

New Jersey Law Journal

Commentary

Why do mandated reporters of child abuse hesitate reporting?

Whatever the reasons, for the sake of all children, this topic is truly in need of further research. Let's not hesitate.

By **Michaela A. Medved and Daniel Pollack** | May 11, 2021 at 10:00 AM



In all states, many professionals are legally designated [mandated reporters](#) of suspected child maltreatment. In [some states](#), adults in the general public are mandated reporters as well. Commonly referred to as universal mandated reporting, New Jersey's [statute](#) is typical:

“Any person having reasonable cause to believe that a child has been subjected to child abuse or acts of child abuse shall report the same immediately to DCF's Child

Protection and Permanency (CP&P) by telephone or otherwise. Such reports, where possible, shall contain the names and addresses of the child and his parent, guardian, or other person having custody and control of the child and, if known, the child's age, the nature and possible extent of the child's injuries, abuse or maltreatment, including any evidence of previous injuries, abuse or maltreatment, and any other information that the person believes may be helpful with respect to the child abuse and the identity of the perpetrator.”

Suspicion is not proof, which may be why some mandated reporters hesitate making a report. A recent [meta-analysis](#) found that mandated reporters were oftentimes reluctant to report abuse in cases when the abuse was either less apparent, mild, or experienced by children with disabilities, favoring reporting cases with overt physical evidence.

Reporting can lead to children being removed from their home and placed either with extended family or into foster care with strangers. Removal of a child in some cases will certainly be in the best interest of that particular child. In other cases, in the mind of the mandated reporter, removal may be disastrous. Consequently, hesitation to report may also stem from concerns that the child will undergo potentially traumatizing psychological interviews and physical examinations, and may result in mandatory supervision, counseling, or social services home visits. As well, the reporter may not want the child to be stigmatized by having friends and neighbors wondering why Child Protective Services (CPS) is doing an investigation. For a family member to be even accused of possible improper behavior may cause undue and severe disruption for the child and family even if allegations are later unfounded or unsubstantiated.

While mandated reporters are obligated to report even suspicion of abuse, the reporter has no control over the outcome of the investigation. Though some reports may result in further inquiry, suspicions are often unsubstantiated. There is an underlying fear that if CPS does come to the home that the child may experience more abuse, or that the underlying therapeutic relationship will be forever tarnished.

Legally, all children are considered vulnerable, but children with developmental disabilities are at greater risk for recurring abuse and neglect secondary to behavioral and mental health deficits, health problems, and enrollment in special education and related services. Studies have found that those with [intellectual disabilities](#) are four to ten times more likely to be victims of either abuse or neglect in comparison to children without disabilities. While evidence of physical abuse presents similarly in both typically developing children and children with disabilities, the inability to communicate secondary to an underlying disorder significantly limits opportunities to communicate distress. Additionally, physical markers that are indicative of abuse may go unnoticed if attributed to the disability as self-inflicted.

Perhaps one of the major reasons mandated reporters hesitate to report is because they are not confident that CPS workers have adequate assessment and intervention skills. They reflect on countless news headlines indicating that CPS either intervenes too fast and intrusively, or too slowly and ineptly. Whatever the reasons, for the sake of all children, this topic is truly in need of further research. Let's not hesitate.

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