

Reporting Abuse

When an allegation of abuse is made within the church, you must know what steps to take and when to take them. Reporting is governed by law and is determined by the state in which the church is located. (If your city is a bi- or tri-state area do the research for each state. Allegations of abuse or neglect are to be reported in the state in which it occurred, so if you receive information that one of your children has been abused in their home or neighborhood, and they live in the other state, you need to know what to do. Be sure to update your information on a yearly basis.

Create a reporting procedure before you need it. You can find your states requirements online by going to your state's child protection website. Check with your insurance agent for any packets, forms, and guidelines they have for reducing the risk in your church. Then check with your lawyer to see if your procedural plan is legally correct.

Remember that churches can no longer defend themselves from liability by saying that they didn't know what was required of them. The information is out there, and you are responsible for knowing and following it. All of the information below should be included as a part of a policy/procedure handbook.

What constitutes child abuse in your state?

Both federal and state laws establish definitions of child abuse and neglect, but each state defines what is and isn't covered by law in that state. Be sure you are clear about this as it is your first step to determining whether or not you report.

Who is legally responsible for reporting?

Learn who is considered a mandated reporter in your state. Most of the time professional groups such as teachers, social workers, and health care workers are mandated reporters. But in some states all individuals are considered responsible reporters. Find out if reporters can delegate reporting to a supervisor and whether they are still responsible if the supervisor does not make the report. Check to see whether your state lists clergy as mandatory reporters and whether privileged communication is covered. A line of reporting must be established within the church so all suspicions and concerns go to the director first and then to the minister.

Designate a church leader (position not person) to which allegations or suspicions can be brought and whose job it is to make sure state law and church policy is followed by having the mandated reporter contact the proper authorities. The senior minister has to be informed before such a report is made. The senior minister can then decide on whether to contact the designated church spokesperson and the core council or board of

directors. Remember that only the people who have a need to know should be included in this line of reporting. Confidentiality is supremely important.

The only exception is if the minister is the suspected perpetrator. Then a second person, perhaps the board president, would be the designated church authority and holder of information. All staff needs to be trained in the reporting procedure.

What is the time frame for reporting before one is in violation of the law?

Here again, this varies from state to state. If you have a reporting procedure in place, you will not waste time in figuring out what to do.

Which agency do you call to report?

Every state lists their agencies and contact numbers. It may include an 800 number or a 24-hour hotline. If there is a number for anonymous reporting and you choose this option, be sure to have a second independent person (like the minister or youth director) with the reporter at the time the call is placed. This provides a witness to the fact that the call was made and made in good faith.

Who do you contact if the child is in immediate danger?

If the child's life is in danger and you believe that releasing the child from your custody could be life threatening, call 911. The police are trained to handle these situations and can keep the child safe while everything is worked out. Of course, if you see a child being abused, you must step in at that moment; stop the abuse; remove the child from the perpetrator's presence and influence, and call 911.

What is the penalty for failure to report?

This can include anything from a monetary fine to jail time.

Is the reporter protected under the "good faith" reporting practice?

Most volunteers are protected under some type of "good faith" reporting, meaning that a report was made in good faith and not maliciously with intent to harm.

Responding to Allegations

Take all allegations seriously. If a child confides in you, realize that a child rarely lies about sexual abuse. Know the symptoms and signs of abuse and neglect for those instances where a child is unable to confide with a "safe" person. Do not take it upon yourself to determine if the allegation is true or not –a professional can better handle that part.

Provide a caring response and support.

Treating the allegation as serious goes a long way in insuring the child and family that you care for their well-being and will not tolerate any of this behavior in your church. Keep your energy calm and your heart open to help the child and family move through this difficult time. Do not express dismay, anger or disbelief. Keep your responses supportive and non-accusatory. Let the child/family know that the church has a procedure to follow and all the steps will be taken. With your words and your manner, express the church's ongoing support and care for them during this difficult time. Do not refute or deny any accusations or blame anyone, especially the victim or victim's family. Reassure the family that the church takes all allegations seriously, will take the steps to report it to the legal authorities, and that the church seeks to support the child and family through this difficult time.

Document the allegation.

Fill out an Incident/Accident form (see attached). This is not an investigation but a gathering of information that you will need to report the allegation or suspicion to the proper authorities.

Seek professional assistance.

Confidentiality is a must, so only those who have a need to know should be informed. These include your insurance company or the church attorney. If you have any questions, contact the Manager of International Youth and Families at United Centers for Spiritual Living (720-279-1632).

Fulfill state reporting obligations.

If you have answered the questions about reporting in your state, you know what you legally need to report, when to report, and who does the reporting. Create a checklist to make sure that all the steps for reporting in your state are taken.

Decide on options regarding the alleged perpetrator.

If the person works, volunteers, or attends the ministry, you may choose to restrict their participation at the church, denying them access to any your program or location where youth are located. You may also deny them any church participation until the investigation is completed; or you may suspend employment until the allegations have been investigated. If the person works directly with children, they are denied any access to anyone under the age of 18 whether before, during, or after church services or events.

Respond to congregational concerns.

Each case will be different so you will have to decide *if* something needs to be shared, then when and with whom. This includes speaking with the core council or board, the staff or the congregation. What doesn't change is a person's right to privacy and protection from defamation. This includes the victim and the alleged perpetrator. Please consult your church lawyer or other professional for the limits of what you can share and with whom.

Respond to media.

Designate a spokesperson to handle all the communication to the media. No one else should speak for the church or about the church or say anything about the allegation except the designated person. Have a prepared statement that has been reviewed by the church's attorney before releasing it.

It is very helpful to communicate the church's stance on child abuse and what steps have been taken to prevent and report. This strong document is created while you are putting your policy and procedures handbook together. It states three things: that the church will not tolerate abuse, molestation, sexual misconduct in any way, shape or form; that the church has taken steps, such as (give examples) to prevent this behavior; and that the church has a reporting procedure in place which will be followed in strict concordance with the law. A complete policy handbook should be available at the church office.

Once the report is made, then the church must be faithful in treatment –to hold to the truth that God is in the midst of all of this, embracing both the victim and the alleged perpetrator, their families, the church, and the community in love, healing and that there is right outworking for all concerned. The church must be faithful in continued support to the child and family, while being available to the ongoing investigation.

Maintain strict confidentiality in all of the above.

There are those who will need to know—the director and minister – but no information should be given to any other party. If the state authorities become involved, cooperate with their requests.

Thank you to the Association for Unity Churches. These procedures were adapted from the Unity Youth and Family Ministry Guide.