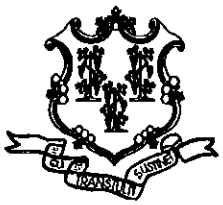
STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES



Public Hearing Testimony

Judiciary Committee
March 29, 2012

H.B. No. 5552 AN ACT CONCERNING THE PENALTIES FOR FAILURE TO REPORT CHILD ABUSE

The Department of Children and Families **supports** H.B. No. 5552 - An Act Concerning The Penalties for Failure to Report Child Abuse. This bill establishes a crime for interfering with a mandated reporter in fulfilling his or her responsibilities under section 17a-101a of the General Statutes and strengthens the penalty for the failure to report suspected child abuse or neglect.

According to the Child Welfare Information Gateway[1] published by the U.S. Department of Health and Human Services, 47 states and the District of Columbia impose penalties on mandatory reporters who knowingly or willfully fail to make a report when they suspect that a child is being abused or neglected. Failure to report is classified as a misdemeanor in 39 states. In Arizona, Florida, and Minnesota, misdemeanors are upgraded to felonies for failure to report more serious situations, while in Illinois second or subsequent violations are classified as felonies. Twenty states and the District of Columbia specify in the reporting laws the penalties for failure to report. Upon conviction, a mandated reporter who fails to report can face jail terms ranging from 10 days to 5 years or fines ranging from $100 to $5,000. In seven states, in addition to any criminal penalties, the reporter may be civilly liable for any damages caused by the failure to report.

The DCF Careline receives over 90,000 calls each year. This includes over 45,000 reports of suspected abuse or neglect, of which approximately 24,500 were accepted for investigation last year. About 70 percent of these reports came from mandated reporters. While the Department wishes to encourage education concerning the duties of mandated reporters, we believe that this legislation provides appropriate penalties for the failure to report and for interfering with a mandated reporter in the execution of their legal responsibilities.

---

[1] U.S. Department of Health and Human Services, Child Welfare Information Gateway, "*Penalties for Failure to Report and False Reporting of Child Abuse and Neglect: Summary of State Laws*", December 2009, http://www.childwelfare.gov/systemwide/laws_policies/statutes/reportall.pdf