



# Comparing reports of suspected child maltreatment in states with and without Universal Mandated Reporting



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## ABSTRACT

Every state has a statute through which certain individuals are required to report suspicions of child maltreatment to Child Protective Services. Some states require all adults to report suspicions of child maltreatment (Universal Mandated Reporting); other states only require certain professionals to make such reports. In response to high profile child sexual abuse cases, many states have considered moving to Universal Mandated Reporting. This study compares characteristics and outcomes of reports from states with and without Universal Mandated Reporting. Analysis found no differences in the rate of report or report disposition. Reports from educational personnel in states with universal reporting made up a smaller proportion of reports than in states where only a delineated list of professionals are required to report. Additionally, states with Universal Mandated Reporting had more reports involving neglect as compared to other states. These findings are important to inform any movement to expand Universal Mandated Reporting.

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## 1. Introduction

In 2011, Penn State Assistant Football Coach, Jerry Sandusky, was indicted on 52 counts of child molestation (Ganim, 2011). Findings in his criminal trial indicated that college officials missed opportunities to report suspected abuse to Child Protective Services (Moulton, 2014). The Sandusky case pushed state and national lawmakers, child welfare workers and community members to reexamine mandated reporting laws.

### 1.1. Mandated reporting

Most suspicions of child maltreatment that are reported to Child Protective Services (CPS) are made by professionals (United States Department of Health and Human Services, Administration on Children, Youth & Families, 2013). Most professionals who make reports to CPS are mandated by the law in their state to do so. The policy of mandating professionals to make a report when they suspect child abuse and neglect ("mandated reporting") developed in the mid-twentieth century in the United States and has since evolved to the complex system of federal, state and local mandates that exists across the country today (Lau, Krase & Morse, 2008). Every state has a statute through which certain

individuals are required to report suspicions of child maltreatment to Child Protective Services.

Some states require all adults to report suspicions of child maltreatment (Universal Mandated Reporting); other states only require certain professionals to make such reports (McElroy, 2012). In most states, categories of professionals who regularly work with children and families are selected to be mandated. Professionals listed as mandated reporters by a given state often include: social workers, educational personnel, health care workers, mental health professionals, child care providers, medical examiners, and law enforcement. Eighteen (18) states are Universal Mandated Reporting Law (UMRL) states (see shaded states in Fig. 1). The other 32 states (not shaded) delegate mandated reporting to professionals generally involved with children (Lau, Krase & Morse, 2008). Hawaii and Alaska (not pictured) are *not* Universal Mandated Reporting states.

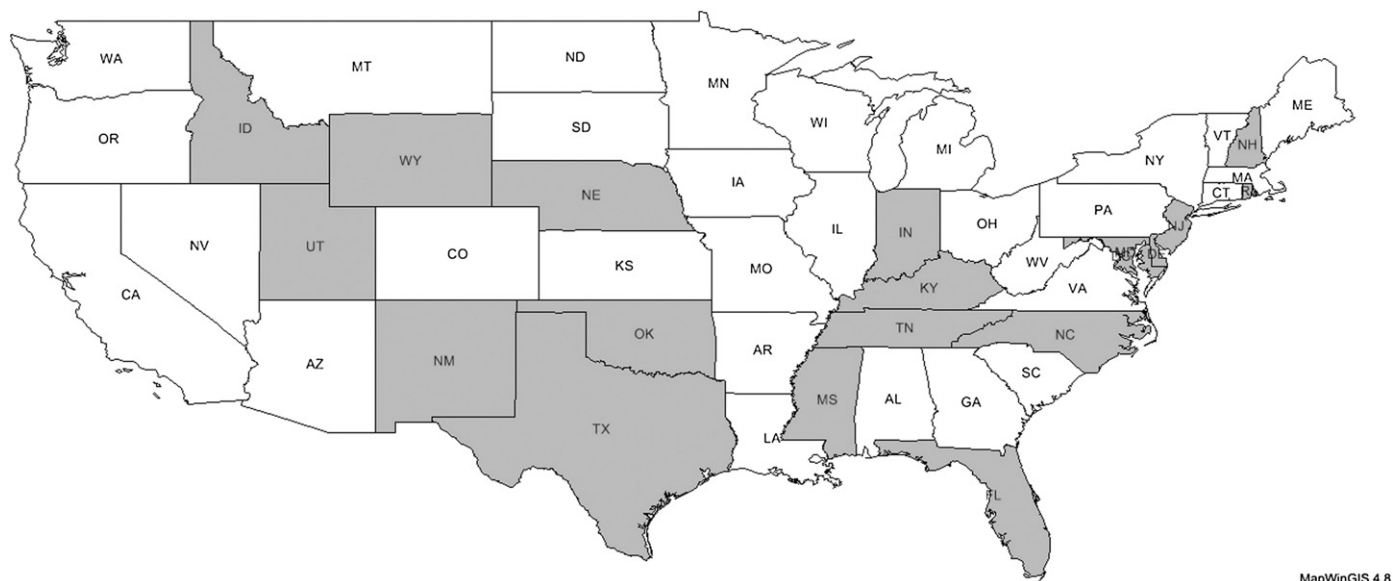
### 1.2. Factors that impact reporting behavior

High profile allegations of child sexual abuse at Penn State highlighted one of the perennial concerns of the child protection system: under-reporting of suspected child abuse in the United States. Research consistently shows that professionals fail to report more than half of their suspicions of child maltreatment to the proper authorities (Delaronde, King, Bendel, & Reece, 2000; Kenny, 2001b; Kesner & Robinson, 2002). Different characteristics and attitudes of the reporter and demographics of the alleged victim and perpetrator have been found to impact the likelihood of reporting suspicions to CPS.

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**Fig. 1.** Mandated reporter requirements by state.  
Derived from data from U.S. Department of Health and Human Services, Children's Bureau (2013).

The type of reporter was found to impact the likelihood of reporting suspicions to CPS (King, Reece, Bendel, & Patel, 1998). From a group of randomly selected pediatricians, master's level social workers (MSWs), and physicians' assistants (PAs), pediatricians were found to report the greatest proportion of their suspicions, followed by MSWs (King et al., 1998). Multivariate analysis revealed that the strongest predictors of reporting were case-related attitudes, process concerns, institutional setting, and the amount of training the professional received (King et al., 1998).

Variations in the likelihood to report child maltreatment by family therapists were found to be dependent on years of practice and primary professional identity (Brown & Strozier, 2004). Perhaps contrary to expectations, therapists with less practice experience were more likely to report suspicions to CPS than therapists with more than 10 years of experience. Additionally, therapists who were social workers reported more often, than marriage and family therapists, and counselors (Brown & Strozier, 2004).

Attitudes and beliefs of mandated reporters impact their likelihood to report. Professionals often do not feel adequately prepared to deal with child abuse and neglect (Levin, 1983). They report not knowing the signs of abuse and neglect (Hazzard, 1984; Kenny, 2004; Levin, 1983). They have difficulty differentiating "parental excesses from 'normal' parental disciplines" (Levin, 1983, p. 18). Often, professionals assume that someone else will report the child abuse or neglect (Crenshaw, Crenshaw, & Lichtenberg, 1995). Mandated reporters fear legal ramifications for logging reports that are unfounded (Abrahams, Casey, & Daro, 1992; Kenny, 2001a). They express concern for losing rapport with a family if they report them to CPS (Abrahams et al., 1992; Zellman, 1990a). Other professionals do not make reports because they fear disrupting the functioning of families and sparking conflict with families by reporting (Kenny, 2001a; Levin, 1983). Some reporters choose not to make reports to CPS because they feel that CPS does not actually help maltreated children and their families (Kenny, 2001b; Zellman, 1990b).

Race of the alleged child victim and/or perpetrator may also impact the likelihood of a professional to report suspicions to CPS. When controlling for other social and demographic factors, African-American families are more likely to be reported to CPS by certain professionals, including medical personnel (Hampton & Newberger, 1985; Jenny, Hymel, Ritzen, Reinert, & Hay, 1999; Lane, Rubin, Monteith, & Christian, 2002; Lu et al., 2004; Newberger, 1983).

### 1.3. Responsive policy efforts

In response to the Penn State case, efforts have been made at the federal, state and local levels of government to encourage reports of child maltreatment. In 2011, a bill was offered, but not passed, in the United States Senate that would have encouraged states who have yet to do so to pass laws requiring all adults to report suspected child abuse and neglect. Such a requirement would be attached to certain federal funding streams (United States Senate Bill 1887, 2011). Numerous governors and state legislators have expanded the list of mandated reporters in their states in response to the Sandusky case (Louisiana Executive Order, 11/16/11; Wisconsin Executive Order #54, 2011; New York State Assembly Bill 8901, 2011; Virginia House Bill A3, 2011).

### 1.4. Prior examination of Universal Mandated Reporting

While policymakers respond to news items, prior research consistently calls for more empirical evidence examining mandated reporting as an effective intervention for child abuse (Lau, Krase & Morse, 2008; Krase, 2010; Krase, 2013a; Krase, 2013b; Brown & Strozier, 2004). Very little research has examined the effects of mandated reporting law on reporting behavior, or that suggest alternative ways of responding to child maltreatment from a systemic perspective.

Interviews with CPS administrators in 8 states with UMRL found different opinions about the utility of such laws. Most administrators believed that UMRL increased reports from well-meaning family members and friends, who would probably neglect to make a report, if not for the law requiring to do so. However, other administrators believed that some reporters in UMRL states, specifically professionals, are probably less likely to report, because they figure that someone else will do it. One of the administrators conceded that their particular state was considered abolishing the UMRL (McElroy, 2012).

One previous study specifically examined the impact of UMRL on reporting behavior. Analysis of county-level report data from 2000 found higher rates of reports, and higher substantiation rates, in counties with Universal Mandated Reporting Laws (Palusci & Vandervort, 2014). This study was conducted with data from a time period when half as many states had UMRL. Additionally, data from only 18 total states were used for this study. Palusci and Vandervort urged further analysis with more recent and complete data before

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