MANDATORY REPORTING OF ABUSE CHECKLIST

Who needs to report?

There are two types of reporters:

✚ Mandated reporter:
  • Any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child’s welfare is a mandatory reporter. §39.201(1)(a), Florida Statutes.
  • Any person, including but not limited to state, county, or municipal criminal justice employees or law enforcement officers, who knows or has reasonable cause to suspect that a vulnerable adult has been or is being abused, neglected, or exploited must make a report. §415.1034(a), Florida Statutes.

✚ Professionally mandated reporter – Anyone who is legally obligated to report known abuse and must also identify themselves when reporting. These include:
  • Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons;
  • Health or mental health professional;
  • Practitioner who relies solely on spiritual means for healing;
  • School teacher or other school official or personnel;
  • Social worker, day care center worker, or other professional child care, foster care, residential or institutional worker;
  • Law enforcement officer;
  • Judge, §39.201(1)(d)(1)-(7), Florida Statutes; or
  • Mediators. §44.405(4)(a)(3), Florida Statutes.

✚ Note: An officer or employee of the judicial branch is not required to again provide notice of reasonable cause to suspect child abuse, abandonment, or neglect when that child is currently being investigated by the Department of Children and Families, there is an existing dependency case, or the matter has previously been reported to the Department, provided that there is reasonable cause to believe that the information is already known to the department. This paragraph applies only when the information has been provided to the officer or employee in the course of carrying out his or her official duties. §39.201(1)(f), Florida Statutes.
What needs to be reported?

Child Abuse:

✦ A child in need of supervision who has no parent, legal custodian, or responsible adult. §39.201(1)(a), Florida Statutes.

✦ A child abused by a parent, caregiver, guardian, or other person responsible for the child’s welfare. §39.201(1)(a), Florida Statutes.

✦ Child abuse, abandonment, or neglect by any adult. §39.201(1)(b), Florida Statutes.

✦ Child abuse by a juvenile sex offender. §39.201(1)(c), Florida Statutes.

✦ If the report contains information of an instance of known or suspected child abuse involving impregnation of a child under 16 years of age by a person 21 years of age or older, the report shall be made immediately to the appropriate county sheriff’s office or other appropriate law enforcement agency. §39.201(2)(e), Florida Statutes.

✦ Reports involving surrendered newborn infants shall be made and received by the department. §39.201(1)(g), Florida Statutes.

Sexual Battery:

✦ Section 794.027, Florida Statutes, requires that any person who observes a sexual battery and who has the ability to seek assistance for the victim without being exposed to a threat of physical violence must make a report.

Vulnerable adult abuse:

✦ Section 415.1034(1), Florida Statutes, states that any person, including, but not limited to any state, county, or municipal criminal justice employee or law enforcement officer, who knows, or has reasonable cause to suspect, that a vulnerable adult has been or is being abused, neglected, or exploited shall immediately report such knowledge or suspicion to the central abuse hotline.

Who do you report it to?

✦ Child and adult abuse should be reported to the Florida Department of Children and Families (DCF) through either the DCF statewide hotline (call 1-800-96-ABUSE) (1-800-962-2873) or through the DCF website at http://reportabuse.dcf.state.fl.us. The hotline also accepts faxes at 1-800-914-0004 and web-based chat on their website. §39.201(2)(a), Florida Statutes.
If the abuse is by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child’s welfare, the report will be transferred by hotline staff to the appropriate county sheriff’s office. §39.201(2)(b), Florida Statutes.

If the abuse is by a juvenile sex offender age 12 or under, the report will be transferred by hotline staff to a local county sheriff’s office within 48 hours and a DCF assessment will be conducted. §39.201(2)(c)(2), Florida Statutes.

If abuse is by a juvenile sex offender age 13 or over, the report will be transferred to a local county sheriff’s office by hotline staff within 48 hours. §39.201(2)(c)(3), Florida Statutes.

What happens if you don’t report?

Failure to report child abuse to DCF is a third degree felony. §39.205(1), Florida Statutes.

Section 794.027, Florida Statutes, provides that a person who observes the commission of the crime of sexual battery is guilty of a first degree misdemeanor where that person 1) has reasonable grounds to believe that he or she has observed the commission of a sexual battery; 2) has the present ability to seek assistance for the victim or victims by immediately reporting such offense to a law enforcement officer; 3) fails to seek such assistance; 4) would not be exposed to any threat of physical violence for seeking such assistance; 5) is not the husband, wife, parent, grandparent, child, grandchild, brother or sister of the offender or victim, by consanguinity or affinity; and 6) is not the victim of such sexual battery.

What happens after the report is made?

Once a report is received, the hotline counselor sends the report within one hour to the county investigation office where the victim is located. An investigator is assigned and will respond as soon as possible if the victim is in imminent risk of harm, or within 24 hours if imminent risk is not present. The investigator may or may not contact the reporter during the investigation.

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