

Protecting God's Children for Adults

Law Enforcement and Child Abuse Allegations

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Introduction

Let us take this time to confirm what our appropriate actions should be in the event that any one of us suspects child abuse.

Background

Across the United States, state laws address the reporting of child abuse to authorities when there is a suspicion that a child has been abused. One does not need to have proof that abuse actually occurred in order to make a report to authorities. Depending on the state, one can make a report to:



- A child abuse hotline staffed by Child Protective Services (CPS).
- A local law enforcement agency.
- In some situations, reports are made to both CPS and law enforcement.

Responding to an allegation of suspected child abuse or neglect is a multidisciplinary issue. Because no one organization has all of the necessary resources, research has shown that child abuse investigations are best conducted in a coordinated manner by utilizing a Multi-Disciplinary Team (MDT), or trained child abuse professionals. This approach allows all of the team members to share information and eliminate any duplicative efforts to make the investigation as efficient and effective as possible. The core members of a traditional Multi-Disciplinary Team are:

- Law enforcement
- Child Protective Services (CPS), typically consisting of social workers
- The medical community, such as physicians and Sexual Assault Nurse Examiners (SANE nurses)
- Prosecutors
- A child advocacy center (CAC)
- Mental health professionals

The Investigation

The two disciplines of the MDT that are tasked with the initial investigation of allegations of child abuse are CPS and/or law enforcement.

A CPS investigation is usually limited to addressing allegations made against offenders who are parents, guardians or caretakers of the victim. The goal of the CPS investigation is to assess, in a

timely fashion, whether the allegation is "unfounded" or "indicated." When a report is "unfounded," it means that the investigator did not find credible evidence that a child was abused or neglected. When a report is "indicated," it means that the investigator found credible evidence that a child was abused or neglected. In "indicated" cases, the investigator will provide social worker services and take whatever action is needed, if any, to protect the child or children from further harm while ensuring their well-being. CPS investigators are not law enforcement officers and have no arrest powers.

In some situations, CPS and law enforcement will conduct joint child abuse investigations. Some studies have confirmed that law enforcement investigators and CPS investigators each possess unique skills that complement one another when the two disciplines coordinate their investigations. Unfortunately, joint investigations do not always occur.

Typically, law enforcement only becomes involved in the initial investigation of child abuse allegations when a crime has been committed. Not every allegation of child abuse warrants a criminal investigation, such as certain types of child neglect involving a lack of parenting skills. Criminal acts of child abuse include:

- Serious physical child abuse^{1,2}
- Child abuse homicide
- Child sexual abuse
- Child sexual exploitation
- Technology facilitated child sexual exploitation
- Child sex trafficking of minors

The role of law enforcement in child abuse cases begins with the initial call, continues through the investigation and culminates with the court proceedings. Law enforcement officers initially investigate and if/when it has been established that a crime has been committed, they will also:

- Protect the victim and facilitate a child-friendly [forensic interview](#)³
- Identify a crime scene
- Locate evidence
- Identify, arrest and interrogate the offender
- File the appropriate criminal charges
- Testify in court, or in some cases multiple courts
- Provide support and guidance to the child and family

Issues

Law enforcement is essential for the protection of children and young people. One significant difference between CPS and law enforcement is that CPS typically has 24 hours to respond to an allegation of child abuse, while law enforcement will respond immediately to the allegation with a uniformed officer. Also, CPS has 30 days to complete an investigation, while law enforcement investigations are completed significantly faster. Oftentimes, a law enforcement officer's shift may not end until the investigation is completed. Additionally, in many states, a law enforcement officer can take "protective custody" of a child if abuse is suspected to protect a child from having to return home and be re-abused by the offender.

For years, many law enforcement agencies, across the United States, have actually hired and deployed social workers and/or mental health professionals. But, when social workers and/or mental

health professionals are deployed, they are currently accompanied by a law enforcement officer. They cannot replace law enforcement, due to the potential volatile nature of many of the calls and the respective danger for everyone involved.

Recall that child abuse Multi-Disciplinary Teams are already in place in most jurisdictions. It is important to support and improve each discipline within the team, without removing a critical investigation team member.

Let us take this time to reaffirm our commitment to doing the right thing for every child, regardless of any circumstance—we must keep them safe, and you are a critical part of that effort:

- To report suspected online sexual exploitation, contact the National Center for Missing & Exploited Children (NCMEC) at 1-800-843-5678 or report online at www.cybertipline.org
- To report suspected child abuse or neglect, contact your local law enforcement or child protective services (CPS) in your state or county. You can find this number by performing a quick google search.
- When concerned about the immediate welfare of a child, or in cases of an emergency, call 911 right away.

References

- 1 <https://www.nctsn.org/what-is-child-trauma/trauma-types/physical-abuse>
- 2 <https://ojdp.ojp.gov/sites/g/files/xyckuh176/files/pubs/243908.pdf>
- 3 <https://www.nationalcac.org/forensic-interview-services/>

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