

REPORTING CHILD ABUSE

SECTION 63-7-310. Persons required or permitted to report; method; confidentiality.

(A) A physician, nurse, dentist, optometrist, medical examiner, or coroner, or an employee of a county medical examiner's or coroner's office, or any other medical, emergency medical services, mental health, or allied health professional, member of the clergy including a Christian Science Practitioner or religious healer, school teacher, counselor, principal, assistant principal, social or public assistance worker, substance abuse treatment staff, or childcare worker in a childcare center or foster care facility, police or law enforcement officer, undertaker, funeral home director or employee of a funeral home, persons responsible for processing films, computer technician, or a judge must report in accordance with this section when in the person's professional capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in Section 63-7-20.

(B) If a person required to report pursuant to subsection (A) has received information in the person's professional capacity which gives the person reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by acts or omissions that would be child abuse or neglect if committed by a parent, guardian, or other person responsible for the child's welfare, but the reporter believes that the act or omission was committed by a person other than the parent, guardian, or other person responsible for the child's welfare, the reporter must make a report to the appropriate law enforcement agency.

(C) Except as provided in subsection (A), any person who has reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report in accordance with this section.

(D) Reports of child abuse or neglect may be made orally by telephone or otherwise to the county department of social services or to a law enforcement agency in the county where the child resides or is found.

SECTION 63-7-330. Confidentiality.

(A) **The identity of the person making a report pursuant to this section must be kept confidential by the agency or department receiving the report and must not be disclosed except as provided for in this chapter.**

When the department refers a report to a law enforcement agency for a criminal investigation, the department must inform the law enforcement agency of the identity of the person who reported the child abuse or neglect. The identity of the reporter must only be used by the law enforcement agency to further the criminal investigation arising from the report, and the agency must not disclose the reporter's identity to any person other than an employee of the agency who is involved in the criminal investigation arising from the report. If the reporter testifies in a criminal proceeding arising from the report, it must not be disclosed that the reporter made the report.

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When a law enforcement agency refers a report to the department for an investigation or other response, the law enforcement agency must inform the department of the identity of the person who reported the child abuse or neglect. The department must not disclose the identity of the reporter to any person except as authorized by Section 63-7-330.

Who To Call During Normal Business Hours Between 8:30 AM and 5:00 PM

During normal business hours, contact your County DSS Child Protective Services office to report child abuse or neglect.

After Hours

After hours, call your local police department. They will contact the on-call Child Protective Services worker for the appropriate county.

Consultation

If you are in doubt about what to do, and you would like to talk it over with someone before reporting suspected abuse or domestic violence, feel free to call your regional Child care Licensing office. They will be glad to refer you to the appropriate person.

What You Need To Include In Your Report

Child Protective Services needs very specific information in order to accept a report. You will need to tell them the following details:

- 1) The name, date of birth, sex, and race of the child/children.
- 2) The names, dates of birth, and races of both parents (if known).
- 3) The name, date of birth, and race of a paramour who may be the alleged abuser.
- 4) The exact address where the child resides. (You will be calling the child's county of residence even if your facility is in another county.)
- 5) A clear description of why you believe the child/children may have been abused or why you believe they are in danger. (Consider them to be in danger if domestic violence is occurring in the home.)
- 6) If the child/children are old enough to tell you that they have been present when domestic violence occurred, state in their own words what they observed.