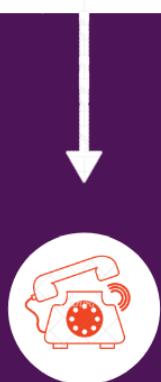


WHAT HAPPENS AFTER HARM IS REPORTED?

Mandated Reporters (MRs) are people required by law to report any harm they see or hear caused to youth whom they know in a professional setting. MRs can be teachers, teacher's aides, doctors, and others (tinyurl.com/w9h53nl). As a general rule, people who are employed to work with youth under the age of 18 are MRs. When they see or hear of harm against youth they work with, they file a report and have a follow up call with Child Protective Services (CPS).



SCREENING CALL

As a follow up to a report, CPS will call the MR to make an assessment. The assessment is done to determine if a response is needed and to what level of urgency.



SCREENED OUT low/no risk

CPS finds that there is little to no risk in the child's household and the case is closed.



DIFFERENTIAL RESPONSE low/mid risk

CPS finds that there is non-urgent risk and instead moving forward with an intervention, they pair the family to community organizations for services. Periodic reviews of the youth's well being will occur.*



INVESTIGATION mid/high risk

CPS will come and investigate the household soon after the report.* Depending on how high the risk is, the police may get involved.



IMMEDIATE RESPONSE high risk

CPS finds that the child is at high risk will come investigate the home urgently.* Police may get involved.

WHAT HAPPENS TO THE YOUTH?

Findings from the investigation determine whether the youth is removed from their home. If the youth is protected from the person causing harm, they stay in the home. Otherwise, they are removed.

YOUTH GOES INTO PROTECTIVE CUSTODY

Depending on the severity of the situation, the youth can remain in protective custody anywhere from a few months to a couple of years. In some cases, the youth can be returned to their home after initial reviews find progress.

YOUTH REMAINS HOME

The family is paired with community support groups as part of a service plan. Periodic reviews from CPS continue until a court hearing decides that a case can be closed.*

ALTERNATIVE PERMANENT PLAN ORDERED

If the youth is unable to return home safely, a court orders a plan to relocate them.

GUARDIANSHIP

CPS will attempt to find familial suitors for guardianship for youth. This can be accompanied by periodical reviews before case is closed.

ADOPTION

CPS will attempt to locate youth into an adoptive home for some time until traditional adoption processes can proceed.

FOSTER CARE/PERMANENT LIVING SITUATION

Older and/or emancipated youth may be put in alternative living situations such as a group home.

* The timing of visits and/or investigations depends on where you live. Some visits could occur within an hour depending on risk level.

For Mandatory Reporters:

A Few Scripts and Points to Consider

This resource was a product of Creating Tools Together (CTT) in 2019 as part of the Bay Area Transformative Justice Collective (BATJC). Please feel free to use this free resource, provided it is made available at no cost to participants and attributed to the BATJC.

For people who work as direct service providers, like medical providers, teachers, social workers, case managers, and therapists, it's best practice to have a policy about what information is kept confidential, what exceptions to confidentiality exist, and how to inform people we are working with about how their stories, identities, and information are being shared.

EXAMPLE SCRIPT:

Here's an example script of what someone might say to a young person as a mandated reporter:

- "I'm a mandated reporter. What do you know about mandated reporting?"
- "We have an agreement about confidentiality, which means I will not share what you disclose with me to others without your permission. I believe that **you** should be able to choose who you share your truth with." *(Note: it's important not to repeat possible abusive language, e.g., 'This is secret and you can't tell anyone.' Confidentiality is not there to protect service providers from accountability but to protect people from harms.)*
- "There are some exceptions to that though. If I think you will seriously hurt yourself or another person, there is a law that says I should report that. The law says I should file a report if I suspect someone who is under 18, over 65, or disabled is being harmed or not being taken care of or if I suspect anyone is going to seriously hurt themselves or someone else."
- "Because there can be a lot of confusion about this, I want to let you know early so you understand the rules I've been given. Sometimes nothing happens after a report is made. Sometimes the people being hurt get taken to live somewhere else. Do you have more questions about what it means to make a report?"
- "Do you know who else is a mandated reporter? Anyone like a doctor or nurse, anyone who works in a school or nursing home, or someone like me who is paid to work with young people like you or elders! The only exception is a lawyer who works for you."
- "If it ever feels like we may start talking about things that I have to report on, I want to remind you about these laws, just so that you can have more information to choose what you want to share with me. I don't want to put you or me in a situation where your truth is being shared without your consent or if it will hurt you or others more."
- "Just so I know if I explained that well, could you explain what mandated reporting means in your own words?"
- "Great! Can you tell me some examples of who mandated reporters are?"
- "Wow, great. Thank you for talking to me. Let me know if you have more questions about this too and I will do my best to answer them."

This particular script assumes a level of language that applies to some middle to high schoolers and up.

Consider reminding people at different moments when you interact with them, such as:

- Early in the school year
- Before a medical intake
- Before conversations about mental health, dating, violence, gender, or family dynamics
- Before a lesson or assignment that may cover aspects of abuse, neglect, or violence

Some of these moments, as they may bring up reportable information, can also more likely retraumatize or trigger people and can and should be handled carefully with a trauma-informed approach.

Questions to Consider

- How do you screen for suicidality among the people you work with? How are people informed of the options and potential consequences available to them if they disclose?
- How do you center the people who may be being harmed if you do not have direct contact with them? A common scenario is a relative, such as an older adult sibling, who may want to report abuse happening to another family member, such as a younger sibling.