code § 4-1303.03b

The agency shall establish a single reporting line to receive reports of suspected child abuse and neglect. The single reporting line shall be maintained by the agency, with the assistance and support of the Metropolitan Police Department, and shall be staffed 24 hours a day, 7 days a week.

Initial Screening Decisions

Citation: Ann. Code §§ 4-1303.03b; 4-1301.04

Upon receiving reports on the single reporting line, the agency shall:

- Review and screen the reports to collect relevant information from the source of the report
- Transmit the reports to the entity with responsibility, or the appropriate governmental entity in another jurisdiction, for investigation or provision of services

The agency shall conduct a thorough investigation of a report of suspected child abuse or neglect to protect the health and safety of the child or children when a report involves a child fatality, suspected sex abuse, or the agency suspects a child is at imminent risk of or has experienced abuse or neglect that the agency determines to be severe.

For all other reports of suspected child abuse or neglect, the agency, directly or through a contractor or another appropriate district agency, shall conduct either a thorough investigation or a family assessment. A family's cooperation with the family assessment and its acceptance of services offered pursuant to the assessment shall be voluntary as long as there are no concerns regarding child safety.

Agency Conducting the Assessment/Investigation

Citation: Ann. Code §§ 4-1301.04; 4-1301.51

The agency shall conduct the investigation or family assessment. The agency may request the assistance of the Metropolitan Police Department to assist in the investigation or to ensure the safety of agency staff. As part of the full investigation, the agency must notify and coordinate with the Metropolitan Police Department when there is indication of a crime, including sexual or serious physical abuse.

Every instance of sexual abuse of a child shall be reviewed and investigated by a multidisciplinary investigation team, which shall focus first, on the needs of the child; and second, on the law enforcement, prosecution, and related civil proceedings.

Assessment/Investigation Procedures

Citation: Ann. Code §§ 4-1301.04; 4-1301.06

The family assessment shall include seeing the child and all other children in the household within a 5-day period. The report must not involve a child who is at imminent risk of or has experienced abuse or neglect that the agency determines to be severe; in such a case, the report shall be referred for investigation. At any time during the investigation, the director of the agency may determine it appropriate to refer the family for a family assessment and suspend the investigation.

The full investigation shall include:

- Seeing the child and all other children in the household outside of the presence of the caregivers
- Conducting an interview with the child's caregivers
- Speaking with the source of the report
- Assessing the safety and risk of harm to the child from abuse or neglect in the place where the child lives
- Deciding on the safety of the child and of other children in the household
- Deciding on the safety of other children in the care or custody of the person or persons alleged to be abusing or neglecting the child

The investigation shall determine:

- The nature, extent, and cause of the abuse or neglect
- If mental injury is suspected, an assessment of the suspected mental injury by a physician, a psychologist, or a licensed clinical social worker
- If the suspected abuse or neglect is determined to be substantiated:
 - » The identity of the person responsible for the abuse or neglect
 - » The name, age, sex, and condition of the maltreated child and all other children in the home
 - » The conditions in the home
 - » Whether there is any child in the home whose health, safety, or welfare is at risk
 - » Whether any child who is at risk should be removed from the home or can be protected by the provision of resources

The agency shall complete a final report of its findings within 5 business days after the completion of the investigation.

Timeframes for Completing Investigations**Citation: Ann. Code §§ 4-1301.04; 4-1301.06**

The family assessment shall commence as soon as possible, but no later than 5 days after the agency's receipt of the report.

The investigation shall commence:

- Immediately upon receiving a report of suspected abuse or neglect or a referral for investigation following a family assessment indicating that the child's safety or health is in immediate danger
- As soon as possible, and at least within 24 hours, upon receiving any report or a referral for investigation following a family assessment not involving immediate danger to the child

The initial phase of the investigation shall be completed within 24 hours of its commencement. The full investigation shall be completed no more than 30 days after receipt of the first notice of the suspected abuse or neglect.

Classification of Reports**Citation: Ann. Code §§ 4-1301.04; 4-1301.02**

The report of the investigation must include a finding as to whether the report of abuse or neglect is substantiated, inconclusive, or unfounded. These classifications have the following meanings:

- A substantiated report is supported by credible evidence and is not against the weight of the evidence.
- An inconclusive report cannot be proven to be either substantiated or unfounded.
- An unfounded report is made maliciously or in bad faith or has no basis in fact.

Florida*Current Through January 2017***Individual Responsibility to Report****Citation: Ann. Stat. § 39.201; Admin. Code § 65C-29.002**

Any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the central abuse hotline of the Department of Children and Family Services.

Any person who knows, or who has reasonable cause to suspect, that a child is abused by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare also shall report such knowledge or suspicion to the department on the central abuse hotline.

In regulation: Professionally mandated reporters are required to provide their names to the abuse hotline when making a report of alleged child maltreatment. A report shall be accepted if it meets statutory criteria for acceptance even if the reporters wish to remain anonymous. Nonprofessionally mandated reporters are not required to provide their names for the acceptance of a report.

Content of Reports**Citation: Admin. Code § 65C-29.002**

When a report is being accepted, the hotline counselor shall ask all reporters to provide the following information:

- Information regarding subjects of the report, including name, race, sex, date of birth, Social Security number, ethnicity, school, employment, address, phone number, and/or other acceptable means to locate the victim if the address is not known
- The relationship between the victim and the alleged perpetrator
- Names and contact information for any person who can provide assistance to the child or additional information about the family's circumstances
- The type of maltreatment alleged and the nature and extent of harm suffered by the victim, including when the incident occurred or whether it is a chronic, ongoing situation
- Any known history of abuse, neglect, or abandonment of persons named in the report
- The risk of continued maltreatment and whether the alleged perpetrator continues to have access to the victim
- The current condition of the child
- Other children in the environment
- The name and occupation of the reporter, relationship between the child and the reporter, contact information for the reporter, and any other information the reporter believes will be of assistance

Reporting Suspicious Deaths

Citation: Ann. Stat. § 39.201

Any person required to report or investigate cases of suspected child abuse, abandonment, or neglect who has reasonable cause to suspect that a child died as a result of child abuse, abandonment, or neglect shall report his or her suspicion to the appropriate medical examiner. The medical examiner shall accept the report for investigation and shall report his or her findings, in writing, to the local law enforcement agency, the appropriate state attorney, and the department. Autopsy reports maintained by the medical examiner are not subject to the confidentiality requirements provided for in § 39.202.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Stat. § 39.201

The department shall operate and maintain a central abuse hotline to receive all reports of suspected child maltreatment in writing, via fax, via web-based reports, via web-based chat, or through a single statewide toll-free telephone number, which any person may use to report known or suspected child abuse, abandonment, or neglect at any hour of the day or night, any day of the week.

Initial Screening Decisions

Citation: Ann. Stat. §§ 39.201; 39.301; Admin. Code § 65C-29.002

Personnel at the department's central abuse hotline shall determine if the report received meets the statutory definition of child abuse, abandonment, or neglect. Any report meeting one of these definitions shall be accepted for a protective investigation.

If the report involves child abuse by someone other than a caregiver, the report shall be transferred immediately to the appropriate county sheriff's office. If the report involves the impregnation of a child under age 16 by a person age 21 or older, the report shall be made immediately to an appropriate law enforcement agency.

Upon receiving a report, the hotline shall determine if the report requires an immediate onsite protective investigation. For reports requiring an immediate onsite protective investigation, the hotline shall notify the department immediately to ensure that an onsite investigation is promptly initiated. For reports not requiring an immediate investigation, the hotline shall notify the department in sufficient time to allow for an investigation.

The department shall forward immediately allegations of criminal conduct to the appropriate law enforcement agency of the municipality or county in which the alleged conduct occurred.

In regulation: Hotline staff shall determine if the allegation in the report meets the statutory definition of child abuse, neglect, abandonment, or harm. Any allegation that meets one of these definitions shall be accepted for protective investigation. The alleged child victim must be younger than age 18 and be a resident of or located in Florida at the time of the allegation. A report shall not be accepted on an unborn or stillborn child.

The alleged perpetrator must be a caregiver, which is defined as a parent, legal custodian, an adult household member, or other person responsible for a child's welfare.

Agency Conducting the Assessment/Investigation

Citation: Ann. Stat. § 39.301

Protective investigations shall be performed by the department or its agent.

To the extent practical, all protective investigations involving a child shall be conducted or the work supervised by a single individual in order for there to be broad knowledge and understanding of the child's history. When a new investigator is assigned to investigate a second and subsequent report involving a child, a multidisciplinary staffing shall be conducted that includes new and prior investigators, their supervisors, and appropriate private providers in order to ensure that, to the extent possible, there is coordination among all parties.

Upon receiving a written report of an allegation of criminal conduct from the department, the law enforcement agency shall review the information in the written report to determine whether a criminal investigation is warranted. If the law enforcement agency accepts the case for criminal investigation, it shall coordinate its investigative activities with the department, whenever feasible. If the law enforcement agency does not accept the case for criminal investigation, the agency shall notify the department in writing.

Assessment/Investigation Procedures

Citation: Ann. Stat. § 39.301

An assessment of safety and the perceived needs for the child and family shall be conducted in a manner that is sensitive to the social, economic, and cultural environment of the family.

For each report accepted for investigation, the department or the sheriff providing child protective investigative services shall perform the following child protective investigation activities to determine child safety:

- Conduct a review of all relevant, available information specific to the child and family and alleged maltreatment; family child welfare history; and local, state, and federal criminal records checks
- Conduct face-to-face interviews with the child; any siblings; and the parents, legal custodians, or caregivers
- Assess the child's residence, including:
 - » The composition of the family and household
 - » The name, address, date of birth, Social Security number, sex, and race of each child named in the report
 - » Any siblings or other children in the same household or in the care of the same adults
 - » The parents, legal custodians, caregivers, or any other adults in the same household
- Determine whether there is any indication that any child in the household has been abused, abandoned, or neglected; the nature and extent of present or prior injuries, abuse, or neglect, and any evidence thereof
- Determine the identity of the person or persons apparently responsible for the abuse, abandonment, or neglect, including the name, address, date of birth, Social Security number, sex, and race of each such person
- Complete an assessment of immediate child safety for each child based on available records, interviews, and observations with all household members and appropriate collateral contacts, including other professionals
- Document the present and impending dangers to each child based on the identification of inadequate protective capacity through utilization of a standardized safety assessment instrument

Timeframes for Completing Investigations

Citation: Ann. Stat. § 39.301

If it appears that the immediate safety or well-being of a child is endangered, that the family may flee, that the child will be unavailable for purposes of conducting a child protective investigation, or that the facts otherwise so warrant, the department shall commence an investigation immediately, regardless of the time of day or night. In all other child abuse, abandonment, or neglect cases, a child protective investigation shall be commenced within 24 hours after receipt of the report.

The department shall complete its protective investigation within 60 days after receiving the initial report unless:

- There also is an active, concurrent criminal investigation that is continuing beyond the 60-day period and the closure of the protective investigation may compromise successful criminal prosecution of the child abuse or neglect case, in which case the closure date shall coincide with the closure date of the criminal investigation and any resulting legal action.
- In child death cases, the final report of the medical examiner is necessary for the department to close its investigation and the report has not been received within the 60-day period, in which case the report closure date shall be extended to accommodate the report.
- A child who is necessary to an investigation has been declared missing by the department, a law enforcement agency, or a court, in which case the 60-day period shall be extended until the child has been located or until sufficient information exists to close the investigation despite the unknown location of the child.

Classification of Reports

Citation: Admin. Code § 65C-30.001

The following terms apply to reports made to the hotline:

- An 'allegation' is a statement by a reporter to the abuse hotline that child abuse, neglect, or abandonment is known or suspected.
- A 'finding' is the investigative determination that there is credible evidence to support or refute the alleged child maltreatment.
- 'No jurisdiction' is the designation given to abuse reports that have been accepted by the abuse hotline, but upon further investigation, the investigator determines that the department or sheriff's office does not have the authority to investigate because the allegations and/or facts surrounding the report do not meet statutory criteria, including:
 - » The alleged perpetrator is a staff member in a general hospital, while acting in an official capacity.

- » The alleged perpetrator is a law enforcement officer or employee of a jail, municipal, or county detention facility, juvenile boot camp facility, or Department of Corrections, while acting in an official capacity.
- » The alleged perpetrator is a noncaregiver, except in cases of human trafficking.
- » The allegations concern a child who is residing and located in another state at the time of the report.
- » The allegations concern a child who resides on federal property such as an Indian reservation or military base.
- A 'nonjudicial case' means the children have been determined to be unsafe, a safety plan is required, and the family has consented to services and supervision aimed at addressing the conditions that make the child unsafe.
- 'Patently unfounded' refers to reports that, after initial contact with participants, are subsequently determined to have no basis in fact as demonstrated by readily observable and corroborated information. This is not the presence of evidence to refute or the absence of evidence to support the maltreatment, but rather the presence of evidence in direct contrast to what was reported.

Georgia

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code §§ 19-7-5; 16-12-100

A mandated reporter who has reasonable cause to believe that a child has been abused shall report or cause reports of that abuse to be made as provided in this section. An oral report shall be made immediately by telephone or otherwise and followed by a report in writing, if requested, and in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused.

A person who, in the course of processing or producing visual or printed matter either privately or commercially, has reasonable cause to believe that the visual or printed matter submitted for processing or producing depicts a minor engaged in sexually explicit conduct shall immediately report such incident, or cause a report to be made, to the Georgia Bureau of Investigation or the law enforcement agency for the county in which such matter is submitted.

Content of Reports

Citation: Ann. Code § 19-7-5

The report shall contain, if possible:

- The names and addresses of the child and the child's parents or caregivers
- The child's age, if known
- The nature and extent of the child's injuries, including any evidence of previous injuries
- Any other information that might be helpful in establishing the cause of the injuries and the identity of the perpetrator

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Code § 19-7-5

The report shall be made to a child welfare agency providing protective services, as designated by the Department of Human Services, or, in the absence of such agency, to an appropriate police authority or district attorney.

If a report of child abuse is made to the child welfare agency or independently discovered by the agency, and the agency has reasonable cause to believe the report is true or the report contains any allegation or evidence of child abuse, then the agency shall notify immediately the appropriate police authority or the district attorney.

Initial Screening Decisions

Citation: DHS CW Man. Ch. 2, § 2.2

A case manager will evaluate the intake report to determine if the three components of child maltreatment reports are met. These components include:

- An alleged perpetrator:
 - » Who is a known or unknown individual
 - » Whose relationship to the victim is classified as being that of a parent, guardian, foster parent, stepparent, or adoptive parent; an employee of a public/private residential home, care facility, or daycare facility; a custodian (a person standing in loco parentis); other caregiver; or school personnel
- A child from birth up to their 18th birthday
- An allegation that meets the definition of child abuse, neglect, sexual abuse, or emotional abuse

Intake reports containing the required components must be approved for assessment (investigation) and submitted to a social service supervisor for approval and transfer to a case manager for completion of an abuse/neglect assessment.

Agency Conducting the Assessment/Investigation

Citation: Ann. Code § 49-5-180; DHS CW Man, §§ 5; 5.1

The investigation may be conducted by an abuse investigator, which includes the department, any local Department of Family and Children Services (DFCS), or a designee thereof.

In regulation: As the designated child welfare agency in Georgia, DFCS is legally mandated to investigate reports of known or suspected instances of child abuse and neglect, including physical or mental injury, sexual abuse or exploitation, or negligent treatment or maltreatment under circumstances that indicate that the child's health or welfare is threatened.

Law enforcement is the criminal investigative agency in the community and is often investigating the same allegation as DFCS. When this is the case, CPS and law enforcement must work as a team to coordinate investigative activities.

Assessment/Investigation Procedures

Citation: DHS CW Man, § 2104.1

The local county department will conduct the investigation to determine whether an incident of maltreatment occurred and, if maltreatment is substantiated, to determine the level of risk for future maltreatment to the child and to plan for the child's safety and protection.

Investigation is a process to determine the validity of a complaint by interviewing, observing, and gathering information. This process leads to decisions about the level of risk for future maltreatment to the child, the degree of safety, and the need for the continued involvement of the agency until protection of the child is ensured.

Components of the investigation include:

- Reviewing the report to determine the best approach
- Coordinating, as necessary, with law enforcement
- Making the initial contact with the child and parent
- Planning additional contacts with the child and parent, as needed
- Gathering all available evidence
- Making collateral contacts
- Determining the degree of protection and safety of the child and the level of risk
- Continuing to coordinate, as needed, with law enforcement regarding possible criminal prosecution
- Making a case determination and sending required notifications of decisions

Timeframes for Completing Investigations

Citation: DHS CW Man. Ch. 2, § 2.5; 2104.1

DFCS will begin response time calculation at the conclusion of the intake call. DFCS response time categories include:

- Immediate: The child is in imminent danger. The case manager must leave to initiate the assessment (make face-to-face contact with each child victim) immediately following the assignment of the response time.
- Up to 24 hours: The child is not in present danger but it is likely that the child's safety will be compromised in the immediate future. The case manager must initiate the investigation within 24 hours or by the specified period of time assigned to the case by the supervisor.

- Five work days: There is no present safety concern. The assessment (investigation) must be initiated within 5 work days (excluding weekends but including all holidays).

The investigation is completed within 30 calendar days of the date the report is received.

Classification of Reports

Citation: Ann. Code § 49-5-180

The term 'substantiated case' is used when an investigation of a child abuse report by an abuse investigator has confirmed, based upon a preponderance of evidence, that child abuse has occurred.

Reports are classified as follows:

- 'Confirmed' means that the investigation has revealed that there is equal or greater credible evidence that child abuse occurred than the credible evidence that child abuse did not occur.
- 'Unconfirmed' means that the investigation has revealed that there is some credible evidence that child abuse occurred, but there is not sufficient credible evidence to classify that child abuse as confirmed.
- 'Unfounded' means that the investigation has determined that there is no credible evidence that child abuse occurred.

Guam

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code Tit. 19, § 13203(a)

Mandated reporters shall report cases of suspected abuse to child protective services (CPS) or the police immediately by telephone and follow up in writing within 48 hours. Oral reports shall be made to CPS or to the police department.

Content of Reports

Citation: Ann. Code Tit. 19, § 13203(c)

Reports of child abuse or neglect should contain the following information:

- The name of the person making the report
- The name, age, and sex of the child
- The present location of the child
- The nature and extent of injury
- Any other information, including information that led that person to suspect child abuse, that may be requested by the child protective agency receiving the report

Mandated reporters shall be required to reveal their names.

Other information relevant to the incident of child abuse also may be given to an investigator from a child protective agency who is investigating the known or suspected case of child abuse, including:

- The name of the person or persons responsible for causing the suspected abuse or neglect
- Family composition
- The actions taken by the reporting source, including the taking of photographs and x-rays, removal or keeping of the child, or notification of the medical examiner
- Any other information that the child protective agency may, by regulation, require

Reporting Suspicious Deaths

Citation: Ann. Code Tit. 19, § 13205

Any mandated reporter who has reasonable cause to suspect that a child has died as a result of abuse shall report that fact to the medical examiner. The medical examiner shall report any findings to the police department, attorney general's office, and CPS.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Code Tit. 19, § 13209

CPS shall receive all reports, both oral and written, of suspected child abuse or neglect 7 days a week, 24 hours a day.

Initial Screening Decisions

This issue is not addressed in the statutes reviewed.

Agency Conducting the Assessment/Investigation

Citation: Ann. Code Tit. 19, § 13204

The Guam Police Department and CPS shall develop and implement cooperative arrangements to coordinate existing duties in connection with the investigation of suspected child abuse. CPS shall initiate the development and implementation of these arrangements, including the development and distribution of reporting forms. The Guam Police Department shall report to CPS that it is investigating a case within 36 hours after starting its investigation. In cases where a minor is a victim of criminal sexual conduct, CPS shall evaluate what action or actions would be in the best interests of the child victim.

Assessment/Investigation Procedures

Citation: Ann. Code Tit. 19, §§ 13209; 13209.1

The investigation shall include a determination of the risk to the child or children if they continue to remain in the existing home environment as well as a determination of the nature, extent, and cause of any condition enumerated in the report and, after seeing to the safety of the child or children, notify the subjects of the report orally and in writing of the existence of the report.

The investigation shall determine whether the child is being harmed by factors beyond the control of the parent or other person responsible for the child's welfare, and if so determined, CPS shall promptly take all available steps to remedy and correct such conditions, including, but not limited to, the coordination of social services for the child and the family.

CPS shall develop written procedures for screening each referral for abuse or neglect of a child to assess whether abuse of another family or household member also is occurring. The assessment must include, but is not limited to:

- A check of the criminal record of the parents, the alleged abusive or neglectful person, and the alleged perpetrator of family violence if not a parent of the child
- An inquiry concerning the existence of orders for protection issued to either parent

Timeframes for Completing Investigations

Citation: Ann. Code Tit. 19, § 13209

Upon receipt of each report of suspected child abuse or neglect, CPS shall commence within a reasonable time, but no later than 72 hours, an appropriate investigation. The investigation shall be completed within 60 days.

Classification of Reports

Citation: Ann. Code Tit. 19, § 13209

CPS shall determine within 60 days whether the report is 'indicated,' 'substantiated,' or 'unsubstantiated.'

Hawaii

Current Through January 2017

Individual Responsibility to Report

Citation: Rev. Stat. § 350-1.1

A mandated reporter who has reason to believe that child abuse or neglect has occurred shall immediately report the matter orally to the Department of Human Services or the police department. The initial oral report shall be followed as soon as possible by a report in writing to the department.

Content of Reports

Citation: Rev. Stat. § 350-1.1

All written reports shall contain, if known:

- The name and address of the child and the child's parents or other persons responsible for the child's care
- The child's age
- The nature and extent of the child's injuries
- Any other information that the reporter believes might be helpful or relevant to the investigation

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Rev. Stat. § 350-2

The department shall receive reports concerning child abuse or neglect.

The department shall inform the appropriate police department or office of the prosecuting attorney of the relevant information concerning a case of child abuse or neglect when the information is required for the investigation or prosecution of that case.

Initial Screening Decisions

Citation: Code of Rules § 17-1610-17

Upon receipt of a report, the department immediately shall assess the validity of the report, the safety of the child, and the agency response to the report.

If the department determines the report involves high or severe harm or severe threatened harm, the report shall be accepted for further assessment. If the report involves a low or moderate level of harm or threatened harm, the family may be diverted to community resources for short-term counseling, outreach, and/or support services.

Agency Conducting the Assessment/Investigation

Citation: Rev. Stat. § 587A-11

Upon receiving a report that a child is subject to imminent harm, has been harmed, or is subject to threatened harm, and when an assessment is required by this chapter, the department shall conduct an investigation as it deems appropriate.

Assessment/Investigation Procedures

Citation: Rev. Stat. § 587A-11; Code of Rules § 17-1610-23

In conducting the investigation, the department may:

- Enlist the cooperation and assistance of appropriate state and federal law enforcement authorities, who may conduct an investigation and, if an investigation is conducted, shall provide the department with all preliminary findings, including the results of a criminal history record check of an alleged perpetrator
- Conduct a criminal history record check of an alleged perpetrator and all adults living in the family home to ensure the safety of the child
- Interview the child without the presence or prior approval of the child's family and temporarily assume protective custody of the child for the purpose of conducting the interview
- Resolve the matter in an informal fashion that it deems appropriate under the circumstances
- Close the matter if the department finds, after an assessment, that the child is residing with a caregiver who is willing and able to meet the child's needs and provide a safe and appropriate placement for the child

In regulation: The department shall assess each report accepted by the department in accordance with departmental procedures. The assessment will determine whether or not the child has been harmed or is threatened with harm and the action that will be taken by the department.

The department shall determine and initiate any needed services necessary to complete the assessment, including, but not limited to, multidisciplinary team consultation, psychological, psychiatric, psychosexual, or other needed evaluations.

When additional facts are needed to thoroughly evaluate the family and child's current situation, the department shall contact other persons or agencies that may possess knowledge of the family without consent.

A written medical assessment of the child's physical condition shall be obtained when sexual abuse is suspected or there is a report of severe abuse, neglect, or medical neglect.

Timeframes for Completing Investigations

Citation: Code of Rule § 17-1610-24

For those reports accepted for assessment, a disposition shall be made in accordance with departmental procedures and documented in the department's information system within 60 working days of the acceptance of the report as to whether the child has been harmed.

Classification of Reports

Citation: Code of Rules § 17-1610-2

Reports may be classified as follows:

- Confirmed: An investigation conducted by the department revealed reasonable cause to believe that harm or threatened harm occurred.
- Not confirmed: An investigation conducted by the department revealed that there was insufficient evidence to confirm that harm or threatened harm had occurred.
- Unsubstantiated: The statement or information contained in the child abuse and/or neglect report was found by the department to be frivolous or made in bad faith.

Idaho

Current Through January 2017

Individual Responsibility to Report

Citation: Idaho Code § 16-1605

A mandated reporter who has reason to believe that a child has been abused, neglected, or abandoned shall report within 24 hours to a law enforcement agency or the Department of Health and Welfare.

Content of Reports

Citation: Idaho Code § 16-1605

The report shall contain a description of the conditions and circumstances that led to making the report.

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Admin. Code § 16.06.01.552

Each region of the Department of Health and Welfare shall maintain a system for receiving and responding to reports or complaints on a 24-hour-per-day, 7-day-per-week basis throughout the entire region. The region shall advertise the system to the public throughout the region and ensure the accurate recording of as many facts as possible at the time of the report.

Initial Screening Decisions

Citation: Admin. Code § 16.06.01.553

The department must assign all reports of possible abuse, neglect, or abandonment for safety assessment unless the field office has knowledge or information that discredits the report beyond a reasonable doubt.

Agency Conducting the Assessment/Investigation

Citation: Admin. Code §§ 16.06.01.550; 556; 557

The Department of Health and Welfare is the official child protection agency for responding to situations of reported child abuse, neglect, or abandonment. A respectful, nonjudgmental approach should be the policy for assessments, especially during the initial contact with the family.

Possible abuse, abandonment, or neglect of a child who is known or suspected to be Indian will be reported to appropriate tribal authorities immediately. If the reported incident occurs off a reservation, the department will perform the investigation. The department also will investigate incidents reported on a reservation if requested to do so by appropriate authorities of the tribe. A record of any response will be maintained in the case record and written documentation will be provided to the appropriate tribal authorities.

Reports involving a military family must be reported to the appropriate military family advocacy representative. Abuse, neglect, or abandonment of a child on a military installation falls under federal jurisdiction.

Assessment/Investigation Procedures

Citation: Admin. Code § 16.06.01.559

The assessment must include contact with the children involved and the immediate family and a records check for history with respect to child protection issues.

The interview of a child concerning a child protection report must be conducted:

- In a manner that protects all children involved from undergoing any unnecessary traumatic experience, including multiple interviews
- By a professional with specialized training in using techniques that consider the natural communication modes and developmental stages of children
- In a neutral, nonthreatening environment, such as a specially equipped interview room, if available

The interview of the child's immediate family is mandatory in every case and may require the participation of law enforcement. The family services worker conducting the interview must:

- Immediately notify the parents being interviewed of the purpose and nature of the assessment
- Determine if the family is of Indian heritage for the purposes of the Indian Child Welfare Act
- Interview siblings who are identified as being at risk
- Not divulge the name of the person making the report of child abuse or neglect

Any assessment of an abuse or neglect report must include at least one collateral interview with a person who is familiar with the circumstances of the child or children involved.

A safety assessment will be completed on each referral assigned for assessment of abuse or neglect, or both. When safety threats are identified in the safety assessment and the case remains open for services, a comprehensive assessment must be completed.

The department may enlist the cooperation of peace officers for phases of the safety assessment for which they have the expertise and responsibility, as consistent with the relevant multidisciplinary team protocol.

Timeframes for Completing Investigations

Citation: Admin. Code § 16.06.01.554

The level of response required will be based on the following criteria:

- Priority I: The department must respond immediately if a child is in immediate danger involving a life-threatening or emergency situation. Law enforcement shall be notified and requested to respond or accompany the family services worker.
- Priority II: A child is not in immediate danger, but there are clear allegations of physical or sexual abuse or medical neglect. Law enforcement shall be notified within 24 hours, and the child must be seen by the family services worker within 48 hours.
- Priority III: A child may be in a vulnerable situation because of service needs that, if left unmet, may result in harm, or a child is without parental care. A family services worker shall respond within 3 days, and the child must be seen within 5 days.

Classification of Reports

Citation: Admin. Code § 16.06.01.560

Within 5 days following completion of safety assessments, the department will determine whether the reports are substantiated or unsubstantiated.

Child abuse, neglect, or abandonment reports are substantiated by one or more of the following:

- It was witnessed by a family services worker.
- A court determines, in an adjudicatory hearing, that a child comes within the jurisdiction of the Child Protective Act.
- The alleged perpetrator made a confession.
- The abuse or neglect was corroborated by physical or medical evidence.
- The abuse or neglect was established by evidence that it is more likely than not that abuse, neglect, or abandonment occurred.

Child abuse, neglect, or abandonment reports are unsubstantiated when they are not found to be substantiated. For intradepartmental statistical purposes, the department will indicate whether the unsubstantiated disposition of the safety assessment was due to insufficient evidence or was an erroneous report.

Illinois

Current Through January 2017

Individual Responsibility to Report

Citation: Cons. Stat. Ch. 325, §§ 5/4; 5/4.5; 5/7

Any mandated reporter who has reasonable cause to believe a child known to them in their professional or official capacity may be an abused or neglected child shall immediately report or cause a report to be made to the Department of Children and Family Services.

If an electronic and information technology equipment worker discovers any depiction of child pornography while installing, repairing, or otherwise servicing an item of electronic and information technology equipment, that worker or the worker's employer shall immediately report the discovery to the local law enforcement agency or to the Cyber Tipline at the National Center for Missing and Exploited Children.

All reports by mandated reporters shall be confirmed in writing to the appropriate child protective service unit, which may be on forms supplied by the department, within 48 hours of any initial report.

Written confirmation reports from persons not required to report may be made to the appropriate child protective service unit.

Content of Reports

Citation: Cons. Stat. Ch. 325, §§ 5/7; 5/9

The initial oral report shall include, if known:

- The name and address of the child and his or her parents or other persons having custody
- The child's age
- The nature of the child's condition, including any evidence of previous injuries or disabilities
- Any other information that the person filing the report believes might be helpful in establishing the cause of the abuse or neglect and the identity of the person believed to have caused the abuse or neglect

Initial written reports from the reporting source shall contain the following information to the extent known at the time the report is made:

- The names and addresses of the child and his or her parents or other persons responsible for his or her welfare
- The name and address of the school that the child attends or last attended, if the report is written during the summer when school is not in session
- The name of the school district in which the school is located, if applicable
- The child's age, sex, and race
- The nature and extent of the child's abuse or neglect, including any evidence of prior injuries, abuse, or neglect of the child or his or her siblings
- The names of the persons apparently responsible for the abuse or neglect
- Family composition, including names, ages, sexes, and races of other children in the home
- The name of the person making the report, his or her occupation, and where he or she can be reached
- The actions taken by the reporting source, including the taking of photographs and x-rays, placing the child in temporary protective custody, or notifying the medical examiner or coroner
- Any other information the person making the report believes might be helpful

Reporting Suspicious Deaths

Citation: Cons. Stat. Ch. 325, § 5/4.1

A mandated reporter or any other person who has reasonable cause to believe that a child has died as a result of abuse or neglect shall report to the appropriate medical examiner.

The medical examiner or coroner shall investigate the report and communicate any apparent gross findings orally, immediately upon completion of the gross autopsy, but in all cases within 72 hours, and in writing within 21 days, to the local law enforcement agency, the appropriate state's attorney, the department, and, if the institution making the report is a hospital, the hospital.

Reporting Substance-Exposed Infants

Citation: Cons. Stat. Ch. 325, § 5/7.3b

All mandated reporters may refer to the department any pregnant person who is addicted as defined in the Alcoholism and Other Drug Abuse and Dependency Act.

Agency Receiving the Reports**Citation: Cons. Stat. Ch. 325, §§ 5/7; 5/7.6**

All reports of suspected child abuse or neglect shall be made immediately by telephone to the central register on the single, statewide, toll-free telephone number; in person or by telephone through the nearest department office.

There shall be a single statewide, toll-free telephone number established and maintained by the department that all persons, whether or not mandated by law, may use to report suspected child abuse or neglect at any hour of the day or night, on any day of the week. Immediately upon receipt of such reports, the department shall transmit the contents of the report, either orally or electronically, to the appropriate child protective service unit. Any other person may use the statewide number to obtain assistance or information concerning the handling of child abuse and neglect cases.

Initial Screening Decisions**Citation: Admin. Code Tit. 89, § 300.100**

When a report of child abuse or neglect is received, the department shall make an initial investigation to validate whether there is reasonable cause to believe that child abuse or neglect exists. When investigative staff make a determination that there is reasonable cause to believe that child abuse or neglect exists, a formal investigation shall be made.

Investigative staff will use the following criteria to determine whether there is a good faith indication to believe that abuse or neglect exists:

- The alleged victim must be younger than age 18.
- The alleged victim must either have been harmed or be in substantial risk of harm.
- There must be an abusive or neglectful incident or set of circumstances that caused the alleged harm or substantial risk of harm to the child.
- For abuse, the alleged perpetrator must be the child's parent, foster parent, guardian, immediate family member, any individual who resides in the same house as the child, the paramour of the child's parent, or any person responsible for the child's welfare at the time of the alleged abuse.
- For neglect, the alleged perpetrator must be the child's parent, guardian, foster parent, or any person responsible for the child's welfare at the time of the alleged neglect.

If any one of the above criteria is not present, a determination will be made that the report does not provide a good faith indication that child abuse or neglect exists, and the investigation will be terminated. If the above criteria are present, investigative staff will begin a formal investigation.

Agency Conducting the Assessment/Investigation**Citation: Cons. Stat. Ch. 325, § 5/7.3**

The department shall be the sole agency responsible for receiving and investigating reports of child abuse or neglect, except where investigations by other agencies may be required with respect to reports alleging the death, serious injury, or sexual abuse to a child.

The department may delegate the performance of the investigation to the Department of State Police, a law enforcement agency, and to those private social service agencies that have been designated for this purpose by the department prior to July 1, 1980.

Notwithstanding any other provision of this act, the department shall adopt rules expressly allowing law enforcement personnel to investigate reports of suspected child abuse or neglect concurrently with the department, without regard to whether the department determines a report to be 'indicated' or 'unfounded' or deems a report to be 'undetermined.'

Assessment/Investigation Procedures**Citation: Cons. Stat. Ch. 325, § 5/7.4**

Beginning January 1, 2010, the department may implement a 'differential response program' in which the department, upon receiving a report, shall determine whether to conduct a family assessment or an investigation as appropriate to prevent or provide a remedy for child abuse or neglect.

A 'family assessment' is a comprehensive assessment of child safety, risk of subsequent child maltreatment, and family strengths and needs that is applied to a child maltreatment report that does not allege substantial child endangerment. A family assessment does not include a determination as to whether child maltreatment occurred but does determine the need for services to address the safety of family members and the risk of subsequent maltreatment.

An 'investigation' includes fact-gathering related to the current safety of a child and the risk of subsequent abuse or neglect that determines whether a report of suspected child abuse or neglect should be indicated or unfounded and whether child protective services are needed.

Under the differential response program, the department:

- Shall conduct an investigation on reports involving substantial child abuse or neglect
- Shall begin an immediate investigation if, at any time during a family assessment, it determines that there is reason to believe that substantial child abuse or neglect or a serious threat to the child's safety exists
- May conduct a family assessment for reports that do not allege substantial child endangerment
- May conduct a family assessment on a report that was initially screened and assigned for an investigation

Once it is determined that a family assessment will be implemented, the case shall not be reported to the central register.

Timeframes for Completing Investigations

Citation: Cons. Stat. Ch. 325, §§ 5/7.4; 5/7.12

If it appears that the immediate safety or well-being of a child is endangered, that the family may flee, or the child may disappear, child protective services (CPS) shall commence an investigation immediately, regardless of the time of day or night. In all other cases, an investigation shall begin within 24 hours.

The CPS unit shall determine, within 60 days, whether the report is indicated or unfounded and report it forthwith to the central register. When it is not possible to initiate or complete an investigation within 60 days, the report may be deemed undetermined provided every effort has been made to undertake a complete investigation. The department may extend the period in which such determinations must be made in individual cases for additional periods of up to 30 days each for good cause shown.

Classification of Reports

Citation: Cons. Stat. Ch. 325, § 5/7.14; Admin. Code Tit. 89, § 300.110(i)(3)

All reports in the central register shall be classified in one of three categories: 'indicated,' 'unfounded,' or 'undetermined,' as the case may be.

In regulation: Upon completion of a formal investigation of abuse or neglect, investigative staff shall make a final determination as to whether a child was abused or neglected. Allegations may be determined to be indicated, undetermined, or unfounded, as follows:

- When credible evidence of abuse or neglect has been obtained pertinent to an allegation, the allegation is indicated.
- When credible evidence of abuse or neglect has not been obtained, the allegation is unfounded.
- When investigative staff have been unable, for good cause, to gather sufficient facts to support a decision within 60 days of the date the report was received, the allegation shall be considered undetermined.

Indiana

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code § 31-33-5-4

A mandated reporter who has reason to believe that a child is a victim of abuse or neglect shall immediately make an oral report to the Department of Child Services or a local law enforcement agency.

Content of Reports

Citation: Ann. Code § 31-33-7-4

The department shall make a written report of a child who may be a victim of child abuse or neglect no later than 48 hours after receipt of the oral report.

Written reports must be made on forms supplied by the administrator. The written reports must include, if known, the following information:

- The names and addresses of the child and the child's parents, guardian, custodian, or other person responsible for the child's care
- The child's age and sex
- The nature and apparent extent of the child's injuries, abuse, or neglect, including any evidence of prior injuries of the child or abuse or neglect of the child or the child's siblings

- The name of the person allegedly responsible for causing the injury, abuse, or neglect
- The source of the report
- The name of the person making the report and where the person can be reached
- The actions taken by the reporting source, including the following:
 - » Taking of photographs and x-rays
 - » Removing or keeping of the child
 - » Notifying the coroner
- The written documentation required by § 31-34-2-3 if a child was taken into custody without a court order
- Any other information that the director requires by rule or the person making the report believes might be helpful

Reporting Suspicious Deaths**Citation: Ann. Code §§ 31-33-7-5; 31-33-7-6**

A copy of the written report of the local child protection service shall immediately be made available to the coroner for the coroner's consideration in a case involving death. Upon receiving a written report, the coroner shall accept the report for investigation and report the findings to:

- The appropriate law enforcement agency
- The prosecuting attorney
- The department
- The hospital, if the institution making the report is a hospital

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports**Citation: Ann. Code §§ 31-33-7-1; 31-33-7-2**

The department shall arrange for receipt, on a 24-hour, 7-day per week basis, of all reports of suspected child abuse or neglect. To carry out this section, the department must use a phone access system for receiving calls that is standardized among all counties. The department shall adopt rules under § 4-22-2 for the administration of this section.

Initial Screening Decisions**Citation: Ann. Code § 31-33-8-1**

If a report of known or suspected child abuse or neglect is received from a judge or prosecutor requesting the department to initiate a child protection assessment, the department shall initiate an assessment in accordance with this section. If a report of known or suspected child abuse or neglect is received from medical personnel, school personnel, a social worker, law enforcement officials or personnel, judiciary personnel, or prosecuting attorney personnel, the department shall forward the report to the local office to determine if the department will initiate an assessment in accordance with this section.

If the department believes that a child is in imminent danger of serious bodily harm, the department shall initiate an onsite assessment immediately, but no later than 1 hour, after receiving the report. If the safety or well-being of a child appears to be endangered or the facts otherwise warrant, the assessment shall be initiated regardless of the time of day.

Agency Conducting the Assessment/Investigation**Citation: Ann. Code §§ 31-33-8-2; 31-33-8-6; 31-33-8-1**

Upon the receipt of a report of known or suspected child abuse, the department shall contact the law enforcement agency in the appropriate jurisdiction.

The law enforcement agency, with the department, shall conduct an immediate onsite investigation of the report if the law enforcement agency has reason to believe that an offense has been committed. The law enforcement agency shall investigate the alleged child abuse or neglect in the same manner that the law enforcement agency conducts any other criminal investigation.

The department shall promptly make a thorough assessment upon either the oral or written report. The primary purpose of the assessment is the protection of the child.

If a report alleges abuse or neglect and involves a child care ministry that is exempt from licensure, the department and the appropriate law enforcement agency shall jointly conduct an investigation. The investigation shall be conducted under the requirements of §§ 31-33-8-1 and 31-33-8-2(b).

Assessment/Investigation Procedures**Citation: Ann. Code § 31-33-8-7**

The department's assessment, to the extent that is reasonably possible, must include the following:

- The nature, extent, and cause of the known or suspected child abuse or neglect
- The identity of the person allegedly responsible for the child abuse or neglect
- The names and conditions of other children in the home
- An evaluation of the parent, guardian, custodian, or person responsible for the care of the child
- An evaluation of the home environment and the relationship of the child to the parent, guardian, custodian, or other persons responsible for the child's care
- All other data considered pertinent

The assessment may include the following:

- A visit to the child's home
- An interview with the child
- A physical, psychological, or psychiatric examination of any child in the home

If a parent, guardian, or custodian of a child who is the subject of a substantiated investigation of abuse or neglect is an active duty member of the military, the department shall notify the United States Department of Defense Family Advocacy Program of the assessment concerning the child of the active duty member of the military.

Timeframes for Completing Investigations**Citation: Ann. Code § 31-33-8-1**

The department shall initiate an immediate and appropriately thorough child protection assessment of every report of known or suspected child abuse or neglect the department receives. Assessment timeframes are as follows:

- If the report alleges a child may be a victim of child abuse, the assessment shall be initiated immediately, but no later than 24 hours after receipt of the report.
- If reports of child neglect are received, the assessment shall be initiated within a reasonably prompt time, but no later than 5 days, with the primary consideration being the well-being of the child who is the subject of the report.
- If the immediate safety or well-being of a child appears to be endangered or the facts otherwise warrant, the assessment shall be initiated regardless of the time of day.
- If the report alleges that a child lives with a parent, guardian, or custodian who is married to or lives with a person who has been convicted of neglect of a dependent or a battery offense or is required to register as a sex or violent offender, the department shall initiate an assessment within a reasonably prompt time, but no later than 5 days after the receipt of the report, with the primary consideration being the well-being of the child who is the subject of the report.

Classification of Reports**Citation: Ann. Code § 31-33-8-12**

Upon completion of an investigation, the department shall classify reports as substantiated or unsubstantiated.

Iowa*Current Through January 2017***Individual Responsibility to Report****Citation: Ann. Stat. § 232.70**

Each report made by a mandated reporter shall be made both orally and in writing. Each report made by a permissive reporter may be oral, written, or both.

The written report shall be made to the Department of Human Services within 48 hours after the oral report.

Content of Reports**Citation: Ann. Stat. § 232.70**

The oral and written reports shall contain as much of the following information as the reporter is able to furnish:

- The names and home addresses of the child and the child's parent(s) or other persons responsible for the child's care
- The child's present whereabouts if not the same as the parents' home address

- The child's age
- The nature and extent of the child's injuries, including any evidence of prior injury
- The name, age, and condition of other children in the same home
- Any other information which the person making the report believes might be helpful in establishing the cause of the injury to the child, the identity of the person or persons responsible for the injury, or in providing assistance to the child
- The name and address of the person making the report

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

Citation: Ann. Stat. § 232.77(2)

If a health practitioner discovers in a child physical or behavioral symptoms of the effects of exposure to cocaine, heroin, amphetamine, methamphetamine, or other illegal drugs or combinations or derivatives thereof, that were not prescribed by a health practitioner, or if the health practitioner has determined through examination of the natural mother of the child that the child was exposed in utero, the health practitioner may perform or cause to be performed a medically relevant test, as defined in § 232.73, on the child. The practitioner shall report any positive results of such a test on the child to the department. The department shall begin an assessment pursuant to § 232.71B upon receipt of such a report. A positive test result obtained prior to the birth of a child shall not be used for the criminal prosecution of a parent for acts and omissions resulting in intrauterine exposure of the child to an illegal drug.

Agency Receiving the Reports

Citation: Ann. Stat. § 232.70; Admin. Code § 441-175.22

The oral report shall be made by telephone or otherwise to the Department of Human Services. If the person making the report has reason to believe that immediate protection for the child is advisable, that person also shall make an oral report to an appropriate law enforcement agency.

In regulation: Reports of child abuse shall be received by the department, central abuse registry, or child abuse hotline.

Initial Screening Decisions

Citation: Ann. Stat. § 232.70; Admin. Code §§ 441-175.22; 175.24

Upon receipt of a report, the department shall do all of the following:

- Immediately make a determination as to whether the report constitutes an allegation of child abuse as defined in § 232.68
- Notify the appropriate county attorney of the receipt of the report

If a report would be determined to constitute an allegation of child abuse as defined under § 232.68(2)(a)(3) or (5), except that the suspected abuse resulted from the acts or omissions of a person other than a person responsible for the care of the child, the department shall refer the report to the appropriate law enforcement agency having jurisdiction to investigate the allegation. The department shall refer the report orally as soon as practicable and in writing within 72 hours of receiving the report.

In regulation: Any report that alleges child abuse shall be accepted for assessment. Reports that do not meet the legal definition of child abuse shall become rejected intakes. The primary purpose of intake is to obtain available and pertinent information regarding an allegation of child abuse and determine whether a report of child abuse becomes a case or a rejected intake.

To result in a case, the report of child abuse must include some information to indicate all of the following:

- The alleged victim of child abuse is a child.
- The alleged perpetrator of child abuse is:
 - » A caregiver
 - » A person who resides in a home with the child, if the allegation is sexual abuse
 - » A person who engages in or allows child sex trafficking
- The alleged incident falls within the definition of child abuse.

Agency Conducting the Assessment/Investigation

Citation: Ann. Stat. § 232.71B

If the department determines a report alleges child abuse, it shall conduct either a child abuse assessment or a family assessment.

The department shall apply protocols, developed with the local child protection assistance team, to prioritize the actions taken in response to a child abuse assessment and shall work jointly with child protection assistance teams and law enforcement agencies in performing assessment and investigative processes for child abuse assessments in which a criminal act harming a child is alleged. The county attorney and appropriate law enforcement agencies also shall take any other lawful action that may be necessary or advisable for the protection of the child.

If a report is determined not to constitute a child abuse allegation or if the child abuse report is accepted but assessed under the family assessment, but a criminal act harming a child is alleged, the department shall immediately refer the matter to the appropriate law enforcement agency.

In each county or multicounty area in which more than 50 child abuse reports are made per year, the department shall establish a multidisciplinary team, as defined in § 235A.13(8). Upon the department's request, a multidisciplinary team shall assist the department in the assessment, diagnosis, and disposition of a child abuse assessment.

Assessment/Investigation Procedures

Citation: Ann. Stat. § 232.71B

The primary purpose of either the child abuse assessment or the family assessment shall be the protection of the child named in the report. The secondary purpose of either type of assessment shall be to engage the child's family in services to enhance family strengths and to address needs.

A child abuse assessment or family assessment shall include the following:

- A safety assessment and risk assessment
- An evaluation of the home environment

In addition, a child abuse assessment shall include the following:

- Identification of the nature, extent, and cause of the injuries, if any, to the child
- Identification of the person or persons responsible for the alleged child abuse
- A description of the name, age, and condition of other children in the same home as the child named in the report
- An interview of the person alleged to have committed the child abuse, if the person's identity and location are known

An assessment also may include:

- A visit to the child's home to interview or observe the child
- A visit to the child's school
- Criminal history data on any person believed to be responsible for a child's injury
- A physical examination

Upon completion of the assessment, the department shall make a written report that shall include the following:

- The information required for the risk and safety assessments
- The strengths and needs of the child and the child's parent, home, and family
- The services available from the department and informal and formal services and other support available in the community to address the strengths and needs identified in the assessment
- A description of the child's condition, identification of the injury or risk to which the child was exposed, the circumstances which led to the injury or risk to the child, and the identity of any person alleged to be responsible for the injury or risk to the child

Timeframes for Completing Investigations

Citation: Ann. Stat. § 232.71B

If the department determines a report constitutes a child abuse allegation, the department shall promptly commence either a child abuse assessment within 24 hours of receiving the report or a family assessment within 72 hours of receiving the report, as follows:

- Upon acceptance of a report of child abuse, the department shall commence a child abuse assessment when the report alleges child abuse that also alleges imminent danger, death, or injury to a child.
- Upon acceptance of a report of child abuse, the department shall commence a family assessment when the report alleges child abuse but does not allege imminent danger, death, or injury to a child.

A written child abuse assessment report shall be completed within 20 business days of the receipt of the child abuse report. A written family assessment report shall be completed within 10 business days of the receipt of the child abuse report.

Classification of Reports

Citation: Ann. Code § 232.71D; Admin. Code § 441-175.26

Except as otherwise provided below, if the department issues a finding that the alleged child abuse meets the definition of child abuse, the names of the child and the alleged perpetrator of the alleged child abuse and any other child abuse information shall be placed in the central registry as a case of founded child abuse.

Cases to which any of the following circumstances apply shall not be placed on the central registry:

- A finding of physical abuse in which the department has determined the injury resulting from the abuse was minor, isolated, and unlikely to reoccur.
- A finding of abuse by failure to provide adequate supervision or by failure to provide adequate clothing, in which the department has determined the risk to the child's health and welfare from the abuse was minor, isolated, and unlikely to reoccur.

In regulation: A child abuse assessment report shall include a statement of determination of whether the allegation of child abuse was founded, confirmed but not placed on the central abuse registry, or not confirmed. The statement shall include a rationale for placing or not placing the case on the central abuse registry.

Kansas

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Stat. § 38-2223

When any mandated reporter has reason to suspect that a child has been harmed as a result of physical, mental, or emotional abuse or neglect or sexual abuse, the person shall report the matter promptly as provided below. The report may be made orally and shall be followed by a written report if requested.

Content of Reports

Citation: Ann. Stat. § 38-2223

Every report shall contain, if known:

- The names and addresses of the child and the child's parents or other persons responsible for the child's care
- The location of the child if other than the child's residence
- The child's gender, race, and age
- The reasons the reporter suspects the child may be a child in need of care
- The nature and extent of the harm to the child, including any evidence of previous harm
- Any other information that the reporter believes might be helpful in establishing the cause of the harm and the identity of the persons responsible for the harm

When reporting a suspicion that a child may be in need of care, the reporter shall disclose protected health information freely and cooperate fully with the secretary and law enforcement throughout the investigation and any subsequent legal process.

Reporting Suspicious Deaths

Citation: Ann. Stat. §§ 38-2223; 22a-242

A mandated reporter who has information relating to the death of a child shall immediately notify the coroner, as provided by § 22a-242.

When a child dies, a law enforcement officer, health-care provider, or any other person having knowledge of the death shall immediately notify the coroner of the known facts concerning the time, place, manner, and circumstances of the death.

Reporting Substance-Exposed Infants

Citation: Pol. Man. § 1650

A report of a newborn child that involves alcohol or other drug abuse by the child's mother shall be accepted for assessment when the report indicates the potential for failure or refusal of the parent to provide adequate care for the child. The assignment determination should focus on the situation of the child rather than solely on the substance abuse of the mother.

When a review of the child's situation indicates the family may benefit from services, the report should be accepted for assessment. The report shall be assigned for a same day response to address any immediate needs of the family.

Agency Receiving the Reports**Citation: Ann. Stat. § 38-2223**

Reports shall be made to the secretary of Children and Families, except as follows:

- When the Department of Children and Families is not open for business, reports shall be made to the appropriate law enforcement agency. On the next day that the department is open for business, the law enforcement agency shall report to the department any report received and any investigation initiated pursuant to § 38-2226. The reports may be made orally or, on request of the secretary, in writing.
- Reports of child abuse or neglect occurring in an institution operated by the Kansas Department of Corrections shall be made to the attorney general or the secretary of the corrections.
- Reports of child abuse or neglect occurring in an institution operated by the Kansas Department for Aging and Disability Services shall be made to the appropriate law enforcement agency.
- All other reports of child abuse or neglect by persons employed by the Kansas Department for Aging and Disability Services or the Kansas Department for Children and Families, or of children of persons employed by either department, shall be made to the appropriate law enforcement agency.

Initial Screening Decisions**Citation: Ann. Stat. § 38-2230; Pol. Man. §§ 1300; 1310**

Whenever any person furnishes the secretary with information that a child appears to be a child in need of care, the department shall make a preliminary inquiry to determine whether the interests of the child require further action. Whenever practicable, the inquiry shall include a preliminary investigation of the circumstances that were the subject of the information, including the home and environmental situation and the previous history of the child. If reasonable grounds exist to support the allegations of abuse or neglect, immediate steps shall be taken to protect the health and welfare of the abused or neglected child as well as that of any other child under the same care who may be harmed by abuse or neglect. After the inquiry, if the secretary determines it is not otherwise possible to provide the services necessary to protect the interests of the child, the secretary shall recommend to the county or district attorney that a petition be filed.

In regulation: An initial assessment is made to determine whether there are reasonable grounds to believe abuse or neglect exists and immediate steps are needed to protect the health and welfare of the abused or neglected child. An initial assessment is made on all reports received by the agency. Following the initial assessment, the following criteria shall be used to determine whether the report may be completed with the decision to not assign for further assessment:

- The child has not been harmed or is not likely to be harmed.
- It concerns abuse or neglect that occurred in the past.
- It fails to provide the information necessary to locate the child.
- It is known to be fictitious and/or malicious.
- The incident has been or is being assessed by the department and/or law enforcement.

Agency Conducting the Assessment/Investigation**Citation: Ann. Stat. § 38-2226**

The department and law enforcement officers shall have the duty to receive and investigate reports of child abuse or neglect to determine whether the report is valid and whether action is required to protect the child from further abuse or neglect.

If the department and officers determine that no action is necessary to protect the child but that a criminal prosecution should be considered, the case shall be referred to the appropriate law enforcement agency.

Assessment/Investigation Procedures**Citation: Pol. Man. §§ 2010; 2020**

Investigatory activities may vary from case to case based on the specifics of the case and will commonly involve the following activities:

- Searching child abuse, criminal, and sex offense history records
- Interviewing the reporter and witnesses (if any) to the alleged maltreatment
- Interviewing the child victim, the child's parents and other caregivers, and the suspected perpetrator
- Visiting the scene of the alleged maltreatment and documenting relevant environmental information
- Obtaining relevant records from the department, law enforcement, medical practitioners, or other relevant entities

- Making and documenting behavioral observations such as the appearance and effect of witnesses and alleged perpetrators when presented with questions or information about the alleged maltreatment; the child's behavior in the presence of caregivers or the alleged perpetrator; the type and quality of interaction of family members; statements; or behaviors of any person that indicate truthfulness or lying; any mental, emotional, or physical impairment of any other child or adult; behaviors indicating alcohol or other drug use, etc.

The activities of an assessment may vary from case to case and will commonly involve the following activities:

- Evaluating the quality and sufficiency of the evidence and the plausibility of explanations for the harm
- Considering alternative explanations for the injury
- Evaluating contributing factors according to the safety and risk assessment
- Considering abuse, criminal, and sex offense histories that indicate potential risk and safety concerns
- Reaching a tentative conclusion whether the alleged maltreatment occurred
- Assessing whether there is immediate danger to the child
- Considering alternative protection actions if necessary and selecting one
- Assessing long-term risk of reoccurrence
- Considering available services and making an initial plan for selected services

Timeframes for Completing Investigations

Citation: Pol. Man. § 1521

When a report alleging child abuse or neglect is assigned for assessment, the supervisor shall determine the appropriate response time consistent with the facts reported and according to the following criteria:

- Same Day: When there is reason to believe that a child has been seriously injured or is in immediate serious danger
- 72 Hours: All other reports

Classification of Reports

Citation: Pol. Man. § 2502

Reports may be classified as follows:

- Unsubstantiated: A reasonable person weighing the facts or circumstances would conclude it is more likely than not (preponderance of the evidence) the alleged perpetrator's actions or inactions do not meet the statutory definition of abuse or neglect.
- Affirmed: A reasonable person weighing the facts and circumstances would conclude it is more likely than not (preponderance of the evidence) the alleged perpetrator's actions or inactions meet the statutory definition of abuse or neglect.
- Substantiated: A substantiated case finding shall meet the following criteria:
 - » Physical/sexual/emotional abuse, physical/medical neglect, lack of supervision, and/or abandonment of a child has been affirmed.
 - » A determination is made that the perpetrator's actions, behaviors, or omissions meet at least one of the following criteria:
 - There was an intent to commit the act that resulted in harm.
 - A reasonable person would have anticipated harm would occur to the child.
 - The harm was a result of failure or refusal to protect the child.
 - » There was serious harm, injury, or deterioration to the child; or there was a likelihood of or endangerment of serious harm, injury, or deterioration to the child.
 - » A verified pattern of continuing, repeated, or progressively more severe behavior that indicates abuse or neglect exists.

When the criteria are met, a substantiated case finding shall be considered. A substantiated case finding results in the perpetrator's name being placed on the central registry.

Kentucky

Current Through January 2017

Individual Responsibility to Report

Citation: Rev. Stat. § 620.030

Any person who knows or has reasonable cause to believe that a child is abused or neglected shall immediately make an oral or written report, by telephone or otherwise.

A mandated reporter shall file a written report within 48 hours of the original report, if requested.

Any person who knows or has reasonable cause to believe that a child is a victim of human trafficking shall immediately cause an oral or written report to be made to a local law enforcement agency, the Department of Kentucky State Police, the cabinet or its designated representative, or the commonwealth's attorney or the county attorney by telephone or otherwise. This subsection shall apply regardless of whether the person believed to have caused the human trafficking of the child is a parent, guardian, or person exercising custodial control or supervision.

Content of Reports

Citation: Rev. Stat. § 620.030; Admin. Reg. Tit. 922, § 1:330

The written report shall contain:

- The names and addresses of the child and the child's parents or other persons exercising control or supervision over the child
- The child's age
- The nature and extent of the child's alleged dependency, neglect, or abuse, including any previous charges of dependency, neglect, or abuse to the child or any siblings
- The name and address of the person allegedly responsible for the abuse or neglect
- Any other information that the reporter believes may be helpful

In regulation: When receiving a report, cabinet staff or designee shall attempt to elicit from the reporter as much information about the child's circumstances, as possible, including:

- Specific information as to the nature and extent of the abuse, neglect, dependency, or human trafficking
- The cause of the abuse, neglect, or dependency
- The location of the child and family
- Knowledge or suspicion of a previous incident
- Identifying information regarding a witness to the alleged incident that resulted in the child's condition
- An action taken by the reporting person, if applicable
- Present danger or threat of danger to the child or cabinet staff

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

Citation: Rev. Stat. § 214.160(2)-(6)

Any physician attending a pregnant woman may perform a screening for alcohol or substance dependency or abuse, including a comprehensive history of such behavior. Any physician may administer a toxicology test to a mother under the physician's care within 8 hours after she has delivered a baby to determine whether there is evidence that she has ingested alcohol or a controlled substance or if she has obstetrical complications that are a medical indication of possible use of any such substance for a nonmedical purpose.

Any physician attending a mother may administer to each newborn infant born to that mother a toxicology test to determine whether there is evidence of prenatal exposure to alcohol or a controlled substance, if the attending person has reason to believe, based on a medical assessment of either patient, that the mother used any such substance for a nonmedical purpose during the pregnancy.

The circumstances surrounding any positive toxicology finding shall be evaluated by the attending person to determine if abuse or neglect of the infant, as defined under § 600.020(1), has occurred and whether investigation by the Cabinet for Health and Family Services is necessary.

No prenatal screening for alcohol or other substance abuse or positive toxicology finding shall be used as prosecutorial evidence. No person shall conduct or cause to be conducted any toxicological test pursuant to this section on any pregnant woman without first informing her of the purpose of the test.

Agency Receiving the Reports

Citation: Rev. Stat. § 620.030; Admin. Reg. Tit. 922, § 1:330

Reports may be made to a local law enforcement agency, the Department of Kentucky State Police, the Cabinet for Health and Family Services or its designated representative, the commonwealth attorney, or the county attorney.

In regulation: In accordance with 42 U.S.C. 5106a(b)(2)(B)(i), the cabinet shall accept reports of alleged child abuse, neglect, or dependency made pursuant to § 620.030.

A 24 hour on-call response system and the child abuse hotline, for the receipt of emergency reports after normal office hours, shall be made available to those in a community who may have information regarding child abuse, neglect, or dependency, or human trafficking of a child.

Initial Screening Decisions

Citation: Rev. Stat. § 620.040; Admin. Reg. Tit. 922, § 1:330

Based upon the allegation in the report, the cabinet shall immediately make an initial determination as to the risk of harm and immediate safety of the child. Based upon the level of risk determined, the cabinet shall investigate the allegation or accept the report for an assessment of family needs and, if appropriate, may provide or make referral to any community-based services necessary to reduce risk to the child and to provide family support. A report of sexual abuse or human trafficking of a child shall be considered high risk and shall not be referred to any other community agency.

In regulation: Cabinet staff shall attempt to elicit from the reporter as much information as possible about the child's circumstances. If a report does not meet the criteria for investigation or family-in-need-of-services assessment, the cabinet shall not accept the report for investigation or assessment but shall refer the caller to a community resource that may meet family needs and keep a record of the report.

Agency Conducting the Assessment/Investigation

Citation: Rev. Stat. § 620.040

If the report alleges abuse or neglect by someone other than a parent, guardian, or person exercising custodial control or supervision, or the human trafficking of a child, the cabinet shall immediately notify the commonwealth or county attorney and the local law enforcement agency or the state police.

The cabinet need not notify the local law enforcement agency or the state police or county attorney or commonwealth's attorney of reports made under this subsection unless the report involves the human trafficking of a child, in which case the notification shall be required.

If the cabinet or its designated representative receives a report of abuse by a person other than a parent, guardian, or other person exercising custodial control or supervision of a child, it shall immediately notify the local law enforcement agency or the state police and the commonwealth's or county attorney of the receipt of the report and its contents, and they shall investigate the matter. The cabinet or its designated representative shall participate in an investigation of noncustodial physical abuse or neglect at the request of the local law enforcement agency or the state police. The cabinet shall participate in all investigations of reported or suspected sexual abuse or human trafficking of a child.

Assessment/Investigation Procedures

Citation: Rev. Stat. §§ 620.040; 620.050; Admin. Reg. Tit. 922, § 1:330

Based upon the level of risk determined, the cabinet shall investigate the allegation or accept the report for an assessment of family needs and, if appropriate, may provide or make referral to any community-based services necessary to reduce risk to the child and to provide family support. A report of sexual abuse or human trafficking of a child shall be considered high risk and shall not be referred to any other community agency.

To the extent practicable and when in the best interests of a child alleged to have been abused, interviews with the child shall be conducted at a children's advocacy center.

Upon receipt of a report, the cabinet shall initiate a prompt investigation or assessment of family needs, take necessary action, and shall offer protective services toward safeguarding the welfare of the child. The cabinet shall work toward preventing further dependency, neglect, or abuse of the child or any other child under the same care, and preserve and strengthen family life, where possible, by enhancing parental capacity for adequate child care.

In regulation: An initial determination is conducted to evaluate risk factors to determine immediate safety and risk of harm in order to decide whether to proceed with an investigation or a family-in-need-of-services assessment.

Based upon the initial determination that moderate to high risk factors exist, an investigation is conducted to collect information and evaluate risk factors to determine if a child has been abused or neglected or is dependent. When a moderate or high risk of harm is not present, a family-in-need-of-services assessment is conducted to collect information and evaluate risk factors in order to determine if a family is in need of child protective services.

The cabinet shall not undertake an investigation or assessment for a report of abuse or neglect allegedly perpetrated by a noncaregiver, with the exception of a report of human trafficking.

Timeframes for Completing Investigations

Citation: Rev. Stat. § 620.040; Admin. Reg. Tit. 922, § 1:330

The cabinet shall, within 72 hours, exclusive of weekends and holidays, make a written report to the commonwealth's or county attorney and the local law enforcement agency or the state police concerning the action that has been taken on the investigation.

In regulation: Based upon an accepted report of child abuse, neglect, or dependency, the cabinet shall make an initial determination as to the immediate safety and risk of harm to a child. The following timeframes apply:

- If the report indicates abuse, neglect, or dependency that places a child in imminent danger; human trafficking of a child; or sexual abuse of a child, the investigation shall be initiated within 1 hour.
- If the report indicates nonimminent danger of physical abuse, efforts shall be made to have face-to-face contact with the child and family within 24 hours.
- If the report indicates nonimminent danger not involving physical abuse, efforts shall be made to have face-to-face contact with the child and family within 48 hours.
- An investigation or an assessment shall be initiated within 48 hours within a report of dependency if a child is not in imminent danger.

Classification of Reports

Citation: Admin. Reg. Tit. 922, § 1:330

Reports shall be classified as follows:

- A report shall be 'substantiated' when there is:
 - » An admission of abuse, neglect, or dependency by the person responsible
 - » A judicial finding of child abuse, neglect, or dependency
 - » A preponderance of evidence that abuse, neglect, or dependency was committed by the person alleged to be responsible
- A report shall be 'unsubstantiated' when there is insufficient evidence, indicators, or justification present for substantiation of abuse, neglect, or dependency.

Louisiana

Current Through January 2017

Individual Responsibility to Report

Citation: Ch. Code Art. 609; 610

Notwithstanding any claim of privileged communication, any mandatory reporter who has cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect or that abuse or neglect was a contributing factor in a child's death shall submit a report.

If the initial report was made orally, it shall be followed by a written report within 5 days.

Content of Reports

Citation: Ch. Code Art. 610

The report shall contain the following information, if known:

- The name, address, age, sex, and race of the child
- The nature, extent, and cause of the child's injuries or endangered condition, including any previous known or suspected abuse of the child or the child's siblings
- The names and addresses of the child's parents or other caregivers
- The names and ages of all other members of the child's household
- The name and address of the reporter
- An account of how the child came to reporter's attention
- Any explanation of the cause of the child's injury or condition offered by the child, the caregiver, or any other person
- The number of times the reporter has filed a report on the child or the child's siblings
- The person or persons who are thought to have caused or contributed to the child's condition, if known, and any person named by the child
- Any other information the reporter believes might be important or relevant

Reporting Suspicious Deaths**Citation: Ch. Code Art. 610(A), (E)**

Reports of abuse or neglect that were a contributing factor in a child's death, where the abuser is believed to be a caregiver, a person who maintains an interpersonal dating or engagement relationship with the parent or caregiver, or a person living in the same residence with the parent or caregiver as a spouse whether married or not, shall be made immediately to the Department of Children and Family Services through the designated state child protection reporting hotline telephone number.

The department shall report all cases of child death that involve a suspicion of abuse or neglect as a contributing factor in the child's death to the local or state law enforcement agency, the office of the district attorney, and the coroner.

Reporting Substance-Exposed Infants**Citation: Ch. Code Art. 610(G)**

If a physician has cause to believe that a mother of an infant unlawfully used a controlled dangerous substance during pregnancy, the physician shall order a toxicology test upon the infant, without the consent of the infant's parents or guardian, to determine whether there is evidence of prenatal neglect. If the test results are positive, the physician shall report the results as soon as possible. If the test results are negative, all identifying information shall be obliterated if the record is retained, unless the parent approves the inclusion of identifying information. Positive test results shall not be admissible in a criminal prosecution.

The version below, as amended by Acts 2007, No. 396, § 1, shall not become effective unless and until sufficient funds are appropriated by the legislature for such purposes.

If a physician has cause to believe that a newborn was exposed in utero to an unlawfully used controlled dangerous substance, the physician shall order a toxicology test upon the newborn, without the consent of the newborn's parents or guardian, to determine whether there is evidence of prenatal neglect. If the test results are positive, the physician shall issue a report, as soon as possible, in accordance with this Article. If the test results are negative, all identifying information shall be obliterated if the record is retained, unless the parent approves the inclusion of identifying information. Positive test results shall not be admissible in a criminal prosecution.

If there are symptoms of withdrawal in the newborn or other observable and harmful effects in his or her physical appearance or functioning that a physician has cause to believe are due to the chronic or severe use of alcohol by the mother during pregnancy, the physician shall issue a report in accordance with this article.

Agency Receiving the Reports**Citation: Ch. Code Art. 610**

Reports of child abuse or neglect in which the abuser is believed to be a parent or caregiver, a person who maintains an interpersonal dating or engagement relationship with the parent or caregiver, or a person living in the same residence with the parent or caregiver as a spouse, whether married or not, shall be made immediately to the department through the designated state child protection reporting hotline telephone number.

Reports in which the abuse or neglect is believed to be perpetrated by someone other than a caregiver, and the caregiver is not believed to have any responsibility for the abuse or neglect, shall be made immediately to a local or state law enforcement agency. Dual reporting to both the department through the designated state child protection reporting hotline telephone number and the local or state law enforcement agency is permitted.

Any commercial film processor who has knowledge of any film, photograph, videotape, negative, or slide depicting a child under age 17 in an activity that constitutes child pornography shall report immediately to the local law enforcement agency. The reporter shall provide a copy of the film, photograph, videotape, negative, or slide to the agency receiving the report.

Initial Screening Decisions**Citation: Ch. Code Art. 612; Admin. Code Tit. 67, § 1301**

Upon receiving a report of abuse or neglect of a child who is not in the custody of the state, the local child protection unit of the department shall promptly assign a level of risk to the child based on the information provided by the reporter.

The Department of Children and Family Services shall set priorities for case response and allocate staff resources to cases identified by reporters as presenting immediate substantial risk of harm to children.

In regulation: Reports will be assigned for investigation when the circumstances of the report indicate the reporter has cause to believe:

- That substantial risk of harm to the child is present and the child's physical, mental, or emotional health is seriously endangered as a result
- That abuse or neglect already has occurred

Reports of abuse and/or neglect that provide first-hand information of an injury, or of evidence of an injury to a child, such as personal observation of photograph, names of witnesses, medical reports, or police reports, which cause a reporter to believe that a child has been injured or is at substantial risk of injury through the action or inaction of the child's caregiver will be investigated.

Agency Conducting the Assessment/Investigation

Citation: Ch. C. Art. 610

All reports made to any law enforcement agency involving abuse or neglect in which the child's parent or caregiver, a person who maintains an interpersonal dating or engagement relationship with the parent or caregiver, or a person living in the same residence with the parent or caregiver as a spouse, whether married or not, is believed responsible shall be promptly communicated to the department in accordance with a written working agreement developed between the local law enforcement agency and child protection unit.

The department shall promptly communicate abuse or neglect cases not involving a parent, caregiver, or occupant of the household to the appropriate law enforcement agency.

Reports involving a felony-grade crime against a child shall be promptly communicated to the appropriate law enforcement authorities as part of the interagency protocols for multidisciplinary investigations of child abuse and neglect.

Assessment/Investigation Procedures

Citation: Ch. Code Art. 612

The investigation shall include a preliminary investigation as to the nature, extent, and cause of the abuse or neglect and the identity of the person responsible for the child's condition. This preliminary investigation shall include an interview with the child and his or her parents or other caregiver and shall include consideration of all available medical information provided to the department pertaining to the child's condition. The preliminary investigation also shall include an immediate assessment of any existing visitation or custody order or agreement involving the alleged perpetrator and the child.

In lieu of an investigation, reports of low levels of risk may be assessed promptly through interviews with the family to identify needs and a match to available community resources. If, during this assessment, it is determined that a child is at immediate substantial risk of harm, the local child protection unit shall promptly conduct an intensive investigation.

During the investigation of a report from a health-care practitioner of physical abuse of a child who is not in custody of the state, at the request and expense of the child's parent, the department shall provide copies of all medical information pertaining to the child's condition or treatment obtained during the investigation to a child abuse pediatrician to conduct an independent review of the information. Any resulting report shall be provided to the department and to the child's parent and shall be utilized in the department's on-going assessment of risk and to determine what action may be necessary to protect the health and safety of the child.

All interviews of the child or his or her parents conducted in the course of an investigation shall be tape-recorded, if requested by the parent(s).

Upon determination that there is reason to believe that the child has been abused or neglected, the local child protection unit shall conduct a more intensive investigation.

Timeframes for Completing Investigations

Citation: Ch. Code Art. 612; Admin. Code Tit. 67, § 1301

Reports of high and intermediate levels of risk shall be investigated promptly.

In regulation: Reports classified as presenting low risk of immediate substantial harm will be assigned a response time of 24 hours up to 5 calendar days from the date the report was received.

Classification of Reports

Citation: Ch. Code Art. 615

After investigation, the local child protection unit shall make one of the following determinations:

- The child appears to be a child in need of care and immediate removal is necessary for his or her protection from further abuse or neglect.
- The report appears to be justified in that there is evidence of child abuse or neglect, and:
 - » A protective order or safety plan order would eliminate the need for removal of the child in order to protect him or her from further abuse, in which case it may apply for a temporary restraining order, protective order, or safety plan order.
 - » All pertinent information shall be reported to the district attorney as soon as possible, but in no case more than 30 days after the determination is made.
- The report is inconclusive in that the evidence tends to support a finding of abuse or neglect, but there is not enough information to confirm a justified report.
- The report does not appear justified as the evidence does not support a finding of child abuse or neglect.
- The investigation indicates the report appears to be false and that the reporter knowingly made a false report, in which case all pertinent information shall be forwarded to the district attorney for a determination of whether the evidence supports a finding of a false public report.

Maine

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Stat. Tit. 22, §§ 4011-A; 4012

A mandated reporter shall immediately report or cause a report to be made to the Department of Human Services when he or she knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected.

Any person may make a report if that person knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected.

Reports regarding abuse or neglect must be made immediately by telephone to the department and must be followed by a written report within 48 hours if requested by the department.

Hospitals, medical personnel, and law enforcement personnel may submit emergency reports through password-protected email submissions. A faxed report also may be accepted when preceded by a telephone call informing the department of the incoming fax transmission.

Content of Reports

Citation: Ann. Stat. Tit. 22, § 4012

The reports shall include the following information, if known:

- The name and address of the child and the persons responsible for the child's care or custody
- The child's age and sex
- The nature and extent of the abuse or neglect, including a description of any injuries and the explanation given for them
- A description of sexual abuse or exploitation, if applicable
- Family composition
- Any evidence of prior abuse of the child or any siblings
- The source of report, the person making the report, his or her occupation, and contact information
- Any action taken by the reporter, including a description of photographs or x-rays taken
- Any other information that the reporter believes may be helpful

Reporting Suspicious Deaths

Citation: Ann. Stat. Tit. 22, §§ 4011-A; 4002(12)

A mandated reporter shall immediately report or cause a report to be made to the department when he or she knows or has reasonable cause to suspect that a suspicious child death has occurred.

When, while acting in a professional capacity, a mandated reporter has reasonable cause to suspect that a suspicious child death has been caused by a person not responsible for the child, he or she immediately shall report or cause a report to be made to the appropriate district attorney's office.

Any person may make a report if that person knows or has reasonable cause to suspect that there has been a suspicious child death. 'Suspicious child death' means the death of a child under circumstances in which there is reasonable cause to suspect that abuse or neglect was a cause of or factor contributing to the child's death.

Reporting Substance-Exposed Infants**Citation: Ann. Stat. Tit. 22, § 4011-B; 4004-B**

A health-care provider involved in the delivery or care of an infant who he or she knows or has reasonable cause to suspect has been born affected by illegal substance abuse, is demonstrating withdrawal symptoms of prenatal drug exposure that require medical monitoring or care beyond standard newborn care, whether the prenatal exposure was to legal or illegal drugs, or has fetal alcohol spectrum disorders shall notify the department of that condition in the infant. The notification must be made in the same manner as other reports of abuse or neglect.

The department shall act to protect newborn infants identified as being affected by illegal substance abuse or demonstrating the withdrawal symptoms of prenatal drug exposure, whether or not the prenatal exposure was to legal or illegal drugs, or having fetal alcohol spectrum disorders, regardless of whether or not the infant is abused or neglected. The department shall:

- Receive reports of infants who may be affected by illegal substance abuse, suffering from prenatal drug exposure, or have fetal alcohol spectrum disorders
- Promptly investigate all reports to determine whether or not the infant is affected by illegal substance abuse, suffers from the withdrawal symptoms of prenatal drug exposure, or has fetal alcohol spectrum disorders
- Determine whether or not the infant is abused or neglected and, if so, determine the degree of harm or threatened harm in each case
- For each infant whom the department determines to be affected by illegal substance abuse, to be demonstrating the withdrawal symptoms of prenatal drug exposure, or to have fetal alcohol spectrum disorders, develop, with the assistance of any health-care provider involved in the mother's or the child's medical or mental health care, a plan for the safe care of the infant and, in appropriate cases, refer the child or mother or both to a social service agency or voluntary substance abuse prevention service

Agency Receiving the Reports**Citation: Ann. Stat. Tit. 22, § 4011-A; CFS Pol. Man. § IV.B**

Mandated reporters must submit reports to the Department of Human Services.

When, while acting in a professional capacity, a mandated reporter knows or has reasonable cause to suspect that a child has been abused or neglected by a person not responsible for the child, he or she immediately shall report or cause a report to be made to the appropriate district attorney's office.

In policy: The 24-hour child protective intake unit will receive reports of suspected child abuse/neglect statewide. A statewide toll-free number is maintained to receive reports and referrals 24 hours a day, 7 days a week. Telephone numbers and addresses of the child protective intake unit shall be made widely known through publicity.

Initial Screening Decisions**Citation: CFS Pol. Man. § IV.C**

All calls that relate to suspected child abuse and/or neglect will be immediately routed to the Child Protective Intake Unit. The Intake Unit will determine if the report is appropriate. The intake worker will gather facts from the reporter regarding:

- The identity and location of the parents, children, and relative resources
- The nature of suspected abuse or neglect and the impact on the child
- The reporter's actions taken thus far, if any
- Other persons who may have direct knowledge and how to contact them

If the information is not sufficient to determine whether the report is appropriate or inappropriate, the worker may, with supervisor approval, contact at least one professional person, if available, whom the worker believes will have direct knowledge of the child's current condition. The intake worker also will review previous child welfare history regarding the family and the alleged abuser(s).

The worker will analyze the information to determine if the report indicates that there is immediate risk of serious harm. If it appears that the child is in immediate risk of serious harm, the worker will contact the intake supervisor immediately and the intake supervisor will review the report immediately and notify the appropriate district office supervisor.

Agency Conducting the Assessment/Investigation**Citation: Ann. Stat. Tit. 22, § 4004**

The department shall act to protect abused and neglected children and children in circumstances that present a substantial risk of abuse and neglect to prevent further abuse and neglect, to enhance the welfare of these children and their families, and to preserve family life wherever possible. The department shall:

- Receive reports of abuse and neglect and suspicious child deaths
- Promptly investigate all abuse and neglect cases and suspicious child deaths coming to its attention

An investigation under this paragraph is subject to and may not interfere with the authority and responsibility of the attorney general to investigate and prosecute homicides.

Assessment/Investigation Procedures**Citation: CFS Pol. Man. § IV.D**

The process of assessment begins with the first contact with or about a family and continues throughout the department's involvement with the family. The assessment policy focuses on family strengths and needs. It focuses on assessing the signs of safety, risk, and danger and their impact on child safety as well as assessing for child abuse and neglect types. The policy promotes family engagement and inclusion in a team approach to planning and intervention, with child safety first and foremost.

A child protection assessment is a timely and time-limited process of gathering critical individual, family, and environmental information in order to determine:

- If a child has been abused or neglected and how severely
- The impact of the abuse and neglect on the child
- Signs of safety, risk, and danger
- How likely it is for a child to experience abuse and neglect within the next 6 months
- Caregiver strengths and needs related to child safety
- If this is a family in need of child protective services
- Whether a plan should be developed to assist the family in keeping the children safe

Timeframes for Completing Investigations**Citation: CFS Pol. Man. § IV.C**

A decision whether to assign for child protective services assessment, refer to contract agency for assessment, or screen out should be made within 24 hours of receiving a report. This decision may be delayed only by the need for collateral contacts in order to better understand the circumstances of the child.

The department commits to seeing alleged child abuse/neglect victims within 72 hours of approving the report or sooner, including immediately, if a more rapid response time is indicated by relevant information in the report.

Classification of Reports**Citation: Ann. Stat. Tit. 22, § 4004; CFS Pol. Man. § IV.D-1**

The department shall determine in each case whether or not a child has been harmed and the degree of harm or threatened harm by a person responsible for the care of that child by deciding whether allegations are unsubstantiated, indicated, or substantiated. Each allegation must be considered separately and may result in a combination of findings.

In policy: Reports may be classified as follows:

- An 'indicated' finding means that facts and information gathered during an assessment or investigation support a decision that a person responsible for a child has, by a preponderance of evidence, subjected that child to low or moderate severity abuse and/or neglect.
- A 'substantiated' finding means that facts and information gathered during an assessment or investigation support a decision that a person responsible for a child has, by a preponderance of evidence, subjected that child to specific high severity abuse and/or neglect thus causing the child to be in danger.
- An 'unsubstantiated' finding means that facts and information gathered during an assessment or investigation support a decision that a person responsible for a child has not, by a preponderance of evidence, subjected that child to specific abuse and/or neglect.

Maryland

Current Through January 2017

Individual Responsibility to Report

Citation: Fam. Law §§ 5-704; 5-704.1

Notwithstanding any other provision of law, including any law on privileged communications, each mandated reporter acting in a professional capacity in this state who has reason to believe that a child has been subjected to abuse or neglect shall make an oral report by telephone or direct communication as soon as possible. A written report shall be made no later than 48 hours after the contact, examination, attention, or treatment that caused the individual to believe that the child had been subjected to abuse or neglect.

An individual may notify the local Department of Social Services or the appropriate law enforcement agency if the individual has reason to believe that a parent, guardian, or caregiver of a child allows the child to reside with or be in the regular presence of an individual, other than the child's parent or guardian, who is registered on the sex offender registry based on the commission of an offense against a child and, based on additional information, poses a substantial risk of sexual abuse to the child.

Content of Reports

Citation: Fam. Law § 5-704

Insofar as is reasonably possible, an individual who makes a report under this section shall include in the report the following information:

- The name, age, and home address of the child
- The name and home address of the child's parent or other person who is responsible for the child's care
- The whereabouts of the child
- The nature and extent of the abuse or neglect of the child, including any evidence or information available to the reporter concerning possible previous instances of abuse or neglect
- Any other information that might be helpful to determine the cause of the suspected abuse or neglect and the identity of any individual responsible for the abuse or neglect

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

Citation: Fam. Law § 5-704.2

A newborn infant is 'substance-exposed' if:

- The newborn:
 - » Displays a positive toxicology screen for a controlled drug as evidenced by any appropriate test after birth
 - » Displays the effects of controlled drug use or symptoms of withdrawal resulting from prenatal controlled drug exposure as determined by medical personnel
 - » Displays the effects of a fetal alcohol spectrum disorder
- The newborn's mother had a positive toxicology screen for a controlled drug at the time of delivery.

A health-care practitioner involved in the delivery or care of a substance-exposed newborn shall:

- Make an oral report to the local department as soon as possible
- Make a written report to the local department no later than 48 hours after the contact, examination, attention, treatment, or testing that prompted the report

In the case of a substance-exposed newborn in a hospital or birthing center, a health-care practitioner shall notify and provide the required information to the head of the institution or the designee of the head.

A health-care practitioner is not required to make a report if the health-care practitioner:

- Has knowledge that the head of an institution or the designee of the head or another individual at that institution has made a report regarding the substance-exposed newborn
- Has verified that, at the time of delivery, the mother was using a controlled substance as currently prescribed for the mother by a licensed health-care practitioner
- Has verified that, at the time of delivery, the presence of the controlled substance was consistent with a prescribed medical or drug treatment administered to the mother or the newborn

Agency Receiving the Reports

Citation: Fam. Law § 5-704; Code of Rules § 07.02.07.05(C)

The oral report shall be made to the local department or the appropriate law enforcement agency. The written report shall be made to the local department, with a copy to the local state's attorney.

An agency to which an oral report of suspected abuse or neglect is made shall immediately notify the other agency. This paragraph does not prohibit a local department and an appropriate law enforcement agency from agreeing to cooperative arrangements.

In regulation: Each local department shall have staff on-call 24 hours a day, 7 days a week, to receive and take appropriate action on reports of suspected child abuse and child neglect. The local department shall ensure that the public has a means of access to staff who are on-call after normal office hours.

Initial Screening Decisions

Citation: Fam. Law § 5-706

Selected reports of abuse or neglect may be assigned to an alternative response program. Only a low-risk report of abuse or neglect may be considered for an alternative response. A report that is not assigned for an alternative response shall be assigned for investigation.

Within 24 hours after receiving a report of suspected physical or sexual abuse of a child, and within 5 days after receiving a report of suspected neglect or suspected mental injury of a child, the local department or the appropriate law enforcement agency shall:

- See the child
- Attempt to have an onsite interview with the child's caregiver
- Decide on the safety of the child, wherever the child is, and of other children in the household
- Decide on the safety of other children in the care or custody of the alleged abuser

Agency Conducting the Assessment/Investigation

Citation: Fam. Law. § 5-706

Promptly after receiving a report of suspected abuse or neglect of a child who lives in this state that is alleged to have occurred in this state, the local department or the appropriate law enforcement agency, or both, if jointly agreed on, shall make a thorough investigation of a report of suspected abuse or neglect to protect the health, safety, and welfare of the child or children.

The agencies responsible for investigating reported cases of suspected sexual abuse, including the local department, the appropriate law enforcement agencies, and the local state's attorney, shall implement a joint investigation procedure for conducting joint investigations of sexual abuse.

Assessment/Investigation Procedures

Citation: Fam. Law. § 5-706

The investigation shall include:

- A determination of the nature, extent, and cause of the abuse or neglect, if any
- If mental injury is suspected, an assessment by two of the following: a licensed physician, psychologist, or social worker

If the suspected abuse or neglect is verified:

- A determination of the identity of the person or persons responsible for the abuse or neglect
- A determination of the name, age, and condition of any other child in the household
- An evaluation of the parents and the home environment
- A determination of any other pertinent facts or matters
- A determination of any needed services

An 'alternative response' is a comprehensive assessment of:

- Risk of harm to the child
- Risk of subsequent child abuse or neglect
- Family strengths and needs
- The provision of or referral for necessary services

When a report is referred for an alternative response, the local department shall:

- See the child and the child's parent or primary caregiver within 24 hours of receiving a report of physical abuse or within 5 days of receiving a report of neglect
- Attempt to have an onsite interview with the child's parent or primary caregiver
- Evaluate the child's home environment

- Decide on the safety of the child, wherever the child is, and of other children in the household
- Decide on the safety of other children in the care or custody of the individual suspected of abuse or neglect
- Advise the appropriate law enforcement agency that the report has been assigned for an alternative response, if the law enforcement agency made the report of abuse or neglect
- Inform the individual suspected of child abuse or neglect of the allegations made against the individual in a manner consistent with laws protecting the rights of the person who made the report

Timeframes for Completing Investigations

Citation: Fam. Law. § 5-706

To the extent possible, an investigation shall be completed within 10 days after receipt of the first notice of the suspected abuse or neglect by the local department or law enforcement agencies. An investigation that is not completed within 30 days shall be completed within 60 days of receipt of the first notice of the suspected abuse or neglect.

Within 10 days after the local department or law enforcement agency receives the first notice of suspected abuse of a child, the local department or law enforcement agency shall report to the local state's attorney the preliminary findings of the investigation. Within 5 business days after completion of the investigation, the local department and the appropriate law enforcement agency, if that agency participated in the investigation, shall make a complete written report of its findings to the local state's attorney.

An alternative response assessment shall be completed within 60 days after the receipt of the report. Within 10 days after completing the alternative response assessment, the department shall provide a written report to the family members who are participating in the alternative response assessment as to whether and what services are necessary to address:

- The safety of the child or other children in the household
- The risk of subsequent abuse or neglect

Classification of Reports **Citation: Fam. Law. § 5-701**

Reports may be classified as follows:

- 'Indicated' means a finding that there is credible evidence, which has not been satisfactorily refuted, that abuse, neglect, or sexual abuse did occur.
- 'Unsubstantiated' means a finding that there is an insufficient amount of evidence to support a finding of indicated or ruled out.
- 'Ruled out' means a finding that abuse, neglect, or sexual abuse did not occur.

Massachusetts

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Laws Ch. 119, § 51A

A mandated reporter shall make an oral report immediately when, in his or her professional capacity, he or she has reasonable cause to believe that a child is suffering physical or emotional injury resulting from:

- Abuse inflicted upon him or her that causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse
- Neglect, including malnutrition
- Being a sexually exploited child
- Being a human trafficking victim, as defined by chapter 233, § 20M

Within 48 hours of making the oral report, the mandated reporter shall file a written report detailing the suspected abuse or neglect.

Content of Reports

Citation: Ann. Laws Ch. 119, § 51A

A report filed under this section shall contain:

- The names and addresses of the child and the child's parents or other person responsible for the child's care, if known
- The child's age and sex
- The nature and extent of the child's injuries, abuse, maltreatment, or neglect, including any evidence of prior injuries, abuse, maltreatment, or neglect

- The circumstances under which the person required to report first became aware of the child's injuries, abuse, maltreatment, or neglect
- Whatever action, if any, was taken to treat, shelter, or otherwise assist the child
- The name of the person or persons making the report
- Any other information that the person reporting believes might be helpful in establishing the cause of the injuries
- The identity of the person or persons responsible for the neglect or injuries
- Other information required by the department

Reporting Suspicious Deaths**Citation: Ann. Laws Ch. 119, § 51A**

A mandated reporter who has reasonable cause to believe that a child has died as a result of any of the conditions listed above shall report the death to the district attorney for the county in which the death occurred and the Office of the Chief Medical Examiner.

Reporting Substance-Exposed Infants**Citation: Ann. Laws Ch. 119, § 51A**

A mandated reporter who, in his or her professional capacity, has reasonable cause to believe that a child is suffering from a physical or emotional injury resulting from physical dependence upon an addictive drug at birth shall immediately communicate with the department orally and, within 48 hours, shall file a written report with the department detailing the suspected abuse or neglect.

Agency Receiving the Reports**Citation: Ann. Laws Ch. 119, § 51A; Code of Regs. Tit. 110, § 4.20**

Both the oral and written reports shall be submitted to the Department of Children and Families. A mandated reporter may, in addition to filing a report under this section, contact local law enforcement authorities or the child advocate about the suspected abuse or neglect.

In regulation: To report known or suspected abuse or neglect of children during business hours on business days, telephone calls by mandated and nonmandated reporters should be directed to the department. The caller should select the area or regional office that covers the residence of the parents or caregivers of the children in question. Each area and regional office of the department shall have one or more employees designated to receive child abuse and neglect reports.

To report known or suspected abuse or neglect of children during evenings, weekends, and holidays, telephone calls by mandated and nonmandated reporters should be directed to the statewide child-at-risk hotline.

Initial Screening Decisions**Citation: Code of Regs. Tit. 110, §§ 4.21; 4.25**

Upon receipt of a report, the department immediately shall screen the report. The purpose of screening is to identify children at risk of abuse or neglect from a caregiver and to distinguish the need for an emergency or nonemergency response.

If the screener determines that the report constitutes an event or subject matter within the department's mandate and that the reported condition poses a threat of immediate danger to the life, health, or physical safety of the child, then the screener shall designate the report an 'emergency report' and cause the matter to be assigned for an immediate investigation.

If the screener determines that the reported condition does not pose a threat of immediate danger to the life, health, or physical safety of the child, then the screener shall designate the report a 'nonemergency report' and cause the matter to be assigned for an investigation as provided in 110 CMR 4.27.

Agency Conducting the Assessment/Investigation**Citation: Ann. Laws Ch. 119, § 51B**

Upon receipt of a report, the department shall investigate the suspected child abuse or neglect, provide a written evaluation of the household of the child, including the parents and home environment, and make a written determination relative to the safety of and risk posed to the child. The department shall coordinate with other agencies to make all reasonable efforts to minimize the number of interviews of any potential victim of child abuse or neglect.

The department shall immediately report to the district attorney and local law enforcement authorities a sexually exploited child or a child who is otherwise a human trafficking victim, regardless of whether the child is living with a parent, guardian, or other caregiver.

Assessment/Investigation Procedures**Citation: Ann. Laws Ch. 119, § 51B**

The investigation shall include:

- A home visit at which the child is observed, if appropriate
- A determination of the nature, extent, and cause or causes of the injuries
- The identity of the person or persons responsible for the injuries
- The name, age, and condition of other children in the same household
- An evaluation of the parents and the home environment
- All other pertinent facts or matters

Upon completion of the investigation and evaluation, the department shall make a written determination relative to:

- The safety of the child and risk of physical or emotional injury to that child
- The safety of and risk to any other children in the household
- Whether the suspected child abuse or neglect is substantiated

Timeframes for Completing Investigations**Citation: Ann. Laws Ch. 119, § 51B**

The investigation of all emergency reports shall commence within 2 hours of initial contact and shall be completed within 5 working days after the receipt of the report.

The investigation of all nonemergency reports shall commence within 2 working days of initial contact and shall be completed within 15 working days following the receipt of the report.

Classification of Reports**Citation: Ann. Laws Ch. 119, § 51B; Code of Regs. Tit. 110, § 4.32**

Upon receipt of a report, the department shall investigate the suspected child abuse or neglect and make a written determination as to whether the suspected child abuse or neglect is substantiated.

If the department determines during the initial screening period of an investigation that a report is frivolous, or other absolute determination that abuse or neglect has not taken place, such report shall be declared as 'allegation invalid.'

In regulation: After completion of its investigation, the department shall make a determination as to whether the allegations in the report are 'supported' or 'unsupported.'

To support a report means that the department has reasonable cause to believe that an incident of abuse or neglect by a caregiver did occur. To support a report does not mean that the department has made any finding with regard to the perpetrator(s) of the reported incident of abuse or neglect. It simply means that there is reasonable cause to believe that some caregiver did inflict abuse or neglect upon the child in question.

'Reasonable cause to believe' means a collection of facts, knowledge, or observations that tend to support or are consistent with the allegations, and when viewed in light of the surrounding circumstances and credibility of persons providing information, would lead one to conclude that a child has been abused or neglected.

Michigan

Current Through January 2017

Individual Responsibility to Report**Citation: Comp. Laws § 722.623(1)**

A mandated reporter who has reasonable cause to suspect child abuse or child neglect shall make an immediate report to centralized intake by telephone, or, if available, through the online reporting system, of the suspected child abuse or child neglect. Within 72 hours after making an oral report by telephone to centralized intake, the reporting person shall file a written report as required in this act. If the immediate report has been made using the online reporting system and that report includes the information required in a written report, that report is considered a written report for the purposes of this section and no additional written report is required.

Content of Reports

Citation: Comp. Laws § 722.623(2)

The written report shall contain:

- The name of the child and a description of the abuse or neglect
- If possible, the names and addresses of the child's parents, guardian, or persons with whom the child resides, and the child's age
- Other information available to the reporting person that might establish the cause of the abuse or neglect, and the manner in which the abuse or neglect occurred

Reporting Suspicious Deaths

Citation: Comp. Laws § 722.628b

If a central registry case involves a child's death, the department shall refer the case to the prosecuting attorney for the county in which the child is located.

Reporting Substance-Exposed Infants

Citation: Comp. Laws § 722.623a

A mandated reporter who knows, or from the child's symptoms has reasonable cause to suspect, that a newborn infant has any amount of alcohol, a controlled substance, or a metabolite of a controlled substance in his or her body, shall report to the Department of Health and Human Services in the same manner as other reports.

Agency Receiving the Reports

Citation: Comp. Laws §§ 722.622; 722.623

The term 'centralized intake' means the department's statewide centralized processing center for reports of suspected child abuse and child neglect. The 'online reporting system' is the electronic system established by the department for mandatory reporters to report suspected child abuse or child neglect.

The written report required in this section shall be mailed or otherwise transmitted to centralized intake.

Upon receipt of a written report of suspected child abuse or neglect, the department may provide copies to the prosecuting attorney and the probate court of the counties in which the child suspected of being abused or neglected resides and is found.

Initial Screening Decisions

Citation: Pol. Man, §§ 712-1; 712-8

Intake begins when a complaint alleging child abuse and/or neglect is received by the department. The intake process is focused on initial fact gathering and evaluation of information to determine the validity of the complaint and to assess the level of risk to the child. Evaluation of the complaint information determines the nature and priority of the initial response.

In order for a report to be assigned for Child Protective Services (CPS) investigation, the complaint allegations must minimally meet the child protection law definitions of child abuse and/or neglect to be appropriate for assignment. The elements that must be present in order to assign a complaint for investigation include allegations of harm or threatened harm to a child's health or welfare through nonaccidental or neglectful behavior by a person responsible for the child's health and welfare.

Agency Conducting the Assessment/Investigation

Citation: Comp. Laws § 722.628

Within 24 hours after receiving a report, the department shall refer the report to the prosecuting attorney and the local law enforcement agency if the report indicates that the suspected abuse or neglect is the suspected cause of a child's death, involves suspected sexual abuse or sexual exploitation, resulted in severe physical injury to the child, or involves allowing a child to be exposed to methamphetamine production. The department shall commence an investigation of the child suspected of being abused or neglected or exposed to or who has had contact with methamphetamine production.

In conducting its investigation, the department shall seek the assistance of and cooperate with law enforcement officials within 24 hours after becoming aware that one or more of the following conditions exist:

- Abuse or neglect is the suspected cause of a child's death.
- The child is the victim of suspected sexual abuse or sexual exploitation.
- Abuse or neglect resulting in severe physical injury to the child requires medical treatment or hospitalization.

- Law enforcement intervention is necessary for the protection of the child, a department employee, or another person involved in the investigation.
- The alleged perpetrator of the child's injury is not a person responsible for the child's health or welfare.
- The child has been exposed to or had contact with methamphetamine production.

Involvement of law enforcement officials under this section does not relieve or prevent the department from proceeding with its investigation or treatment if there is reasonable cause to suspect that the child abuse or neglect was committed by a person responsible for the child's health or welfare.

Assessment/Investigation Procedures

Citation: Comp. Laws § 722.628; Pol. Man. § 713-01

In its investigation, the department shall determine if the child is abused or neglected. The department shall cooperate with law enforcement officials, the court, and appropriate state agencies providing human services in relation to preventing, identifying, and treating child abuse and child neglect. At the time that a department investigator contacts an individual about whom a report has been made or contacts an individual responsible for the health or welfare of a child about whom a report has been made, the investigator shall advise that individual of the investigator's name, whom the investigator represents, and the specific complaints or allegations made against the individual.

In policy: CPS must:

- Commence the investigation within 24 hours
- Assess child safety and the service needs of the family
- Include contacts with the reporter, the family, and other sources, as needed, for verification of the accuracy of the complaint and clarification of the situation
- Observe the scene (at the home or a location other than the home) where the alleged abuse/neglect occurred
- Observe and document each caregiver and alleged perpetrator's photo identification
- Verify and document the dates of birth given by all adults living within the home, including, but not limited to, noncustodial and putative parents, as well as any adults associated with the case
- Conduct a thorough inquiry of family background, including a central registry clearance and a criminal history check on parents and all persons listed on the complaint who are age 18 or older
- Conduct a home visit to observe the infant's sleep environment in a case involving a child age 12 months or younger
- Conduct interviews with all children in the home, the alleged perpetrator, and any nonparent adult known to spend significant time with the family

Timeframes for Completing Investigations

Citation: Pol. Man. § 713-09

Investigation must be completed 30 days from the department's receipt of the complaint. This includes completion of the safety assessment, risk assessment, and family and child assessments of needs and strengths.

Classification of Reports

Citation: Comp. Laws § 722.628d

Allegations of child abuse may be classified as follows:

- Category V: Services not needed. There is no evidence of child abuse or neglect.
- Category IV: Community services recommended. There is not a preponderance of evidence of child abuse or neglect, but there is an indication of future risk of harm to the child.
- Category III: Community services needed. There is a preponderance of evidence of child abuse or neglect and an indication of low or moderate risk of future harm to the child.
- Category II: Child protective services required. There is evidence of child abuse or neglect and an indication of high or intensive risk of future harm to the child. The department shall open a protective services case, provide services, and list the perpetrator on the central registry.
- Category I: Court petition required. There is evidence of child abuse or neglect, the child is not safe, and a petition for removal is needed.

Minnesota

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Stat. § 626.556, Subd. 3, 7

A person who knows or has reason to believe a child is being neglected or physically or sexually abused, or a child has been neglected or physically or sexually abused within the preceding 3 years, immediately shall make a report.

For purposes of this section, 'immediately' means as soon as possible but in no event longer than 24 hours.

An oral report shall be made immediately by telephone or otherwise. An oral report made by a mandated reporter shall be followed within 72 hours, exclusive of weekends and holidays, by a report in writing to the appropriate police department, the county sheriff, the agency responsible for assessing or investigating the report, or the local welfare agency.

Content of Reports

Citation: Ann. Stat. § 626.556, Subd. 7

Any report shall be of sufficient content to identify:

- The child
- Any person believed to be responsible for the abuse or neglect, if known
- The nature and extent of the abuse or neglect
- The name and address of the reporter

The local welfare agency or agency responsible for assessing or investigating the report shall accept a report, notwithstanding refusal by a reporter to provide the reporter's name or address, as long as the information in the report is otherwise sufficient.

Reporting Suspicious Deaths

Citation: Ann. Stat. § 626.556, Subd. 9

When a mandated reporter knows or has reason to believe that a child has died as a result of neglect, physical abuse, or sexual abuse, the reporter shall immediately report that information to the appropriate medical examiner or coroner instead of the local welfare agency, police department, or county sheriff.

Medical examiners or coroners shall notify the local welfare agency, police department, or county sheriff in instances in which they believe that the child has died as a result of neglect, physical abuse, or sexual abuse. The medical examiner or coroner shall complete an investigation as soon as feasible and report the findings to the police department or county sheriff and the local welfare agency.

Reporting Substance-Exposed Infants

Citation: Ann. Stat. §§ 626.5561; 626.5562

A mandated reporter shall immediately report to the local welfare agency when there is reason to believe that a pregnant woman has used a controlled substance for a nonmedical purpose, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive. An oral report shall be made immediately by telephone or otherwise. An oral report made by a mandated reporter shall be followed within 72 hours by a written report. Any report shall be of sufficient content to identify the pregnant woman, the nature and extent of the use, if known, and the name and address of the reporter. The local welfare agency shall accept a report, notwithstanding refusal by a voluntary reporter to provide the reporter's name or address, as long as the report is otherwise sufficient.

A physician shall administer a toxicology test to a mother within 8 hours after delivery to determine whether there is evidence that she has ingested a controlled substance if the woman has obstetrical complications that are an indication of possible use of a controlled substance for a nonmedical purpose. A physician shall administer to each newborn infant born under the physician's care a toxicology test to determine whether there is evidence of prenatal exposure to a controlled substance if the physician has reason to believe based on a medical assessment of the mother or the infant that the mother used a controlled substance for a nonmedical purpose during the pregnancy. If the results of either test are positive, the physician shall report the results as neglect under § 626.556.

Agency Receiving the Reports

Citation: Ann. Stat. § 626.556, Subd. 3; Admin. Code § 9560.0232

A report shall be made to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department.

In regulation: The local agency shall ensure that child protective services are available on a 24-hour basis to respond to reports alleging imminent danger.

Initial Screening Decisions

Citation: Ann. Stat. § 626.556, Subd. 7, 10

The local welfare agency shall determine if the report is accepted for an assessment or investigation as soon as possible, but in no event longer than 24 hours after the report is received. When determining whether a report will be screened in or out, the agency receiving the report must consider, when relevant, all previous history, including reports that were screened out.

Upon receipt of a report, the local welfare agency shall determine whether to conduct a family assessment or an investigation, as appropriate, to prevent or provide a remedy for child maltreatment. The local welfare agency:

- Shall conduct an investigation on reports involving sexual abuse or substantial child endangerment
- Shall begin an immediate investigation if, at any time when it is using a family assessment response, it determines that there is reason to believe that sexual abuse, substantial child endangerment, or a serious threat to the child's safety exists
- May conduct a family assessment for reports that do not allege sexual abuse or substantial child endangerment
- May conduct a family assessment on a report that was initially screened and assigned for an investigation
- Shall provide immediate notice to an Indian child's tribe when the agency has reason to believe the family assessment or investigation may involve an Indian child

In determining that a family assessment is appropriate, the local welfare agency may consider issues of child safety, parental cooperation, and the need for an immediate response. The term 'immediate notice' means notice provided within 24 hours.

Agency Conducting the Assessment/Investigation

Citation: Ann. Stat. § 626.556, Subd. 3b, 3c, 3e, 3f, 10a

The Department of Education is the agency responsible for assessing or investigating allegations of child maltreatment in schools. The county local welfare agency is the agency responsible for assessing or investigating allegations of maltreatment in child foster care, family child care, legally unlicensed child care, juvenile correctional facilities located in the local welfare agency's county, and reports involving children served by an unlicensed personal care provider organization.

The Department of Human Services is the agency responsible for assessing or investigating allegations of maltreatment in facilities licensed under chapters 245A and 245B, except for child foster care and family child care. The Department of Health is the agency responsible for assessing or investigating allegations of child maltreatment in facilities licensed under §§ 144.50 to 144.58 and 144A.46.

The local welfare agency is the agency responsible for investigating allegations of sexual abuse if the alleged offender is the parent, guardian, sibling, an individual functioning within the family unit as a person responsible for the child's care, or a person with a significant relationship to the child if that person resides in the child's household. Effective May 29, 2017, the local welfare agency is also responsible for investigating when a child is identified as a victim of sex trafficking.

The local law enforcement agency has responsibility for investigating any report that alleges neglect, physical abuse, or sexual abuse by a person who is not a parent, guardian, sibling, person responsible for the child's care functioning within the family unit, or a person who lives in the child's household and who has a significant relationship to the child, or if a violation of a criminal statute is alleged.

Assessment/Investigation Procedures

Citation: Ann. Stat. § 626.556, Subd. 10

In conducting a family assessment or investigation, the local welfare agency shall gather information on the existence of substance abuse and domestic violence and offer services for purposes of preventing future child maltreatment, safeguarding and enhancing the welfare of the abused or neglected minor, and supporting and preserving family life whenever possible. If the family assessment or investigation indicates there is a potential for abuse of alcohol or other drugs by the parent, guardian, or person responsible for the child's care, the local welfare agency shall conduct a chemical use assessment.

The local welfare agency conducting the family assessment or investigation shall collect available and relevant information to determine child safety, risk of subsequent child maltreatment, and family strengths and needs and shall share nonpublic information with an Indian's tribal social services agency without violating any law of the state that may otherwise impose duties of confidentiality on the local welfare agency in order to implement the tribal-state agreement.

The information collected, when relevant, includes:

- The person reporting the alleged maltreatment, including the nature of the reporter's relationship to the child and to the alleged offender and the basis of the reporter's knowledge for the report
- The child allegedly being maltreated and the child's sex and age
- The alleged offender, his or her age, and child maltreatment and criminal history records checks
- The child's caregiver
- Other collateral sources having relevant information related to the alleged maltreatment
- Prior reports of maltreatment, including any maltreatment reports that were screened out

The agency investigating the report may make a determination of no maltreatment early in an investigation, and close the case and retain immunity, if the collected information shows no basis for a full investigation.

Timeframes for Completing Investigations

Citation: Ann. Stat. § 626.556, Subd. 10e; Admin. Code § 9560.0216

The local welfare agency shall conclude the family assessment or the investigation within 45 days of the receipt of a report. The conclusion of the assessment or investigation may be extended to permit the completion of a criminal investigation or the receipt of expert information requested within 45 days of the receipt of the report.

In regulation: The local agency shall respond to reports of maltreatment within the following time limits:

- When a report alleges substantial child endangerment, the local agency shall initiate an investigation immediately.
- When the report does not allege substantial child endangerment, the local agency shall initiate an assessment within 5 calendar days.

Classification of Reports

Citation: Ann. Stat. § 626.556, Subd. 10e

After conducting a family assessment, the local welfare agency shall determine whether services are needed to address the safety of the child and other family members and the risk of subsequent maltreatment.

After conducting an investigation, the local welfare agency shall make two determinations: first, whether maltreatment has occurred and, second, whether child protective services are needed.

No determination of maltreatment shall be made when the alleged perpetrator is a child younger than age 10.

If the Commissioner of Education conducts an assessment or investigation, the commissioner shall determine whether maltreatment occurred and what corrective or protective action was taken by the school facility.

When maltreatment is determined in an investigation involving a facility, the investigating agency also shall determine whether the facility or individual was responsible or whether both the facility and the individual were responsible for the maltreatment.

Mississippi

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code § 43-21-353

A mandated reporter who has reasonable cause to suspect that a child is abused or neglected shall immediately make an oral report to the Department of Human Services to be followed as soon as possible by a written report.

Content of Reports

Citation: Ann. Code § 43-21-353

Any report to the department shall contain:

- The names and addresses of the child, the child's parents, or other persons responsible for the child's care
- The child's age

- The nature and extent of injuries, including any evidence of prior injuries
- Any other information that might be helpful in establishing the cause of the injury and the identity of the perpetrator

Reporting Suspicious Deaths**Citation: Code of Rules, 18-006-102**

When an intake report is received indicating a near fatality or fatality, the following two questions must be answered for each allegation:

- Is the victim in serious or critical condition, as certified by a physician, as a result of this maltreatment (near fatality)?
- Did the victim die as a result of this maltreatment (fatality)?

'Yes' is selected at intake only if the reporter is department staff, law enforcement, or medical personnel and indicates a physician has labeled the child's condition as serious or critical as a result of the maltreatment act (near fatality) or the child has died as a result of the maltreatment act (fatality).

Reporting Substance-Exposed Infants**Citation: Code of Rules, 18-006-102**

All reports of positive drug screens for a mother and/or infant shall be screened in by the intake unit. All reports of positive drug screens for a mother and/or infant that have been screened in by the intake unit shall be assigned to a worker for investigation or assessment.

Agency Receiving the Reports**Citation: Ann. Code § 43-21-353; Code of Rules, 18-006-102**

The Department of Human Services shall maintain a statewide incoming wide-area telephone service or similar service for the purpose of receiving reports of suspected cases of child abuse. When the department receives a report, it shall immediately make a referral to the Youth Court intake unit. The intake unit shall promptly comply with § 43-21-357.

In regulation: Any person who has reason to suspect maltreatment of a child must make a report by telephone to Mississippi Centralized Intake, the department's 24-hour statewide child abuse hotline for the reporting of child maltreatment at 1-800-222-8000, or electronically at www.msabusehotline.mdhs.ms.gov.

When a reporter comes to the county office to make a report, he or she shall be educated on the report process and allowed to use a department phone to call the hotline. If the reporter does not choose to make a report from the office phone, the county staff shall make the report to the hotline immediately.

Initial Screening Decisions**Citation: Code of Rules, 18-006-102**

When a report is received, the department will determine if:

- The family can be located.
- The alleged perpetrator is a parent, guardian, relative, someone in a caregiving role, out-of-home care or foster care provider, or other legal caregiver.
- The parent or guardian permits abuse or neglect to occur or fails to protect the child from maltreatment.
- The alleged perpetrator has access to the child due to the relationship with the parent or caregiver.
- The alleged maltreatment meets statutory and department criteria of maltreatment.
- The child has been harmed or is in imminent risk of being harmed.

After gathering as much information as possible, department staff will screen the report; this task must be completed immediately upon receipt of report. Staff will use the statutory criteria to make the screening decision:

- Level One: A report that does not meet the statutory criteria is screened out and may receive a referral for information or services.
- Level Two: A report that meets the statutory criteria but does not meet at least one of the Level Three criteria listed below is screened in and assigned to a worker who must initiate the investigation within 72 hours of assignment.
- Level Three: The report is screened in and assigned for investigation within 24 hours when it meets the statutory criteria and at least one of the following criteria:
 - » Any child in the current legal custody of the department
 - » Any child with a prior report within the past 12 months or multiple reports
 - » A child in imminent risk of harm

- » Any sexual abuse
- » Any life-threatening neglect
- » Any child in the home age 5 or younger
- » Any allegation of any-age child with special needs
- » Any allegation that could be felony child abuse under state or federal law

If the intake supervisor receives a report that indicates a child is in imminent danger, the supervisor will assign a worker for immediate response.

Agency Conducting the Assessment/Investigation

Citation: Ann. Code §§ 43-21-357; 43-21-353

If the Youth Court intake unit receives a neglect or abuse report, the intake unit shall immediately forward the complaint to the Department of Human Services to promptly make an investigation or report concerning the child and any other children in the same environment and promptly present the findings to the Youth Court intake unit.

In any investigation of a report made under this chapter of the abuse or neglect of a child, the department may request the appropriate law enforcement officer with jurisdiction to accompany the department in its investigation. In such cases the law enforcement officer shall comply with such request.

Upon receiving a report that a child has been abused in such a manner as to cause serious bodily harm or abuse that would be a felony under state or federal law, the department shall immediately notify the law enforcement agency in whose jurisdiction the abuse occurred and shall notify the appropriate prosecutor within 48 hours. The law enforcement agency and the department shall investigate the reported abuse immediately, file a preliminary report with the appropriate prosecutor's office within 24 hours, and make additional reports as new or additional information or evidence becomes available.

Assessment/Investigation Procedures

Citation: Code of Rules, 18-006-102

As the first step in the investigation, the worker will contact the reporter to get any additional information about the abuse or neglect the reporter may possess. The investigation will include interviews with the parent, guardian, caregiver, or alleged perpetrator and the alleged child victim, siblings, all household members, relatives, and other persons with knowledge of the child's situation. The child should be examined for evidence of physical abuse and photographs taken to document the abuse. The parent may be given a drug or alcohol screen any time there is suspicion of illicit drug use, prescription drug abuse, or alcohol abuse.

Medical examinations of children should occur when there are specific allegations indicating injury that can be corroborated and verified by an examination and the initial phases of the investigation reveal information indicating that a medical examination is necessary and warranted in order to determine whether or not there is evidence to substantiate any harm or maltreatment.

A safety assessment is completed in all situations in which the report has been assigned a Level Two or Level Three investigation. The safety assessment addresses the following areas:

- Physical harm or injury
- Neglect of basic needs
- Family strengths and needs
- Prior history of abuse, neglect, exploitation, or domestic violence
- Protective capacity of the parent

A risk assessment assesses the well-being of the child and the risk factors for abuse and neglect, including:

- The nature of the abuse and/or neglect
- The parent's ability to provide basic needs
- The parent's level of functioning and support system
- Family and parent-child relationships, including parenting style, knowledge and skill, and discipline techniques

Timeframes for Completing Investigations

Citation: Code of Rules, 18-006-102

The intake supervisor has 2 hours from receipt of report for assignment.

All Level Three reports of maltreatment of children, including children in department custody, must be initiated within 24 hours of the initial intake and completed within 30 calendar days, including supervisory approval.

The safety assessment is completed in all situations when the report has been assigned a Level Two or Level Three investigation. The documentation of the safety assessment must be completed and submitted to the supervisor within 25 days of the report date and time. The risk assessment shall be addressed simultaneously with the safety assessment but must be completed within 25 calendar days of initial intake and submitted with the completed investigation to the supervisor for approval. The supervisor has 5 calendar days to approve the findings.

The worker has 25 calendar days from initial intake to complete the investigation and submit it to the supervisor who has 5 days for approval.

Classification of Reports

Citation: Code of Rules, 18-006-102

When the worker completes an investigation, a determination is made to support the disposition of the report. Report findings are either substantiated or unsubstantiated. This determination is made based upon substantiation criteria that may include:

- The Safety Checklist for Children
- The results of the safety and risk assessments
- The information gathered in interviews, including the statements of the child victim and any credible witnesses
- Direct observation
- Medical or psychological information

Missouri

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Stat. § 210.115

When a mandated reporter has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect, that person shall immediately cause an oral report to be made to the Division of Family Services.

Content of Reports

Citation: Ann. Stat. § 210.130

Reports shall contain the following information:

- The names and addresses of the child, the child's parents, or other persons responsible for the child's care
- The child's age, sex, and race
- The nature and extent of the child's injuries, abuse, or neglect, including any evidence of previous injuries, abuse, or neglect to the child or the child's siblings
- The name, age, and address of the person responsible for the child's injuries, if known
- Family composition
- The source of the report
- The name, address, occupation, and contact information of the reporter
- Actions taken by the reporter
- Any other information that might be helpful

Reporting Suspicious Deaths

Citation: Ann. Stat. §§ 210.115; 210.145

Any mandated reporter who has probable cause to suspect that a child has died as a result of abuse or neglect shall report that fact to the medical examiner or coroner.

If a child fatality or near-fatality is involved in a report of abuse or neglect, the investigation shall remain open until the division's investigation surrounding the death or near-fatal injury is completed.

Reporting Substance-Exposed Infants**Citation: Ann. Stat. § 191.737**

Any physician or health-care provider may refer families to the Department of Health and Senior Services when they suspect that the children may have been exposed to a controlled substance or alcohol, as evidenced by:

- Medical documentation of signs and symptoms consistent with controlled substances or alcohol exposure at birth
- Results of a confirmed toxicology test performed on the mother or the child at the child's birth
- A written assessment made by a physician, health-care provider, or the division that documents the child as being at risk of abuse or neglect

Nothing in this section shall preclude a physician or other mandated reporter from reporting abuse or neglect of a child as required by the provisions of § 210.115.

Agency Receiving the Reports**Citation: Ann. Stat. §§ 210.115; 210.145**

Reports shall be made to the division. The division shall maintain an information system operating at all times, capable of receiving and maintaining reports. This information system shall have the ability to receive reports over a single, statewide toll-free number. The information system shall maintain the results of all investigations, family assessments and services, and other relevant information.

Initial Screening Decisions**Citation: Ann. Stat. § 210.145; Code of Regs. Tit. 13, § 35-20.020**

The division shall utilize structured decision-making protocols for classification purposes of all child abuse and neglect reports. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child. All child abuse and neglect reports shall be initiated within 24 hours and shall be classified based upon the reported risk and injury to the child.

In regulation: All reports received by the hotline shall be screened within 24 hours of receipt and shall be classified based upon the reported safety risk and injury to the child. In all cases, the division must have face-to-face contact with all children in the alleged victim's household within 72 hours.

If the call is screened in, it will be accepted as a child abuse/neglect report and sent to the county office. If the call is screened out, the call will be documented and entered into the database, but no further action will be taken unless the division decides to refer it for appropriate community service. After response assignment, the report is sent to the local division office for review. The local division office has the option to change the response assignment, given additional information or prior history with the family. Each investigation will be classified as a 3-hour, 24-hour, or 72-hour call, based upon information received by the hotline.

Agency Conducting the Assessment/Investigation**Citation: Ann. Stat. § 210.145**

The local office shall contact the appropriate law enforcement agency immediately upon receipt of a report that division personnel determine merits an investigation and provide such agency with a detailed description of the report received. In such cases, the local division office shall request the assistance of the local law enforcement agency in all aspects of the investigation.

The local office of the division shall cause an investigation or family assessment and services approach to be initiated in accordance with established protocols.

Multidisciplinary teams shall be used whenever conducting the investigation in conjunction with local law enforcement.

Multidisciplinary teams shall be used in providing protective or preventive social services, including the services of law enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and other agencies, both public and private.

Assessment/Investigation Procedures**Citation: Ann. Stat. § 210.145**

The investigation shall include, but not be limited to:

- The nature, extent, and cause of the abuse or neglect
- The identity and age of the person responsible for the abuse or neglect
- The names and conditions of other children in the home, if any
- The home environment and the relationship of the subject child to the parents or other persons responsible for the child's care

- Any indication of incidents of physical violence against any other household or family member
- Other pertinent data

When a report has been made by a mandated reporter, the division shall contact that person within 48 hours of the receipt of the report in order to ensure that full information has been received and to obtain any additional information or medical records, or both, that may be pertinent.

If the appropriate local division personnel determine after an investigation has begun that completing an investigation is not appropriate, the division shall conduct a family assessment. For the family assessment, the division shall:

- Assess any service needs of the family
- Provide services that are voluntary and time-limited, unless it is determined by the division based on the assessment of risk that there will be a high risk of abuse or neglect if the family refuses to accept the services
- Commence an immediate investigation if at any time during the family assessment the division determines that an investigation is required

Timeframes for Completing Investigations

Citation: Ann. Stat. § 210.145

If the report indicates that educational neglect is the only complaint and there is no suspicion of other neglect or abuse, the investigation shall be initiated within 72 hours of receipt of the report. If the report indicates the child is in danger of serious physical harm or threat to life, an investigation shall include direct observation of the subject child within 24 hours.

The division shall complete all investigations within 45 days, unless good cause for the failure to complete the investigation is specifically documented in the information system. Good cause for failure to complete an investigation shall include, but not be limited to:

- Relevant reports of medical providers, medical examiners, psychological testing, law enforcement agencies, forensic testing, and analysis of relevant evidence by third parties have not been completed and provided to the division.
- The attorney general or the prosecuting attorney of the city or county in which a criminal investigation is pending certifies in writing to the division that there is a pending criminal investigation of the incident and the issuing of a decision by the division will adversely impact the progress of the investigation.
- The child victim, the subject of the investigation, or another witness with information relevant to the investigation is unable or temporarily unwilling to provide complete information within the specified time frames due to illness, injury, unavailability, mental capacity, age, developmental disability, or other cause.

The division shall document any such reasons for failure to complete the investigation.

Classification of Reports

Citation: Ann. Stat. § 210.152

The results of the investigation shall be classified as either of the following:

- That the division has determined by a probable cause finding prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004, that abuse or neglect exists
- That the division has not made a probable cause finding or determined by a preponderance of the evidence that abuse or neglect exists

Montana

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code § 41-3-201

When a mandated reporter knows or has reasonable cause to suspect, as a result of information they receive in their professional or official capacity, that a child is abused or neglected, he or she shall promptly make a report to the Department of Public Health and Human Services.

Content of Reports

Citation: Ann. Code § 41-3-201

The report must contain:

- The names and addresses of the child and the child's parents or other persons responsible for the child's care
- To the extent known, the nature and extent of the child's injuries, including any evidence of prior injuries
- Any other information that the reporter believes might be helpful in establishing the cause of the injuries or showing the willful neglect and the identity of the person or persons responsible for the injury or neglect
- The facts that led the reporter to believe that the child suffered injury or willful neglect

Reporting Suspicious Deaths

Citation: Ann. Code § 41-3-206

A mandated reporter who has reasonable cause to suspect that a child has died as a result of abuse or neglect shall report that suspicion to the appropriate medical examiner or law enforcement officer.

Reporting Substance-Exposed Infants

Citation: Ann. Code § 41-3-201(3)

A physician or other health-care professional involved in the delivery or care of an infant shall report to the department any infant known to the professional to be affected by a dangerous drug, as defined in § 50-32-101.

Agency Receiving the Reports

Citation: Admin. Rules R. 37.47.302

The department shall establish a centralized intake (CI) bureau. The CI bureau is responsible for the operation of the statewide centralized intake system that receives and screens all reports of suspected child abuse, neglect, or abandonment statewide from both mandatory and discretionary reporters 24 hours a day, 7 days a week. All reports of child abuse or neglect must be made through the child abuse hotline. If a person calls, visits, or writes a department office other than the child abuse hotline to report child abuse or neglect, that department office shall refer the person or written communication to the hotline.

Initial Screening Decisions

Citation: Ann. Code § 41-3-202; Admin. Rules R. 37.47.303

Upon receipt of a report that a child is or has been abused or neglected, the department shall promptly assess the information contained in the report and make a determination regarding the level of response required and the timeframe within which action must be initiated.

In regulation: When the child abuse hotline receives an incoming communication, the intake specialist will use standardized questions to screen the communication and determine:

- The type of child abuse or neglect alleged
- The level of response required
- How the report will be classified

When the incoming communication received by the hotline contains an allegation of child abuse or neglect requiring investigation, the intake specialist shall transmit the report to a local office for a response pursuant to § 41-3-202.

When an incoming communication received by the hotline results in a report alleging child abuse or neglect that indicates a child may be in immediate danger of serious harm, thus requiring an immediate response, the intake specialist will promptly contact the appropriate social worker in the field designated to receive those reports and verbally inform the field social worker of:

- The nature of the concerns
- Where the child or children of concern can be located
- Any other information necessary to facilitate protection of the child or children

Agency Conducting the Assessment/Investigation

Citation: Ann. Code § 41-3-202

If the department determines that an investigation is required, a social worker, the county attorney, or a peace officer shall promptly conduct a thorough investigation into the circumstances surrounding the allegations of abuse or neglect of the child.

Assessment/Investigation Procedures**Citation: Ann. Code § 41-3-202**

An initial investigation of alleged abuse or neglect may be conducted when an anonymous report is received. However, the investigation must, within 48 hours, result in the development of independent, corroborative, and attributable information in order for the investigation to continue. Without the development of independent, corroborative, and attributable information, a child may not be removed from the home.

The social worker is responsible for assessing the family and planning for the child. If the child is treated at a medical facility, the social worker, county attorney, or peace officer, consistent with reasonable medical practice, has the right of access to the child for interviews, photographs, and securing of physical evidence and has the right of access to relevant hospital and medical records pertaining to the child. If an interview of the child is considered necessary, the social worker, county attorney, or peace officer may conduct an interview of the child. The interview may be conducted in the presence of the parent or guardian or an employee of the school or daycare facility attended by the child.

Timeframes for Completing Investigations**Citation: Ann. Code § 41-3-202**

The investigating social worker shall furnish a written report to the department within 60 days of commencing an investigation.

Classification of Reports**Citation: Ann. Code § 41-3-202**

From the results of the investigation, the department shall determine whether the report is substantiated, unfounded, or unsubstantiated.

Nebraska

Current Through January 2017

Individual Responsibility to Report**Citation: Rev. Stat. § 28-711**

When a mandated reporter has reasonable cause to believe that a child has been subjected to abuse or neglect, he or she shall report to the proper law enforcement agency or the Department of Health and Human Services on the toll-free number.

The report may be made orally by telephone with the caller giving his or her name and address and shall be followed by a written report.

Content of Reports**Citation: Rev. Stat. § 28-711**

The report shall contain:

- The address and age of the child
- The address of the person having custody of the child
- The nature and extent of the abuse or neglect or the conditions or circumstances that would reasonably result in abuse or neglect
- Any evidence of previous abuse or neglect
- Any other information that in the opinion of the reporter may be helpful in establishing the cause of the child abuse or neglect and the identity of the perpetrator or perpetrators

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports**Citation: Rev. Stat. § 28-711**

The department shall establish a statewide toll-free number to be used by any person any hour of the day or night, any day of the week, to make reports of child abuse or neglect.

Initial Screening Decisions

Citation: Rules & Regs. Tit. 390, §§ 3-006.02; 4-000

Allegations that meet the definition of child abuse and neglect will be assigned for assessment. When a reporting party's concerns do not meet the definition of child maltreatment, but other agencies or department programs exist to deal with the concern, the report will be referred to the appropriate agency or program.

The initial assessment phase is the first indepth contact with the child and parent regarding the situation that has caused the department to become involved. Protective service staff will conduct assessments with the family to make a case determination in regard to the allegations and to determine what services, if any, are needed and how services can best be provided. Protective service workers will refer families for services both within and outside the department. To reinforce family self-sufficiency and least intrusive service delivery, preference will be given to referring families to community-based services.

Agency Conducting the Assessment/Investigation

Citation: Rev. Stat. § 28-713; Rules & Regs. Tit. 390, § 4-004.01

Unless an intake is assigned to alternative response, it is the duty of the law enforcement agency to investigate the report, to take immediate steps to protect the child, and to institute legal proceedings, if appropriate. The law enforcement agency may request assistance from the department during the investigation and shall, by the next working day, notify either the hotline or the department of receipt of the report, including whether or not an investigation is being undertaken by the law enforcement agency. A copy of all reports, whether or not an investigation is being undertaken, shall be provided to the department.

In regulation: Since both law enforcement agencies and child protective services (CPS) have statutory obligations pertaining to child maltreatment cases, it is necessary to establish which agency will take the primary responsibility for a given case and which kinds of cases will initially be a joint effort. Cases appropriate for joint activities may include, but not be limited to:

- Sexual assault or abuse of a child by a household member
- Maltreatment in child care homes, child care centers, or institutions
- Maltreatment in foster homes or allegations of maltreatment committed by foster parents or foster care providers

Cases for law enforcement conducting the primary investigation depend on established local protocols and may include:

- Severe physical abuse
- Neglect, such as lack of food, unsanitary or dangerous living conditions, and lack of essential utilities
- Children being left unattended or unsupervised
- Domestic abuse in the child's presence
- Criminal activity

Cases appropriate for CPS assessment include:

- Physical neglect due to medically related issues
- Emotional abuse or neglect
- Physical neglect due to chronic failure of a parent to provide for a child's basic needs, when no immediate risk of harm exists

Assessment/Investigation Procedures

Citation: Rules & Regs. Tit. 390, §§ 3-006.02; 4-004.02; 4-005

When law enforcement has investigated a report and has reported its findings to the department, the department will enter the findings in the central registry. The department will not begin another assessment unless the law enforcement investigation indicates the child is at continued risk or the information on the family is incomplete.

When a child is an alleged victim of abuse or neglect by his or her parent, a worker has the authority to contact the child to conduct an interview necessary for an assessment.

The following tasks apply to any initial assessment conducted by CPS:

- Interview the child, parents, siblings, and other relevant family members or collateral contacts
- Gather information from any other sources who may have information about the presenting problem or alleged maltreatment or the risk and safety of the children
- Observe the child, siblings, and parents
- Observe the interaction among family members and the home and neighborhood
- Document and analyze the information gathered

Specific areas for observation are:

- The physical condition of the children, including any observable effects of maltreatment
- The emotional status of the children, including mannerisms, signs of fear, and development status
- The emotional and behavioral status of the parents during the interviewing process, levels of denial and resistance, and use of defense mechanisms
- Interactions among the family members, including oral and facial expressions and body language
- The physical status of the home, including cleanliness, structure, hazards, or dangerous living conditions
- Signs of excessive alcohol use and use of illicit drugs
- The climate of the neighborhood, including level of violence and support, and accessibility of transportation, telephones, or other means of communication

Timeframes for Completing Investigations

This issue is not addressed in the statutes and regulations reviewed.

Classification of Reports

Citation: Rev. Stat. § 28-720; Rules & Regs. Tit. 390, § 4-008.01

All cases entered into the central register shall be classified as one of the following:

- Court substantiated: If a court of competent jurisdiction has entered a judgment of guilty against the subject of the report of child abuse or neglect upon a criminal complaint, indictment, or information, or there has been an adjudication of jurisdiction of a juvenile court over the child that relates to the report of child abuse or neglect
- Court pending: If a criminal complaint, indictment, or information or a juvenile petition that relates to the subject of the report of abuse or neglect has been filed and is pending in a court of competent jurisdiction
- Agency substantiated: If the department's determination of child abuse or neglect against the subject of the report of child abuse or neglect was supported by a preponderance of the evidence and based upon an investigation

In regulation: Based on the information gathered and analyzed during the initial assessment phase, the worker will arrive at a finding regarding the maltreatment report. The decision at this point is whether there is credible evidence to support the finding that child abuse or neglect as defined by state statute has occurred. Case status determinations include:

- Court substantiated: A court has entered a judgment of guilty in a related criminal case.
- Petition to be filed: A criminal complaint related to the case will be filed with a court.
- Inconclusive: Evidence indicates that more likely than not (preponderance) that child abuse or neglect occurred and court adjudication does not occur.
- Unable to locate: The subjects of the maltreatment report have not been located.
- Unfounded: All reports not classified as any of the above will be classified as unfounded.

Nevada

Current Through January 2017

Individual Responsibility to Report

Citation: Rev. Stat. §§ 432B.220(1)-(2); 432B.230

A mandated reporter who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that a child has been abused or neglected shall make a report as soon as reasonably practicable but no later than 24 hours after the person knows or has reasonable cause to believe that the child has been abused or neglected.

A person may make a report by telephone or, in light of all the surrounding facts and circumstances that are known or that reasonably should be known to the person at the time, by any other means of oral, written, or electronic communication that a reasonable person would believe, under those facts and circumstances, is a reliable and swift means of communicating information to the person who receives the report. If the report is made orally, the person who receives the report must reduce it to writing as soon as reasonably practicable.

Content of Reports

Citation: Rev. Stat. § 432B.230

The report must contain the following information, if obtainable:

- The name, address, age, and sex of the child
- The name and address of the child's parents or other person responsible for the child's care
- The nature and extent of the abuse or neglect of the child, the effect of prenatal illegal substance abuse on the newborn infant, or the nature of the withdrawal symptoms resulting from prenatal drug exposure
- Any evidence of previously known or suspected abuse or neglect of the child or the child's siblings, effects of prenatal illegal substance abuse, or evidence of withdrawal symptoms resulting from prenatal drug exposure of the newborn infant
- The name, address, and relationship, if known, of the person who is alleged to have abused or neglected the child
- Any other information known to the person making the report that the agency that provides child welfare services considers necessary

Reporting Suspicious Deaths

Citation: Rev. Stat. § 432B.220(6)

If a mandated reporter knows or has reasonable cause to believe that a child has died as a result of abuse or neglect, the person shall, as soon as reasonably practicable, report this belief to an agency that provides child welfare services or a law enforcement agency. If the report is made to a law enforcement agency, the law enforcement agency shall notify an agency that provides child welfare services and the appropriate medical examiner or coroner of the report. If such a report is made to an agency that provides child welfare services, the agency shall notify the appropriate medical examiner or coroner of the report.

The medical examiner or coroner shall investigate the report and submit his or her written findings to the appropriate child welfare agency, the appropriate district attorney, and a law enforcement agency. The written findings must include, if obtainable, the information required by § 432B.230(2).

Reporting Substance-Exposed Infants

Citation: Rev. Stat. § 432B.220(3)

Any mandated reporter who delivers or provides medical services to a newborn infant and knows or has reasonable cause to believe that the newborn infant has been affected by prenatal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure shall, as soon as reasonably practicable but no later than 24 hours after the person knows, notify an agency that provides child welfare services of the condition of the infant and refer each person who is responsible for the welfare of the infant for appropriate counseling, training, or other services.

Agency Receiving the Reports

Citation: Rev. Stat. §§ 432B.200; 432B.220

The Division of Child and Family Services shall establish and maintain a center with a toll-free telephone number to receive reports of abuse or neglect of a child in this state 24 hours a day, 7 days a week. Any reports made to this center must be promptly transmitted to the agency that provides child welfare services in the community in which the child is located.

A mandated reporter shall make his or her report of abuse or neglect of the child to an agency that provides child welfare services or to a law enforcement agency.

If a mandated reporter knows or has reasonable cause to believe that the abuse or neglect of the child involves an act or omission of a person directly responsible or serving as a volunteer for or an employee of a public or private home, institution, or facility where the child is receiving child care outside of his or her home for a portion of the day, the person shall make the report to a law enforcement agency.

If a mandated reporter knows or has reasonable cause to believe that the abuse or neglect of the child involves an act or omission of an agency that provides child welfare services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission.

Initial Screening Decisions

Citation: Admin. Code § 432B.140

When an agency that provides protective services receives a referral that a child is alleged to be abused, neglected, or threatened with harm, its first step must be to obtain sufficient information to decide if the allegations constitute a report of the abuse or neglect of a child that is appropriate for investigation. The worker shall explore the nature of the reporter's concern, evaluate the report, and explain the agency's responsibility and services and the available resources that could be used.

Agency Conducting the Assessment/Investigation**Citation: Rev. Stat. § 432B.260**

Upon the receipt of a report concerning the possible abuse or neglect of a child, a child welfare agency or a law enforcement agency shall promptly notify the appropriate licensing authority, if any. A law enforcement agency shall promptly notify a child welfare agency of any report it receives.

An agency that provides child welfare services and a law enforcement agency shall cooperate in the investigation, if any, of a report of abuse or neglect of a child.

Assessment/Investigation Procedures**Citation: Rev. Stat. §§ 432B.260; 432B.300**

If the child welfare agency investigates a report of alleged child abuse or neglect, the agency shall inform the person responsible for the child's welfare who is named in the report as allegedly causing the abuse or neglect of any allegation at the initial time of contact with the person. The agency shall not identify the person responsible for making the report.

If the agency determines that an investigation is not warranted, the agency may, as appropriate:

- Provide counseling, training, or other services relating to child abuse and neglect to the family of the child
- Conduct an assessment of the family to determine what services, if any, are needed

The agency that determines that an investigation is not warranted may, at any time, reverse that determination and initiate an investigation.

Except for reports that are assigned for assessment, the agency shall investigate each report of abuse or neglect received or referred to it to determine:

- The composition of the family, including any siblings or other children and any other adult living or working in the same household or facility
- Whether there is reasonable cause to believe any child is abused or neglected or threatened with abuse or neglect; the nature and extent of existing or previous injuries, abuse, or neglect; and the person apparently responsible
- Whether there is reasonable cause to believe that a child has suffered a fatality as a result of abuse or neglect
- If there is reasonable cause to believe that a child is abused or neglected and the immediate and long-term risk to the child if the child remains in the same environment
- The treatment and services that would help prevent further abuse or neglect and to improve the environment of the child and the ability of the person responsible for the child's welfare to care adequately for the child

Timeframes for Completing Investigations**Citation: Rev. Stat. § 432B.260**

Upon receipt of a report concerning the possible abuse or neglect of a child, a child welfare agency or a law enforcement agency shall immediately initiate an investigation if the report indicates that:

- There is a high risk of serious harm to the child.
- The child has suffered a fatality.
- The child is living in a household in which another child has died or the child is seriously injured or has visible signs of physical abuse.

In other cases, a child welfare agency shall conduct an evaluation no later than 3 days after the report or notification was received to determine whether an investigation is warranted. For the purposes of this subsection, an investigation is not warranted if:

- The child is not in imminent danger of harm.
- The child is not vulnerable as the result of any untreated injury, illness, or other physical, mental, or emotional condition that threatens his or her immediate health or safety.
- The alleged abuse or neglect, the alleged effect of prenatal illegal substance abuse, or the withdrawal symptoms resulting from any prenatal drug exposure of the newborn infant could be eliminated if the child and his or her family receive or participate in social or health services offered in the community, or both.
- The agency determines that the alleged abuse or neglect was the result of the reasonable exercise of discipline by a parent or guardian involving the use of corporal punishment and the corporal punishment was not so excessive as to constitute abuse.

If the agency determines that an investigation is warranted, the agency shall initiate the investigation no later than 3 days after the evaluation is completed.

Classification of Reports**Citation: Admin. Code § 432B.170**

After the investigation of a report of the abuse or neglect of a child, an agency that provides child welfare services shall determine its case findings based on whether there is reasonable cause to believe a child is abused or neglected or threatened with abuse or neglect and whether there is credible evidence of alleged abuse or neglect of the child. The agency shall make one of the following findings:

- The allegation of abuse or neglect is substantiated.
- The allegation of abuse or neglect is unsubstantiated.

As used in this section:

- 'Substantiated' means that a report was investigated and that credible evidence of the abuse or neglect exists.
- 'Unsubstantiated' means that a report was investigated and that no credible evidence of the abuse or neglect exists.

New Hampshire

Current Through January 2017

Individual Responsibility to Report**Citation: Rev. Stat. § 169-C:30**

A mandated reporter shall immediately make an oral report to the Department of Health and Human Services by telephone or otherwise, followed within 48 hours by a written report, if so requested by the department.

Content of Reports**Citation: Rev. Stat. § 169-C:30**

The report shall contain, if known:

- The name and address of the child and the person responsible for the child's welfare
- The nature and extent of the child's injuries, including any evidence of prior injury
- The identity of the person suspected of being responsible for the abuse or neglect
- Any other information that might be helpful in establishing the neglect or abuse or that may be required by the department

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports**Citation: Rev. Stat. § 169-C:30**

Reports are made to the Department of Health and Human Services.

Initial Screening Decisions

This issue is not addressed in the statutes reviewed.

Agency Conducting the Assessment/Investigation**Citation: Rev. Stat. §§ 169-C:38; 169-C:38-a**

The department shall immediately by telephone or in person refer to the local law enforcement agency all cases in which there is reason to believe that any person under age 18 has been:

- Sexually molested or exploited
- Intentionally physically injured so as to cause serious bodily injury
- Physically injured by other than accidental means so as to cause serious bodily injury
- A victim of a crime

A written report shall be made to the law enforcement agency within 48 hours, Saturdays, Sundays, and holidays excluded. A copy of this report shall be sent to the office of the county attorney.

The Department of Health and Human Services and the Department of Justice shall jointly develop a standardized protocol for the interviewing of victims and the investigation and assessment of cases of child abuse and neglect. The protocol shall seek to minimize the impact on the victim. The protocol also shall be designed to protect the rights of all parties affected, and specifically address the need to establish safe and appropriate places for interviewing children.

Assessment/Investigation Procedures**Citation: Rev. Stat. § 169-C:34**

For each report it receives, the department shall promptly perform a child protective investigation to determine:

- The composition of the family or household, including:
 - » The name, address, age, sex, and race of each child named in the report
 - » Any siblings or other children in the same household or in the care of the same adults
 - » The parents or other persons responsible for the welfare of the children
 - » Any other adults in the same household
- Whether there is probable cause to believe that any child in the family or household is abused or neglected, including a determination of:
 - » Harm or threatened harm to each child
 - » The nature and extent of present or prior injuries, abuse, or neglect, and any evidence thereof
 - » The person or persons apparently responsible for the abuse or neglect
- The immediate and long-term risk to each child if the child remains in the existing home environment
- The protective treatment and ameliorative services that appear necessary to help prevent further child abuse or neglect and to improve the home environment and the parents' ability to adequately care for the children

At the first contact in person, any person investigating a report of abuse or neglect on behalf of the department shall verbally inform the parents of a child suspected of being a victim of abuse or neglect of the specific nature of the charges and that they are under no obligation to allow a social worker or state employee on their premises or surrender their children to interviews unless that social worker or state employee is in possession of a court order to that effect. Upon receiving such information, the parent shall sign a written acknowledgement indicating that the information required under this paragraph was provided by the person conducting the investigation. The parent and department shall each retain a copy of the acknowledgment.

Timeframes for Completing Investigations**Citation: Rev. Stat. § 169-C:34**

If it appears that the immediate safety or well-being of a child is endangered, the family may flee or the child disappear, or the facts otherwise so warrant, the department shall commence an investigation immediately after receipt of a report. In all other cases, a child protective investigation shall be commenced within 72 hours of receipt of the report.

Classification of Reports**Citation: Rev. Stat. § 169-C:3**

Reports may be classified as follows:

- A 'founded report' is a report for which the department finds probable cause to believe that the child who is the subject of such report is abused or neglected.
- An 'unfounded report' is a report for which the department finds that there is no probable cause to believe that the child is abused or neglected.

New Jersey

Current Through January 2017

Individual Responsibility to Report**Citation: Ann. Stat. § 9:6-8.10**

Any person who has reasonable cause to believe that a child has been subjected to abuse or neglect shall report the same to the Division of Child Protection and Permanency by telephone or otherwise.

Content of Reports

Citation: Ann. Stat. § 9:6-8.10

The report, where possible, shall contain:

- The names and addresses of the child and the child's parent, guardian, or other person having custody
- The child's age, if known
- The nature and possible extent of injuries, including any evidence of prior injury
- Any other information that might be helpful with respect to the child abuse and the identity of the perpetrator

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Stat. § 9:6-8.12

The division shall maintain, at all times, an emergency telephone service for the receipt of calls involving a report, complaint, or allegation of child abuse or neglect.

Initial Screening Decisions

Citation: Ann. Stat. § 9:6-8.11; Admin. Code Tit. 3A, §§ 10-2.1; 10-2.3

Upon receipt of a report, the division shall immediately take such action as shall be necessary to ensure the safety of the child and to that end may request and shall receive appropriate assistance from local and state law enforcement officials. The division shall initiate an investigation within 24 hours of receipt of the report, unless a delay is authorized based upon the request of a law enforcement official. The division also shall, within 72 hours, forward a report of such matter to the child abuse registry.

In regulation: The central registry shall deem a call to be a report if it contains at least one allegation that, if true, would constitute a child being an abused or neglected child, as defined by law.

Child Protective Services (CPS) shall start the investigation of a report no later than the end of the work day or within 24 hours of the central registry determining the timeframe. Each report that meets one or more of the following criteria shall be investigated no later than the end of the work day of receipt:

- Law enforcement personnel request an immediate response.
- An immediate response will prevent the loss of evidence.
- A child has died due to abuse or neglect and a sibling remains under the care of a parent or guardian.
- A child is born drug-exposed.
- A child under age 6 is alone at the time of the report.
- A child requires medical attention at the time of the report.
- A child is being seriously physically abused at the time of the report.

Agency Conducting the Assessment/Investigation

Citation: Admin. Code Tit. 3A, §§ 10-2.1; 10-5.4; 10-5.5

CPS shall investigate each new report, regardless of whether or not the alleged child victim and his or her family are known to the department. CPS shall investigate each report alleging abuse or neglect on a military installation, to the extent permitted by the base commander.

Each child protective investigator shall request assistance from and make every effort to coordinate investigative activities with local law enforcement when conducting an investigation and whenever:

- The child protective investigator needs personal protection.
- The nature of the report suggests it.
- There is an immediately life-threatening situation.
- Violence is occurring or is immediately threatened.

Each child protective investigator shall, when conducting a child protection investigation of a report in which law enforcement, a regional diagnostic and treatment center, a child advocacy center, medical and psychological personnel, or a multidisciplinary team is involved, participate in the coordination of the following activities:

- Interviewing the alleged child victim and the alleged perpetrator
- Accessing appropriate investigative medical and psychological services
- Making timely and appropriate linkages to treatment

Each child protective investigator shall make information developed during the investigation available on a timely basis to any party identified above and involved in the case, within the limits of the law.

Assessment/Investigation Procedures

Citation: Admin. Code Tit. 3A, § 10-3.1

In conducting an investigation of a report containing any allegation, the child protective investigator shall:

- Complete a safety assessment
- Interview, in person and individually:
 - » The caregiver and each adult in the home
 - » In cases that had been open within the previous 2 years, the worker who is the most knowledgeable about the family
 - » Each other child residing in the home of the alleged child victim
 - » The reporter and each other person identified as having knowledge of the incident or as having made an assessment of physical harm
 - » The alleged perpetrator
- Read and review each available prior investigation relevant to the report
- Complete a child abuse record check of each household member and each other individual regularly frequenting or living in the alleged child victim's home
- Conduct a criminal history record check to identify a paramour's record of criminal history, when the report involves a paramour
- Complete a risk assessment
- Observe the environment in which the alleged abuse or neglect occurred or that poses a threat to the child
- Obtain a medical assessment of the injury

In completing an investigation, the investigator shall:

- Assess the strengths and needs of the caregiver and the alleged child victim
- Confirm child care arrangements reported by the caregiver, when appropriate
- Interview:
 - » At least two collateral contacts, including school personnel, child care providers, witnesses, and community professionals who have first-hand knowledge of the alleged abuse or neglect
 - » Each person residing at the address of occurrence and each witness offered by the alleged perpetrator
 - » Each investigative law enforcement officer working on the report
 - » Each primary response law enforcement personnel called to the scene of the alleged abuse or neglect
 - » Each physician and advanced practice nurse directly involved with the treatment of the child

Timeframes for Completing Investigations

Citation: Admin. Code Tit. 3A, § 10-7.3

The child protective investigator shall make the finding for each report within 60 days of the report being received at the central registry, except for good cause approved by the office manager. The office manager may grant extensions in increments of 30 days if the child protective investigator is continuing efforts to confirm credible information.

Classification of Reports

Citation: Admin. Code Tit. 3A, §§ 10-7.3; 10-7.4

For each allegation of abuse or neglect, the department shall make a finding on whether an allegation is substantiated, established, not established, or unfounded, as follows:

- An allegation shall be 'substantiated' if the preponderance of evidence indicates that a child is abused or neglected and the investigation indicates the existence of any of the circumstances listed below.
- An allegation shall be 'established' if the preponderance of evidence indicates that a child is an abused or neglected child, but the act or acts committed or omitted do not warrant a finding of substantiated as defined above.

- An allegation shall be 'not established' if there is no preponderance of evidence that a child is an abused or neglected child, but evidence indicates that the child was harmed or was placed at risk of harm.
- An allegation shall be 'unfounded' if there is no preponderance of evidence indicating that a child is an abused or neglected child, and the evidence indicates that a child was not harmed or placed at risk of harm.

The existence of any one or more of the following circumstances shall require a finding of substantiated when the investigation indicates:

- The death or near death of a child as a result of abuse or neglect
- Subjection of a child to sexual activity or exposure to inappropriate sexual activity or materials
- The infliction of injury or creation of a condition requiring a child to be hospitalized or to receive significant medical attention
- Repeated instances of physical abuse committed by the perpetrator against any child
- Failure to take reasonable action to protect a child from sexual abuse or repeated instances of physical abuse under circumstances where the parent or guardian knew or should have known that such abuse was occurring
- Depriving a child of necessary care that either caused serious harm or created a substantial risk of serious harm

New Mexico

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Stat. § 32A-4-3

A mandated reporter who knows or has reasonable suspicion that a child is abused or neglected shall report the matter immediately.

Content of Reports

Citation: Ann. Stat. § 32A-4-3(B)

The written report shall contain:

- The names and addresses of the child and the child's parents, guardian, or custodian
- The child's age
- The nature and extent of the child's injuries, including any evidence of previous injuries
- Any other information that the reporter believes might be helpful in establishing the cause of the injuries and the identity of the person responsible for the injuries

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Stat. § 32A-4-3; Admin. Code Tit. 8, §§ 10.2.7; 8.10.2.10

Reports shall be made to:

- A local law enforcement agency
- The Children, Youth and Families Department
- The tribal law enforcement or social services agency for an Indian child residing in Indian country

A law enforcement agency receiving the report shall immediately transmit the facts of the report by telephone to the department and a written report within 48 hours. The department shall immediately transmit the facts of the report by telephone to a local law enforcement agency and a written report within 48 hours.

In regulation: The Protective Services Division (PSD), of the Children, Youth and Families Department, is the state's designated child welfare agency. The Statewide Central Intake is the unit within PSD whose responsibilities may include, but are not limited to, receiving and screening reports of alleged child abuse or neglect and prioritizing and assigning accepted reports to the appropriate county office for investigation.

PSD intake workers shall be available to receive reports of suspected child abuse or neglect 24 hours a day, 7 days a week, including reports involving suspected abuse or neglect of children in placement.

Initial Screening Decisions

Citation: Admin. Code Tit. 8, §§ 10.2.8; 10.2.13

The purpose of child protective services intake is to:

- Receive reports of alleged child abuse or neglect
- Determine if the situation reported may constitute abuse or neglect as defined by law
- Determine if an investigation by PSD and a referral to another agency is warranted
- Receive reports of incidents involving children in placements and determine if such reports warrant an investigation

The intake workers shall prioritize accepted reports as follows:

- Emergency report (E): A report alleging a serious and immediate safety threat involving a vulnerable child, including, but not limited to, an abandoned infant; any physical injury to an infant; a potentially life-threatening situation; recent sexual abuse; a law enforcement request for immediate response; and recent serious trauma, such as a head injury, burns, or broken bones. A report prioritized as an emergency requires that an investigation be initiated within 3 hours.
- Priority 1 report (P1): A report alleging physical injury involving a vulnerable child who is in a safe environment at the time of the report, or a report alleging a serious impending safety threat involving a vulnerable child but where the alleged perpetrator will not have access to the child for the next 24 hours. A P1 report requires that an investigation be initiated within 24 hours.
- Priority 2 report (P2): A report alleging an impending safety threat involving a vulnerable child with no immediate concern for the child's safety. This may include, but is not limited to, alleged physical abuse with no indication of injury or alleged abuse or neglect when the alleged perpetrator no longer has access to the child or a protective parent or guardian has already intervened. A P2 report requires that an investigation be initiated within 5 calendar days.

Agency Conducting the Assessment/Investigation

Citation: Ann. Stat. §§ 32A-4-3; 32A-4-4; Admin. Code Tit. 8, §§ 10.3.8; 8.10.3.15

The recipient of a report shall take immediate steps to ensure prompt investigation of the report and take steps to protect the health or welfare of the alleged child victim, as well as any other child under the same care who may be in danger of abuse or neglect. A local law enforcement officer trained in the investigation of child abuse and neglect is responsible for investigating reports of alleged child abuse or neglect at schools, daycare facilities, or child care facilities. Reports alleging neglect or abuse shall be referred to the department, which shall conduct an investigation to determine the best interests of the child with regard to any action to be taken.

In regulation: PSD shall conduct investigations of reports of child abuse or neglect for children in the custody of their biological parents, adoptive parents, guardians, or custodians and for children in PSD custody. Reports of child abuse or neglect in schools, facilities, and daycare homes or centers shall be investigated by a local law enforcement agency.

PSD shall investigate allegations of child abuse or neglect involving Indian children who reside off the reservation or pueblo. PSD may assist in the investigation of allegations of child abuse or neglect involving children who reside on the reservation or pueblo, if requested by the Indian tribal government.

PSD shall make efforts to determine if the child who is subject of an investigation is an Indian child. PSD shall notify the appropriate tribal authority of any investigations involving Indian children.

Assessment/Investigation Procedures

Citation: Admin. Code Tit. 8, §§ 10.3.10; 10.3.11; 10.3.12

The safety of the child is the overriding concern throughout the casework relationship with the family. If the safety of the child is ever in conflict with the preservation of a family unit, the child's need for protection always takes precedence.

The caseworker shall conduct the investigation in a manner that protects the privacy of the child and family. During the investigation, the caseworker shall:

- Make efforts to engage the family in the investigation and assessment process
- Gather the information required to identify the safety threats, child vulnerabilities, protective capacities, and ongoing risks of harm to the child
- Interview the parent, guardian or custodian, and collateral contacts or witnesses
- Visit the home
- Complete safety and risk assessments

- Make efforts to provide or arrange for services for the child and family to enhance the family's capacity to safely care for their child
- Interview and observe the alleged child victim and all other children in the household
- Arrange for any required medical, mental health, or other evaluations or examinations

The caseworker shall conduct all interactions with alleged child victims and child witnesses in a child sensitive manner that takes into consideration the special needs of the child, the child's ability, age, language, and intellectual maturity and protects the child's privacy.

At the time of initial contact with the parents, guardian, or alleged perpetrator, the caseworker shall inform him or her of the reported allegations in a manner consistent with laws protecting the rights of the reporter.

Timeframes for Completing Investigations

Citation: Admin. Code Tit. 8, § 10.3.17

The caseworker shall complete the investigation within 45 days of accepting the report for investigation unless an extension is approved by the supervisor. Extensions are not to exceed an additional 30 days after the original 45 days have passed.

Classification of Reports

Citation: Admin. Code Tit. 8, § 10.3.17

The caseworker shall complete the investigation and decide whether the report's allegations of abuse or neglect are substantiated or unsubstantiated.

In a substantiated report, there is an allegation of child abuse or neglect in which a parent, guardian, foster parent, preadoptive parent, or treatment foster care parent has been identified as the perpetrator or as failing to protect the child, and credible evidence exists to support the investigation worker's conclusion that the child has been abused or neglected, as defined in the Children's Code. Credible evidence upon which to base a finding of substantiation may include, but is not limited to:

- A parent or guardian's admission
- Physical evidence
- Collateral or witness statements and observations
- A child's disclosure
- A child born drug exposed or affected due to illegal or illicit drug use
- The investigation worker's observation

In an unsubstantiated report, there is an allegation of child abuse or neglect in which the information collected during the investigation does not support a finding that the child was abused or neglected.

New York

Current Through January 2017

Individual Responsibility to Report

Citation: Soc. Serv. Law §§ 413(1); 415

Mandated reporters shall immediately make an oral or electronic report to the statewide central register when they have reasonable cause to suspect that a child has been abused or neglected by a person responsible for that child's care. Oral reports shall be followed by written reports within 48 hours.

Content of Reports

Citation: Soc. Serv. Law § 415

Written reports shall be made in a manner prescribed and on forms supplied by the commissioner of the Office of Children and Family Services and shall include the following information:

- The names and addresses of the child and the child's parents or other person responsible for the child's care
- The child's age, sex, and race
- The nature and extent of any injury, abuse, or maltreatment, including any evidence of prior injuries, abuse, or maltreatment to the child or the child's siblings
- The name of the person or persons alleged to be responsible for causing the injury, abuse, or maltreatment, if known
- Family composition

- The source of the report
- The name and contact information of the person making the report
- Actions taken by the reporting source
- Any other information that the reporter believes may be helpful or required by regulation

Reporting Suspicious Deaths**Citation: Soc. Serv. Law § 418**

Any mandated reporter, including workers of the local child protective service agency or an official of the state agency responsible for investigation of a report of abuse or maltreatment of a child in residential care, who has reasonable cause to suspect that a child has died as a result of abuse or maltreatment shall report that fact to the appropriate medical examiner or coroner.

The medical examiner or coroner shall accept the report for investigation and shall issue a preliminary written report of his or her findings within 60 days of the date of death, absent extraordinary circumstances, and his or her final written report promptly to the police, the appropriate district attorney, the local child protective service, the Office of Children and Family Services, and, if the institution making the report is a hospital, the hospital. The Office of Children and Family Services shall promptly provide a copy of the preliminary and final reports to the statewide central register of child abuse and maltreatment.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports**Citation: Soc. Serv. §§ 415; 422**

Oral reports shall be made to the statewide central register of child abuse and maltreatment unless the appropriate local plan for the provision of child protective services provides that oral reports should be made to the local child protective service.

The central register shall be capable of receiving telephone calls alleging child abuse or maltreatment, immediately identifying prior reports of child abuse or maltreatment, and monitoring the provision of child protective services 24 hours a day, 7 days a week. To effectuate this purpose, but subject to the provisions of the appropriate local plan for the provision of child protective services, there shall be a single statewide telephone number that all persons, whether mandated by the law or not, may use to make telephone calls alleging child abuse or maltreatment and that all persons so authorized by this title may use for determining the existence of prior reports in order to evaluate the condition or circumstances of a child. In addition to the single statewide telephone number, there shall be a special unlisted express telephone number and a telephone facsimile number for use only by persons mandated by law to make telephone calls, or to transmit telephone facsimile information on a form provided by the commissioner of Children and Family Services, alleging child abuse or maltreatment, and for use by all persons so authorized by this title for determining the existence of prior reports in order to evaluate the condition or circumstances of a child.

Initial Screening Decisions**Citation: Soc. Serv. Law § 427-a**

Any social services district may, upon the authorization of the Office of Children and Family Services, establish a program that implements differential responses to reports of child abuse and maltreatment.

The criteria for determining which cases may be placed in the assessment track shall be determined by the local department of social services, except that reports including any criminal allegations such as a sex offense, including prostitution, incest, or child pornography; assault of a child; murder or manslaughter; child abandonment; or severe, repeated abuse or neglect shall not be included in the assessment track of a differential response program.

For all cases included in the family assessment and services track:

- Reports taken at the statewide central register of child abuse and maltreatment shall be transmitted to the appropriate local child protective service.
- A social services district shall, consistent with the criteria for the program, identify those reports that are initially eligible to be included in the family assessment and services track.

Agency Conducting the Assessment/Investigation**Citation: Soc. Serv. Law §§ 423; 427-a**

Every local department of social services shall establish a child protective service within the department with the responsibility to conduct investigations of reports of child maltreatment.

For those reports that are included in the family assessment and services track, the social services district shall conduct the family assessments.

Assessment/Investigation Procedures**Citation: Soc. Serv. Law §§ 424; 427-a**

Upon receipt of a report, each child protective service shall commence, within 24 hours, an appropriate investigation that shall include:

- An evaluation of the environment of the child named in the report and any other children in the same home
- A determination of the risk to such children if they continue to remain in the existing home environment
- A determination of the nature, extent, and cause of any condition enumerated in the report
- The names, ages, and conditions of other children in the home
- After seeing to the safety of the child or children, notify the subjects of the report and other persons named in the report in writing of the existence of the report and their respective rights

When the social services district determines that a case is appropriate to be included in the family assessment and services track, the district's activities shall include, at a minimum, the following:

- The provision of written notice to each parent or caregiver explaining that it is the intent of the social services district to meet the needs of the family without engaging in a traditional child protective services investigation
- An examination, with the family, of the family's strengths, concerns, and needs
- Where appropriate, an offer of assistance that shall include case management that is supportive of family stabilization
- The planning and provision of services responsive to the service needs of the family
- An ongoing joint evaluation and assessment of the family's progress, including periodic assessments of risk to the child

Timeframes for Completing Investigations**Citation: Soc. Serv. Law §§ 424; 427-a**

Each child protective service shall:

- No later than 7 days after receipt of the initial report, send a preliminary written report of the initial investigation, including evaluation and actions taken or contemplated, to the central register
- Determine, within 60 days, whether the report is 'indicated' or 'unfounded'

For reports assigned to the family assessment and services track, the social services district shall be responsible for ensuring that the children are safe in their homes. A safety assessment shall be commenced within 24 hours of receipt of the report and completed within 7 days.

Classification of Reports**Citation: Soc. Serv. Law § 412**

Reports of investigations shall be classified as follows:

- A report shall be 'unfounded' unless an investigation determines that some credible evidence of the alleged abuse or maltreatment exists.
- A report shall be 'indicated' if an investigation determines that some credible evidence of the alleged abuse or maltreatment exists.

North Carolina*Current Through January 2017***Individual Responsibility to Report****Citation: Gen. Stat. § 7B-301**

A mandated reporter who has cause to suspect that a child is abused, neglected, or dependent shall report the case to the Department of Social Services in the county where the child resides. The report may be made orally, by telephone, or in writing.

Content of Reports

Citation: Gen. Stat. § 7B-301

The report shall contain information as is known to the reporter, including:

- The name and address of the child and the child's parent(s), guardian, or caregiver
- The age of the child
- The names and ages of other children in the home
- The present whereabouts of the child, if not at the home address
- The nature and extent of any injury or condition resulting from abuse or neglect
- Any other information that the reporter believes might be helpful in establishing the need for protective services or court intervention

Reporting Suspicious Deaths

Citation: Gen. Stat. §§ 7B-301; 7B-302

A mandated reporter who has cause to believe that a child has died as a result of maltreatment shall report the case to the department.

The department shall immediately ascertain if other children are in the home and in need of protective services or immediate removal from the home.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Gen. Stat. § 7B-301

Reports shall be made to the Department of Social Services in the county where the child resides.

Initial Screening Decisions

Citation: Gen. Stat. § 7B-302

When a report of abuse, neglect, or dependency is received, the department shall make a prompt and thorough assessment, using either a family assessment response or an investigative assessment response in order to ascertain the facts of the case, the extent of the abuse or neglect, and the risk of harm to the juvenile, and determine whether protective services should be provided or the complaint filed as a petition.

Agency Conducting the Assessment/Investigation

Citation: Gen. Stat. § 7B-302

When a report of abuse, neglect, or dependency is received, the department shall conduct the assessment or investigation.

In performing any duties related to the assessment of the report or the provision or arrangement for protective services, the department may consult with any public or private agencies or individuals, including the available state or local law enforcement officers who shall assist in the assessment and evaluation of the seriousness of any report of abuse, neglect, or dependency when requested by the department.

Assessment/Investigation Procedures

Citation: Gen. Stat. § 7B-302; Admin. Code Tit. 10A, § 70A.0106

The assessment and evaluation shall include a visit to the place where the child resides, except when the report alleges abuse or neglect in a child care facility. When a report alleges abuse or neglect in a child care facility, a visit to the place where the child resides is not required. When the report alleges abandonment, the assessment shall include a request from the department to law enforcement officials to investigate through the North Carolina Center for Missing Persons and other national and state resources whether the child is a missing child.

In regulation: When a report is received, the county director shall check the county agency's records and the state central registry to ascertain if any previous reports have been made concerning the alleged child victim.

The county director shall make an investigation to assess:

- Whether the specific environment in which the child is found meets the child's need for care and protection
- The facts regarding the existence of abuse, neglect, or dependency
- The nature and extent of any injury or condition resulting from abuse, neglect, or dependency
- The risk of harm to and need for protection of the child

There shall be face-to-face interviews with the alleged child victim, the parent or caregiver, the alleged perpetrator, and any person who has information about the condition of the child.

The county director shall implement a structured decision-making process that includes assessments of the immediate safety and future risk of harm to the child and the family's strengths and needs. In addition, there shall be documentation of an assessment of all of the information obtained during the investigation, any safety response plan, and the case decision.

Timeframes for Completing Investigations

Citation: Gen. Stat. § 7B-302

When the report alleges abuse, the director shall immediately, but no later than 24 hours after receipt of the report, initiate the assessment. When the report alleges neglect or dependency, the director shall initiate the assessment within 72 hours following receipt of the report. When the report alleges abandonment, the director shall immediately initiate an assessment, take appropriate steps to assume temporary custody of the child, and take appropriate steps to secure an order for nonsecure custody of the child.

Classification of Reports

Citation: Admin. Code Tit. 10A, §§ 70A.0107; 70A.0108

A report is considered 'found' when an investigation reveals the presence of abuse, neglect, or dependency. A report is considered 'not found' when a thorough investigation does not reveal abuse, neglect, or dependency.

North Dakota

Current Through January 2017

Individual Responsibility to Report

Citation: Cent. Code § 50-25.1-04

All mandated reporters shall immediately report cases of known or suspected abuse or neglect to the Department of Human Services. Oral reports must be followed by written reports within 48 hours if requested by the department.

Content of Reports

Citation: Cent. Code § 50-25.1-04

A requested written report must include information specifically sought by the department if the reporter possesses or has reasonable access to the information.

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Cent. Code § 50-25.1-04

Reports must be made to the Department of Human Services.

Initial Screening Decisions

This issue is not addressed in the statutes and regulations reviewed.

Agency Conducting the Assessment/Investigation

Citation: Cent. Code § 50-25.1-05

The department, in accordance with rules adopted by the department, immediately shall initiate an assessment of any report of child abuse or neglect.

If the report alleges a violation of a criminal statute involving sexual or physical abuse, the department and an appropriate law enforcement agency shall coordinate the planning and execution of their investigation efforts to avoid a duplication of fact-finding efforts and multiple interviews. The department or the law enforcement agency may refer the case to a children's advocacy center for a forensic interview, forensic medical examination, and other services.

Assessment/Investigation Procedures**Citation: Cent. Code § 50-25.1-05; Admin. Code § 75-03-19-06**

The department shall initiate an assessment of any report of child abuse or neglect including, when appropriate, the assessment of the home or the residence of the child, any school or child care facility attended by the child, and the circumstances surrounding the report of abuse or neglect. As part of the assessment, the department shall:

- Interview, without the consent of a person responsible for the child's welfare, the alleged abused or neglected child and any other child who currently resides or who has resided with the person responsible for the child's welfare or the alleged perpetrator
- Conduct the interview at a school, child care facility, or any other place where the alleged abused or neglected child or other child is found

The department shall adopt guidelines for case referrals to a children's advocacy center. When cases are referred to a children's advocacy center, all interviews of the alleged abused or neglected child conducted at the children's advocacy center shall be audio-recorded or video-recorded.

In regulation: Assessments of reports of suspected child abuse or neglect must reflect:

- An assessment process designed to collect sufficient information to make a decision whether services are required to provide for the protection and treatment of an abused or neglected child
- Assessment techniques that include interviewing and observing the subject, the child victim, and other interested or affected persons and documenting those interviews and observations
- Conclusions and a summary based on information gathered by the assessment

Timeframes for Completing Investigations**Citation: Admin. Code §§ 75-03-19-03; 75-03-19-04**

All nonemergency child abuse or neglect assessments must be initiated no later than 72 hours after receipt of a report by the assessing agency unless the department prescribes a different time in a particular case. In cases involving a serious threat or danger to the life or health of a child, the assessment and any appropriate protective measures must commence immediately upon receipt of a report by the assessing agency.

Assessments of reports of suspected child abuse or neglect must be completed, a decision made, and a written report completed and submitted to the regional child protection service supervisor or other person designated by the department within 62 days from the date of receipt of the report unless an extension of the time is requested of and granted by the department.

Classification of Reports**Citation: Cent. Code § 50-25.1-05.1**

Upon completion of the assessment of the initial report of child abuse or neglect, a decision must be made whether services are required to provide for the protection and treatment of an abused or neglected child.

Northern Mariana Islands*Current Through January 2017***Individual Responsibility to Report****Citation: Commonwealth Code Tit. 6, § 5313(a)**

Any mandated reporter who knows or has reasonable cause to suspect a child is or was abused or neglected shall report promptly to the Department of Public Safety. This notification shall be made within 24 hours.

Content of Reports**Citation: Commonwealth Code Tit. 6, § 5313(a)**

The report shall contain a statement of the time, date, circumstances, and information that gave rise to the reporter's belief that abuse or neglect occurred or will occur.

Reporting Suspicious Deaths**Citation: Commonwealth Code Tit. 6, § 5313(c)**

A mandated reporter who has reasonable cause to suspect that a child has died as a result of abuse shall report that fact to the medical examiner.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports**Citation: Commonwealth Code Tit. 6, § 5313(d)**

Reports may be made to the Department of Public Safety or the Division of Youth Services.

Initial Screening Decisions

This issue is not addressed in the statutes reviewed.

Agency Conducting the Assessment/Investigation**Citation: Commonwealth Code Tit. 6, § 5313(c)**

The Division of Youth Services shall investigate and make a recommendation to the attorney general's office.

Assessment/Investigation Procedures**Citation: Commonwealth Code Tit. 6, §§ 5313(c); 5322**

The Department of Public Safety shall promptly, within 24 hours, notify the attorney general's office and the Division of Youth Services of all reported cases.

If a child is taken into custody, the division shall immediately commence a child protective investigation to determine if it is necessary to make the child a ward of the court.

Timeframes for Completing Investigations**Citation: Commonwealth Code Tit. 6, § 5322**

The division shall make a recommendation to the attorney general's office within 24 hours of the initiation of protective custody regarding whether it is necessary to make the child a ward of the court.

Classification of Reports

This issue is not addressed in the statutes reviewed.

Ohio*Current Through January 2017***Individual Responsibility to Report****Citation: Rev. Stat. § 2151.421**

A mandated reporter who knows or has reasonable cause to suspect that a child has suffered or faces a threat of suffering abuse or neglect shall immediately make a report to the county public children services agency (PCSA) or a peace officer in the county in which the child resides or the abuse or neglect is occurring or has occurred.

The report shall be made either by telephone or in person and shall be followed by a written report, if requested by the receiving agency or officer.

Content of Reports**Citation: Rev. Stat. § 2151.421; Admin. Code § 5101:2-36-01**

The written report shall contain:

- The names and addresses of the child and the child's parents or persons having custody
- The child's age
- The nature and extent of any injuries, abuse, or neglect, including any evidence of prior injuries, abuse, or neglect
- Any other information, including, but not limited to, results and reports of any medical examinations, tests, or procedures, that might be helpful in establishing the cause of the injury, abuse, or neglect that is known or reasonably suspected or believed to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed to exist

In regulation: A PCSA shall attempt to obtain the following additional information from a reporter regarding child safety, risk of child maltreatment, or need for services in order to determine an intake category and arrive at a screening decision, including:

- The names and addresses of all household members
- The child's and any family member's race and ethnicity
- The type, extent, frequency, and duration of the abuse, neglect, or dependency, as applicable
- The alleged perpetrator's access to the child, if applicable
- The child's current condition
- The child's current location
- The circumstances regarding the abuse, neglect, or dependency or the circumstances indicating a need for PCSA services

Reporting Suspicious Deaths

Citation: Rev. Stat. § 2151.421

If a report has been made, and the child who is the subject of the report dies for any reason at any time after the report is made but before the child reaches age 18, the PCSA or peace officer to which the report was made or referred, on the request of the Child Fatality Review Board or the Director of Health, shall submit a summary sheet of information in the report to the director or the review board of the county in which the deceased child resided at the time of death. If the county served by the PCSA also is served by a children's advocacy center and the report of alleged sexual abuse or another type of child abuse is specified in the memorandum of understanding that creates the center as being within the center's jurisdiction, the agency or center shall perform the duties and functions specified in this section.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Rev. Stat. § 2151.421; Admin. Code § 5101:2-1-01

The person making the report shall make it to the PCSA or a municipal or county peace officer in the county in which the child resides or the county in which the abuse or neglect is occurring or has occurred.

In regulation: The 'hotline/answering service' is a communication system that allows child abuse or neglect reports to be received 24 hours per day, 7 days per week.

Initial Screening Decisions

Citation: Rev. Stat. § 2151.429; Admin. Code §§ 5101:2-1-01; 5101:2-36-01

The differential response approach shall include two response pathways: the traditional response pathway and the alternative response pathway. The agency shall use the traditional response for the following types of accepted reports:

- Physical abuse resulting in serious injury or that creates a serious and immediate risk to a child's health and safety
- Sexual abuse
- Child fatality
- Reports requiring a specialized assessment
- Reports requiring a third party investigative procedure

For all other child abuse and neglect reports, an alternative response shall be the preferred response, whenever appropriate and in accordance with rules adopted by the department.

In regulation: Screening is the process of receiving and recording information from a report to determine whether:

- The information provided should be categorized as a referral of child abuse or neglect, dependency, or family in need of services; or as an information and/or referral intake.
- The information categorized as a referral of child abuse or neglect, dependency, or family in need of services should be screened in or screened out.

PCSAs that have written approval from the Department of Job and Family Services to participate in alternative response shall assign screened-in reports to one of the following pathways:

- Traditional response
- Alternative response

Additional types of reports that shall be assigned to the traditional response pathway are those that contain allegations that:

- Could result in charges of felony child endangering
- Could result in charges of criminal sexual conduct
- Relate to the sexual abuse of a child or an abused child who is also a victim of sexual abuse
- Could result in charges of homicide

Agency Conducting the Assessment/Investigation

Citation: Rev. Stat. § 2151.421; Admin. Code § 5101:2-36-03

The PCSA shall investigate, within 24 hours, each report of child abuse or child neglect. The investigation shall be made in cooperation with the law enforcement agency.

If the county served by the PCSA also is served by a children's advocacy center, and the report alleges child sexual abuse or another type of child abuse that is within the center's jurisdiction, the PCSA shall comply with the protocol and procedures for referrals and investigations, the coordinating activities, and the authority or responsibility for performing or providing functions, activities, and services stipulated in the interagency agreement relative to that center.

In regulation: The PCSA may request the assistance of law enforcement during an assessment/investigation if one or more of the following situations exist and the reason for contacting law enforcement is documented in the case record:

- The agency has reason to believe that the child is in immediate danger of serious harm.
- The agency has reason to believe that the worker is, or will be, in danger of harm.
- The agency has reason to believe that a crime is being committed or has been committed against a child.
- The assistance of law enforcement needs to be invoked in accordance with the county child abuse and neglect memorandum of understanding.

Assessment/Investigation Procedures

Citation: Rev. Stat. § 2151.421; Admin. Code §§ 5101:2-1-01; 5101:2-36-01

The PCSA shall investigate, within 24 hours, each report of child abuse or child neglect to determine the circumstances surrounding the injuries, abuse, or neglect; the threat of injury, abuse, or neglect; the cause of the injuries, abuse, neglect, or threat; and the person or persons responsible.

A representative of the agency shall, at the time of initial contact with the person subject to the investigation, inform the person of the specific complaints or allegations made against the person.

In regulation: A comprehensive family assessment is an ongoing exchange of information among the worker, family, and collaterals to determine the strengths of the family, the degree of risk, and the intervention necessary to keep a child safe. It organizes and categorizes information focusing on the management of future risk or maltreatment and is constantly being revised during the life of the case. An investigation is a fact-finding process that includes interviews, observations, and other forms of information gathering. Information collected during the investigation provides data upon which a case disposition regarding a report of alleged child abuse or neglect can be made.

The PCSA shall conduct and document face-to-face interviews with each child residing within the home. The purpose of the interviews is to evaluate each child's condition and determine if each child is safe. The PCSA shall conduct and document face-to-face interviews with the alleged perpetrator and all adults residing in the home in order to:

- Assess his or her knowledge of the allegation
- Observe the interaction between the alleged child victim and caregiver
- Obtain relevant information regarding the safety and risk to the child

Other actions that can be taken include, but are not limited to, taking photographs, securing a medical examination or psychological evaluation, and securing any relevant records.

Timeframes for Completing Investigations

Citation: Admin. Code §§ 5101:2-36-01; 5101:2-36-03

The PCSA shall complete the screening decision and determine the immediacy of need for agency response to ensure child safety within 24 hours from receipt of the report and following the categorization of the referral information.

The PCSA shall initiate the screened in child abuse and/or neglect report in accordance with the following:

- For an emergency report, an attempt at a face-to-face contact with the alleged child victim shall be made within 1 hour from the time the referral was screened in to assess child safety and interview the alleged child victim.
- For all other reports, an attempt at a face-to-face or telephone contact shall be made with a principal of the report or collateral source who has knowledge of the alleged child victim's current condition and can provide current information about the child's safety within 24 hours from the time the referral was screened in
- If face-to-face contact with the alleged child victim was not attempted within the 24 hour timeframe, an attempt of face-to-face contact with the alleged child victim shall be made within 72 hours from the time the report was screened in.

The PCSA shall complete the report and arrive at a final case disposition no later than 45 days from the date the report was screened in. The PCSA may extend the timeframe by a maximum of 15 days if information needed to determine the report disposition and final case decision cannot be obtained within 45 days and the reasons are documented in the case record.

Classification of Reports

Citation: Admin. Code § 5101:2-36-01

'Case disposition' means the determination of whether or not abuse or neglect has occurred or is occurring and reflects the highest report disposition in the following ranking order from highest to lowest:

- Substantiated: There is an admission of child abuse or neglect by the person responsible; an adjudication of child abuse or neglect; or other forms of confirmation deemed valid by the PCSA.
- Indicated: There are circumstantial or other isolated indicators of child abuse or neglect lacking confirmation; or a determination by the caseworker that the child may have been abused or neglected based upon completion of an assessment/investigation.
- Unsubstantiated: The assessment/investigation determined no occurrence of child abuse or neglect.
- Family moved—unable to complete assessment/investigation: A PCSA cannot confirm or deny child abuse or neglect allegations based upon a full assessment/investigation because the family moved after the PCSA made contact with the family, but the family's current whereabouts are unknown or the family now lives out of state and a referral was made to the child services agency where the family currently resides.
- Family moved out of county—refer to the appropriate PCSA.
- Unable to locate: The assessment/investigation was not completed due to the inability to make contact with the family.

Oklahoma

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Stat. Tit. 10A, § 1-2-101

Every person having reason to believe that a child younger than age 18 is a victim of abuse or neglect shall report the matter promptly to the Department of Human Services. Reports shall be made to the hotline. Any allegation of abuse or neglect reported in any manner to a county office shall immediately be referred to the hotline by the department.

Content of Reports

Citation: Ann. Stat. Tit. 10A, § 1-2-101

Every physician, surgeon, or other health-care professional making a report of abuse or neglect or examining a child to determine the likelihood of abuse or neglect and every hospital or related institution in which the child was examined or treated shall provide, upon request, copies of the results of the examination; copies of the examination on which the report was based; and any other clinical notes, x-rays, photographs, and other previous or current records relevant to the case to law enforcement officers conducting a criminal investigation into the case and to employees of the department conducting an investigation of alleged abuse or neglect in the case.

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants**Citation: Ann. Stat. Tit. 10A, §§ 1-2-101; 1-2-102; 1-1-105**

Every health-care professional attending the birth of a child who tests positive for alcohol or a controlled dangerous substance shall report the matter promptly to the department.

Whenever the department determines there is a child that meets the definition of a drug-endangered child or a child has been diagnosed with fetal alcohol syndrome, the department shall conduct an investigation of the allegations and shall not limit the evaluation of the circumstances to an assessment.

The term 'drug-endangered child' means a child who is at risk of suffering physical, psychological, or sexual harm as a result of the use, possession, distribution, manufacture, or cultivation of controlled substances, or the attempt of any of these acts, by a person responsible for the health, safety, or welfare of the child. This term includes circumstances wherein the substance abuse of the person responsible for the health, safety, or welfare of the child interferes with that person's ability to parent and provide a safe and nurturing environment for the child. The term also includes newborns who test positive for a controlled dangerous substance, with the exception of those substances administered under the care of a physician.

Agency Receiving the Reports**Citation: Ann. Stat. Tit. 10A, § 1-2-101**

The department shall establish a statewide centralized hotline for the reporting of child abuse or neglect to the department. Any allegation of abuse or neglect reported in any manner to a county office shall immediately be referred to the hotline by the department.

Initial Screening Decisions**Citation: Admin. Code Tit. 340, § 75-3-200**

All reports are screened to determine whether allegations meet the definition of child abuse or neglect and are within the scope of a Child Protective Services (CPS) assessment or investigation. If the allegations are not appropriate for CPS, the reporter may be given an explanation why an assessment or investigation will not be conducted and, if appropriate, where a referral may be made to assist the family.

Intervention is limited to current situations as the CPS focus is on identifying and protecting children who are presently at risk or will be at risk if safety measures are not put in place. When a report alleges abuse or neglect that is not recent, information is obtained to determine if there is reason to believe that the child or other children may be presently at risk or in present danger. When information does not indicate a child is presently at risk or in present danger, CPS intervention may not be warranted.

When a report is received that is not appropriate for CPS and services are needed, the worker may make a referral within the department, to outside resources, or both, for emergency food, shelter, medical services, or counseling.

CPS will assign an accepted report for assessment or investigation as follows:

- An assessment is conducted when a report meets the abuse or neglect guidelines and does not constitute a serious and immediate safety threat to a child.
- An investigation is conducted when:
 - » A report meets the abuse or neglect guidelines and constitutes a serious and immediate threat to the safety of a child.
 - » There have been three or more reports accepted for assessment or investigation regarding the family.
 - » The family has been the subject of a deprived petition.
 - » The child has been diagnosed with fetal alcohol syndrome or is a drug-endangered child.

Agency Conducting the Assessment/Investigation**Citation: Ann. Stat. Tit. 10A, §§ 1-2-102; 1-2-105**

Upon receipt of a report that a child may be abused or neglected, the department shall conduct a safety analysis. If the department determines that a person responsible for the child's health, safety, or welfare or to provide protection for the child does not appear to be responsible for the alleged abuse or neglect, the department shall immediately make a referral, either verbally or in writing, to the appropriate local law enforcement agency for the purpose of conducting a possible criminal investigation.

The department shall determine the military status of parents whose children are subject to abuse or neglect. If the department determines that a parent or guardian is currently serving on active duty in the United States military, the department shall notify a U.S. Department of Defense family advocacy program that there is an investigation into the parent or guardian. The department shall forward a report of its assessment or investigation and findings to the appropriate military law enforcement entity.

The investigation of a report of sexual abuse or serious physical abuse or both sexual abuse and serious physical abuse shall be conducted, when appropriate and possible, using a multidisciplinary team approach. Law enforcement and the department shall exchange investigation information.

Assessment/Investigation Procedures

Citation: Ann. Stat. Tit. 10A, §§ 1-1-105; 1-2-105; 1-2-106

An assessment is a comprehensive review of child safety and an evaluation of family functioning and protective capacities that is conducted in response to a child abuse or neglect referral that does not allege a serious and immediate safety threat to a child.

An investigation is a response to an allegation of abuse or neglect that involves a serious and immediate threat to the safety of the child, making it necessary to determine:

- The current safety of a child and the risk of subsequent abuse or neglect
- Whether child abuse or neglect occurred and whether the family needs prevention- and intervention-related services

Any county office of the department receiving a child abuse or neglect report shall promptly respond to the report by initiating an investigation of the report or an assessment of the family in accordance with priority guidelines established by the department. The primary purpose of the investigation or assessment shall be the protection of the child.

The investigation or assessment shall include a visit to the home of the child unless there is reason to believe that there is an extreme safety risk to the child or worker. The visit shall include an interview with and examination of the subject child and any other child in the home. The investigation or assessment may include an interview with the parents of the child or any other person responsible for the health, safety, or welfare of the child.

The investigation or assessment may include a medical, psychological, or psychiatric examination of any child in the home.

At the initial time of contact with a person responsible for the health, safety, or welfare of a child who is the subject of an investigation, the department shall advise the person of the specific complaint or allegation made against the person.

Timeframes for Completing Investigations

Citation: Admin. Code Tit. 340, § 75-3-200

The department prioritizes reports of alleged child abuse or neglect based on the severity and immediacy of the alleged harm to the child and assigns a response time. This includes:

- Priority I reports: A Priority I report indicates the child is in present danger and at risk of serious harm or injury. Allegations of abuse and neglect may be severe and conditions extreme. The situation is responded to immediately, the same day the report is received.
- Priority II reports: Priority II is assigned to all other reports. The response time is established based on the vulnerability and risk of harm to the child. Priority II assessments or investigations are initiated within 2 to 10 calendar days from the date the report is accepted for assessment or investigation.

Classification of Reports

Citation: Ann. Stat. Tit. 10A, § 1-1-105

The results of an investigation may be classified as follows:

- Substantiated: The department has determined, after an investigation of a report of child abuse or neglect and based upon some credible evidence, that child abuse or neglect has occurred. When child abuse or neglect is substantiated, the department may recommend:
 - » Court intervention if the department finds the health, safety, or welfare of the child is threatened
 - » Child abuse and neglect prevention- and intervention-related services for the child, parents, or persons responsible for the care of the child if court intervention is not determined to be necessary
- Unsubstantiated: The department has determined after an investigation of a report of child abuse or neglect that insufficient evidence exists to fully determine whether child abuse or neglect has occurred. If child abuse or neglect is unsubstantiated, the department may recommend, when determined to be necessary, that the parents or persons responsible for the care of the child obtain child abuse and neglect prevention- and intervention-related services.
- Ruled out: A child protective services specialist has determined after an investigation of a report of child abuse or neglect that no child abuse or neglect has occurred.

Oregon

Current Through January 2017

Individual Responsibility to Report

Citation: Rev. Stat. § 419B.015

A person making a report shall make an oral report, by telephone or otherwise, to:

- The local office of the Department of Human Services or a designee of the department
- A law enforcement agency in the county where the person is located

Content of Reports

Citation: Rev. Stat. § 419B.015

The report shall contain, if known:

- The names and addresses of the child and the child's parents or other persons responsible for the child
- The child's age
- The nature and extent of the abuse, including any evidence of previous abuse
- The explanation given for the abuse
- Any other information that the reporter believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator

Reporting Suspicious Deaths

Citation: Admin. Rules § 413-015-0211

When a screener receives a report of a child fatality alleged to be the result of abuse or neglect or involving a child known to the department, the screener must:

- Consult with a child protective services (CPS) supervisor
- Refer to the Child Welfare Fatality Protocol
- Complete a screening report form identifying in the department's electronic information system that the report involves a child fatality
- Notify the CPS consultant
- Complete the steps above even when there are no siblings to the deceased child and no other children in the home where the fatality occurred

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Rev. Stat. § 419B.015

Reports shall be made to the local office of the Department of Human Services, to the designee of the department, or to a law enforcement agency within the county where the person making the report is located at the time of the contact.

Initial Screening Decisions

Citation: Admin. Rules § 413-015-0210

A CPS assessment is required if:

- The screener determines that information received constitutes a report of child abuse or neglect, as defined by law, and the information indicates:
 - » The alleged perpetrator is a legal parent of the alleged child victim.
 - » The alleged perpetrator resides in the alleged child victim's home.
 - » The alleged perpetrator may have access to the alleged child victim, and the parent or caregiver may not be able or willing to protect the child.
 - » The alleged child abuse occurred in a day care facility or the home of a department-certified foster parent or relative caregiver.
- The information received constitutes a report of child abuse or neglect, and the report is the responsibility of the department as outlined in the administrative rules § 413-015-0630.

- The current report would be the fourth or greater consecutive report closed at screening regarding the same family, and there is at least one child in the home who is younger than age 4, unless an exception has been approved by the CPS program manager.
- A tribe or law enforcement agency requests assistance from the department with an investigation of child abuse or neglect, and a CPS supervisor agrees that assistance from the department is appropriate.

Agency Conducting the Assessment/Investigation**Citation: Rev. Stat. § 419B.020; Admin. Rules §§ 413-015-0115; 413-015-0400**

If the department or a law enforcement agency receives a report of child abuse, the department or the agency shall immediately cause an investigation to be made to determine the nature and cause of the abuse of the child.

In regulation: A CPS worker is an employee of the department who has completed the mandatory department training for CPS workers. A CPS supervisor is an employee of the department trained in CPS and designated as a supervisor.

A CPS assessment may only be assigned to a department employee whose current position is a CPS worker, a CPS supervisor, or an employee who meets the definition of CPS worker.

Assessment/Investigation Procedures**Citation: Admin. Rules §§ 413-015-0115; 413-015-0400**

A CPS assessment is an investigation into a report of child abuse or neglect that includes activities and interventions to identify and analyze threats to child safety; determine if there is reasonable cause to believe child abuse or neglect occurred; and assure child safety through protective action plans, initial safety plans, or ongoing safety planning.

Completing a CPS assessment involves the following:

- Making face-to-face contact with the alleged victim, his or her siblings, his or her parent or caregiver including the noncustodial legal parent, other children and adults living in the home, and the alleged perpetrator
- Accessing the home environment
- Gathering safety-related information through interviews and observation
- Determining if there is a present-danger safety threat or an impending-danger safety threat by applying the safety threshold criteria
- Developing a protective action plan when a child is determined to be unsafe due to a present-danger safety threat
- Developing an initial safety plan when a child is determined to be unsafe due to an impending-danger safety threat
- Developing an ongoing safety plan when a child is determined to be unsafe from an impending-danger safety threat at the conclusion of the assessment
- Determining whether the initial safety plan or ongoing safety plan is the least intrusive plan sufficient to manage child safety
- Developing conditions for return when an out-of-home ongoing safety plan is established
- Determining whether a family has moderate to high needs when a child is determined to be safe
- Offering and, if appropriate, referring a family with moderate to high needs to available community services
- Determining if there is reasonable cause to believe that child abuse or neglect has occurred

Timeframes for Completing Investigations**Citation: Admin. Rules § 413-015-0210**

If a screener determines that a CPS assessment is required, the screener must determine the CPS assessment response timeline.

The timeline for the department response refers to the amount of time between when the report is received at screening and when the CPS worker is required to make an initial contact. When determining the response time, the screener must take into account the location of the child, how long the child will be in that location, and access that others have to the child. The response times are as follows:

- Within 24 hours: This response timeline is required, unless the paragraph below applies, when the information received constitutes a report of child abuse or neglect.
- Within 5 calendar days: This response timeline must be used only when the screener can clearly document how the information indicates the child's safety will not be compromised by not responding within 24 hours and whether an intentional delay to allow for a planned response is less likely to compromise the safety of the child.

Classification of Reports

Citation: Admin. Rules § 413-015-1000

Following the completion of the CPS assessment, the worker must determine whether there is reasonable cause to believe that child abuse or neglect occurred. The possible determinations are:

- **Founded:** There is reasonable cause to believe that child abuse or neglect occurred.
- **Unfounded:** No evidence of child abuse or neglect was identified or disclosed.
- **Unable to determine:** There was insufficient data to conclude whether there was reasonable cause to believe that child abuse or neglect occurred.

The 'unable to determine' disposition may be used only in the following circumstances:

- After extensive efforts have been made, the CPS worker is unable to locate the family.
- After completing an assessment:
 - » The child is unable or unwilling to provide consistent information.
 - » There is conflicting or inconsistent information from collateral contacts or family.
 - » There is insufficient information to support a founded or unfounded determination.

Pennsylvania

Current Through January 2017

Individual Responsibility to Report

Citation: Cons. Stat. Tit. 23, §§ 6311; 6313

A mandated reporter who has reasonable cause to suspect that a child is an abused or neglected child shall make a report to the Department of Human Services.

An oral report shall be made immediately to the department via the statewide toll-free telephone number under § 6332 or a written report using electronic technologies under § 6305. A mandated reporter making an oral report also shall make a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case in a manner and format prescribed by the department.

Content of Reports

Citation: Cons. Stat. Tit. 23, § 6313

The written reports shall include the following information, if known:

- The names and addresses of the child, child's parents, and any other person responsible for the child's welfare
- Where the suspected abuse occurred
- The age and sex of each subject of the report
- The nature and extent of the suspected abuse, including any evidence of prior abuse to the child or any sibling of the child
- The name and relationship of the person responsible for causing the suspected abuse and any evidence of prior abuse by that person
- Family composition
- The source of the report
- The name, telephone number, and email address of the person making the report
- The actions taken by the person making the report, including actions related to:
 - » Taking photographs
 - » Performing medical tests and x-rays of the child
 - » Taking the child into protective custody
 - » Admitting the child to a hospital
 - » Mandatory reporting and postmortem investigation of deaths
- Any other information required by federal law or regulation
- Any other information that the department may require by regulation

Reporting Suspicious Deaths

Citation: Cons. Stat. Tit. 23, § 6317

A mandated reporter who has reasonable cause to suspect that a child has died as a result of abuse or neglect shall report that suspicion to the appropriate coroner or medical examiner. The coroner or medical examiner shall accept the report for investigation and shall report his finding to the police, the district attorney, the appropriate county agency, and, if the report is made by a hospital, the hospital.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Cons. Stat. Tit. 23, §§ 6305; 6332; 6366

The department shall establish procedures for the secure and confidential use of electronic technologies to transmit information, including the filing of reports and other required records. A confirmation by the department of the receipt of a report of suspected child abuse submitted electronically shall relieve the person making the report of making an additional oral or written report of suspected child abuse.

The department shall establish a single statewide toll-free telephone number that all persons, whether mandated by law or not, may use to report cases of suspected child abuse or children allegedly in need of general protective services. A county agency or law enforcement official shall use the statewide toll-free telephone number or electronic technologies for determining the existence of reports of child abuse or general protective services reports in the statewide database or reports under investigation.

Each county agency shall receive 24 hours a day, 7 days a week, all reports, both oral and written, of suspected child abuse in accordance with this chapter, the county plan for the provision of child protective services, and the regulations of the department.

Initial Screening Decisions

Citation: Cons. Stat. Tit. 23, § 6334

Upon receipt of a complaint of suspected child abuse, the department shall immediately transmit an oral notice or a notice by electronic technologies to the appropriate county agency notice that the complaint of suspected child abuse has been received and the substance of the complaint. If the central register or the pending complaint file contains information indicating a prior report or a current investigation concerning a subject of the report, the department shall immediately notify the appropriate county agency of this fact. If the department receives a report of suspected child abuse that also alleges that a criminal offense has been committed against the child, the department shall immediately transmit an oral notice or notice by electronic technologies to the appropriate law enforcement official in the county where the suspected child abuse is alleged to have occurred.

If the complaint does not suggest suspected child abuse but does suggest a need for social services or other services or investigation, the department shall transmit the information to the county agency or other public agency for appropriate action. The information shall not be considered a child abuse report unless the agency to which the information was referred has reasonable cause to suspect after investigation that abuse occurred. If the agency has reasonable cause to suspect that abuse occurred, the agency shall notify the department, and the initial complaint shall be considered to have been a child abuse report.

Agency Conducting the Assessment/Investigation

Citation: Cons. Stat. Tit. 23, §§ 6334.1; 6303

The department shall establish procedures regarding the following different responses to address suspected child abuse depending on the person who allegedly committed the abuse or neglect:

- If the abuse is alleged to have been committed by a perpetrator, the appropriate county agency shall investigate the allegation.
- If the abuse is alleged to have been committed by a perpetrator and the suspected abuse may include a violation of a criminal offense, the appropriate county agency and law enforcement officials shall jointly investigate the allegation.
- If the abuse is alleged to have been committed by a person who is not a perpetrator, and the suspected child abuse may include a violation of a criminal offense, law enforcement officials where the abuse is alleged to have occurred shall be solely responsible for investigating the allegation.
- If a child is alleged to be in need of other protective services, the appropriate county agency shall assess the needs of the child.

The term 'perpetrator' includes only the following:

- A parent of the child
- A spouse, former spouse, paramour, or former paramour of the child's parent
- A person age 14 or older and responsible for the child's welfare or having direct contact with children as an employee of child care services, a school, or through a program, activity, or service
- A person age 14 or older who resides in the same home as the child
- A person age 18 or older who does not reside in the same home but is related to the child by birth or adoption
- A person age 18 or older who engages a child in severe forms of trafficking in persons or sex trafficking

Only the following may be considered a perpetrator for failing to act:

- A parent
- The parent's spouse, former spouse, paramour, or former paramour
- A person age 18 or older who is responsible for the child's welfare or resides in the same home

Assessment/Investigation Procedures

Citation: Cons. Stat. Tit. 23, § 6368

An investigation shall include the following:

- A determination of the safety of, or risk of harm to, the child or any other child if each child continues to remain in the existing home environment
- A determination of the nature, extent, and cause of any condition listed in the report
- Any action necessary to provide for the safety of the child or any other child in the child's household
- Taking photographic identification of the child or any other child in the child's household

During the investigation, all of the following shall apply:

- The county agency shall provide or arrange for services necessary to protect the child while the agency is making its determination.
- If the investigation indicates bodily injury, the county agency may require that a medical examination by a certified medical practitioner be performed on the child.
- When there is reasonable cause to suspect that there is a history of prior or current abuse, the medical practitioner has the authority to arrange for further medical tests or the county agency has the authority to request further medical tests.

The investigation shall include interviews with all subjects of the report, including the alleged perpetrator. If a subject of the report is not able to be interviewed or cannot be located, the county agency shall document its reasonable efforts to interview the subject and the reasons for its inability to interview the subject. The interview may be reasonably delayed if notice of the investigation has been delayed.

Prior to interviewing a subject of the report, the county agency shall orally notify the subject who is about to be interviewed of the existence of the report, the subject's right to counsel, and other basic rights.

Timeframes for Completing Investigations

Citation: Cons. Stat. Tit. 23, § 6368

Upon receipt of each report of suspected child abuse, the county agency shall immediately commence an appropriate investigation and see the child immediately if emergency protective custody is required or has been or shall be taken or if it cannot be determined from the report whether emergency protective custody is needed. Otherwise, the county agency shall commence an appropriate investigation and see the child within 24 hours of receipt of the report.

The investigation by the county agency to determine whether the report is founded, indicated, or unfounded and whether to accept the family for service shall be completed within 60 days in all cases.

Classification of Reports

Citation: Cons. Stat. Tit. 23, § 6303

Child abuse reports may be classified as follows:

- **Founded report:** There has been any judicial adjudication based on a finding that a child who is a subject of the report has been abused, including the entry of a plea of guilty or nolo contendere or a finding of guilt to a criminal charge involving the same factual circumstances involved in the allegation of child abuse.

- Indicated report: An investigation by the county agency or the department determines that substantial evidence of the alleged abuse exists based on any of the following:
 - » Available medical evidence
 - » The child protective service investigation
 - » An admission of the acts of abuse by the perpetrator
- Unfounded report: The report of child abuse or neglect is neither a founded nor indicated report.

The term 'substantiated child abuse' refers to child abuse for which there is an indicated report or founded report.

Puerto Rico

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Laws Tit. 8, § 446

Any person who has knowledge of or suspects that a child may be a victim of abuse or neglect, or is at risk of becoming a victim, must report to the hotline of the Department of the Family, the police, or the local office of the department.

Every processor of film or photographs who has knowledge of or observes any motion picture, photograph, videotape, negatives, or slides that depict a minor involved in a sexual activity must make a report.

Mandated reporters must complete a form furnished by the department within 48 hours after the oral report. The written report shall be sent to the central register.

Content of Reports

Citation: Ann. Laws Tit. 8, § 446

Reports shall contain, but not be limited to, all information that confirms the abuse.

Every motion picture, photograph, videotape, negative, or slide that shows a minor involved in a sexual activity shall be delivered to the nearest police station.

Reporting Suspicious Deaths

Citation: Ann. Laws Tit. 8, § 446

Mandated reporters who have knowledge of or suspect that a minor has died as a result of abuse or neglect shall report that fact to the police or the hotline of the department.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Laws Tit. 8, § 444d

The department shall operate a special toll-free communications system attached to the Commonwealth Center for the Protection of Minors to be known as the 'Hotline For Situations of Abuse, Institutional Abuse, Neglect, and Institutional Neglect,' whereby any person shall be able to report situations of abuse, institutional abuse, neglect, and institutional neglect against minors, at any time of the day or night, any day of the week.

Initial Screening Decisions

Citation: Ann. Laws Tit. 8, § 444

The term 'diversion' shall mean a program to reeducate or retrain first-time offenders convicted of the crime of abuse, institutional abuse, neglect, and/or institutional neglect.

The term 'social protective services' shall mean the specialized services for achieving the safety and well-being of minors, and for preventing the risk of suffering abuse, institutional abuse, neglect, or institutional neglect. It also shall mean the services provided to parents or to other persons responsible for minors to encourage modification of their child-rearing patterns.

Agency Conducting the Assessment/Investigation**Citation: Ann. Laws Tit. 8, § 444a**

The department shall be responsible for investigating and attending to situations of abuse, institutional abuse, neglect, and/or institutional neglect. Likewise, it shall be responsible for instituting programs for the prevention, identification, investigation, and provision of the necessary services, pursuant to the public policy established in this chapter, and the needs of minors and their families in any situation of abuse, institutional abuse, neglect, and/or institutional neglect.

Assessment/Investigation Procedures**Citation: Ann. Laws Tit. 8, § 444a**

The department shall investigate, order, or refer for investigation referrals of abuse, institutional abuse, neglect, and/or institutional neglect, making use, for this purpose, of all procedures, services, and means required to guarantee the most expeditious and effective attention to such investigations.

Timeframes for Completing Investigations**Citation: Ann. Laws Tit. 8, § 444d**

All referrals of abuse, institutional abuse, neglect, and institutional neglect shall be investigated at any time of the day or night, any day of the week.

Classification of Reports**Citation: Ann. Laws Tit. 8, § 444d**

Reports may be classified as follows:

- Protection cases: Refers to situations of abuse, institutional abuse, neglect and/or institutional neglect of minors, as these terms are defined in this section, and supported by an investigation
- Unsubstantiated report: Refers to information offered pursuant to the provisions of this chapter, which when investigated, is found to be lacking in grounds to support the allegations of abuse or neglect or is determined to be false

Rhode Island*Current Through January 2017***Individual Responsibility to Report****Citation: Gen. Laws §§ 40-11-3; 40-11-6**

Any person who has reasonable cause to know or suspect that a child has been abused, neglected, or sexually abused by another child shall report the information within 24 hours.

A physician or registered nurse practitioner who has cause to suspect that a child is abused or determines that a child under age 12 is suffering from any sexually transmitted disease shall report his or her suspicions to the department. An immediate oral report shall be made by telephone or otherwise, to both the department and law enforcement agency, and shall be followed by a report, in writing, to the department and law enforcement agency explaining the extent and nature of the abuse or neglect the child is alleged to have suffered.

Content of Reports**Citation: Gen. Laws § 40-11-6**

A written report shall follow the oral report. The written report will explain the extent and nature of the abuse or neglect the child is alleged to have suffered.

Reporting Suspicious Deaths**Citation: Gen. Laws § 40-11-3.1**

Any mandated reporter who has reasonable cause to know or suspect that a child has died as a result of child abuse or neglect shall immediately report that information to the department, which shall cause the report to be investigated immediately. Upon receipt of the report, the department shall immediately refer the information to the local law enforcement agency or the state police as well as to the office of the medical examiner.

The office of the medical examiner shall investigate the report and communicate its preliminary findings, orally within 72 hours and in writing within 7 working days, to the appropriate law enforcement agency, to the department, and if the person who made the report is an employee or a member of the staff of a hospital, to the hospital.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Gen. Laws §§ 40-11-3; 40-11-6; Admin. Rules 03-005-001, Policy 500.0000

Reports shall be made to the Department of Children, Youth and Families. Physicians and nurse practitioners shall make reports of suspected sexual abuse to both the department and a law enforcement agency.

In regulation: The department shall maintain a child protective services hotline, a statewide, toll-free phone number, to receive child abuse and neglect reports 24 hours per day, 7 days per week.

Initial Screening Decisions

Citation: Admin. Rules 03-005-001, Policy 500.0010

The department will investigate when a report that meets investigation criteria is made to the hotline. The report must involve a child younger than age 18 or younger than age 21 if the youth is residing in foster or institutional care or if the youth is in department custody, regardless of placement.

Investigation Criteria 1: Child Abuse/Neglect Reports. The department investigates reports that allege child abuse and/or neglect when reasonable cause to believe that abuse or neglect exists. Reports accepted for investigation contain the following elements:

- Harm or substantial risk of harm to the child is present.
- A specific incident or pattern of incidents suggests child abuse or neglect.
- A person responsible for the child's welfare, including a parent, guardian, or other caregiver, has allegedly abused or neglected the child.

Investigation Criteria 2: Nonrelative Caregiver. An investigation is initiated when the department receives a report that a parent has assigned or otherwise transferred to a nonrelative his or her rights or duties with respect to the permanent care and custody of his or her child unless the arrangement was authorized by an order of the court. The investigation will determine if the home is suitable for the child.

Investigation Criteria 3: Sexual Abuse of a Child by Another Child. The department immediately will investigate sexual abuse of a child by another child.

Investigation Criteria 4: Duty to Warn. If the hotline receives a report that a perpetrator of sexual abuse or serious physical abuse has access to another child in a family dwelling, that report is assigned for investigation.

Investigation Criteria 5: Alert to Area Hospitals, Safety of Unborn Child. The department issues an alert to area hospitals when a parent has a history of substantiated child abuse/neglect or a child abuse/neglect conviction and there is concern about the safety of a child.

Agency Conducting the Assessment/Investigation

Citation: Gen. Laws § 40-11-7

The department shall investigate reports of child abuse and neglect made under this chapter in accordance with the rules of the department.

The department shall forward immediately any reports of institutional child abuse and neglect to the child advocate who shall investigate the report. In the event that after the investigation the department has reasonable cause to know or suspect that a child has been subjected to criminal abuse or neglect, the department shall forward immediately any information related to that knowledge or suspicion to the law enforcement agency.

Assessment/Investigation Procedures

Citation: Gen. Laws § 40-11-7; Admin. Rules 03-005-001, Policy 500.0050; 500.0070

The investigation shall determine the circumstances surrounding the alleged abuse or neglect and the cause thereof. The investigation shall include personal contact with the child named in the report and any other children in the same household.

In regulation: The department has established standards for investigating child abuse and/or neglect reports. These standards contain general directives for the handling of all investigations and designate different activities that must be completed. The assessment of the safety of a child is a critical component of a child protective investigation.

The investigation must include personal contact with each child named in the report as well as any other children in the household or child care facility. The investigator must make every effort to locate and interview each child who was residing in the household or present in the child care facility at the time the abuse and/or neglect took place, whether or not the child is the alleged victim.

Assessment of risk is the process by which Child Protective Services (CPS) determines the current safety of a child and the prospects of future harm through abuse or neglect. This assessment process is the focal point of each investigation and is the basis of most investigative decisions. It is an ongoing process that should occur each time a new piece of evidence/information is obtained. Failure to make a thorough and up-to-date assessment could later jeopardize the safety of the child.

Timeframes for Completing Investigations

Citation: Admin. Rules 03-005-001, Policy 500.0015

Intake workers initially set the response priority for each referral of child abuse or neglect. Response priorities delineate the time limit for the intake workers to process the CPS report and for the initiation of an investigation. Response priorities are categorized into three types:

- **Emergency Response:** The CPS report must be processed within 10 minutes after the call is completed. A child protection investigator (CPI) must respond to the report within 10 minutes of assignment.
- **Immediate Response:** The CPS report must be processed within 1 hour after the call is completed. A CPI must respond to the report within the shift in which the call was received.
- **Routine Response:** The CPS report must be processed within 1 hour after the call is completed. A CPI must respond to the report within 24 hours of assignment. Routine response criteria are used for all other reports in which there is minimal risk of harm to the child.

Classification of Reports

Citation: Admin. Rules 003-005-001, Policy 500.0080; 500.0085

The standard of proof to indicate a report of child abuse or neglect is a 'preponderance of the evidence.' This is defined as evidence of a greater weight or more convincing than the evidence in opposition to it; that is, evidence that, as a whole, shows that the fact sought to be proved is more probable than not.

A notification will be made to a person who is alleged to have perpetrated abuse and/or neglect upon a child, to inform that person whether the department's CPS investigation will be 'indicated' or 'unfounded' and to identify the allegations that have been 'indicated' or 'unfounded.'

South Carolina

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code § 63-7-310

A mandated reporter shall report to the Department of Social Services or a law enforcement agency when the reporter has reason to believe that a child may have been abused or neglected. The report is made to a law enforcement agency when abuse is committed by someone other than a person responsible for the child's welfare.

Reports may be made orally by telephone or otherwise to the county Department of Social Services or to a law enforcement agency in the county where the child resides or is found.

Content of Reports

Citation: Ann. Code § 63-7-310

Reports must include the identity of the reporter, which is kept confidential.

Reporting Suspicious Deaths

Citation: Ann. Code § 63-7-360

A mandated reporter who has reason to believe that a child has died as a result of abuse or neglect shall report the information to the appropriate medical examiner or coroner. Any other person who has reason to believe that a child has died as a result of child abuse or neglect may report this information to the appropriate medical examiner or coroner.

The medical examiner or coroner shall accept the report for investigation and shall report his or her findings to the appropriate law enforcement agency, circuit solicitor's office, the county Department of Social Services, and if the institution making a report is a hospital, to the hospital.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Code § 63-7-310

Reports of child abuse or neglect may be made orally by telephone or otherwise to the county Department of Social Services or to a law enforcement agency in the county where the child resides or is found.

Initial Screening Decisions

Citation: Ann. Code §§ 63-7-340; 63-7-350

When a report is referred to the department for an investigation, the department must determine whether previous reports have been made regarding the same child or the same subject of the report.

If the department does not conduct an investigation, the department must make a record of the report and classify the record as a Category IV unfounded report. The department and law enforcement are authorized to use information from the report for purposes of assessing risk and safety if additional contacts are made concerning the child, the family, or the subject of the report.

Agency Conducting the Assessment/Investigation

Citation: Ann. Code § 63-7-980

The department must cooperate with law enforcement agencies within the area it serves and establish procedures necessary to facilitate the referral of child protection cases to the department.

When the facts indicating abuse or neglect also appear to indicate a violation of criminal law, the department must notify the appropriate law enforcement agency of those facts within 24 hours of the department's finding for the purposes of police investigation.

When the intake report is of alleged sexual abuse, the department must notify the appropriate law enforcement agency within 24 hours of receipt of the report to determine if a joint investigation is necessary. The law enforcement agency must file a formal incident report at the time it is notified of the alleged sexual abuse.

Assessment/Investigation Procedures

Citation: Ann. Code § 63-7-920

The department or law enforcement, or both, may interview the child alleged to have been abused or neglected and any other child in the household during the investigation. The interviews may be conducted on school premises, at child care facilities, at the child's home, or at other suitable locations and, in the discretion of the department or law enforcement, or both, may be conducted outside the presence of the parents. To the extent reasonably possible, the needs and interests of the child must be accommodated in making arrangements for interviews, including time, place, method of obtaining the child's presence, and conduct of the interview. The department or law enforcement, or both, shall provide notification of the interview to the parents as soon as reasonably possible during the investigation if notice will not jeopardize the safety of the child or the course of the investigation.

In order to reduce potential emotional trauma to the child, all state, law enforcement, and community agencies providing child welfare intervention into a child's life should coordinate their services to minimize the number of interviews of the child.

The department or law enforcement, or both, may collect information concerning the military affiliation of the person having custody or control of the child subject to an investigation and may share this information with the appropriate military authorities pursuant to § 63-11-80.

Timeframes for Completing Investigations

Citation: Ann. Code § 63-7-910

Within 24 hours of the receipt of a report of suspected child abuse or neglect, the department must begin an appropriate and thorough investigation to determine whether a report of suspected child abuse or neglect is 'indicated' or 'unfounded.' The finding must be made no later than 45 days from the receipt of the report.

Classification of Reports

Citation: Ann. Code § 63-7-930

Reports of child abuse and neglect must be classified in the department's data system and records in one of three categories: suspected, unfounded, or indicated. All initial reports must be considered suspected. Reports must be maintained in the category of suspected for no more than 60 days after the report was received. By the end of the 60-day time period, suspected reports must be classified as either unfounded or indicated based on the investigation. Indicated findings must be based upon a finding of the facts available to the department that there is a preponderance of evidence that the child is an abused or neglected child. All reports that are not indicated at the conclusion of the investigation and all records of information for which an investigation was not conducted must be classified as unfounded. Unfounded reports must be further classified as Category I, Category II, Category III, or Category IV:

- Category I unfounded reports are those in which abuse and neglect were ruled out following the investigation. A report falls in this category if evidence of abuse or neglect as defined in this chapter was not found regardless of whether the family had other problems or was in need of services.
- Category II unfounded reports are those in which the investigation did not produce a preponderance of evidence that the child is an abused or neglected child.
- Category III unfounded reports are those in which an investigation could not be completed because the department was unable to locate the child or family or for some other compelling reason.
- Category IV unfounded reports are records of information received pursuant to § 63-7-350 but were not investigated by the department.

South Dakota

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Laws § 26-8A-3

A mandated reporter who has reasonable cause to suspect that a child younger than age 18 has been abused or neglected shall report that information as required by law. The mandated reporter who witnessed the disclosure or evidence of the abuse or neglect must be available to answer questions when the initial report is made. Any person who knows or has reason to suspect that a child has been abused or neglected may report that information.

Content of Reports

Citation: Ann. Laws § 26-8A-10

The report to the Department of Social Services shall include:

- The child's name, address, date, and place of birth
- The name and address of the child's parents, guardian, custodian, or responsible persons
- The date of the report
- Suspected or proven instances of abuse

Reporting Suspicious Deaths

Citation: Ann. Laws § 26-8A-4

Any person who has reasonable cause to suspect that a child has died as a result of abuse or neglect shall report that information to the medical examiner or coroner. Upon receipt of the report, the medical examiner or coroner shall cause an investigation to be made and submit written findings to the state's attorney and the Department of Social Services.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Laws § 26-8A-8; Admin. Code § 67:14:30:06

Reports required from mandated reporters shall be made immediately orally by telephone or otherwise to the state's attorney, the Department of Social Services, or a law enforcement officer.

In regulation: The department shall provide for 24-hour receipt of reports of children alleged to be exposed to harm or threats of harm by a parent, guardian, or custodian responsible for their care and reports of child abuse or neglect through agreements with law enforcement agencies or other community-based agencies.

Initial Screening Decisions

Citation: Admin. Code § 67:14:30:02

Children eligible for child protective services are those children younger than age 18 who are alleged or determined to be unsafe because the individuals responsible for the children's care are unable or unwilling to keep the children safe from harm or threats of harm and children who are abused or neglected as defined in statute.

Agency Conducting the Assessment/Investigation

Citation: Ann. Laws § 26-8A-9

Upon receipt of a report, the department or law enforcement officers shall investigate.

Assessment/Investigation Procedures

Citation: Ann. Laws § 26-8A-9; Admin. Code § 67:14:30:06

Investigating personnel may personally interview a child out of the presence of the child's parents, guardian, or custodian without advance notice or consent. If the investigation and report indicate that child abuse or neglect has occurred, the state's attorney shall take appropriate action immediately.

In regulation: The department shall provide immediate or prompt assessment or investigation of reports made to the department by any person who makes a report alleging that a child is in need of protective services. The department shall offer protective services to the family and may make referral to the court of competent jurisdiction upon confirmation of need for child protective services. If a report received by the department implicates involvement of a foster parent or person employed by the department, the department shall request a review of the report by the state's attorney.

Timeframes for Completing Investigations

This issue is not addressed in the statutes and regulations reviewed.

Classification of Reports

Citation: Ann. Laws § 26-8A-11

A person's name may be placed on the central registry for child abuse and neglect based upon a substantiated investigation. If an investigation cannot substantiate the abuse, the report will be classified as unsubstantiated. The department may not maintain a record or other information of unsubstantiated child abuse and neglect for longer than 3 years if there has been no further report within that 3-year period.

Tennessee

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code § 37-1-403

Any person who has knowledge of or is called upon to render aid to any child who is suffering from or has sustained any wound, injury, disability, or physical or mental condition shall report such harm immediately if the harm is of such a nature as to reasonably indicate that it has been caused by brutality, abuse, or neglect, or that, on the basis of available information, reasonably appears to have been caused by brutality, abuse, or neglect.

Any person who knows or has reasonable cause to suspect that a child has been sexually abused shall report such knowledge or suspicion to the Department of Children's Services.

Content of Reports

Citation: Ann. Code § 37-1-403

To the extent known by the reporter, the report shall include:

- The name, address, telephone number, and age of the child
- The name, address, and telephone number of the person responsible for the care of the child

- The facts requiring the report
- Any other pertinent information

Reporting Suspicious Deaths

Citation: Ann. Code §§ 37-1-403; 37-1-605

A mandated reporter who has reasonable cause to suspect that a child has died as a result of child abuse or neglect or sexual abuse shall report such suspicion to the medical examiner. The medical examiner shall accept the report for investigation and shall report the medical examiner's findings, in writing, to the local law enforcement agency, the appropriate district attorney general, and the department.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Code § 37-1-403; Pol. Man. § 14.1

Any person with knowledge of the type of harm described above shall report it, by telephone or otherwise, to:

- The judge having juvenile jurisdiction over the child
- The department, either by contacting a local representative of the department or by utilizing the department's centralized intake procedure
- The sheriff of the county where the child resides
- The chief law enforcement official of the municipality where the child resides

Every physician who makes a diagnosis of any sexually transmitted disease in a child who is age 13 or younger shall report the case immediately, in writing, to the Department of Health. If sexual abuse is suspected, the Department of Health will report the case to the Department of Children's Services.

Each report of known or suspected child sexual abuse shall be made immediately to the local office of the department responsible for the investigation of reports, the judge having juvenile jurisdiction, or to the office of the sheriff or the chief law enforcement official of the municipality where the child resides.

In policy: The department maintains and operates a child abuse hotline, available 24 hours per day, 7 days a week, to receive reports of alleged child abuse or neglect.

Initial Screening Decisions

This issue is not addressed in the statutes and regulations reviewed.

Agency Conducting the Assessment/Investigation

Citation: Ann. Code §§ 37-1-406; 37-1-607

The county office of the department shall investigate an oral or written report of harm. If the report of child abuse alleges physical abuse, it shall be in the best interests of the child that the child be referred to a child advocacy center or that the investigation be conducted by a child protective services investigator who is adequately trained in investigating physical abuse reports. Under no circumstances shall the investigation be performed by a probation officer previously assigned to the child.

In cases involving child sexual abuse, the investigation shall be conducted by a child protective investigation team. Each team shall be composed of one person from the department, one representative from the office of the district attorney general, one juvenile court officer or investigator from a court of competent jurisdiction, and one properly trained law enforcement officer with countywide jurisdiction from the county where the child resides or where the alleged offense occurred. The team also may include a representative from one of the mental health disciplines. It is in the best interests of the child that, whenever possible, an initial investigation shall not be commenced unless all four disciplines are represented. An initial investigation may, however, be commenced if at least two of the team members are present at the initial investigation.

It is the intent of the general assembly that the child protective investigations be conducted by the team members in a manner that not only protects the child but that also preserves any evidence for future criminal prosecutions.

Assessment/Investigation Procedures

Citation: Ann. Code § 37-1-406

All representatives of the child protective services agency shall, at the initial time of contact with the individual who is subject to an investigation, advise the individual of the complaints or allegations made against the individual consistent with laws protecting the rights of the informant.

The investigation shall include:

- The nature, extent, and cause of the harm, including a determination of whether there exists a threat of harm, and the nature and extent of any present or prior injuries or abuse
- The identity of the person responsible for it
- The names and conditions of the other children in the home
- An evaluation of the parents or persons responsible for the care of the child, the home environment, and the relationship of each child to the parents or persons responsible for such child's care
- The identity of any other persons in the same household
- The identity of any other children in the care of any adult residing in the household
- All other pertinent data

The investigation shall include a visit to the child's home; an interview with and physical observation of the child; and interviews with the parents, other custodians of the child, and any other persons in the child's home. If the investigator deems it necessary, the investigation also shall include medical, psychological, or psychiatric examinations of the child and any other children in the child's home or under the care of any person alleged to have permitted or caused abuse, neglect, or sexual abuse to the child.

The investigator shall interview the child outside the presence of the parents or other persons allegedly responsible for the harm and, wherever possible, shall interview the child in a neutral setting other than the location where the alleged abuse occurred.

Timeframes for Completing Investigations

Citation: Ann. Code §§ 37-1-406; 37-1-607

The department shall be capable of receiving and investigating reports of child abuse 24 hours a day, 7 days a week. The county office shall make a thorough investigation promptly after receiving either an oral or written report of harm.

If it appears that the immediate safety or well-being of a child is endangered, that the family may flee or the child will be unavailable, or that the facts otherwise warrant, the department shall commence an investigation immediately, regardless of the time of day or night.

For each child sexual abuse report it receives, the department shall immediately notify the child protection investigation team, which shall commence an onsite child protective investigation.

No later than 60 days after receiving the initial report, the department or team in cases of child sexual abuse or the department in all other cases shall determine whether the reported abuse was indicated or unfounded and report its findings to the department's abuse registry.

Classification of Reports

Citation: Ann. Code §§ 37-1-406; Rules & Regs. §§ 0250-7-9-.01; 0250-7-9-.06

The investigation shall determine whether the reported abuse was indicated or unfounded.

In regulation: 'Indicated' means the classification assigned to an individual found to be a perpetrator of abuse, severe child abuse, child sexual abuse, or neglect as the result of an investigation of a report of abuse. A report made against an alleged perpetrator shall be classified as 'indicated' if the preponderance of the evidence, in light of the entire record, proves that the individual committed abuse, severe child abuse, child sexual abuse, or neglect.

Proof of one or more of the following factors, linking the abusive act(s) to the alleged perpetrator, may constitute a preponderance of evidence:

- Medical and/or psychological information from a health-care provider that substantiates that the abuse occurred
- An admission by the perpetrator
- The statement of a credible witness or witnesses to the abusive or neglectful act
- The child victim's statement that the abuse occurred
- Physiological indicators or signs of abuse or neglect, including, but not limited to, cuts, bruises, burns, broken bones, or medically diagnosed physical conditions

- Physical evidence that could impact the classification decision
- The existence of behavioral patterns that may be indicative of child abuse or neglect and corroborates other evidence of abuse
- The existence of circumstantial evidence linking the alleged perpetrator to the abusive or neglectful act(s) (e.g., child was in care of the alleged perpetrator at the time the abuse occurred and no other reasonable explanation of the cause of the abuse exists in the record)

Texas

Current Through January 2017

Individual Responsibility to Report

Citation: Fam. Code § 261.101

Any person who has cause to believe that a child has been adversely affected by abuse or neglect shall immediately make a report.

A professional who has cause to believe that a child has been abused or neglected or may be abused or neglected shall make a report no later than 48 hours after the professional first suspects that the child has been or may be abused or neglected.

A person or professional shall make a report if the person or professional has cause to believe that an adult was a victim of abuse or neglect as a child and the person or professional determines in good faith that disclosure of the information is necessary to protect the health and safety of another child, an elderly person, or a person with a disability.

Content of Reports

Citation: Fam. Code § 261.104

The person making a report shall identify, if known:

- The name and address of the child
- The name and address of the person responsible for the care, custody, or welfare of the child
- Any other pertinent information concerning the alleged abuse or neglect

Reporting Suspicious Deaths

Citation: Fam. Code § 261.105

The department shall immediately notify the law enforcement agency of any report it receives that concerns the death of a child from abuse or neglect.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Fam. Code §§ 261.103; 261.405; Admin. Code Tit. 40, § 700.479

The report shall be made to a law enforcement agency, the Department of Family and Protective Services, or the agency that operates or licenses the facility where the abuse or neglect occurred.

The report must be made to the department if the alleged or suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child.

A report of alleged abuse, neglect, or exploitation in any juvenile justice program or facility shall be made to the Texas Juvenile Justice Department and a local law enforcement agency for investigation.

In regulation: The department must provide for receipt of reports of child abuse or neglect 24 hours a day, 7 days a week.

Initial Screening Decisions

Citation: Fam. Code § 261.3015; Admin. Code Tit. 40, § 700.505

In assigning priorities and prescribing investigative procedures based on the severity and immediacy of the alleged harm to a child, the department shall establish an alternative response system to allow the department to make the most effective use of resources to investigate and respond to reported cases of abuse and neglect.

The department may conduct an alternative response to a report of abuse or neglect if the report does not:

- Allege sexual abuse of a child
- Allege abuse or neglect that caused the death of a child
- Indicate a risk of serious physical injury or immediate serious harm to a child

The department may administratively close a reported case of abuse or neglect without completing the investigation or alternative response and without providing services or making a referral to another entity for assistance if the department determines, after contacting a professional or other credible source, the child's safety can be assured without further investigation, response, services, or assistance.

In determining how to classify a reported case of abuse or neglect under the alternative response system, the child's safety is the primary concern. The classification of a case may be changed as warranted by the circumstances.

In regulation: Child Protective Services (CPS) assigns priorities for reports of abuse and neglect based on the assessment of the immediacy of the risk and the severity of the possible harm to the child. Reports are assigned to one of two categories:

- Priority I reports concern children who appear to face an immediate risk of abuse or neglect that could result in death or serious harm.
- Priority II reports are all other reports of abuse or neglect that are not assigned a Priority I.

Agency Conducting the Assessment/Investigation

Citation: Fam. Code § 261.301

With assistance from the appropriate state or local law enforcement agency, the department shall make a prompt and thorough investigation of a report of child abuse or neglect allegedly committed by a person responsible for a child's care, custody, or welfare.

A state agency shall investigate a report that alleges abuse or neglect occurred in a facility operated, licensed, certified, or registered by that agency.

The department is not required to investigate a report that alleges child abuse or neglect by a person other than a person responsible for a child's care, custody, or welfare. The appropriate state or local law enforcement agency shall investigate that report if the agency determines an investigation should be conducted.

An investigation of a report that alleges that a child has been or may be the victim of a criminal offense, which poses an immediate risk of physical or sexual abuse that could result in the death of or serious harm to the child, shall be conducted jointly by the department and a peace officer.

Assessment/Investigation Procedures

Citation: Fam. Code §§ 261.301; 261.3015; 261.302

As necessary to provide for the protection of the child, the department shall determine:

- The nature, extent, and cause of the abuse or neglect
- The identity of the person responsible for the abuse or neglect
- The names and conditions of the other children in the home
- An evaluation of the parents or persons responsible for the care of the child
- The adequacy of the home environment
- The relationship of the child to the persons responsible for the care, custody, or welfare of the child
- All other pertinent data

An alternative response to a report of abuse or neglect must include:

- A safety assessment of the child who is the subject of the report
- An assessment of the child's family
- In collaboration with the child's family, identification of any necessary and appropriate service or support to reduce the risk of future harm to the child

An alternative response to a report of abuse or neglect may not include a formal determination of whether the alleged abuse or neglect occurred.

The investigation may include:

- A visit to the child's home unless the alleged abuse or neglect can be confirmed or clearly ruled out without a home visit
- An interview with and examination of the subject child, which may include a medical, psychological, or psychiatric examination

The interview with and examination of the child may:

- Be conducted at any reasonable time and place, including the child's home or the child's school
- Include the presence of persons the department determines are necessary
- Include transporting the child for purposes relating to the interview or investigation

The investigation may include an interview with the child's parents and an interview with and medical, psychological, or psychiatric examinations of any child in the home.

Timeframes for Completing Investigations**Citation: Fam. Code § 261.301; Admin. Code Tit. 40, § 700.505**

The department shall assign by rule priorities and prescribe investigative procedures for investigations based on the severity and immediacy of the alleged harm to the child. The department is required to:

- Immediately respond to a report that involves circumstances in which the death of the child or substantial bodily harm to the child would result unless the department immediately intervenes
- Respond within 24 hours to a report that is assigned the highest priority
- Respond within 72 hours to a report that is assigned the second highest priority

In regulation: CPS must:

- Respond immediately to a report of abuse or neglect that is assigned as a Priority I and involves circumstances in which the death of the child or substantial bodily harm to the child will imminently result unless the department immediately intervenes
- Respond within 24 hours to a report of abuse or neglect that is assigned a Priority I, other than a report described above
- Respond within 72 hours to a report of abuse or neglect that is assigned a Priority II by initiating an investigation or by forwarding the report to specialized screening staff

Classification of Reports**Citation: Admin. Code Tit. 40, § 700.511**

The finding made in the investigation about each individual allegation of abuse/neglect that was identified at intake or during the investigation is assigned one of the following allegation dispositions:

- Reason-to-believe: Based on a preponderance of evidence, staff conclude that abuse or neglect has occurred.
- Ruled-out: Based on available information, staff determine that it is reasonable to conclude that the abuse or neglect has not occurred.
- Unable to complete: Staff could not determine whether alleged abuse or neglect occurred due to any of the following circumstances:
 - » The family could not be located to begin the investigation.
 - » The family moved and could not be located to finish the investigation.
 - » The family was unwilling to cooperate with the investigation.
- Unable-to-determine: Staff conclude that none of the dispositions specified above is appropriate.
- Administrative closure: Information received after a case was assigned for investigation reveals that continued intervention is unwarranted.

Utah

Current Through January 2017

Individual Responsibility to Report**Citation: Ann. Code §§ 62A-4a-403; 62A-4a-408**

When a mandated reporter has reason to believe that a child has been subjected to abuse or neglect, or who observes a child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, he or she shall immediately notify a peace officer, a law enforcement agency, or the Division of Child and Family Services.

Content of Reports**Citation: Ann. Code § 62A-4a-403**

The report shall include the reporter's observations of the conditions or circumstances of the child that led to the suspicion that the child was being abused or neglected.

Reporting Suspicious Deaths**Citation: Ann. Code § 62A-4a-405**

Any person who has reason to believe that a child has died as a result of abuse or neglect shall report that fact to:

- The local law enforcement agency, who shall report to the county attorney or district attorney
- The appropriate medical examiner

The medical examiner shall investigate and report his or her findings to the police, the appropriate county attorney or district attorney, the Attorney General's Office, the division, and if the institution making the report is a hospital, to that hospital.

Reporting Substance-Exposed Infants**Citation: Ann. Code § 62A-4a-404**

When an individual, including a licensee under the Medical Practice Act or the Nurse Practice Act, attends the birth of a child or cares for a child, and determines that the child, at the time of birth, has fetal alcohol syndrome, fetal alcohol spectrum disorder, or fetal drug dependency, he or she shall report that determination to the division as soon as possible.

Agency Receiving the Reports**Citation: Admin. Code R512-200-3**

The division will maintain a system for receiving referrals or reports about child abuse, neglect, or dependency. The system shall supply workers with a complete previous division history for each child, including siblings; foster care episodes; all reports of abuse, neglect, or dependency; treatment plans; and casework deadlines.

Initial Screening Decisions**Citation: Ann. Code § 62A-4a-409; Admin. Code R512-200-3**

The division shall make a thorough preremoval investigation upon receiving either an oral or written report of alleged abuse, neglect, fetal alcohol syndrome, or fetal drug dependency when there is reasonable cause to suspect that a situation of abuse, neglect, fetal alcohol syndrome, or fetal drug dependency exists. The primary purpose of the investigation shall be protection of the child.

In regulation: Child and Family Services establishes Child Protective Services (CPS) priority timeframes as follows:

- A Priority 1 response shall be assigned when the child referred is in need of immediate protection.
- A Priority 2 response shall be assigned when physical evidence is at risk of being lost or the child is at risk of further abuse, neglect, or dependency, but the child does not have immediate protection and safety needs, as determined by the intake checklist.
- A Priority 3 response shall be assigned when potential for further harm to the child and the loss of physical evidence is low.

Agency Conducting the Assessment/Investigation**Citation: Ann. Code § 62A-4a-409**

The division shall use an interdisciplinary approach, when appropriate, in dealing with reports of abuse or neglect. For this purpose, the division shall convene appropriate interdisciplinary 'child protection teams' to assist it in its protective, diagnostic, assessment, treatment, and coordination services. A representative of the division shall serve as the team's coordinator and chair. Whenever possible, the team shall include representatives of:

- Health, mental health, education, and law enforcement agencies
- The child
- The parent and family support groups unless the parent is alleged to be the perpetrator
- Other appropriate agencies or individuals

If a report of neglect is based upon or includes an allegation of educational neglect, the division shall immediately consult with school authorities to verify the child's status.

With regard to cases in which law enforcement has or is conducting an investigation of alleged abuse or neglect of a child:

- The division shall coordinate with law enforcement to ensure that there is an adequate safety plan to protect the child from further abuse or neglect.
- The division is not required to duplicate an aspect of the investigation that, in the division's determination, has been satisfactorily completed by law enforcement.

Assessment/Investigation Procedures**Citation: Ann. Code § 62A-4a-202.3**

The division's investigation shall conform to reasonable professional standards and shall include:

- A search for and review of any records of past reports of abuse or neglect involving the same child, any sibling or other child residing in the same household as the child, and the alleged perpetrator
- With regard to a child who is age 5 or older, a personal interview with the child outside of the presence of the alleged perpetrator
- If a parent or guardian can be located, an interview with at least one of the child's parents or guardian
- An interview with the person who reported the abuse unless the report was made anonymously

- When possible and appropriate, interviews with other third parties who have had direct contact with the child, including school personnel and the child's health-care provider
- An unscheduled visit to the child's home unless:
 - » There is a reasonable basis to believe that the reported abuse was committed by a person who is not the child's parent and does not live in the child's home or otherwise have access to the child in the child's home.
 - » An unscheduled visit is not necessary to obtain evidence for the investigation.
- If appropriate and indicated in any case alleging physical injury, sexual abuse, or failure to meet the child's medical needs, a medical examination, obtained no later than 24 hours after the child is placed in protective custody

Timeframes for Completing Investigations

Citation: Admin. Code R512-200-3

CPS shall respond to reports according to the priority timeframes as follows:

- For a Priority 1 report, intake will begin to collect information immediately after the completion of the initial contact from the reporter and, as soon as possible thereafter, obtain additional information, staff the referral to determine the priority, notify law enforcement, and assign the case to the CPS worker. The CPS worker has, as a standard, 60 minutes from the time of assignment to initiate efforts to make face-to-face contact with an alleged victim. For a Priority 1R (rural) referral, the worker has, as a standard, 3 hours to initiate efforts to make face-to-face contact if the alleged victim is more than 40 miles away.
- For a Priority 2 report, intake will begin to collect information as soon as possible after the completion of the initial contact and, as soon as possible, obtain additional information, staff the referral to determine the priority, assign the case to the CPS worker, and notify law enforcement. The CPS worker has, as a standard, 24 hours from the time of assignment to initiate efforts to make face-to-face contact with the alleged victim.
- For a Priority 3 report, intake will obtain additional information, research data sources, staff the referral as necessary, determine the priority, and notify law enforcement before transferring the case to a CPS worker. The CPS worker will make the face-to-face contact with the alleged victim by the end of the third business day.

Classification of Reports

Citation: Ann. Code §§ 62A-4a-101; 62A-4a-409; 62A-4a-202.3

The division shall make a written report of its investigation that shall include a determination regarding whether the alleged abuse or neglect is supported, unsupported, or without merit. Determinations may be:

- 'Supported': a finding by the division based on the evidence available at the completion of an investigation that there is a reasonable basis to conclude that abuse, neglect, or dependency occurred
- 'Unsupported': a finding at the completion of an investigation that there is insufficient evidence to conclude that abuse, neglect, or dependency occurred
- 'Without merit': a finding at the completion of an investigation by the division or a judicial finding that the alleged abuse, neglect, or dependency did not occur or that the alleged perpetrator was not responsible for the abuse, neglect, or dependency

The division's determination of whether a report is supported or unsupported may be based on the child's statements alone.

Decisions regarding whether a report is supported, unsupported, or without merit shall be based on the facts of the case at the time the report was made.

Vermont

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Stat. Tit. 33, § 4913

A mandated reporter who has reasonable cause to believe that a child has been abused or neglected shall report within 24 hours of the time information regarding the suspected abuse or neglect was first received or observed.

Content of Reports

Citation: Ann. Stat. Tit. 33, § 4914

The report shall contain:

- The name and address of the reporter
- The names and addresses of the child and the child's parents or other persons responsible for the child, if known
- The age of the child
- The nature and extent of the child's injuries, including any evidence of previous abuse and neglect of the child or the child's siblings
- Any other information that might be helpful in establishing the cause of the injuries or the reasons for the neglect

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Stat. Tit. 33, § 4914; Code of Rules 13-172-200, § 2002

A report shall be made orally or in writing to the Department of Social and Rehabilitation Services, Family Services Division.

In regulation: The division shall have qualified staff available at all times to receive reports of suspected child abuse and neglect from mandated and nonmandated reporters.

Initial Screening Decisions

Citation: Ann. Stat. Tit. 33, § 4915

Upon receipt of a report of abuse or neglect, the department shall promptly determine whether the report constitutes an allegation of child abuse or neglect. If the report is accepted as a valid allegation of abuse or neglect, the department shall determine whether to conduct an assessment or an investigation.

The decision to conduct an assessment shall include consideration of the following factors:

- The nature of the conduct and the extent of the child's injury, if any
- The accused person's prior history of child abuse or neglect, or lack thereof
- The accused person's willingness or lack thereof to accept responsibility for the conduct and cooperate in remediation

The department shall conduct an investigation when an accepted report involves allegations indicating substantial child endangerment. For purposes of this section, 'substantial child endangerment' includes conduct by an adult involving or resulting in sexual abuse and conduct by a person responsible for a child's welfare involving or resulting in abandonment, child fatality, malicious punishment, or abuse or neglect that causes serious physical injury. The department may conduct an investigation of any report.

Agency Conducting the Assessment/Investigation

Citation: Ann. Stat. Tit. 33, § 4915

The department shall conduct either an assessment or an investigation. The department shall report to and request assistance from law enforcement in the following circumstances:

- Investigations of child sexual abuse by an alleged perpetrator age 10 or older
- Investigations of serious physical abuse or neglect requiring emergency medical care, resulting in death, or likely to result in criminal charges
- Situations potentially dangerous to the child or department worker
- An incident in which a child suffers:
 - » Serious bodily injury by other than accidental means
 - » Potential violations of laws regarding lewd or lascivious conduct with a child, human trafficking, sexual exploitation of children, or sexual assault

Assessment/Investigation Procedures**Citation: Ann. Stat. Tit. 33, §§ 4915a; 4915b**

An assessment shall include:

- An interview with the child's parent or any other adult residing in the child's home who serves in a parental role
- An evaluation of the safety of the child and other children living in the home, which may include an interview with or observation of the children
- In collaboration with the family, identification of family strengths, resources, and service needs and the development of a plan of services that reduces the risk of harm and improves family well-being

Families have the option of declining the services offered. If the family declines the services, the case shall be closed unless the department determines that sufficient cause exists to begin an investigation. In no instance shall a case be investigated solely because the family declines services.

When an assessment case is closed, there shall be no finding of abuse or neglect, however, the department shall document the outcome of the assessment.

An investigation shall include:

- A visit to the child's residence and the location of the alleged abuse or neglect
- An interview with or observation of the abused or neglected child
- A determination of the nature, extent, and cause of any abuse or neglect
- A determination of the identity of the person alleged to be responsible for the abuse or neglect
- The identity of any other children living in the same home
- A determination of the immediate and long-term risk to each child if that child remains in the home
- Consideration of the environment and the relationship of any children to the person alleged to be responsible for the suspected abuse or neglect

For cases substantiated by the department, the commissioner shall, to the extent that it is reasonable, provide assistance to the child and the child's family. Services may be provided to the child's immediate family whether or not the child remains in the home.

Timeframes for Completing Investigations**Citation: Ann. Stat. Tit. 33, §§ 4912; 4915a**

The department shall begin either an assessment or an investigation within 72 hours after the receipt of a report, provided that it has sufficient information to proceed.

The assessment shall be completed within 45 days. Upon written justification by the department, the assessment may be extended, not to exceed a total of 60 days.

Classification of Reports**Citation: Ann. Stat. Tit. 33, § 4912; Code of Rules 13-172-200, § 2010**

The term 'substantiated report' means that the commissioner has determined after investigation that a report is based upon accurate and reliable information that would lead a reasonable person to believe that the child has been abused or neglected.

In regulation: The decision to substantiate a report of child maltreatment shall be based on pertinent, accurate, and reliable information gathered during an investigation. Hearsay information from a reliable source may be considered. All information shall be weighed with other supporting or conflicting data. A statement or disclosure from the child that he or she was abused or neglected is not required.

In order to substantiate an allegation of child abuse or neglect, the division must determine that a reasonable person would conclude that:

- The child is an abused or neglected child as defined in statute.
- Unless the substantiated maltreatment is sexual abuse, a person responsible for the child's welfare is the perpetrator.

Virgin Islands

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code Tit. 5, § 2533

When a mandated reporter has reasonable cause to suspect that a child has been subjected to abuse, sexual abuse, or neglect, he or she shall immediately make a report.

Content of Reports

Citation: Ann. Code Tit. 5, § 2534(b)

To the extent possible, the reports shall include the following information:

- The names and addresses of the child and the child's parents or other persons responsible for the child's care
- The child's age and sex
- The nature and extent of the injuries, sexual abuse, or neglect to the child or to other children in the same home
- The name and address of the person responsible for the injuries, sexual abuse, or neglect
- Family composition
- The source of the report, including the name, occupation, and contact information of the person making the report
- Any action taken by the reporter, including the taking of x-rays or color photographs
- Any other information that the reporter believes might be helpful

Reporting Suspicious Deaths

This issue is not addressed in the statutes reviewed.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Code Tit. 5, §§ 2534; 2536

Reports shall be made by telephone or otherwise to the U.S. Virgin Islands Police Department (VIPD) or the Department of Social Welfare (department).

At the request of the department, an oral report shall be followed by a written report within 48 hours.

The department shall receive or arrange for the receipt of all reports of alleged child abuse, sexual abuse, or neglect.

Initial Screening Decisions

Citation: Ann. Code Tit. 5, § 2502

'Intake' includes the acceptance of complaints and then screening them to eliminate those that do not require action by the court; the disposition of the complaint without court action, when appropriate; the referral of the child to another public or private agency, when appropriate; and the instigation of court action when necessary.

Agency Conducting the Assessment/Investigation

Citation: Ann. Code Tit. 5, § 2536

The department shall receive and investigate all reports of alleged child abuse, sexual abuse, or neglect.

The VIPD shall, on its own initiative, where appropriate, or at the request of the department, investigate reports of alleged child abuse, sexual abuse, or neglect and shall convey the results of such investigation to the department and, where a petition or complaint has been filed, to the superior court. If the report of child abuse or neglect involves the acts or omissions of the department, the VIPD shall investigate such report and shall convey the results of such report to the Department of Law, which shall take appropriate action.

Assessment/Investigation Procedures**Citation: Ann. Code Tit. 5, § 2536**

The investigation by the department shall include:

- An evaluation of the child named in the report and any other children that may be in the same home
- A determination of the risk to those children if they continue to remain in the home
- A determination of the nature, extent, and cause of any condition enumerated in the initial report
- The name, age, and condition of any other children living in the same home

Timeframes for Completing Investigations**Citation: Ann. Code Tit. 5, § 2536**

The department shall commence an investigation within 24 hours of notification of an alleged case of child abuse, sexual abuse, or neglect.

The department shall, within 90 days of receipt of the initial report, prepare a progress report, including a case determination, a plan for rehabilitative or ameliorative treatment, services offered and accepted or refused, and the present status of the case. Within 7 days of termination of a case, a report indicating the final disposition shall be prepared.

Classification of Reports**Citation: Ann. Code Tit. 5, § 2536**

The department shall include in the progress report a determination of whether the report of abuse or neglect is founded or unfounded.

Virginia*Current Through January 2017***Individual Responsibility to Report****Citation: Ann. Code § 63.2-1509**

A mandated reporter who has reason to suspect that a child is an abused or neglected child shall report the matter immediately to the local department of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or to the toll-free child abuse and neglect hotline of the Department of Social Services.

The initial report may be an oral report, but such report shall be reduced to writing by the child abuse coordinator of the local department on a form prescribed by the State Board of Social Services.

Content of Reports**Citation: Ann. Code § 63.2-1509**

A mandated reporter shall disclose all information that is the basis for his or her suspicion of abuse or neglect of the child and, upon request, shall make available to the child protective services coordinator and the local department that is the agency of jurisdiction any information, records, or reports that document the basis for the report.

Reporting Suspicious Deaths**Citation: Ann. Code § 63.2-1503(D)-(E)**

The local department shall notify the local attorney for the commonwealth and the local law enforcement agency of all complaints of suspected child abuse or neglect involving any death of a child immediately, but in no case more than 2 hours after receipt of the complaint. The local department shall provide the commonwealth attorney and the local law enforcement agency with the department's records and information related to the investigation of the complaint, including records related to any complaints of abuse or neglect involving the victim or the alleged perpetrator. The local department shall not allow reports of the death of the victim from other local agencies to substitute for direct reports to the commonwealth attorney and the local law enforcement agency.

Within 2 business days after the local department has notified the local law enforcement agency of a complaint, the local department shall complete a written report that includes:

- The name of the department representative who provided the notice
- The name of the local law enforcement officer who received the notice
- The date and time that notification was made

- The identity of the victim
- The identity of the person alleged to have abused or neglected the child, if known
- The signatures, which may be electronic signatures, of the representatives of the local department making the notification and the local law enforcement officer receiving the notification

The report shall be included in the record of the investigation and may be submitted either in writing or electronically.

When abuse or neglect is suspected in any case involving the death of a child, the local department shall report the case immediately to the regional medical examiner and the local law enforcement agency.

Reporting Substance-Exposed Infants

Citation: Ann. Code § 63.2-1509(B)

For purposes of making a report, 'reason to suspect that a child is abused or neglected' shall include:

- A finding made by a health-care provider within 6 weeks of the birth of a child that the results of toxicology studies of the child indicate the presence of a controlled substance not prescribed for the mother by a physician
- A finding made by a health-care provider within 6 weeks of the birth of a child that the child was born dependent on a controlled substance that was not prescribed by a physician for the mother and has demonstrated withdrawal symptoms
- A diagnosis made by a health-care provider at any time following a child's birth that the child has an illness, disease, or condition that, to a reasonable degree of medical certainty, is attributable to in-utero exposure to a controlled substance that was not prescribed by a physician for the mother or the child
- A diagnosis made by a health-care provider at any time following a child's birth that the child has a fetal alcohol spectrum disorder attributable to in-utero exposure to alcohol

When 'reason to suspect' is based upon this subsection, such fact shall be included in the report along with the facts relied upon by the person making the report.

Agency Receiving the Reports

Citation: Ann. Code §§ 63.2-1503; 63.2-1509

The local department shall be the public agency responsible for receiving reports of suspected abuse or neglect. The local department shall ensure, through its own personnel or through cooperative arrangements with other local agencies, the capability of receiving reports or complaints and responding to them promptly on a 24-hours-a-day, 7-days-per-week basis.

The local department shall widely publicize a telephone number for receiving complaints and reports.

If an employee of the local department is suspected of abusing or neglecting a child, the report shall be made to the court of the county or city where the abuse or neglect was discovered. Upon receipt of such a report by the court, the judge shall assign the report to a local department that is not the employer of the suspected employee for investigation or family assessment.

Initial Screening Decisions

Citation: Ann. Code §§ 63.2-1503; 63.2-1508

Upon receipt of a report of child abuse or neglect, the local department shall determine the validity of such report and make a determination to conduct an investigation or, if designated as a child protective services differential response agency by the department, a family assessment.

A valid report or complaint means the local department has evaluated the information and allegations of the report or complaint and determined that the local department shall conduct an investigation or family assessment because the following elements are present:

- The alleged victim child or children are under age 18 at the time of the complaint or report.
- The alleged abuser is the alleged child victim's parent or other caregiver.
- The local department receiving the complaint or report has jurisdiction.
- The circumstances described allege suspected child abuse or neglect.

Agency Conducting the Assessment/Investigation**Citation: Ann. Code §§ 63.2-1503; 63.2-1504**

The local department shall be the public agency responsible for responding to complaints and reports.

The local department may develop multidisciplinary teams to provide consultation to the local department during the investigation of selected cases involving child abuse or neglect and to make recommendations regarding the prosecution of such cases. These teams may include, but are not limited to, members of the medical, mental health, legal, and law enforcement professions, including the attorney for the commonwealth or his or her designee, a local child protective services representative, and the guardian ad litem or other court-appointed advocate for the child.

Assessment/Investigation Procedures**Citation: Ann. Code §§ 63.2-1505; 63.2-1506; 63.2-1516.01**

An investigation will determine:

- The immediate safety needs of the child
- The risk of future harm to the child
- Whether abuse or neglect has occurred
- If abuse or neglect has occurred, who abused or neglected the child
- A finding of either founded or unfounded based on the facts collected during the investigation

A family assessment will determine:

- The immediate safety needs of the child
- The protective and rehabilitative services needs of the child and family
- The risk of future harm to the child
- Alternative plans for the child's safety if protective and rehabilitative services are indicated and the family is unable or unwilling to participate

An immediate investigation will be commenced if, at any time during the completion of the family assessment, the local department determines that an investigation is required. The following valid reports of child abuse or neglect shall be investigated:

- Sexual abuse
- A child fatality
- Abuse or neglect resulting in serious injury
- A child taken into the custody by the local department
- Cases involving a caregiver at a child care center, school, hospital, or any institution

The local department shall, at the initial time of contact with the person subject to an investigation, advise such person of the complaints or allegations made against the person in a manner that is consistent with laws protecting the rights of the person making the report or complaint.

Timeframes for Completing Investigations**Citation: Ann. Code §§ 63.2-1505; 63.2-1506**

If the local department responds to the report or complaint by conducting an investigation, the local department shall:

- Make immediate investigation
- Determine within 45 days if a report of abuse or neglect is founded or unfounded and transmit a report of the findings to the department and to the person who is the subject of the investigation

Upon written justification by the local department, the determination may be extended up to a total of 60 days. If through the exercise of reasonable diligence the local department is unable to find the child who is the subject of the report, the time the child cannot be found shall not be computed as part of the 45-day or 60-day period, and documentation of such reasonable diligence shall be placed in the record.

If the local department responds to the report or complaint by conducting an assessment, the local department shall:

- Conduct an immediate family assessment
- Complete the family assessment within 45 days and transmit a report of the findings to the department and to the person who is the subject of the family assessment

Upon written justification by the local department, the family assessment may be extended up to a total of 60 days.

Classification of Reports

Citation: Admin. Code Tit. 22, § 40-705-10

A report is 'founded' when a review of the facts shows by a preponderance of the evidence that child abuse and/or neglect has occurred. A determination that a case is founded shall be based primarily on first source evidence; in no instance shall a determination that a case is founded be based solely on indirect evidence or an anonymous complaint.

A report is 'unfounded' when a review of the facts does not show by a preponderance of the evidence that child abuse or neglect occurred.

Washington

Current Through January 2017

Individual Responsibility to Report

Citation: Rev. Code § 26.44.030

When any mandated reporter has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall make a report to the law enforcement agency or to the Department of Social and Health Services.

When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, if the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report when he or she obtains the information solely as a result of a privileged communication.

The report must be made at the first opportunity, but in no case longer than 48 hours after there is reasonable cause to believe that the child has suffered abuse or neglect.

Content of Reports

Citation: Rev. Code §§ 26.44.030; 26.44.040

The reports must contain the following information, if known:

- The name, address, and age of the child
- The name and address of the child's parents, stepparents, guardians, or other persons having custody of the child
- The nature and extent of alleged injuries, neglect, or sexual abuse
- Any evidence of previous injuries, including their nature and extent
- Any other information that might be helpful in establishing the cause of the child's death, injury, or injuries, and the identity of the alleged perpetrator or perpetrators

The report must include the identity of the accused, if known.

Reporting Suspicious Deaths

Citation: Rev. Code § 26.44.030(4), (5)

Upon receiving a report of an incident of alleged abuse or neglect involving a child who has died, the department shall report the incident to the proper law enforcement agency, including military law enforcement, if appropriate. The department shall notify the law enforcement agency within 72 hours after the report is received. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within 5 days thereafter.

Any law enforcement agency that receives a report of alleged abuse or neglect involving a child who has died shall report the incident in writing to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them.

Reporting Substance-Exposed Infants

Citation: Rev. Code §§ 26.44.170; 26.44.200

When an investigation is made that includes an in-person contact with the person alleged to have committed abuse, there shall be a determination of whether it is probable that the use of alcohol or controlled substances is a contributing factor.

If, in the course of investigating an allegation relating to the manufacture of methamphetamine or possession of ephedrine or any of its salts or isomers or salts of isomers, pseudoephedrine or any of its salts or isomers or salts of isomers, pressurized ammonia gas, or pressurized ammonia gas solution with intent to manufacture methamphetamine, a law enforcement agency discovers that a child is present at the site, the agency shall contact the department immediately.

Agency Receiving the Reports

Citation: Rev. Code § 26.44.040; CPS Pol. Man. § 2200

An immediate oral report must be made by telephone or otherwise to the proper law enforcement agency or the Department of Social and Health Services and, upon request, must be followed by a report in writing.

In policy: The Children's Administration receives and processes reports of child abuse and neglect, requests for services, and provides information and referral according to federal and state law on a 24-hour basis.

Initial Screening Decisions

Citation: Rev. Code § 26.44.030

Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response: Investigation or family assessment.

In making the response the department shall:

- Use a method by which to assign cases to investigation or family assessment that are based on an array of factors that may include the presence of: imminent danger, level of risk, number of previous child abuse or neglect reports, or other presenting case characteristics, such as the type of alleged maltreatment and the age of the alleged victim
- Allow for a change in response assignment based on new information that alters risk or safety level
- Allow families assigned to family assessment to choose to receive an investigation rather than a family assessment
- Provide a full investigation if a family refuses the initial family assessment
- Provide voluntary services to families based on the results of the initial family assessment
- Conduct an investigation, and not a family assessment, in response to an allegation that the department determines based on the intake assessment:
 - » Poses a risk of imminent harm, which includes, but is not limited to, sexual abuse and sexual exploitation
 - » Poses a serious threat of substantial harm to a child
 - » Constitutes conduct involving a criminal offense that has, or is about to occur, in which the child is the victim
 - » Involves an abandoned child
 - » Involves a child who is an adjudicated dependent child, or a child who is in a facility that is licensed, operated, or certified for care of children by the department or by the Department of Early Learning

Agency Conducting the Assessment/Investigation

Citation: Rev. Code § 26.44.050

Except for reports that are assigned for family assessment, upon the receipt of a report concerning the possible occurrence of abuse or neglect, the law enforcement agency or the Department of Social and Health Services must investigate and provide the protective services section with a report and, where necessary, refer the report to the court.

Assessment/Investigation Procedures

Citation: Rev. Code § 26.44.030

For reports that are assigned to a family assessment, the department shall:

- Provide the family with a written explanation of the procedure and purpose of an assessment
- Collaborate with the family to identify family strengths, resources, and service needs and develop a service plan with the goal of reducing risk of harm to the child and improving or restoring family well-being
- Offer services to the family in a manner that makes it clear that acceptance of the services is voluntary
- Implement the family assessment in a consistent and cooperative manner
- Have the parents sign an agreement before services are initiated that informs the parents of their rights under a family assessment response, all of their options, and the options the department has if the parents do not sign the consent form

In conducting an investigation or family assessment, the department or law enforcement agency may interview children. If the case is assigned to a family assessment, the preferred practice is to request a parent's, guardian's, or custodian's permission to interview the child before conducting the interview unless doing so would compromise the safety of the child or the integrity of the assessment.

The department shall use a risk assessment when investigating alleged child abuse and neglect referrals. Substance abuse must be a risk factor. In investigating and responding to allegations of child abuse and neglect, the department may conduct background checks as authorized by state and federal law.

The department shall make efforts as soon as practicable to determine the military status of parents whose children are subject to abuse or neglect allegations. If the department determines that a parent is in the military, the department shall notify a Department of Defense Family Advocacy Program that there is an allegation of abuse and neglect against that parent that is screened in and open for investigation.

Timeframes for Completing Investigations

Citation: Rev. Code § 26.44.030

For reports of alleged abuse or neglect that are accepted for investigation by the department, the investigation shall be conducted within timeframes established by the department in rule. In no case shall the investigation extend longer than 90 days from the date the report is received, unless the investigation is being conducted under a written protocol pursuant to § 26.44.180, and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary.

The department shall complete a family assessment within 45 days of receiving the report; however, upon parental agreement, the family assessment response period may be extended up to 90 days.

Classification of Reports

Citation: Rev. Code §§ 26.44.030; 26.44.020

At the completion of the investigation, the department shall make a finding that the report of child abuse or neglect is founded or unfounded, as follows:

- A report is 'founded' when the department determines that, based on available information, it is more likely than not that child abuse or neglect did occur.
- A report is 'unfounded' when the department determines that available information indicates that, more likely than not, child abuse or neglect did not occur, or that there is insufficient evidence for the department to determine whether the alleged child abuse did or did not occur.

In the family assessment response, the department shall not make a finding as to whether child abuse or neglect occurred. No one shall be named as a perpetrator and no investigative finding shall be entered in the department's child abuse or neglect database.

West Virginia

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Code § 49-2-803

A mandated reporter who has reasonable cause to suspect that a child is abused or neglected or observes the child being subjected to conditions that are likely to result in abuse or neglect shall immediately, and no more than 48 hours after suspecting this abuse or neglect, report the circumstances or cause a report to be made to the Department of Health and Human Resources. In any case in which the reporter believes that the child suffered serious physical abuse, sexual abuse, or sexual assault, the reporter also shall report immediately to the state police and any law enforcement agency having jurisdiction to investigate the complaint.

Any person over age 18 who receives a disclosure from a credible witness or observes any sexual abuse or sexual assault of a child shall immediately, and no more than 48 hours after receiving such a disclosure or observing the sexual abuse or sexual assault, make a report to the department or the state police or other law enforcement agency having jurisdiction to investigate the report.

Content of Reports

Citation: Ann. Code § 49-2-803

The report shall contain the reporter's observations of the conditions or circumstances that led to the suspicion that a child was an abused or neglected child.

Reporting Suspicious Deaths

Citation: Ann. Code § 49-2-807

Any mandated reporter who has reasonable cause to suspect that a child has died as a result of child abuse or neglect shall report that fact to the appropriate medical examiner or coroner.

Upon the receipt of that report, the medical examiner or coroner shall cause an investigation to be made and report his or her findings to the police, the appropriate prosecuting attorney, the local child protective service agency, and, if the institution making a report is a hospital, to the hospital.

Reporting Substance-Exposed Infants

Citation: CPS Policy Man. § 3.21

The Child Abuse Prevention and Treatment Act is a key piece of federal legislation that guides child protective services. This legislation requires that child protective services and other community service providers address the needs of newborn infants who have been identified as being affected by alcohol, legal and/or illegal substance use or abuse, or experiencing withdrawal symptoms resulting from prenatal drug exposure. Health-care providers who are involved in the delivery or care of such infants are required to make a report to child protective services.

For reports of drug-affected infants or infants exposed to legal or illegal substances, alcohol, or prescribed medication used inappropriately, the intake assessment worker will gather the following information:

- The name and address of the medical facility where the child was delivered
- The infant's drug results, if applicable, including the type of drug for which the infant tested positive
- The birth mother's drug test results, if applicable, including the type of drug for which she tested positive
- Information from medical personnel as to the condition of the infant upon birth, including specific data as to how the in-utero drug or alcohol exposure has affected the infant (e.g., withdrawal, physical and/or neurological birth defects)
- The infant's birth weight and gestational age
- The extent of prenatal care received by the birth mother
- The names and ages of any siblings the infant may have, including any abuse, neglect, or safety concerns regarding the siblings

Agency Receiving the Reports

Citation: Ann. Code § 49-2-809

Reports of child abuse and neglect shall be made immediately by telephone to the local state child protective service agency and shall be followed by a written report within 48 hours, if so requested by the receiving agency. The department shall establish and maintain a 24-hour, 7-day-a-week telephone number to receive such calls reporting suspected or known child abuse or neglect.

A copy of any report of serious physical abuse, sexual abuse, or sexual assault shall be forwarded by the department to the appropriate law enforcement agency, the prosecuting attorney, or the coroner or medical examiner's office. Reports of known or suspected institutional child abuse or neglect shall be made and received as all other reports made pursuant to this article.

Initial Screening Decisions

Citation: CPS Policy Man. § 3.3

Whether or not to accept a referral for family functioning assessment is a critical decision in Child Protective Services (CPS). When making this decision, the supervisor must analyze all the information in the report to determine whether there is reasonable cause to suspect a child is abused or neglected or is subjected to conditions that will likely result in abuse or neglect.

CPS must accept for assessment any report that suggests that, assuming the reporter's perceptions are true, an individual between birth and age 18 may have been subject to treatment that meets the definition of abuse or neglect in statute and CPS policy. A reporter need not have witnessed a specific injury nor does there have to be an injury for there to be a reason to believe that parental conduct results in a threat of harm to a child, which is included in the statutory definitions of an abused and neglected child.

In determining whether to accept a CPS report or screen it out, the supervisor must consider:

- Whether the information collected meets required definitions of child abuse and neglect
- The sufficiency of information in order to locate the family
- The motives and veracity of the reporter

Reasons for screening out a report include:

- A duplicate referral is received during a family functioning assessment.
- The information does not meet the legal definition of an abused or neglected child.

- There is insufficient information to locate the family.
- There are no children younger than age 18.
- The family does not reside in West Virginia.

Agency Conducting the Assessment/Investigation**Citation: Ann. Code § 49-2-802**

The local CPS office shall investigate all reports of child abuse or neglect. Each local CPS office shall, upon notification of suspected child abuse or neglect, commence or cause to be commenced a thorough investigation of the report and the child's environment.

Assessment/Investigation Procedures**Citation: Ann. Code § 49-2-802; CPS Policy Man. §§ 4.1; 4.2; 4.6**

Upon notification of suspected child abuse or neglect, CPS will conduct a thorough investigation of the report and the child's environment. As a part of this response, within 14 days there shall be a face-to-face interview with the child or children and the development of a protection plan, if necessary for the safety or health of the child, which may involve law enforcement officers or the court. CPS shall respond immediately to all allegations of imminent danger to the physical well-being of the child or of serious physical abuse.

In policy: The term 'family functioning assessment' refers to the function that is commonly referred to as investigation or initial assessment. The assessment determines who CPS will serve by assessing and reaching conclusions about caregivers who are unable or unwilling to protect their children from impending danger. The assessment provides a uniform, systematic, and structured approach to all family situations when a child is alleged to be abused or neglected.

Upon assignment of a report for assessment, the CPS worker will inform the caregivers of the child abuse or neglect allegations, the reason for the contact, and the process for completing the assessment.

The CPS worker must apply a child-centered and family-focused approach when collecting information during the assessment. This approach seeks to support and involve children, caregivers/parents, and other individuals in CPS intervention. Detailed information must be collected through interviews, observations, and written materials provided by knowledgeable individuals. The CPS worker must conduct sufficient numbers of interviews of sufficient length and effort necessary to assure that due diligence is demonstrated and sufficient information is collected to assess threats of serious harm and determine if the children are abused or neglected.

Timeframes for Completing Investigations**Citation: Ann. Code § 49-2-802; CPS Policy Man. §§ 3.4; 4.20**

Each local CPS office shall respond immediately to all allegations of imminent danger to the physical well-being of the child or of serious physical abuse. As a part of this response, within 72 hours there shall be a face-to-face interview with the child or children and the development of a protection plan, which may involve law enforcement officers or the court.

In policy: Response time is measured from the date and time the report is received by the department until face-to-face contact with the alleged child victim. The caregivers should be contacted the same day as the child victim unless contact will jeopardize child safety or extenuating circumstances exist (e.g., a caregiver is out of town). The response time is the maximum amount of time that the CPS worker has to make face-to-face contact in order to assess for present dangers and gather information to complete the family functioning assessment.

The selected response times are as follows:

- Immediate response: CPS must respond to the report as soon as possible unless there is a protective caregiver. If a protective caregiver clearly is documented in the record, and a same-day response will in no way jeopardize child safety, face-to-face contact must be made no later than the same day while the child is still under the care of that protective caregiver.
- 0-72 hour response: Face-to-face contact must be made with the child within 72 hours.
- 0-14 day response: Face-to-face contact must be made with the child within 14 days.

The family functioning assessment must be completed within 30 days from receipt of the report. If extenuating circumstances have prevented the completion of the assessment within the timeframe, the worker will request the approval of an extension from the supervisor.

Classification of Reports

Citation: CPS Policy Man. § 4.10

During the family functioning assessment, the CPS worker will gather information in family functioning assessment areas related to child safety. The specific, detailed information in the assessment must be analyzed in order to determine if maltreatment did or did not occur. The maltreatment finding is based on whether a preponderance of the evidence (e.g., eyewitness accounts, worker observations, medical reports, professional evaluations) obtained during the assessment would lead the worker to conclude that maltreatment did or did not occur.

Maltreatment is considered to have occurred when a preponderance of the credible evidence indicates that the conduct of the caregiver falls within the boundaries of the statutory and operational definitions of abuse or neglect. Maltreatment is considered to not have occurred when a preponderance of the credible evidence indicates that the conduct of the caregiver does not fall within the boundaries of the statutory and operational definitions of abuse or neglect. After diligent information collection, if the worker is unable to determine by a preponderance of the evidence that maltreatment had occurred, then the finding must reflect that decision.

Wisconsin

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Stat. § 48.981(2)-(3)

A mandated reporter who has reasonable cause to suspect that a child has been abused or neglected, or who has reason to believe that a child seen by the person in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur, immediately shall make a report, either by telephone or personally.

Content of Reports

Citation: Ann. Stat. § 48.981(3)

The report must include the facts and circumstances contributing to a suspicion of child abuse or neglect or of unborn child abuse or to a belief that abuse or neglect will occur.

Reporting Suspicious Deaths

Citation: Ann. Stat. § 48.981(5)

A mandated reporter who has reasonable cause to suspect that a child has died as a result of abuse or neglect shall report that fact to the appropriate medical examiner or coroner. The medical examiner or coroner shall accept the report for investigation and shall report the findings to the appropriate district attorney, the Department of Children and Families or licensed child welfare agency, and if the institution making the report initially is a hospital, to the hospital.

Reporting Substance-Exposed Infants

Citation: Ann. Stat. §§ 48.981; 48.02

When the sheriff or police department receives a report, it shall within 12 hours, exclusive of Saturdays, Sundays, or legal holidays, refer the report to the county department, the department, or a licensed child welfare agency cases in which there is reason to suspect that an unborn child has been abused or there is reason to believe that an unborn child is at substantial risk of abuse. Within 24 hours after receiving a report of suspected unborn child abuse, the agency shall initiate a diligent investigation to determine if the unborn child is in need of protection or services.

In this chapter, the term 'abuse,' when used in referring to an unborn child, means serious physical harm inflicted on the unborn child, and the risk of serious physical harm to the child when born, caused by the habitual lack of self-control of the expectant mother of the unborn child in the use of alcohol beverages, controlled substances, or controlled substance analogs, exhibited to a severe degree.

Agency Receiving the Reports

Citation: Ann. Stat. § 48.981(3)

Reports shall be made, by telephone or personally, to the county department or, in a county having a population of 750,000 or more, the department; a licensed child welfare agency under contract with the department; the sheriff; or city, village, or town police department.

Initial Screening Decisions**Citation: Ann. Stat. § 48.981**

Immediately after receiving a report, the agency shall evaluate the report to determine whether there is reason to suspect that a caregiver has abused or neglected the child or has threatened the child with abuse or neglect.

If the agency determines that there is reason to suspect that substantial abuse or neglect has occurred or is likely to occur or that an investigation is otherwise necessary to ensure the safety of the child, the agency shall investigate the report. If the agency determines that there is reason to suspect that abuse or neglect, other than substantial abuse or neglect, has occurred or is likely to occur, but that there is no immediate threat to the safety of the child, the agency shall conduct a comprehensive assessment.

The department shall establish a pilot program under which a selected county department may employ alternative responses to abuse or neglect reports. Immediately after receiving a report, the agency or county department shall evaluate the report to determine the most appropriate alternative response. Based on that evaluation, the county department shall respond as follows:

- If the county department determines that there is reason to suspect that substantial abuse or neglect has occurred or is likely to occur or that an investigation is otherwise necessary to ensure the safety of the child, the county department shall investigate the report.
- If, in conducting the investigation, the county department determines that it is not necessary for the safety of the child to complete the investigation, the county department may terminate the investigation and conduct an assessment.
- If the county department determines that there is reason to suspect that abuse or neglect, other than substantial abuse or neglect, has occurred or is likely to occur, but that there is no immediate threat to the safety of the child, the county department shall conduct a comprehensive assessment.

Agency Conducting the Assessment/Investigation**Citation: Ann. Stat. § 48.981**

The sheriff or police department shall refer reports within 12 hours to the department the following types of cases reported to the sheriff or police department:

- Cases in which a caregiver is suspected of abuse or neglect or of threatened abuse or neglect of a child
- Cases in which a caregiver is suspected of facilitating or failing to take action to prevent the suspected or threatened abuse or neglect of a child
- Cases in which a person who is not a caregiver is suspected of trafficking of a child or permitting, allowing, or encouraging a child to engage in prostitution
- Cases in which it cannot be determined who abused or neglected or threatened to abuse or neglect a child

If the report is of suspected or threatened abuse, the sheriff or police department and the county department, department, or licensed child welfare agency under contract with the department shall coordinate the planning and execution of the investigation of the report.

A reporter may request an immediate investigation by the sheriff or police department if the person has reason to suspect that the health or safety of a child or of an unborn child is in immediate danger. Upon receiving such a request, the sheriff or police department shall immediately investigate to determine if the child is in immediate danger and take any necessary action to protect the child or unborn child. If the sheriff or police department determines that criminal action is necessary, the sheriff or police department shall refer the case to the district attorney for criminal prosecution.

Assessment/Investigation Procedures**Citation: Ann. Stat. § 48.981**

An investigation shall be conducted in accordance with standards established by the department. The investigation shall include observation of or an interview with the child, and, if possible, an interview with the child's parents. If the investigation is of a report of child abuse or neglect by a caregiver who continues to reside in the same dwelling as the child, the investigation also shall include, if possible, a visit to that dwelling. The agency may contact, observe, or interview the child at any location without permission from the child's parent, if necessary, to determine if the child is in need of protection or services.

To implement the alternative response pilot program, the department shall provide guidelines for determining the appropriate alternative response to a report of abuse or neglect or of threatened abuse or neglect. If the agency determines that there is reason to suspect that abuse or neglect has occurred or is likely to occur, but that there is no immediate threat to the safety of the child and his or her family and court intervention is not necessary, the agency shall conduct a comprehensive assessment of the safety of the child and his or her family, including the risk of subsequent abuse or neglect and the strengths and needs of the child's family, to determine whether services are needed to address the issues assessed and, based on the assessment, shall offer to provide appropriate services to the child's family on a voluntary basis or refer the child's family to a service provider in the community for the provision of those services.

If the agency or county department employs the assessment response, the agency is not required to refer the report to the sheriff or police department or determine by a preponderance of the evidence that abuse or neglect has occurred or is likely to occur or that a specific person has abused or neglected the child.

Timeframes for Completing Investigations

Citation: Ann. Stat. § 48.981

Within 24 hours after receiving the report the agency or the county department shall initiate a diligent investigation to determine if the child is in need of protection or services.

The determination of whether abuse has occurred shall be made within 60 days of receipt of the report.

Classification of Reports

Citation: Ann. Stat. § 48.981

The county department, department, or a licensed child welfare agency shall determine whether abuse or neglect has occurred or is likely to occur. The determination shall be based on a preponderance of the evidence produced by the investigation.

Wyoming

Current Through January 2017

Individual Responsibility to Report

Citation: Ann. Stat. § 14-3-205

Any person who knows or has reasonable cause to believe that a child has been abused or neglected shall immediately report it to the child protective agency or local law enforcement agency.

Content of Reports

Citation: Ann. Stat. § 14-3-206

Reports of child abuse or neglect or of suspected child abuse or neglect made to the local child protective agency or local law enforcement agency shall be followed by a written report by the receiving agency confirming or not confirming the facts reported. The report shall provide to law enforcement, the local child protective agency, and the state judge advocate for the Wyoming Military Department when appropriate, the following, to the extent available:

- The name, age, and address of the child
- The name and address of any person responsible for the child's care
- The nature and extent of the child's condition
- The basis of the reporter's knowledge
- The names and conditions of any other children relevant to the report
- Any evidence of previous injuries to the child
- Photographs, videos, and x-rays with the identification of the person who created the evidence and the date the evidence was created
- Any other relevant information

Reporting Suspicious Deaths

Citation: Ann. Stat. § 14-3-207

Any person who knows or has reasonable cause to suspect that a child has died as a result of abuse or neglect shall report to the appropriate coroner. The coroner shall investigate the report and submit his or her findings in writing to the law enforcement agency, the appropriate district attorney, and the local child protective agency.

Reporting Substance-Exposed Infants

This issue is not addressed in the statutes reviewed.

Agency Receiving the Reports

Citation: Ann. Stat. § 14-3-206

Reports of child abuse or neglect or of suspected child abuse or neglect made to the local child protective agency or local law enforcement agency shall be conveyed immediately by the agency receiving the report to the appropriate local child protective agency or local law enforcement agency and, if the person responsible for the welfare of a child is a member of the armed forces or if the child is enrolled in the defense enrollment eligibility reporting system of the U.S. Department of Defense, to the state judge advocate for the Wyoming Military Department. The agencies shall continue cooperating and coordinating with each other during the assessment or investigation.

The state agency may establish and maintain a statewide reporting center to receive reports of child abuse or neglect on 24-hour, 7-day-a-week, toll-free telephone number. Upon establishment of the service, all reports of child abuse or neglect may be made to the center, which shall transfer the reports to the appropriate local child protective agency.

Initial Screening Decisions

Citation: Ann. Stat. § 14-3-204; Wyo. Rules § 049-240-002

The child protective agency shall assign a report:

- For investigation when allegations contained in the report indicate that:
 - » Criminal charges could be filed, the child appears to be in imminent danger, and it is likely the child will need to be removed from the home.
 - » A child fatality, major injury, or sexual abuse has occurred.
- For assessment when the report does not meet the criteria above

In regulation: Reports of suspected child abuse or neglect shall be made to any field office of the Department of Family Services or to any law enforcement center at any time. All reports are screened to determine whether the allegations meet the statutory definitions of child abuse/neglect and are within the scope of Child Protective Services. The verification process will begin within 24 hours. The department shall check records, including the central registry, to obtain pertinent information, including past department involvement.

A safety assessment will be initiated within 24 hours and completed within 7 calendar days for all accepted reports to determine if the case is appropriate for investigation or assessment. Accepted reports where criminal charges appear unlikely, children do not appear to be in imminent danger, or removal from the home appears unlikely may be assigned for assessment. The case will be referred for investigation if the safety assessment indicates a child is in imminent danger.

Agency Conducting the Assessment/Investigation

Citation: Ann. Stat. § 14-3-204; Wyo. Rules § 049-240-002

The local child protective agency shall receive, assess, investigate or arrange for investigation, and coordinate investigation or assessment of all reports of known or suspected child abuse or neglect.

In regulation: It is recommended that all investigations be teamed with law enforcement. In addition, the department will immediately contact the appropriate law enforcement agency for assistance and consideration of criminal investigation or other action in cases that include, but are not limited to, the following types:

- Reports regarding a child who may have died as a result of abuse or neglect
- Reports in which imminent danger, sexual abuse, or major injury to the child is suspected
- Situations necessitating the removal of the child from the home

Assessment/Investigation Procedures

Citation: Ann. Stat. § 14-3-204; Wyo. Rules 049-240-002

The representative of the child protective agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation or assessment, advise the individual of the specific complaints or allegations made against the individual. A thorough investigation or assessment and report of child abuse or neglect shall be made in the manner and time prescribed by the state agency pursuant to rules and regulations adopted in accordance with the Wyoming Administrative Procedure Act.

In regulation: The assessment process begins when the report of abuse or neglect is accepted. A safety assessment shall be completed for each child and a safety plan initiated when appropriate. The department will complete a family assessment and case plan when services are accepted.

The investigative process begins when the report is accepted. The department and/or law enforcement shall make in-person contact with the alleged victim, alleged perpetrator, and the child's caregivers. The alleged perpetrator shall not be present during the initial interview of the alleged victim. During the initial interview of the alleged perpetrator, the department shall inform the alleged perpetrator, in writing, that:

- A complaint has been received against him or her and the department has the duty to investigate.
- The investigation may involve law enforcement or the court, if needed, to protect the child from any further abuse or neglect.

A safety assessment shall be completed for each child and a safety plan initiated, when appropriate. A risk assessment also shall be completed for each child.

Timeframes for Completing Investigations

Citation: Ann. Stat. § 14-3-204; Wyo. Rules § 049-240-002

Within 24 hours after notification of a suspected case of child abuse or neglect, the local child protective agency shall initiate an investigation or assessment and verification of every report.

In regulation: For an assessment, the department shall make in-person contact with the child and family within 7 calendar days. In-person contact may be extended if the caseworker is unable to make contact following good faith efforts.

For an investigation, in-person contact shall be immediately attempted with the alleged victim and/or family when the report alleges any of the following:

- All complaints involving major injury
- Complaints involving a child under age 6
- Complaints involving children who are suffering from acute, untreated medical conditions
- Complaints alleging children are in immediate need of food
- Complaints alleging that the parent or caregiver is psychotic, behaving in a bizarre manner, or acting under the influence of drugs or alcohol
- Complaints alleging bizarre punishment or torture
- Complaints alleging that in addition to abuse/neglect, the child is suicidal
- Complaints involving abandonment
- Complaints from doctors and hospital emergency rooms concerning children under their care
- Self-reports from parents who state they are unable to cope and feel they will hurt or kill their children
- When it is likely the family may flee the area
- Cases in which the need for protective custody is indicated

Classification of Reports

Citation: Wyo. Rules § 049-240-002

Upon completion of an investigation of abuse or neglect, the department shall make a final determination in a written report as to whether a child was abused or neglected. This determination shall be based upon whether the information and evidence gathered during the investigation constitutes credible evidence of child abuse or neglect.

Allegations must be determined to be substantiated or unsubstantiated:

- When credible evidence of abuse or neglect has been determined, the allegation is substantiated.
- In the absence of credible evidence, the allegations and the investigation shall be unsubstantiated and the investigation closed. Services may be offered.

The department shall substantiate all reports in which a court has accepted a criminal plea of guilty or nolo contendere, or a civil, juvenile, or criminal court has made a finding that the alleged perpetrator committed certain acts that constitute abuse or neglect under these rules.



U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau

