

Child Abuse?



Mandated Reporter Information



Michael O'Keefe
District Attorney
Cape & Islands District

3231 Main Street
P.O. Box 455
Barnstable, MA 02630
508-362-8113

Sexual Assault Intervention Network (SAIN) is a team of multidisciplinary professionals from the Cape & Islands District Attorney's Office, local and State Police, Children's Cove: The Cape Cod & Islands Advocacy Center, Cape Cod Hospital, the Department of Children & Families (DCF) (formerly Department of Social Services), the Department of Mental Health (DMH), and other child service agencies that are specifically trained to respond, intervene, investigate and offer treatment to victims of child abuse and to their families.

The following occupations are deemed mandated

FREQUENTLY ASKED QUESTIONS

Who is a mandated reporter?

The following individuals are REQUIRED by law (M.G.L. c.119 § 51A) to report suspected child abuse:

Medical Personnel

- Physicians;
- Medical Interns;
- Any Hospital personnel engaged in examination, care, or treatment;
- Medical Examiner;
- Emergency Medical Technician;
- Dentist;
- Nurse;
- Chiropractor;
- Podiatrist;
- Osteopath;

Educational Personnel:

- Public or Private school teacher;
- Educational Administrator;
- Guidance Counselor;
- School Attendance Officer;

Child Care Personnel

- Day care worker;
- Any person paid to care/work with a child in any public or private facility;
- Office For Children Licensors;
- Foster Parent;

Mental Health Personnel

- Psychiatrist;
- Psychologist;
- Family Counselor;
- Allied Mental Health and Human Services professional;
- Clinical Social Worker;

Court /Correctional Personnel

- Probation Officer;
- Clerk/Magistrate of the District Courts;
- Parole Officer;

Public Safety Personnel

- Firefighter;
- Police Officer;

Other

- Social Worker
- Drug & Alcoholism Counselor;

Clergy (in "non-confessional" situations):

- Priest;
- Rabbi;
- Other Clergy Members
- Ordained/Licensed Ministers;
- Religious Leaders;
- Accredited Christian Science Practitioners;
- Church Employees

What am I mandated to report?

Whenever there is reasonable cause to believe that a child under 18 is suffering physical or emotional injury resulting from abuse inflicted upon them which causes harm or substantial risk of harm to the child's welfare, including:

- **Sexual Abuse;**
- **Neglect (including malnutrition);**
- **Dependence upon an addictive drug at birth**

DCF HOTLINE 1-800-792-5200

To whom am I mandated to report?

The Department of Children & Families (DCF) must be notified immediately. You may notify DCF yourself, or you may notify the person in charge of your institution, or a person designated by the person in charge to accept such reports.

Once you immediately notify the person in charge of your institution, that person becomes responsible for notifying DCF of the suspected abuse. If your supervisor is not available, **YOU** must file a report with DCF. **YOU** are ultimately responsible for reporting suspected abuse.

What if I am the person designated by the person in charge of my organization to receive the mandated reports?

After receiving the report, you must then immediately notify DCF.

What must be included in the report?

The report must contain:

- Names, age, address, and gender of the child and his/her parents or other persons responsible for his/her care, if known;
- the nature and extent of the child's injuries, abuse, maltreatment, or neglect, (including any evidence or prior injuries abuse, maltreatment, or neglect;
- the circumstances under which the person required to report 1st became aware of the child's injuries, abuse, maltreatment, or neglect;
- whatever action, if any was taken to treat, shelter, or otherwise assist the child;
- the names of person or persons making report;
- any other information which reporter believes might be helpful in establishing cause or injuries;
- the identity of the person or persons responsible;
- such other information as shall be required by DCF

What happens when I call DCF?

DCF will screen in or accept the report if it appears from the information provided that the child is at risk of being abused by a caretaker. If an emergency situation exists, DCF will assign a licensed social worker to investigate the report within 24 hours. If it is not an emergency, the investigation must be completed within ten (10) days. DCF will then either support, or un-support the referral.

What if my profession includes confidentiality or privileged communications?

The law relating to confidential communications between social workers and clients and clergy and penitents does not prohibit the filing of a report.

Could I be sued if I file a report?

The law provides absolute immunity to anyone who files a report of suspected child abuse in good faith. However, any person who *knowingly* files a report of child abuse that is *frivolous* is subject to a fine of not more than \$2000.00. The penalty for willfully failing to file a report of child abuse that results in serious harm or death is \$5000 and 2 1/2 years in prison.

Can my employer retaliate against me if I file a report with DCF?

No. The law strictly forbids employers from penalizing an employee who files a report to DCF. Any employer who discharges, discriminates or takes any other negative action against his or her employee shall be liable for triple damages and related attorney's fees.

What happens if DCF un-supports a referral?

If DCF un-supports a referral, it does not necessarily mean that DCF has determined that the abuse did not occur. They may have referred it to the Cape & Islands District Attorney's Office as a discretionary referral. You should contact DCF for clarification of their decision.

Can I call the District Attorney's Office directly to report abuse?

All conscientious citizens are welcome to contact the District Attorney's Office at any time to inquire about a case. However, you **MUST** report suspected abuse to DCF as the law requires.

Does DCF notify the District Attorney's Office that a child has been abused?

In certain cases, DCF is required to notify the District Attorney. For example, all instances of sexual abuse of children and serious cases of physical violence must be reported to the District Attorney's Office.

What happens to cases which are referred to the District Attorney's Office?

The District Attorney's Office in conjunction with the child's family, counselors, DCF, and the police will decide which of these cases may be prosecuted.

Will I have to appear as a witness in court?

It is possible that a mandated reporter will be called as a witness in the criminal prosecution of an abuse case. Each case is unique, and the investigative team will make the determination.

Will I hear about the outcome of the investigation?

Yes. DCF must send a letter to the mandated reporter informing him or her of the outcome of its investigation.

REMEMBER

The law is designed to always give a child the benefit of the doubt. When you are in doubt, file a report. **It could save a life.**

A mandated reporter suspecting abuse **MUST** notify DCF **IMMEDIATELY** by telephone, and follow up with a written report within 48 hours. There are **NO** exceptions.

Professionals who fail to report suspected abuse are subject to criminal prosecution and a \$2,000 fine.

If you suspect child abuse...

Please call any of the following:

**The Department of Children & Families
(Formerly DSS); or your
Local Police Department; or
Children's Cove; or
Cape & Islands District Attorney
Michael O'Keefe's Office**

Contact Telephone Numbers

DCF 800-792-5200

Local Police Departments:

Barnstable PD	508-775-0387
Bourne PD	508-759-4451
Brewster PD	508-896-7011
Chatham PD	508-945-1212
Dennis PD	508-394-1313
Eastham PD	508-255-0551
Falmouth PD	508-457-2527
Harwich PD	508-430-7541
Mashpee PD	508-539-1480
Orleans PD	508-255-0117
Provincetown PD	508-487-1212
Sandwich PD	508-888-3343
Truro PD	508-487-8730
Wellfleet PD	508-349-3702
Yarmouth PD	508-775-0445

Martha's Vineyard

Aquinnah PD	508-693-1212
Chilmark PD	508-693-1212
Cuttyhunk/ Gosnold PD	508-693-1212
Edgartown PD	508-627-4343
Oak Bluffs PD	508-693-0750
Tisbury PD	508-696-4240
West Tisbury PD	508-693-0020

Nantucket

Nantucket PD	508-228-1212
---------------------	---------------------

Cape & Islands

District Attorney	508-362-8113
Children's Cove	508-375-0410