

The Mandatory Reporting Law of the State of Arizona

“Any person who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted on the minor by other than accidental means...shall immediately report or cause reports to be made of this information to a peace officer or to Child Protective Services in the Department of Economic Security, except if the report concerns a person who does not have care, custody or control of the minor, the report shall be made to a peace officer only.”

(Arizona Revised Statute 13-3620)

Why do we focus on this law?

Our willing compliance with the mandatory reporting law is a key element of the Safe Environment Program of the Diocese of Tucson.

Who is obligated by the law?

“Any person” is the key phrase both in the mandatory reporting law and the policy of the Diocese of Tucson. All personnel of the Diocese are expected to know and follow the law.

When am I required to act?

If you reasonably believe that a minor is, might be or has been the victim of abuse, whether that belief is because of personal observation or disclosure from a third party, you should take action.

What must I do?

Call law enforcement (using 9-1-1) and Child Protective Services (888-SOS-CHILD). Do not use the last “D” when calling on a mobile phone.

When must I make the calls?

The most important word in the law with respect to making a report is “immediately.”

What if I don’t want to get involved?

Failure to report will lead to your being charged with a Class 1 misdemeanor or, in the case of sexual abuse, a Class 6 felony.

How do I make a report?

- 1) Call law enforcement (9-1-1).
 - a) Be prepared to give basic information such as:
 - i) what you have observed,
 - ii) the name of the child believed to have possibly suffered abuse,
 - iii) any identifying and locating information about the child and family,
 - iv) any identifying and locating information about the person who is suspected of perpetrating abuse,
 - v) where the abuse seems to have occurred, and
 - vi) any factors that make clear the nature and urgency of the immediate situation.
- 2) Call CPS (888-SOS-CHILD; do not dial the “D” on mobile phones) if there is any indication that the abuse may have occurred within the general framework of family.
 - a) Some counties in the Diocese of Tucson recommend that both law enforcement and CPS be called.
 - b) This is the safest policy to insure the welfare of the child.

What do I do after making a report?

- *See to the protection of the child until law enforcement arrives.*
- *Offer further information that you have observed or heard to the responding officer, as requested.*
- *Inform your immediate supervisor, compliance representative, pastor or principal.*
- *Call the Office of Child, Adolescent and Adult Protection at 520-792-3410 after the initial report has been made.*
- *Maintain a chronological log of actions taken and information received.*
- *Follow up with a written report to CPS within 72 hours using the form provided.*
- *Follow up with law enforcement unless directed otherwise by the responding investigators.*
- *Provide support for the child and family when released to do so by law enforcement.*

What should I avoid doing if I observe abuse or receive a disclosure of abuse?

- *Do not let go your emotional control in front of the minor when faced with information that may indicate abuse.*
- *Do not fail to make a report for any reason or assume someone else will make the report.*
- *Do not delay a report until a superior can be contacted.*
- *Do not investigate by collecting more information “to be sure” prior to making the report. Stick to what happened, who did it and where did it happen? If your belief is based on the report of a third party, do not investigate further; make the report on the basis of the indirect evidence.*
- *Do not notify the parents before directed to do so by law enforcement.*
- *Do not fail to maintain confidentiality around other staff members, children and youth, or family members during the time a report is being investigated by law enforcement.*
- *Don't let yourself become discouraged if the initial response by law enforcement or CPS is not what you expected.*

How can I prepare?

- *Education sessions are not only for learning the law, they are also for rehearsing the steps to be taken should the situation arise. If you practice, even in your mind, the steps to be taken, you will be more likely to act effectively at the time.*
- *Education sessions should also include discussion of experiences within the parish or in nearby parishes. Discussion of experience (“debriefing”) enhances deep learning and increases the chance that you will make the right choices at the time.*
- *Have the phone numbers and a report form at hand.*