

Mandated Reporting Commission - Submission of Public Comments by Stephanie Gates, citizen, resident of Massachusetts, and mother of a sexually abused child at a public elementary school

- 1) Institutional Reporting p. 32 - The proposed changes appear to make mandated reporting more complicated. Reporting should be simple. If you are a mandated reporter, then you are required to report, regardless of notification to superiors.
- 2) Penalties - p. 32 - This section covers the enforcement of mandated reporting by District Attorneys. It has been my experience that mandated reporting law was not enforced by Essex County DA's Office. In Spring 2019, I contacted a Child Advocate at Essex County's DA's Office about Marblehead Public Schools' violation of Mandated Reporting Law. Specifically, school administrators did not report my child as a victim of sexual abuse at the school when I reported the abuse on 12/17/18 or when my child reported the abuse in a 1/3/19 interview by school personnel. The Essex County's DA's Office's Child Advocate told me that nothing could be done because the case was closed. Although this is only one example, it leads to concerns about whether Mandated Reporting Law is currently enforced.
- 3) Licensing Violations p. 34-35 - This section concerns reporting mandated reporting violations to the appropriate professional licensure body/agency in Massachusetts. I reported a violation of mandated reporting law by a licensed social worker and public school counselor at my child's school to the Board of Registration of Social Workers in 2019. The Board used arcane and unpublished procedural rules to discard the evidence I provided, and then dismissed the complaint for insufficient evidence. I also reported a separate violation to the Board of Registration in Nursing. This complaint was also dismissed in 2021. It is easy to see how self-regulatory occupational licensing boards are likely to be "captured" by interests and professions they are supposed to regulate. Based on my own experience with two professional licensure boards, using these organizations to enforce mandated reporting law is not a viable option. They are too likely to elevate the career interests of the mandated reporter over the rights and interests of actual and potential victims.