



# Cross-Reporting Among Responders to Child Abuse and Neglect: Summary of State Laws

All 50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands have statutes specifying procedures that State agencies must follow in handling reports of suspected child abuse or neglect. In most States, these procedures include requirements for cross-system reporting and/or information sharing among professional entities. Typically, reports are shared among social services agencies, law enforcement departments, and prosecutors' offices.

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## The Purpose of Cross-Reporting Statutes

In most States, a mandated reporter or other person who is concerned about a child's safety and welfare can make a report of suspected child maltreatment to a reporting hotline, the child protection agency, or a law enforcement agency. State laws that require the agencies receiving the initial reports to share the reports with other specific agencies (i.e., cross-report) ensure that needed information is available to the agency that must respond to the report.

Specific models for information sharing vary from State to State. For example, child protective services agencies generally have the responsibility of responding to cases in which the suspected abuse or neglect is caused by a parent, family member, or other caregiver. In approximately 27 States, cases in which the suspected abuse is caused by someone other than a family member, or in which the abuse involves sexual abuse or severe injury to the child, are considered crimes and must be cross-reported to law enforcement agencies for investigation.<sup>1</sup>

In nine States, child protective and law enforcement agencies are required to coordinate investigations and share information in order to minimize the number of times individual children are interviewed.<sup>2</sup> Five States require information sharing among multidisciplinary teams that conduct assessments and provide services to families.<sup>3</sup>

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.

<sup>1</sup> The word approximately is used to stress the fact that States frequently amend their laws. This information is current only through January 2010. The States that require child protective services agencies to cross-report specific types of abuse to law enforcement agencies include Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, North Carolina, Oklahoma, Rhode Island, South Carolina, Texas, Vermont, Washington, West Virginia, and Wisconsin.

<sup>2</sup> Connecticut, Indiana, Kansas, Nevada, New Hampshire, North Dakota (in cases involving criminal abuse allegations), Ohio, Virginia, and Wyoming.

<sup>3</sup> Delaware, Missouri, New York, Pennsylvania, and Vermont.

## Alabama

### **Ala. Code § 26-14-7(d) (LexisNexis through 2009 1st Spec. Sess.)**

The county Department of Human Resources shall make a complete written report of the investigation, together with its recommendations. Such reports may be made available to the appropriate court, the district attorney, and the appropriate law enforcement agency upon request.

### **Ala. Code § 26-14-3(b)-(d) (LexisNexis through 2009 1st Spec. Sess.)**

When an initial report is made to a law enforcement official, the official subsequently shall inform the Department of Human Resources of the report so the department can carry out its responsibility to provide protective services, when deemed appropriate to the respective child or children.

When the Department of Human Resources receives an initial report of suspected abuse or neglect involving discipline or corporal punishment committed in a public or private school or suspected abuse or neglect in a State-operated child residential facility, the Department of Human Resources shall transmit a copy of school reports to the law enforcement agency, and residential facility reports to the operating State agency, which shall conduct the investigation.

Nothing in this chapter shall preclude interagency agreements among departments of human resources, law enforcement, and other State agencies on procedures for investigating reports of suspected child abuse and neglect to provide for departments of human resources to assist law enforcement and other State agencies in these investigations.

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## Alaska

### **Alaska Stat. § 47.17.020(c), (e) (LexisNexis through 2009 1st Spec. Sess.)**

If the person making a report of harm under this section cannot reasonably contact the nearest office of the Department of Health and Social Services and immediate action is necessary for the well-being of the child, the person 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.

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 or 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 or abuse or neglect that results in the need for medical treatment of the child

### **Alaska Stat. § 47.17.025(a) (LexisNexis through 2009 1st Spec. Sess.)**

A law enforcement agency shall immediately notify the Department of Health and Social Services of the receipt of a report of harm to a child from abuse. 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.

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**American Samoa****A.S. Code § 45.2010(a) (A.S. Bar 2003)**

Reports of known or suspected child abuse or neglect made under this chapter are immediately made to the Department [of Public Safety] by a written report prepared by those persons required to report, if so requested by the receiving agency. The receiving agency forwards 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 [child protection] agency, the Department [of Public Safety] must be notified. If a report of suspected child abuse or neglect is made to the department, the agency must be notified.

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**Arizona****Ariz. Rev. Stat. Ann. § 13-3620(H) (LexisNexis through 2009 3rd Spec. Sess.)**

When telephone or in-person reports are received by a peace officer, the officer shall immediately notify child protective services in the Department of Economic Security and make the information available to them. Notwithstanding any other statute, when child protective services receives these reports by telephone or in person, it shall immediately notify a peace officer in the appropriate jurisdiction.

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**Arkansas****Ark. Code Ann. § 12-18-503 (LexisNexis through 2009 Reg. Sess.)**

The Department of Human Services shall notify the following of any report of child maltreatment within 5 business days:

- The legal parents, legal guardians, and current foster parent of a child in foster care who is named as a victim or alleged offender
- The attorney ad litem for any child named as the victim or alleged offender
- A person appointed by the court as the court-appointed special advocate volunteer for any child named as the victim or alleged offender
- Counsel in a dependency-neglect case or family in need of services case when the child is named as a victim or alleged offender
- The attorney ad litem and court-appointed special advocate volunteer for all other children in the same foster home if the child maltreatment occurred in a foster home
- The attorney ad litem and court-appointed special advocate for any child in foster care when the alleged juvenile offender or underaged juvenile aggressor is placed in the same placement as the attorney ad litem or court-appointed special advocate's client
- The appropriate multidisciplinary team

**Ark. Code Ann. § 12-18-504 (LexisNexis through 2009 Reg. Sess.)**

The Department of Human Services shall immediately notify local law enforcement of all reports of severe maltreatment.

Notification of a report of child maltreatment shall be provided within 5 business days to the prosecuting attorney on an allegation of severe maltreatment.

- The prosecuting attorney may provide written notice to the department that the department does not need to provide notification of the initial child maltreatment report to the prosecuting attorney's office.
- Upon receiving the notification, the department shall not be required to provide notification of the initial child maltreatment report to the prosecuting attorney's office.

## California

### Cal. Penal Code § 11166(k) (LexisNexis through 2009 Reg. Sess.)

A law enforcement agency shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the agency given responsibility for investigation of cases under § 300 of the Welfare and Institutions Code and to the district attorney's office every known or suspected instance of child abuse or neglect reported to it, except acts or omissions coming within § 11165.2(b), which shall be reported only to the county welfare or probation department. A law enforcement agency shall report to the county welfare or probation department every known or suspected instance of child abuse or neglect reported to it that is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or as the result of the failure of a person responsible for the child's welfare to adequately protect the minor from abuse when the person responsible for the child's welfare knew or reasonably should have known that the minor was in danger of abuse. A law enforcement agency also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report.

### Cal. Penal Code § 11166(j) (LexisNexis through 2009 Reg. Sess.)

A county probation or welfare department shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the law enforcement agency having jurisdiction over the case, to the agency given the responsibility for investigation of cases, and to the district attorney's office every known or suspected instance of child abuse or neglect, or reports made 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, that shall be reported only to the county welfare or probation department. A county probation or welfare department also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it is required to make a telephone report under this subdivision.

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## Colorado

### Colo. Rev. Stat. Ann. § 19-3-308(4)(b), (5) (LexisNexis through 2009 Sess.)

Upon the receipt of a report, if the county Department of Social Services reasonably believes that an incident of intrafamilial abuse or neglect has occurred, it shall immediately offer social services to the child who is the subject of the report and his or her family and may file a petition in the juvenile court or the district court with juvenile jurisdiction on behalf of such child. If, before the investigation is completed, the opinion of the investigators is that assistance of the local law enforcement agency is necessary for the protection of the child or other children under the same care, the local law enforcement agency shall be notified. If immediate removal is necessary to protect the child or other children under the same care from further abuse, the child or children may be placed in protective custody in accordance with §§ 19-3-401(1)(a) and 19-3-405.

If a local law enforcement agency receives a report of a known or suspected incident of intrafamilial abuse or neglect, it shall immediately attempt to contact the county department in order to refer the case for investigation. If the local law enforcement agency is unable to contact the county department, it shall immediately make a complete investigation and may institute appropriate legal proceedings on behalf of the subject child or other children under the same care. As a part of an investigation, the local law enforcement agency shall have access to the records and reports of child abuse or neglect maintained by the State department for information under the name of the child or the suspected perpetrator. The local law enforcement agency, upon the receipt of a report and upon completion of any investigation it may undertake, shall immediately forward a summary of the investigatory data plus all relevant documents to the county department.

**Colo. Rev. Stat. Ann. § 19-3-307(3) (LexisNexis through 2009 Sess.)**

A copy of the report of known or suspected child abuse or neglect shall be transmitted immediately by the county Department of Social Services to the district attorney's office and to the local law enforcement agency.

When the county department reasonably believes a criminal act of abuse or neglect of a child in foster care has occurred, the county department shall transmit immediately a copy of the written report prepared by the county department to the district attorney's office and to the local law enforcement agency.

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**Connecticut****Conn. Gen. Stat. Ann. § 17a-101h (LexisNexis through 11-6-09)**

Notwithstanding any provision of the general statutes to the contrary, 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.

**Conn. Gen. Stat. Ann. § 17a-101b(c) (LexisNexis through 11-6-09)**

If the Commissioner of Children and Families, or the commissioner's designee, receives a report alleging sexual abuse or serious physical abuse, including, but not limited to, a report that (1) a child has died; (2) a child has been sexually assaulted; (3) a child has suffered brain damage or loss or serious impairment of a bodily function or organ; (4) a child has been sexually exploited; or (5) a child has suffered serious nonaccidental physical injury, the commissioner shall, within 12 hours of receipt of such report, notify the appropriate law enforcement agency.

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**Delaware****Del. Code Ann. Tit. 16, § 906(b)(3)-(4), (13), (15) (LexisNexis through 9-4-07)**

The Division of Family Services may investigate any report but shall conduct an investigation involving all reports, which, if true, would constitute violations against a child by a person responsible for the care, custody, and control of the child pursuant to the provisions of statute, or an attempt to commit any such crimes. The division staff shall contact the appropriate law enforcement agency upon receipt of any report and shall provide such agency with a detailed description of the report received.

The assisting law enforcement agency shall promptly conduct its own criminal investigation and keep the division regularly apprised of the status and findings of its investigation. Law enforcement agencies and the division shall develop protocols to ensure compliance with this subsection.

When a written report is made by a person required to report, the division shall contact the person who made such report 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 and/or medical records that may be pertinent.

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. The division and the Attorney General's Office shall cooperate with law enforcement agencies and the family court to develop training programs to increase the ability of division personnel, court personnel, and law enforcement officers to investigate suspected cases of abuse and neglect.

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**District of Columbia****D.C. Code Ann. § 4-1321.02(d) (LexisNexis through 6-11-09)**

In addition to the requirements in subsections (a) and (b) of this section [pertaining to reporting requirements], any health professional licensed pursuant to Chapter 12 of Title 3, law enforcement officer, or humane officer of any agency charged with the enforcement of animal cruelty laws, except an undercover officer whose identity or investigation might be jeopardized, shall report immediately in writing to the Child and Family Services Agency that the law enforcement officer or health professional has 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.

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**Florida****Fla. Stat. Ann. § 39.301(2)(a), (c) (LexisNexis through 2009 Reg. Sess.)**

The Department of Children and Family Services shall immediately forward allegations of criminal conduct to the municipal or county law enforcement agency of the municipality or county in which the alleged conduct has occurred. 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.

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**Georgia****Ga. Code Ann. § 19-7-5(e) (LexisNexis through 2009 Reg. Sess.)**

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 such report is true or the report contains any allegation or evidence of child abuse, then the agency shall immediately notify the appropriate police authority or district attorney.

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**Guam****Guam Code Ann. Tit. 19, § 13203(b) (LexisNexis through 8-26-08)**

Child Protective Services shall immediately or as soon as practicably possible report by telephone to the Guam Police Department and to the Attorney General's Office every known or suspected instance of child abuse, except acts or omissions coming under § 13101(t)(4) [concerning neglect]. Child Protective Services shall also send a written report within 48 hours of receiving information concerning the incident to any agency to which it is required to make a telephone report.

The Guam Police Department shall immediately or as soon as practicably possible report by telephone to Child Protective Services and to the Attorney General's office every known or suspected instance of child abuse reported to it, except acts or omissions coming under § 13101(t)(4) [concerning neglect], which shall only be reported to Child Protective Services. However, the Guam Police Department shall report to Child Protective Services every known or suspected instance of child abuse reported to it that is alleged to have occurred as a result of the inaction of a person responsible for the child's welfare to adequately protect the minor from abuse when such person knew or reasonably should have known that the minor was in danger of abuse. The Guam Police Department shall also send a written report within 48 hours of receiving the information concerning the incident to any agency to which it is required to make a telephone report.

Child Protective Services and the Guam Police Department shall immediately or as soon as practicably possible report by telephone to the appropriate Department of Defense Family Advocacy Program every known or suspected instance of child abuse reported to them when such report involves active duty military personnel or their dependents.

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## Hawaii

### Haw. Rev. Stat. § 350-1.1(c) (LexisNexis through 2009 Spec. Sess.)

If a police department or the Department of Public Safety is the initiating agency, a written report shall be filed with the Department of Human Services for cases that the police or Department of Public Safety take further action on or for active cases in the Department of Human Services under this chapter.

### Haw. Rev. Stat. § 350-2(b)-(c) (LexisNexis through 2009 Spec. Sess.)

The Department of Human Services shall inform the appropriate police department of all reports received by the department regarding a case of child abuse or neglect, including reports received under § 350-1.1, provided that the name of the person who reported the case of child abuse or neglect shall be released to the police department pursuant only to court order or the person's consent.

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 such information is required by the police department or the office of the prosecuting attorney for the investigation of that case--provided the name of the person who reported the case of child abuse or neglect shall be released only to a police department or an office of the prosecuting attorney pursuant to court order or the person's consent.

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## Idaho

### Idaho Code § 16-1605(1) (LexisNexis through 2009 Reg. Sess.)

Any [mandated reporter] or other person having reason to believe that a child under age 18 years has been abused, abandoned, or neglected, or who observes the child being subjected to conditions or circumstances that would reasonably result in abuse, abandonment, or neglect shall report or cause to be reported within 24 hours such conditions or circumstances to the proper law enforcement agency or the Department of Health and Welfare. The department shall be informed by law enforcement of any report made directly to it.

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## Illinois

### 325 Ill. Comp. Stat. Ann. 5/7 (LexisNexis through 11-2-09)

Reports made to the central register through the statewide, toll-free telephone number shall be immediately transmitted by the Department of Children and Family Services to the appropriate Child Protective Service Unit. All such reports alleging the death of a child; serious injury to a child, including but not limited to, brain damage, skull fractures, subdural hematomas, and internal injuries; torture of a child; malnutrition of a child; and sexual abuse of a child, including but not limited to sexual intercourse, sexual exploitation, sexual molestation, and sexually transmitted disease in a child age 12 and under, shall also be immediately transmitted by the department to the appropriate local law enforcement agency.

The department shall within 24 hours orally notify local law enforcement personnel and the Office of the State's Attorney of the involved county of the receipt of any report alleging the death of a child; serious injury to a child, including but not limited to brain damage, skull fractures, subdural hematomas, and internal injuries; torture of a child; malnutrition of a child; and sexual abuse of a child, including but not limited to sexual intercourse, sexual exploitation, sexual molestation, and sexually transmitted disease in a child age 12 and under.

All oral reports made by the department to local law enforcement personnel and the Office of the State's Attorney of the involved county shall be confirmed in writing within 24 hours of the oral report.



**Indiana****Ind. Code Ann. § 31-33-7-7 (LexisNexis through 2009 Spec. Sess.)**

When a law enforcement agency receives an initial report under the reporting law that a child may be a victim of child abuse or neglect, the law enforcement agency shall:

- Immediately communicate the report to the Department of Child Services, whether or not the law enforcement agency has reason to believe there exists an imminent danger to the child's health or welfare
- Conduct an immediate onsite assessment of the report along with the department whenever the law enforcement agency has reason to believe that an offense has been committed

In all cases, the law enforcement agency shall forward any information, including copies of assessment reports, on incidents of cases in which a child may be a victim of child abuse or neglect, whether or not obtained under the reporting laws, to the department and the juvenile court.

**Ind. Code Ann. § 31-33-7-5 (LexisNexis through 2009 Spec. Sess.)**

A copy of the written report from the Department of Child Services shall immediately be made available to:

- The appropriate law enforcement agency
- The prosecuting attorney
- In a case involving death, the coroner for the coroner's consideration

**Iowa****Iowa Code Ann. § 232.70(5), (7), (8) (LexisNexis through 9-10-09)**

Upon receipt of a report, the Department of Human Services shall do all of the following:

- Immediately make a determination whether the report constitutes an allegation of child abuse
- Notify the appropriate county attorney of receipt of the report

If the report is made to any agency other than the Department of Human Services, such agency shall promptly refer the report to the Department of Human Services.

If a report would be determined to constitute an allegation of child abuse relating to a sexual offense with or to a child, 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.

**Kansas****Kan. Ann. Stat. § 38-2223(c) (LexisNexis through 2008 Supp.)**

Reports made pursuant to this section shall be made to the secretary, except as follows:

- When the Department of Social and Rehabilitation Services 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 Secretary of Social and Rehabilitation Services or the Commissioner of Juvenile Justice shall be made to the attorney general.
- All other reports of child abuse or neglect by persons employed by or of children of persons employed by the Department of Social and Rehabilitation Services shall be made to the appropriate law enforcement agency.

**Kan. Ann. Stat. § 38-2226(a), (b), (f) (LexisNexis through 2008 Supp.)**

The secretary and law enforcement officers shall have the duty to receive and investigate reports of child abuse or neglect for the purpose of determining whether the report is valid and whether action is required to protect a child. If the secretary and such officers determine that no action is necessary to protect the child but that a criminal prosecution should be considered, such law enforcement officers shall make a report of the case to the appropriate law enforcement agency.

When a report of child abuse or neglect indicates that there is serious physical harm to, serious deterioration of, or sexual abuse of the child, and that action may be required to protect the child, the investigation shall be conducted as a joint effort between the secretary and the appropriate law enforcement agency or agencies, with a free exchange of information between them pursuant to § 38-2210. If a statement of a suspect is obtained by either agency, a copy of the statement shall be provided to the other.

Law enforcement agencies and the secretary shall assist each other in taking action that is necessary to protect a child regardless of which agency conducted the initial investigation.

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**Kentucky****Ky. Rev. Stat. Ann. § 620.040(1)(c)-(d), (3) (LexisNexis through 2009 1st Ex. Sess.)**

The Cabinet of Health and Family Services shall, within 72 hours, exclusive of weekends and holidays, make a written report to the Commonwealth's or county attorney and the local enforcement agency or Kentucky State Police concerning the action that has been taken on the investigation.

If the report alleges abuse or neglect by someone other than a parent, guardian, or person exercising custodial control or supervision, the cabinet shall immediately notify the Commonwealth's or county attorney and the local law enforcement agency or Kentucky State Police.

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 Kentucky 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 Kentucky State Police. The cabinet shall participate in all investigations of reported or suspected sexual abuse of a child.

**Ky. Rev. Stat. Ann. § 620.030(1), (4) (LexisNexis through 2009 1st Ex. Sess.)**

If the cabinet receives a report of abuse or neglect allegedly committed by a person other than a parent, guardian, or person exercising custodial control or supervision, the cabinet shall refer that matter to the Commonwealth's attorney or the county attorney and the local law enforcement agency or the Kentucky State Police. Nothing in this section shall relieve individuals of their obligation to report.

The cabinet upon request shall receive from any agency of the State or any other agency, institution, or facility providing services to the child or his or her family, such cooperation, assistance, and information as will enable the cabinet to fulfill its responsibilities under the law.

## Louisiana

### La. Children's Code Art. 610(E) (LexisNexis through 2009 Reg. Sess.)

All reports made to any local or State 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 local child protection unit of the Department of Social Services in accordance with a written working agreement developed between the local law enforcement agency and child protection unit.

A local child protection unit shall promptly communicate abuse or neglect cases not involving a parent, caregiver, or occupant of the household to the appropriate law enforcement agency in accordance with a written working agreement developed between the local child protection unit and law enforcement agency. The local child protection unit shall also 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 agencies, the office of the district attorney, and the coroner.

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 in each judicial district.

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## Maine

### Me. Rev. Stat. Ann. Tit. 22, § 4011-A(1), (2) (LexisNexis through 2009 1st Reg. Sess.)

Persons [who are mandated by law to report] shall immediately report or cause a report to be made to the Department of Health and Human Services when the person knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected.

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

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## Maryland

### Md. Code Ann. Fam. Law § 5-704(b) (LexisNexis through 2009 Reg. Sess.)

An individual who notifies the appropriate authorities under this section shall make:

- An oral report, by telephone or direct communication, as soon as possible, to either of the following:
  - » The local department or appropriate law enforcement agency if the person has reason to believe that the child has been subjected to abuse
  - » The local department if the person has reason to believe that the child has been subjected to neglect
- A written report:
  - » To the local department not 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
  - » With a copy to the local State's attorney if the individual has reason to believe that the child has been subjected to abuse

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

## Massachusetts

### Mass. Gen. Laws Ann. Ch. 119, § 51B(l) (LexisNexis through 2009 Sess.)

If the department substantiates a report alleging that abuse or neglect occurred at a facility approved, owned, operated, or funded, in whole or in part, by the Department of Elementary and Secondary Education, Department of Early Education and Care, Department of Mental Health, Department of Developmental Services, Department of Public Health, or Department of Youth Services, the department shall notify the Office of the Child Advocate and the affected department, in writing, by transmitting a copy of the report filed under § 51A and the department's written evaluation and written determination.

### Mass. Gen. Laws Ann. Ch. 119, § 51B(k) (LexisNexis through 2009 Sess.)

The Department of Social Services shall notify and transmit copies of substantiated reports and its written evaluations and written determinations to the district attorney for the county in which the child resides and for the county in which the suspected abuse or neglect occurred, and to the local law enforcement authorities in the city or town in which the child resides and in which the suspected abuse or neglect occurred when the department has reasonable cause to believe that one of the conditions listed below resulted from abuse or neglect.

The department shall immediately report to the district attorney and local law enforcement authorities when early evidence indicates there is reasonable cause to believe that one of the conditions listed below resulted from abuse or neglect:

- A child has died, suffered brain damage, loss or substantial impairment of a bodily function or organ, substantial disfigurement, or serious physical injury including, but not limited to, a fracture of any bone, severe burn, impairment of any organ, or an injury requiring the child to be placed on life-support systems.
- A child has been sexually assaulted or sexually exploited.
- There is a disclosure of physical abuse involving physical evidence that may be destroyed, any current disclosure by a child of sexual assault, or the presence of physical evidence of sexual assault.

No provision of chapter 66A, §§ 135 to 135B, inclusive, chapter 112, or §§ 51E and 51F of this chapter relating to confidential data or confidential communications shall prohibit the department from making such notifications or from providing to the district attorney or local law enforcement authorities any information obtained. Nothing herein shall be construed to prevent the department from notifying a district attorney relative to any incident reported to the department under § 51A or to limit the prosecutorial power of a district attorney.

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## Michigan

### Mich. Comp. Laws Ann. § 722.623(b)(5)-(6) (LexisNexis through 1-13-09)

Upon receipt of a written report of suspected child abuse or neglect, the Family Independence Agency (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.

If an allegation, written report, or subsequent investigation of suspected child abuse or child neglect indicates a violation of the Michigan penal code § 333.7401c involving methamphetamine has occurred, or if the allegation, written report, or subsequent investigation indicates that the suspected child abuse or child neglect was committed by an individual who is not a person responsible for the child's health or welfare, including, but not limited to, a member of the clergy, a teacher, or a teacher's aide, the department shall transmit a copy of the allegation or written report and the results of any investigation to a law enforcement agency in the county in which the incident occurred.

If an allegation, written report, or subsequent investigation indicates that the individual who committed the suspected abuse or neglect is a child care provider and the department believes that the report has basis in fact, the department shall, within 24 hours of completion, transmit a copy of the written report or the results of the investigation to the child care regulatory agency with authority over the child care provider's child care organization or adult foster care location authorized to care for a child.

**Mich. Comp. Laws Ann. § 722.623(b)(7) (LexisNexis through 1-13-09)**

If a local law enforcement agency receives an allegation or written report of suspected child abuse or child neglect or discovers evidence of or receives a report of an individual allowing a child to be exposed to or to have contact with methamphetamine production, and the allegation, written report, or subsequent investigation indicates that the child abuse or child neglect or allowing a child to be exposed to or to have contact with methamphetamine production was committed by a person responsible for the child's health or welfare, the local law enforcement agency shall refer the allegation or provide a copy of the written report and the results of any investigation to the county department of the county in which the abused or neglected child is found.

If an allegation, written report, or subsequent investigation indicates that the individual who committed the suspected abuse or neglect or allowed a child to be exposed to or to have contact with methamphetamine production, is a child care provider and the local law enforcement agency believes that the report has basis in fact, the local law enforcement agency shall transmit a copy of the written report or the results of the investigation to the child care regulatory agency with authority over the child care provider's child care organization or adult foster care location authorized to care for a child. Nothing in this subsection or subsection (1) shall be construed to relieve the department of its responsibilities to investigate reports of suspected child abuse or child neglect under this act.

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**Minnesota****Minn. Stat. Ann. § 626.556, Subd. 3 & 7 (LexisNexis through 2009 Reg. Sess.)**

The police department or the county sheriff, upon receiving a report, shall immediately notify the local welfare agency or agency responsible for assessing or investigating the report, orally and in writing. The local welfare agency, or agency responsible for assessing or investigating the report, upon receiving a report, shall immediately notify the local police department or the county sheriff orally and in writing. The county sheriff, the head of every local welfare agency or agency responsible for assessing or investigating the report, and police department shall each designate a person within that agency, department, or office to be responsible for ensuring that the notification duties of this statute are carried out.

Written reports received by a police department or the county sheriff shall be forwarded immediately to the local welfare agency or the agency responsible for assessing or investigating the report. The police department or the county sheriff may keep copies of reports received by them. Copies of written reports received by a local welfare department or the agency responsible for assessing or investigating the report shall be forwarded immediately to the local police department or the county sheriff.

**Minn. Stat. Ann. § 626.556, Subd. 10(a), 10a(a)-(b) (LexisNexis through 2009 Reg. Sess.)**

If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian, or individual functioning within the family unit as a person responsible for the child's care, or sexual abuse by a person with a significant relationship to the child when that person resides in the child's household or by a sibling, the local welfare agency shall immediately conduct a family assessment or investigation.

If the report alleges a violation of a criminal statute involving sexual abuse, physical abuse, neglect, or endangerment, the local law enforcement agency and local welfare agency shall coordinate the planning and execution of their respective investigation and assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews.

If the report 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, in a setting other than a facility, the local welfare agency shall immediately notify the appropriate law enforcement agency. [The law enforcement agency] shall conduct an investigation of the alleged abuse or neglect if a violation of a criminal statute is alleged.

The local agency may rely on the fact-finding efforts of the law enforcement investigation to make a determination whether or not threatened harm or other maltreatment has occurred if an alleged offender has minor children or lives with minors.

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**Mississippi****Miss. Code Ann. § 43-21-353(1), (8) (LexisNexis through 2009 3rd Ex. Sess.)**

Upon receiving a report that a child has been sexually abused, or burned, tortured, mutilated, or otherwise physically abused in such a manner as to cause serious bodily harm, or upon receiving any report of abuse that would be a felony under State or Federal law, the Department of Human Services shall immediately notify the law enforcement agency in whose jurisdiction the abuse occurred and shall notify the appropriate prosecutor within 48 hours.

The department shall have the duty to provide the law enforcement agency all the names and facts known at the time of the report; this duty shall be of a continuing nature. 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. The department shall advise the clerk of the youth court and the youth court prosecutor of all cases of abuse reported to the department within 72 hours and shall update such report as information becomes available.

If a report is made directly to the department that a child has been abused or neglected in an out-of-home setting, a referral shall be made immediately to the law enforcement agency in whose jurisdiction the abuse occurred, and the department shall the notify the district attorney's office within 48 hours of such report.

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**Missouri****Mo. Ann. Stat. § 210.145(4), (5), (10) (LexisNexis through 2009 1st Reg. Sess.)**

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 of the complaint. The appropriate law enforcement agency shall either assist the division in the investigation or provide the division, within 24 hours, an explanation in writing detailing the reasons why it is unable to assist.

The local office of the division shall cause an investigation or family assessment and services approach to be initiated in accordance with the protocols established in § 210.145(2), except in cases where the sole basis for the report is educational neglect. 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 of the receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct observation.

Multidisciplinary teams shall be used whenever conducting the investigation as determined by the division 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.

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**Montana****Mont. Code Ann. § 41-3-202(1) (LexisNexis through 7-28-09)**

Upon receipt of a report that a child is or has been abused or neglected, the Department of Public Health and Human Services 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. 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.

**Nebraska****Neb. Rev. Stat. Ann. § 28-711 (LexisNexis through 2009 1st Sess.)**

Law enforcement agencies receiving any reports of child abuse or neglect under this subsection shall notify the Department of Health and Human Services the next working day by phone or mail.

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. Reports of child abuse or neglect not previously made to or by a law enforcement agency shall be made immediately to such agency by the department.

**Neb. Rev. Stat. Ann. § 28-713(1), (4), (5) (LexisNexis through 2009 1st Sess.)**

Upon the receipt of a call reporting child abuse and neglect, 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. In situations of alleged out-of-home child abuse or neglect, if the person or persons to be notified have not already been notified and the person to be notified is not the subject of the report of child abuse or neglect, the law enforcement agency shall immediately notify the person or persons having custody of each child who has allegedly been abused or neglected that such report of alleged child abuse or neglect has been made and shall provide such person or persons with information of the nature of the alleged child abuse or neglect.

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.

The department shall, by the next working day after receiving a report of child abuse or neglect, make a written report or a summary on forms provided by the department to the proper law enforcement agency in the county and enter in the tracking system of child protection cases maintained pursuant to § 28-715 all reports of child abuse or neglect opened for investigation and any action taken.

The department shall, upon request, make available to the appropriate investigating law enforcement agency and the county attorney a copy of all reports relative to a case of suspected child abuse or neglect.

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**Nevada****Nev. Rev. Stat. Ann. § 432B.260(1), (9) (LexisNexis through 5-22-09)**

Upon the receipt of a report concerning the possible abuse or neglect of a child, an agency that provides child welfare services or a law enforcement agency shall promptly notify the appropriate licensing authority, if any. A law enforcement agency shall promptly notify an agency that provides child welfare services 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.

**New Hampshire****N.H. Rev. Stat. Ann. § 169-C:38 (I)-(II) (LexisNexis through 2009 Sess.)**

The Department of Health and Human Services shall immediately, by telephone or in person, refer all cases in which there is reason to believe that any person under age 18 has been sexually molested, sexually 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, and/or a victim of a crime to the local law enforcement agency in the community in which the acts of abuse are believed to have occurred. The department shall also make a written report 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.

All law enforcement personnel and department employees shall cooperate in limiting the number of interviews of a child victim and, when appropriate, shall conduct joint interviews of the child. Employees of the department shall share with the investigating police officers all information in their possession which it is lawful for them to disclose to a law enforcement agency. Investigating police officers shall not use or reveal any confidential information shared with them by the department except to the extent necessary for the investigation and prosecution of the case.

**N.H. Rev. Stat. Ann. § 169-C:38-a (LexisNexis through 2009 Sess.)**

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 shall also be designed to protect the rights of all parties affected. The protocol shall specifically address the need to establish safe and appropriate places for interviewing children.

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**New Jersey****N.J. Stat. Ann. § 9:6-8.11 (LexisNexis through 2009 2nd Ann. Sess.)**

Upon receipt of any such report, the Division of Youth and Family Services, or other such entity in the Department of Children and Families as may be designated by the Commissioner of Children and Families to investigate child abuse or neglect, 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.

A representative of the division or other designated entity shall initiate an investigation within 24 hours of receipt of the report, unless the division or other entity authorizes a delay based upon the request of a law enforcement official. The division or other entity shall also, within 72 hours, forward a report of such matter to the child abuse registry operated by the division in Trenton.

**N.J. Stat. Ann. § 9:6-8.10a(e) (LexisNexis through 2009 2nd Ann. Sess.)**

For incidents determined by the Department of Youth and Family Services to be substantiated, the department shall forward to the police or law enforcement agency in whose jurisdiction the child named in the report resides the identity of persons alleged to have committed child abuse or neglect, the identities of victims of child abuse or neglect, their addresses, the nature of the allegations, and other relevant information, including, but not limited to, prior reports of abuse or neglect and names of siblings obtained by the department during its investigation of a report of child abuse or neglect. The police or law enforcement agency shall keep such information confidential.



**New Mexico****N.M. Stat. Ann. § 32A-4-3(B) (LexisNexis through 2009 1st Sess.)**

Any law enforcement agency receiving the report shall immediately transmit the facts of the report and the name, address, and phone number of the reporter by telephone to the Children, Youth and Families Department and shall transmit the same information in writing within 48 hours.

The department shall immediately transmit the facts of the report and the name, address, and phone number of the reporter by telephone to a local law enforcement agency and shall transmit the same information in writing within 48 hours.

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**New York****N.Y. Soc. Serv. Law § 423(6) (LexisNexis through 12-4-09)**

A social services district may establish a multidisciplinary investigative team or teams and may establish or work as part of a child advocacy center, at a local or regional level, for the purpose of investigating reports of suspected child abuse or maltreatment.

The social services district shall have discretion with regard to the category or categories of suspected child abuse or maltreatment such team or teams may investigate, provided, however, the social services district shall place particular emphasis on cases involving the abuse of a child, sexual abuse of a child, or the death of a child. Members of multidisciplinary teams shall include, but not be limited to, representatives from the following agencies:

- Child protective services
- Law enforcement
- The district attorney's office
- A physician or medical provider trained in forensic pediatrics
- Mental health professionals
- Victim advocacy personnel
- A child advocacy center, if one exists

Members of the multidisciplinary team primarily responsible for the investigation of child abuse reports, including child protective services, law enforcement, and the district attorney's office, shall participate in joint interviews and conduct investigative functions consistent with the mission of the particular agency member involved.

**North Carolina****N.C. Gen. Stat. § 7B-307(a) (LexisNexis through 2009 Reg. Sess.)**

If the director of the Department of Social Services finds evidence that a juvenile may have been abused, the director shall make an immediate oral and subsequent written report of the findings to the district attorney or the district attorney's designee and the appropriate local law enforcement agency within 48 hours after the receipt of the report.

The local law enforcement agency shall immediately, but no later than 48 hours after receipt of a report of abuse, initiate and coordinate a criminal investigation with the protective services assessment being conducted by the county Department of Social Services. Upon completion of the investigation, the district attorney shall determine whether criminal prosecution is appropriate and may request the director or the director's designee to appear before a magistrate.

If the director of the Department of Social Services receives information that a juvenile may have been physically harmed in violation of any criminal statute by any person other than the juvenile's parent, guardian, custodian, or caregiver, the director shall make an immediate oral report and subsequent written report of that information to the district attorney or the district attorney's designee and to the appropriate local law enforcement agency within 48 hours after receipt of the information.

The local law enforcement agency shall immediately, but no later than 48 hours after receipt of the information, initiate a criminal investigation. Upon completion of the investigation, the district attorney shall determine whether criminal prosecution is appropriate.

**N.C. Gen. Stat. § 7B-301 (LexisNexis through 2009 Reg. Sess.)**

Upon receipt of any report of sexual abuse of the juvenile in a child care facility, the director of the Department of Social Services shall notify the State Bureau of Investigation within 24 hours or on the next workday. If sexual abuse in a child care facility is not alleged in the initial report, but during the course of the assessment there is reason to suspect that sexual abuse has occurred, the director shall immediately notify the State Bureau of Investigation. Upon notification that sexual abuse may have occurred in a child care facility, the State Bureau of Investigation may form a task force to investigate the report.

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**North Dakota****N.D. Cent. Code § 50-25.1-05 (LexisNexis through 2009 Sess.)**

The Department of Human Services, in accordance with rules adopted by the department, immediately shall initiate an assessment, or cause 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.

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 factfinding 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
- 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 under this section shall be audio-recorded or video-recorded.

**Northern Mariana Islands****N.M.I. Commonwealth Code Tit. 6, § 5313(b) (9-30-09)**

The Department of Public Safety shall promptly notify the Office of the Attorney General and the Division of Youth Services of all reported cases of child abuse, neglect, and sexual molestation. This notification shall be made within 24 hours.

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**Ohio****Ohio Rev. Code Ann. § 2151.421(D) (LexisNexis through 11-10-09)**

When a municipal or county peace officer receives a report concerning the possible abuse or neglect of a child or the possible threat of abuse or neglect of a child, upon receipt of the report, the municipal or county peace officer who receives the report shall refer the report to the appropriate public children services agency.

When a public children services agency receives a report pursuant to this division or division (A) or (B) of this section, upon receipt of the report, the public children services agency shall do both of the following:

- It shall comply with § 2151.422 [concerning procedures to follow if the child is living in a domestic violence or homeless shelter].
- If the county served by the agency is also served by a children's advocacy center and the report alleges sexual abuse of a child or another type of abuse of a child that is specified in the memorandum of understanding that creates the center as being within the center's jurisdiction, the agency shall comply with the protocol and procedures for referrals and investigations, with the coordinating activities, and with the authority or responsibility for performing or providing functions, activities, and services stipulated in the interagency agreement entered into under § 2151.428 relative to that center.

**Ohio Rev. Code Ann, § 2151.428(F) (LexisNexis through 11-10-09)**

Except as provided by statute or in an interagency agreement entered into under § 2151.428 that applies to the particular report, the public children services agency shall investigate, within 24 hours, each report of known or suspected child abuse or child neglect and of a known or suspected threat of child abuse or child neglect that is referred to it to determine the circumstances surrounding the injuries, abuse, or neglect or the threat of injury, abuse, or neglect; the cause of the injuries, abuse, neglect, or threat; and the person or persons responsible.

The investigation shall be made in cooperation with the law enforcement agency and in accordance with the memorandum of understanding prepared under § 2151.428(J). A representative of the public children services 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. The information shall be given in a manner that is consistent with § 2151.428(H)(1) and protects the rights of the person making the report.

The public children services agency shall report each case to a central registry that the Department of Job and Family Services shall maintain in order to determine whether prior reports have been made in other counties concerning the child or other principals in the case. The public children services agency shall submit a report of its investigation, in writing, to the law enforcement agency.

The public children services agency shall make any recommendations to the county prosecuting attorney or city director of law that it considers necessary to protect any children that are brought to its attention.

## Oklahoma

### Okla. Stat. Ann. Tit. 10A, § 1-2-102(B) (LexisNexis through Okla. 2009 Legis. Serv., Ch. 233)

Effective May 21, 2009

If, upon receipt of a report alleging abuse or neglect or during the assessment or investigation, the Department of Human Services determines that the alleged perpetrator is someone other than a person responsible for the child's health, safety, or welfare, and the alleged abuse or neglect of the child does not appear to be attributable to failure on the part of a person responsible for the child's health, safety, or welfare to provide protection for the child, 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.

After making the referral to the law enforcement agency, the department shall not be responsible for further investigation unless:

- The department has reason to believe that the alleged perpetrator is a parent of another child, not the subject of the criminal investigation, or otherwise a person responsible for the health, safety, or welfare of another child.
- Notice is received from a law enforcement agency that it has determined the alleged perpetrator is a parent or a person responsible for the health, safety, or welfare of another child not the subject of the criminal investigation.
- The appropriate law enforcement agency requests the department, in writing, to participate in the investigation.

If funds and personnel are available, as determined by the director of the department or a designee, the department may assist law enforcement in interviewing children alleged to be victims of physical or sexual abuse.

### Okla. Stat. Ann. Tit. 10A, § 1-2-102(C) (LexisNexis through Okla. 2009 Legis. Serv., Ch. 233)

Effective May 21, 2009

Any law enforcement agency receiving a referral as provided in this section shall provide the Department of Human Services with a copy of the report of any investigation resulting from a referral from the department.

Whenever, in the course of any criminal investigation, a law enforcement agency determines that there is cause to believe that a child may be abused or neglected by reason of the acts, omissions, or failures on the part of a person responsible for the health, safety, or welfare of the child, the law enforcement agency shall immediately contact the department for the purpose of an investigation.

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## Oregon

### Or. Rev. Stat. Ann. § 419B.015(1)(b), (2) (LexisNexis through 11-13-09)

When a report of child abuse is received by the Department of Human Services, the department shall notify a law enforcement agency within the county where the report was made. When a report of child abuse is received by a designee of the department, the designee shall notify, according to the contract, either the department or a law enforcement agency within the county where the report was made. When a report of child abuse is received by a law enforcement agency, the agency shall notify the local office of the department within the county where the report was made.

When a report of child abuse is received under § 419B.015(1)(A), the entity receiving the report shall make the notification required by the subsection above according to rules adopted by the department.

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## Pennsylvania

### 23 Pa. Cons. Stat. Ann. § 6365(c) (LexisNexis through 2009 Reg. Sess.)

The county agency and the district attorney shall develop a protocol for the convening of investigative teams for any case of child abuse involving crimes against children that are set forth in § 6340(a)(9) and (10) (relating to the release of information in confidential reports). The county protocol shall include standards and procedures to be used in receiving and referring reports and coordinating investigations of reported cases of child abuse and a system for sharing the information obtained as a result of any interview. The protocol shall include any other standards and procedures to avoid duplication of fact-finding efforts and interviews to minimize the trauma to the child.

The district attorney shall convene an investigative team in accordance with the protocol. The investigative team shall consist of those individuals and agencies responsible for investigating the abuse or for providing services to the child and shall, at a minimum, include a health-care provider, county caseworker, and law enforcement official.

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## Puerto Rico

### P.R. Laws Ann. tit. 8, § 446 (LexisNexis through Dec. 2007)

Professionals or public officials, public, private, and privatized entities that, in their professional capacity and in the performance of their duties, may learn of or come to suspect that a minor is, has been, or is at risk of becoming a victim of abuse, institutional abuse, neglect, and/or institutional neglect; professionals in the fields of health, the system of justice, education, social work, public order, persons who administer or work in caregiving institutions or centers that provide care services for 24 hours a day or part thereof, or in rehabilitation institutions and centers for minors, or in foster homes; and all processors of film or photographs who have knowledge of or observe, in the performance of their professional responsibilities or employment, any motion picture, photograph, videotape, negative, or slide that depicts a minor involved in a sexual activity, shall report that fact immediately through the hotline to the Puerto Rico Police or the local office of the Department of the Family.

Any person who has knowledge of or suspects that a minor is a victim of abuse, institutional abuse, neglect, and/or institutional neglect shall report that fact through the hotline of the department, the Puerto Rico Police, or the local office of the department.

Persons bound to furnish information pursuant to this chapter, including technicians or social workers who provide protective services to minors, who have knowledge of or suspect that a minor has died as a result of abuse, institutional abuse, neglect, and/or institutional neglect, shall report the fact to the Puerto Rico Police and to the hotline of the department, so that they will undertake the appropriate investigation.

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## Rhode Island

### R.I. Gen. Laws § 40-11-7(f) (LexisNexis through 6-10-09)

In the event that after investigation the Department of Children, Youth, and Families 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 as it relates to that knowledge or suspicion to the law enforcement agency.

### R.I. Gen. Laws § 40-11-9 (LexisNexis through 6-10-09)

Upon the receipt of a report concerning the alleged abuse or neglect of a child, it shall be the duty of the law enforcement agency to investigate further and to report the results of the investigation to the Department of Children, Youth, and Families and/or family court; provided, however, if there is reasonable cause to believe that a crime has been committed the law enforcement agency shall report the result of the investigation to the department of the attorney general.

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**South Carolina****S.C. Code Ann. § 63-7-320 (LexisNexis through 2008 Reg. Sess.)**

Where reports are made pursuant to § 63-7-310 to a law enforcement agency, the law enforcement agency shall notify the county Department of Social Services of the law enforcement's response to the report at the earliest possible time.

Where a county or contiguous counties have established multicounty child protective services, the county Department of Social Services immediately shall transfer reports pursuant to this section to the service.

**S.C. Code Ann. § 63-7-980 (LexisNexis through 2008 Reg. Sess.)**

The Department of Social Services 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.

Where 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. The law enforcement agency must file a formal incident report at the time it is notified by the department of the finding.

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.

The law enforcement agency must provide to the department copies of incident reports generated in any case reported to law enforcement by the department and in any case in which the officer responsible for the case knows the department is involved with the family or the child. The law enforcement officer must make reasonable efforts to advise the department of significant developments in the case, such as disposition in summary court, referral of a juvenile to the Department of Juvenile Justice, arrest or detention, trial date, and disposition of charges.

The department must include in its records copies of incident reports provided under this section and must record the disposition of charges.

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**South Dakota****S.D. Codified Laws § 26-8A-8 (LexisNexis through 2009 Sess.)**

The reports required from mandated reporters by the reporting laws shall be made orally and immediately by telephone or otherwise to the State's attorney of the county in which the child resides or is present, to the Department of Social Services, or to law enforcement officers.

The State's attorney or law enforcement officers, upon receiving a report, shall immediately notify the Department of Social Services. Any person receiving a report of suspected child abuse or child neglect shall keep the report confidential as provided by statute.

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**Tennessee****Tenn. Code Ann. § 37-1-403(c)(1) (LexisNexis through 2009 Reg. Sess.)**

If a law enforcement official or judge becomes aware of known or suspected child abuse through personal knowledge, receipt of a report, or otherwise, such information shall be reported to the Department of Children's Services immediately and, where appropriate, the child protective team shall be notified to investigate the report for the protection of the child in accordance with the provisions of this part. Further criminal investigation by such official shall be appropriately conducted in coordination with the team or department to the maximum extent possible.

**Tenn. Code Ann. § 37-1-605(b)(2) (LexisNexis through 2009 Reg. Sess.)**

If a law enforcement official or judge becomes aware of known or suspected child sexual abuse through personal knowledge, receipt of a report, or otherwise, such information shall be reported to the Department of Children's Services immediately, and the child protective team shall be notified to investigate the report for the protection of the child in accordance with the provisions of this part. Further criminal investigation by such official shall be appropriately conducted.

**Tenn. Code Ann. § 37-1-405(a), (b)(1)-(2) (LexisNexis through 2009 Reg. Sess.)**

All cases reported to the juvenile court judge or to State or local law enforcement officers shall be referred immediately to the local director of the county office of the Department of Children's Services for investigation.

If the court or law enforcement officer finds that there are reasonable grounds to believe that the child is suffering from illness or injury or is in immediate danger from the child's surroundings and that the child's removal is necessary, appropriate protective action shall be taken.

The county office of the Department of Children's Services or the office of the sheriff or the chief law enforcement official of the municipality where the child resides, upon receipt of a report of harm or sexual abuse, shall give notice of the report to the judge having juvenile jurisdiction where the child resides.

If the case appears to involve severe child abuse, including child sexual abuse, the county director of the Department of Children's Services shall immediately notify and consult with the district attorney general where the harm occurred, and the district attorney general may take such action as the district attorney general deems appropriate, including petitioning the court for removal of the child or termination of parental rights.

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**Texas****Tex. Fam. Code Ann. § 261.105 (LexisNexis through 2009 Sess.)**

All reports received by a local or State law enforcement agency that allege abuse or neglect by a person responsible for a child's care, custody, or welfare shall be referred immediately to the Department of Family and Protective Services or the designated agency.

The department or designated agency shall immediately notify the appropriate State or local law enforcement agency of any report it receives, other than a report from a law enforcement agency, that concerns the suspected abuse or neglect of a child or death of a child from abuse or neglect.

In addition to notifying a law enforcement agency, if the report relates to a child in a facility operated, licensed, certified, or registered by a State agency, the department shall refer the report to the agency for investigation.

If a report relates to a child with mental retardation receiving services in a State-supported living center or the ICF-MR component of the Rio Grande State Center, the department shall proceed with the investigation of the report.

If the department initiates an investigation and determines that the abuse or neglect does not involve a person responsible for the child's care, custody, or welfare, the department shall refer the report to a law enforcement agency for further investigation. If the department determines that the abuse or neglect involves an employee of a public primary or secondary school, and that the child is a student at the school, the department shall orally notify the superintendent of the school district in which the employee is employed about the investigation.

In cooperation with the department, the Texas Youth Commission by rule shall adopt guidelines for identifying a report made to the commission that is appropriate to refer to the department or a law enforcement agency for investigation. Guidelines adopted under this subsection must require the commission to consider the severity and immediacy of the alleged abuse or neglect of the child victim.

**Tex. Fam. Code Ann. § 261.1055 (LexisNexis through 2009 Sess.)**

A district attorney may inform the Department of Family and Protective Services or designated agency that the district attorney wishes to receive notification of some or all reports of suspected abuse or neglect of children who were in the county at the time the report was made or who were in the county at the time of the alleged abuse or neglect.

If the district attorney makes the notification under this section, the department or designated agency shall, on receipt of a report of suspected abuse or neglect, immediately notify the district attorney as requested, and the department or designated agency shall forward a copy of the reports to the district attorney on request.

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**Utah****Utah Code Ann. § 62A-4a-403(1)(b) (LexisNexis through 2009 1st Sp. Sess.)**

On receipt of the notice of suspected child abuse or neglect, the peace officer or law enforcement agency shall immediately notify the nearest office of the Division of Child and Family Services.

If an initial report of child abuse or neglect is made to the division, the division shall immediately notify the appropriate local law enforcement agency. The division shall, in addition to its own investigation, comply with and lend support to investigations by law enforcement undertaken pursuant to a report made under the reporting laws.

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**Vermont****Vt. Stat. Ann. Tit. 33, § 4915 (LexisNexis through 2009 Spec. Sess.)**

Upon receipt of a report of abuse or neglect, the Department of Social and Rehabilitation Services shall promptly determine whether it constitutes an allegation of child abuse or neglect as defined by law.

If the report is accepted as a valid allegation of abuse or neglect, the department shall determine whether to conduct an assessment or to conduct an investigation. 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 department shall conduct an investigation when an accepted report involves allegations indicating substantial child endangerment. "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.

The department shall begin an immediate investigation if, at any time during an assessment, it appears that an investigation is appropriate.

The department may collaborate with child protection, law enforcement, and other departments and agencies in Vermont and other jurisdictions to evaluate risk to a child and to determine the service needs of the child and family. The department may enter into reciprocal agreements with other jurisdictions to further the purposes of this subchapter.

**Vt. Stat. Ann. Tit. 33, § 4915b(e) (LexisNexis through 2009 Spec. Sess.)**

The Department of Social and Rehabilitation Services 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 likely to result in criminal charges or requiring emergency medical care
- Situations potentially dangerous to the child or department worker



**Vt. Stat. Ann. Tit. 33, § 4918(a) (LexisNexis through 2009 Spec. Sess.)**

Multidisciplinary teams shall assist local district offices of the Department of Social and Rehabilitation Services in identifying and treating child abuse and neglect cases. With respect to any case referred to it, the team shall assist the district office by providing:

- Case diagnosis or identification
- A comprehensive treatment plan
- Coordination of services pursuant to the treatment plan

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**Virgin Islands****V.I. Code Ann. Tit. 5, § 2534(a) (LexisNexis through 2009 Reg. Sess.)**

Reports of child abuse, sexual abuse, or neglect made pursuant to the reporting laws shall be made immediately by telephone or otherwise to the U.S. Virgin Islands Police Department (V.I.P.D.) or to the Department of Social Welfare. The V.I.P.D. shall relay such reports to the Department of Social Welfare immediately or, at the latest, at the commencement of the next regular office hours of the Department of Social Welfare. At the request of the Department of Social Welfare, an oral report shall be followed by a written report within 48 hours.

**V.I. Code Ann. Tit. 5, § 2536(f) (LexisNexis through 2009 Reg. Sess.)**

The V.I.P.D. shall, on its own initiative where appropriate or at the request of the Department of Social Welfare, investigate reports of alleged child abuse, sexual abuse, or neglect, and shall convey the results of such investigation to the Department of Social Welfare and, where a petition or complaint has been filed, to the Territorial Court. If the report of child abuse or neglect involves the acts or omissions of the Department of Social Welfare, the V.I.P.D. shall investigate such report and shall convey the results of such report to the Department of Law, which shall take appropriate action.

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**Virginia****Va. Code Ann. § 63.2-1507 (LexisNexis through 2009 Reg. Sess.)**

All law enforcement departments and other State and local departments, agencies, authorities, and institutions shall cooperate with each child protective services coordinator of a local department and any multidiscipline teams in the detection and prevention of child abuse.

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## Washington

### Wash. Rev. Code Ann. § 26.44.030(4), (5) (LexisNexis through 2009 Reg. Sess.)

The Department of Social and Health Services, upon receiving a report of an incident of alleged abuse or neglect involving a child who has died, has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse shall report such incident to the proper law enforcement agency.

In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within 24 hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within 72 hours after a report is received by the department. If the department makes an oral report, a written report shall also be made to the proper law enforcement agency within 5 days thereafter.

Any law enforcement agency receiving a report of an incident of alleged abuse or neglect involving a child who has died, has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse shall report such incident in writing as 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. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within 24 hours. In all other cases, the law enforcement agency shall notify the department within 72 hours after a report is received by the law enforcement agency.

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## West Virginia

### W. Va. Code Ann. § 49-6A-5 (LexisNexis through 2009 4th Ex. Sess.)

A copy of any report of serious physical abuse, sexual abuse, or assault shall be forwarded by the Department of Health and Human Resources to the appropriate law enforcement agency, the prosecuting attorney, or the coroner or medical examiner's office.

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## Wisconsin

### Wis. Stat. Ann. § 48.981(3)(bm) (LexisNexis through Wis. 2009 Legis. Serv., Act 94)

In a county that has wholly or partially within its boundaries a federally recognized Indian reservation or a Bureau of Indian Affairs service area for the Ho-Chunk Tribe, if a county department that receives a report pertaining to a child or unborn child knows or has reason to know that the child is an Indian child who resides in the county or that the unborn child is an Indian unborn child whose expectant mother resides in the county, the county department shall provide notice, which shall consist only of the name and address of the Indian child or expectant mother and the fact that a report has been received about that Indian child or Indian unborn child, within 24 hours to one of the following:

- If the county department knows with which Indian Tribe the child is affiliated, or with which Indian Tribe the Indian unborn child, when born, may be eligible for affiliation, and the Indian Tribe is a Wisconsin Indian Tribe, the Tribal agent of that Tribe
  - If the county department does not know with which Indian Tribe the child is affiliated, or with which Indian Tribe the Indian unborn child, when born, may be eligible for affiliation, or the child or expectant mother is not affiliated with a Wisconsin Indian Tribe, the Tribal agent serving the reservation or Ho-Chunk service area where the child or expectant mother resides
  - If neither [of the above] applies, any Tribal agent serving a reservation or Ho-Chunk service area in the county
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**Wis. Stat. Ann. § 48.981(3)(a) (LexisNexis through 2009 Sess.)**

The sheriff or police department shall within 12 hours, exclusive of Saturdays, Sundays, or legal holidays, refer to the county department or, in a county having a population of 500,000 or more, the department or a licensed child welfare agency under contract with the department all of 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 it cannot be determined who abused or neglected or threatened to abuse or neglect a child
- 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

The sheriff or police department may refer to the county department, the department, or a licensed child welfare agency a case reported to the sheriff or police department in which a person who is not a caregiver is suspected of abuse or of threatened abuse of a child.

A county department, the department, or a licensed child welfare agency shall within 12 hours, exclusive of Saturdays, Sundays, or legal holidays, refer to the sheriff or police department all cases of suspected or threatened abuse, as defined in § 48.02(1)(b)-(f), reported to it. For cases of suspected or threatened abuse, as defined in § 48.02(1)(a), (am), (g), or (gm), or neglect, each county department, the department, and a licensed child welfare agency shall adopt a written policy specifying the kinds of reports it will routinely report to local law enforcement authorities.

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**Wyoming****Wyo. Stat. Ann. § 14-3-206(a) (LexisNexis through 9-15-09)**

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. The agencies shall continue cooperating and coordinating with each other during the investigation.

**Wyo. Stat. Ann. § 14-3-204(a)(vii)-(viii) (LexisNexis through 9-15-09)**

The local child protective agency shall cooperate, coordinate, and assist with the prosecution and law enforcement agencies in investigating a report of suspected child abuse or neglect. When the best interests of the child require court actions, the agency shall contact the county and prosecuting attorney to initiate legal proceedings and assist the county and prosecuting attorney during the proceedings.