



“If We Build it, They Will
Come”:
Responding to
Disclosures of Abuse

Diocese of Grand Island
Child Protection Office

1-308-382-6565

www.gidiocese.org





“If we build it, they will come.”

- As a Diocese, we have spent the last several years building an atmosphere of open communication that encourages children and youth to “tell us if something isn’t right.”
- We must be prepared for children to come to us with their concerns.



Disclosures of Abuse

- We've seen an increase in the number of children who have disclosed abuse in church settings.
- Since we began measuring, children and youth have reported:
 - Abuse by parents / family members
 - Abuse by peers



Response to Disclosure

- How we, as adults, respond to disclosure of abuse by a child can have a tremendous impact:
 - On the child's well-being
 - On the ability of child welfare agencies to insure the child's safety
 - On the likelihood of the child seeking help in the future.



Resiliency

- **Positive outcomes** for children who have been victimized by abuse have been found to be related to:
 - The presence of a consistent positive relationship with an adult.
 - A **supportive, protective response** to the child's disclosure of abuse.



Barriers to Disclosing Abuse

- Threats / Coercion by Perpetrator
- Guilt / Self Blame
- Fear of Negative Consequences
- Fear of the Unknown
- Fear of Not Being Believed
- Fear of Being Rejected / Damaged Goods

Our Response

■ Nonverbal

- Remain Calm
 - Don't panic
 - Don't appear "horrified" or "disgusted"
 - Avoid showing anger
- Convey Acceptance
- Use Active Listening Skills
 - Don't avoid eye contact (but don't insist on it if the child is avoiding it)
 - Show you are listening by nodding, responding

■ Verbal

- "It's not your fault."
- "I'm glad you told me."
- "I'm going to do what I can to help."
- "I need to tell someone who can make sure you are safe."
- "Tell me, or another adult if things still aren't o.k."
- "God loves you and would not want you to be hurt."



Response

At the Time Child Discloses Abuse:

- Believe the child.
- Remain calm.
- Go with the child to a place where you can talk without other children overhearing.
- Listen without interrupting.
- Reassure child that he or she is loved and cared for.
- Respond to child's questions or feelings with calm, matter-of-fact attitude, but don't pressure child to talk more.



... at the time a child discloses abuse

Continued:

- If child expresses concerns for his safety or his family's safety, tell him that all that can be done to keep him safe will be done.
- Reassure the child he/she did the right thing in telling you.
- Tell the child it is not his or her fault.
- Instruct child to tell you right away if offender attempts molestation again or bothers him or her in any way.
- Repeat appropriately.



Panel of Experts



Law Enforcement

- It is the role of law enforcement to investigate allegations of abuse.
- If sufficient evidence is found to support allegations, legal charges will be filed.
- It is illegal to interfere with a child abuse investigation.
- Law enforcement can conduct a “welfare check” if you are concerned about the welfare / immediate safety of a child.
- Only law enforcement has the authority to place a child in temporary protective custody.
- Some areas of the Diocese have local police departments, others are served by county sheriff’s departments, or Nebraska State Patrol. Many branches of law enforcement have trained child abuse investigators.



Advice from

Law Enforcement

Dos

- Do take any suspicion or report seriously.
- Do report to an investigator.
- Do limit the number of times you interview a child.
- Do report even if the incident disclosed wasn't a recent event.
- Do ask the child "Do you feel safe?" "Is the person in the home, etc."
- Do call the hotline or law enforcement even if you are unsure – they will decide if action needs to be taken.

Don'ts

- Don't get too in depth.
- Don't pry for information.
 - "We'd rather start with less information than expose a child to leading questions or multiple interviews."



Child Protective Services

- Child Protective Services is a division of the Nebraska Department of Health and Human Services.
- The mission of Child Protective Services is the safety and welfare of children.
- Child Protective Services provides an array of services for children and families, connecting them with financial and medical resources, providing education and support, mental health services, and alternative placement services.
- Child Protective Services does not have the authority to remove a child from their home, but they do make recommendations to law enforcement, based on their work with the family.
- Child Protective Services is mandated to serve children in the least restrictive setting. Their first priority is to keep children in a family setting.
- A case worker from Child Protective Services may accompany law enforcement in interviewing a child who has disclosed abuse.



Advice from

Child Protective Services

Dos

- Do call the hotline:
1-800-652-1999
whenever you have suspicions of abuse.
- Do document your observations, as well as what the child says.
- Do write down as many details as you can remember as soon as possible.

Don'ts

- Don't discount a child's report for any reason. Even a child who is known to "tell stories" may be in a situation where they need help.
- Don't let a fear of getting involved keep you from reporting.
- Don't provide an anonymous report.



Child Advocacy Centers

- There are eight Child Advocacy Centers in the State of Nebraska
- Child Advocacy Centers serve as advocates for children.
- Child Advocacy Centers provide a safe and comfortable environment for children during investigation of child abuse allegations.
- Child Advocacy Centers provide interviewers trained in “Small Voices” - an interviewing technique that is non-threatening, does not ask leading questions, and allows the child to disclose in their own words.
- Interviews are video-taped to lessen the need for multiple interviews.



Advice from

Child Advocacy Center

Dos

- Do let the child tell you in their own words.
- Do refer to a trained interviewer.

Don'ts

- Don't try to act as investigator or try to interpret what the child means.



Prosecuting Attorney

- The prosecuting attorney becomes involved in a child abuse case, when legal charges have been filed by law enforcement, or when it is recommended that a child be placed in protective custody.
- The prosecuting attorney presents the evidence uncovered through investigation. This may include evidence that a crime (child abuse) has been committed, or evidence that a child is at risk of harm in their current environment.
- Not every case of child abuse goes to trial. In some cases, the alleged perpetrator admits to the abuse, or does not contest the charges and the prosecuting attorney is involved in presenting recommendations to the judge regarding the safety and welfare of the child.



Advice from a

Prosecuting Attorney

Dos

- Do ask only open-ended questions.
- Do take note “when a child knows things children shouldn’t know.”

Don'ts

- Don't ask any question that would suggest an answer.
- Don't repeat interview.



Medical Services

- Children may be referred for a physical examination as evidence of physical / sexual abuse.
- Physical examination may also be important for the health of the child.
- Primary care nurses and physicians may notice a pattern of symptoms in routine examinations / office visits that would suggest abuse.
- Medical service providers are mandated reporters of abuse. The reporting law has precedence over any ethical confidentiality guidelines.



Advice from

Medical Services



Mental Health Services

- Many children who have been victims of abuse end up in counseling / mental health services.
- Children are often referred after disclosure of abuse to assist them in healing.
- Children may be referred for services due to change in their behavior or emotional health and may disclose abuse after developing a trust relationship with the therapist.
- Mental health providers must be as cautious as anyone to avoid leading questions and multiple interviews.
- Mandated reporting laws take precedence over any ethical confidentiality guidelines.



Advice from

Mental Health Services

- Do convey acceptance
- Do listen, without interrupting
- Do refer to an investigator as soon as possible
- Don't express anger
- Don't ask leading questions
- Don't press for details
- Don't try to act as investigator



Nebraska's Mandated Reporting Law

CHILD ABUSE MANDATORY REPORTING PROVISIONS

28-710 Terms, defined. For purposes of sections 28-710 to 28-727, unless the context otherwise requires:

- (1) Abuse or neglect means knowingly, intentionally, or negligently causing or permitting a minor child to be:
 - (a) Placed in a situation that endangers his or her life or physical or mental health;
 - (b) Cruelly confined or cruelly punished;
 - (c) Deprived of necessary food, clothing, shelter, or care;
 - (d) Left unattended in a motor vehicle if such minor child is six years of age or younger;
 - (e) Sexually abused; or
 - (f) Sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions;



Nebraska Law, continued.

- (2) Department means the Department of Health and Human Services;
- (3) Law enforcement agency means the police department or town marshal in incorporated municipalities, the office of the sheriff in unincorporated areas, and the Nebraska State Patrol; and
- (4) Out-of-home abuse or neglect means abuse or neglect occurring in day care homes; foster homes, day care centers, group homes, and other child care facilities or institutions.

Nebraska Law, Continued.

28-711 Child subjected to abuse or neglect; report; contents; toll-free number:

- (1) When any physician, medical institution, nurse, school employee, social worker, or other person has reasonable cause to believe that a child has been subjected to abuse or neglect or observes such child being subjected to conditions or circumstances which reasonably would result in abuse or neglect, he or she shall report such incident or cause a report to be made to the proper law enforcement agency or to the department on the toll-free number established by subsection (2) of this section. Such report may be made orally by telephone with the caller giving his or her name and address, shall be followed by a written report, and to the extent available shall contain the address and age of the abused or neglected child, the address of the person or persons having custody of the abused or neglected child, the nature and extent of the abuse or neglect or the conditions and circumstances which would reasonably result in such abuse or neglect, any evidence of previous abuse or neglect including the nature and extent, and any other information which in the opinion of the person may be helpful in establishing the cause of such abuse or neglect and the identity of the perpetrator or perpetrators. Law enforcement agencies receiving any reports of abuse or neglect under this subsection shall notify the state central registry on the next working day by telephone or mail.
- (2) The department shall establish a statewide toll-free number to be used by any person any hour of the day or night, any day of the week, to make reports of abuse or neglect. Reports of abuse or neglect not previously made to or by a law enforcement agency shall be made immediately to such agency by the department.

Nebraska Law, continued.

28-712 Repealed Laws 1992, LB 1184, s. 25.

28-713 Reports of abuse or neglect; laws enforcement agency; department, duties. Upon the receipt of a call reporting abuse and neglect as required by section 28-711:

It is the duty of the law enforcement agency to investigate the report, to take immediate steps to protect the child, and to institute legal proceedings if appropriate. In situations of alleged out-of-home abuse or neglect if the person or persons to be notified have not already been notified and the person to be notified is not the subject of the report, the law enforcement agency shall immediately notify the person or persons having custody of each child who has allegedly been abused or neglected that such report of alleged abuse or neglect has been made and shall provide such person or persons with information of the nature of the alleged abuse or neglected. The law enforcement agency may request assistance from the Department of Health and Human Services during the investigation and shall, by the next working day, notify either the hotline or the department of receipt of the report, including whether or not an investigation is being undertaken by the law enforcement agency. A copy of all reports, whether or not an investigation is being undertaken, shall be provided to the department.

In situations of alleged out-of-home abuse or neglect if the person or persons to be notified have not already been notified and the person to be notified is not the subject of the report, the department shall immediately notify the person or persons having custody of each child who has allegedly been abused or neglected that such report of alleged abuse or neglect has been made and shall provide such person or persons with information of the nature of the alleged abuse or neglect and any other information that the department deems necessary. The department shall investigate for the purpose of assessing each report to determine the risk of harm to the child involved. The department shall also provide such social services as are necessary and appropriate under the circumstances of protect and assist the child and to preserve the family.

The department may make a request for further assistance from the appropriate law enforcement agency or take such legal action as may be appropriate under the circumstances.

The department shall, by the next working day after receiving a report under subdivision (1) of this section, make a written report or a summary on forms provided by the department to the proper law enforcement agency in the county and enter in the central registry all reports opened for investigation of abuse or neglect and any action taken; and

The department shall, upon request, make available to the appropriate investigating law enforcement agency and the county attorney a copy of all reports relative to a case of suspected abuse or neglect.

Nebraska Law, continued.

28-713.01 Cases of abuse or neglect; completion of investigation; notice; when; contents.

Upon completion of the investigation pursuant to section 28-713:

- (1) In situations of alleged out-of-home abuse or neglect, the person or persons having custody of the allegedly abused or neglected child or children shall be given written notice of the results of the investigation and any other information that law enforcement agency or department deems necessary. Such notice and information shall be sent by first class mail; and
- (2) The subject of the report shall be given written notice of the determination of the case and whether the subject of the report will be entered into the central register pursuant to subdivision (1), (2), or (3) of the section 28-720. such notice to the subject shall be sent by certified mail to the subject's last-known address and shall include:

The nature of the report

The classification of the report; and

Notification of the subject's right to a hearing and appeal in accordance with section 280-723.

28-714 Privileged communications; not grounds for excluding evidence. The privileged communication between patient and physician, between client and professional counselor, and between husband and wife shall not be a ground for excluding evidence in any judicial proceeding resulting from a report pursuant to sections 28-710 to 28-717.

28-715 Abused or Neglected Child Registry; department; duties. The department shall file each report of suspected abuse or neglect in a special state Abused or Neglected Child Registry to be maintained in the department.

28-716 Person participating in an investigation or making report; immune from liability; civil or criminal. Any person participating in an investigation or the making of a report pursuant to the provisions of sections 28-710 to 28-717 or participating in a judicial proceeding resulting therefrom shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed, except for maliciously false statements.

28-717 Violations; penalty. Any person who willfully fails to make any report required by the provisions of sections 28-710 to 28-717, or knowingly releases confidential information other than as provided by sections 28-710 to 28-717, shall be guilty of a Class III misdemeanor.



How Child Welfare Organizations Work Together

28-713

■ Law enforcement:

- Investigate the report
- Take immediate steps to protect the child
- Institute legal proceedings if appropriate.
- May request assistance from the Department of Health and Human Services during the investigation
- Notify either the hotline or the department of receipt of the report, including whether or not an investigation is being undertaken by the law enforcement agency.
- All reports, whether or not an investigation is being undertaken, shall be provided to the department



28-713, continued.

■ Child Protective Services

- May make a request for further assistance from the appropriate law enforcement agency or take such legal action as may be appropriate under the circumstances.
- After receiving a report make a report to the proper law enforcement agency in the county
- Enter in the central registry all reports opened for investigation of abuse or neglect and any action taken
- Upon request, make available to the appropriate investigating law enforcement agency and the county attorney a copy of all reports relative to a case of suspected abuse or neglect.



Working together, continued.

■ Child Advocacy Centers

- Advocate for the child
- Coordinate resources
- Provide a central location for interview of children that reduces the need for multiple interviews
 - Video tape
 - Observation room
- Provides training to LE investigators and CPS caseworkers in “Small Voices” interviewing technique.



Working together, continued.

LB 1184 Teams

- Collaborative effort
- Child Protective Services, County Attorney, Law Enforcement, Child Advocacy Centers, Schools, additional family resources / support agencies.



Post Training Review



1. What may prevent a child from disclosing abuse?

- a. The child feels guilty / blames themselves.
- b. The child is afraid they will be in trouble.
- c. The doesn't want to get the perpetrator in trouble.
- d. The child thinks that no one will believe them.
- e. All of the above.



2. Why is it important to remain calm when a child discloses abuse?

- a. The child may believe you are angry with them.
- b. The child may feel protective of the perpetrator.
- c. The child may have mixed feelings about the abuse.
- d. The child may be afraid of hurting your feelings / making you upset.
- e. All of the above.



3. How might an inappropriate response from an adult negatively impact a child who is disclosing abuse?

- a. By increasing the likelihood that they will disclose to others.
- b. By adding to the child's sense of guilt and shame.
- c. By increasing the child's sense of trust in adults.
- d. By interfering with the legal system's ability to protect the child.
- e. Both B and D



4. To gather the best evidence in a case of child sexual abuse, the child should be interviewed by as many adults as possible.

a. True

b. False



5. Because the identity of the reporter is kept confidential, and you are allowed to make an anonymous report, there is no reason to provide your name and contact information when making a report.

- a. True
- b. False



6. Which of the following would not need to be reported?

- a. A sixteen year old girl's report that she was sexually abused at age 10.
- b. A five year old boy's report that he was molested by a 13 year old.
- c. The report of a girl known to "tell stories" that she was abused by her teacher.
- d. The observations of a teacher who found two ten year old boys disrobed and fondling each other in the bathroom.
- e. None of the above.



7. In the state of Nebraska, only doctors, teachers, and other professionals who work with children are legally mandated to report abuse.

a. True

b. False

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8. If a child discloses abuse, it is important that we:
 - a. Remain calm and respond in a supportive manner.
 - b. Communicate that the child is not at fault.
 - c. Listen without interrupting.
 - d. Report the abuse to appropriate authorities.
 - e. All of the above.