

DETECTING AND REPORTING CHILD ABUSE IN DELAWARE

*Mandatory Reporters and the
Division of Family Services*

Our Community and Child Safety



The state of Delaware relies on our community partners to help keep Delaware's children safe.

Any person who suspects a child is not safe *should* make a report to the Division of Family Services.

The scope of services in DFS range from birth to 18 years of age.

1-800-292-9582

Delaware Law for Mandatory Reporters

Est. June 28, 1976; amended 1997.

16 Del.C. § 903. Reports Required

Any Physician, and any other person in the healing arts including any person licensed to render **services in medicine**, osteopathy, dentistry, any intern, resident, nurse, **school employee**, social worker, psychologist, medical examiner, or **any other person in good faith suspects child abuse or neglect.**

10 Delaware Code §901: Abuse

- (1) “Abuse or “abused child” means that a person:
 - a. causes or inflicts sexual abuse on a child
 - b. Has **care, custody, or control** of a child, and causes or inflicts:
 1. **Physical injury through unjustified force** as defined in §468 of Title 11;
 2. Emotional abuse;
 3. Torture;
 4. Exploitation; or
 5. Maltreatment or mistreatment

Delaware Statute Prohibits the Use of Unjustified Force

This includes but **is not limited to**:

- Throwing, kicking, burning, cutting, or striking a child with a closed fist;
- Interfering with breathing;
- Using or threatening use of a deadly weapon;
- Prolonged deprivation of sustenance or medication; or
- Doing any act that is likely to cause or cause physical injury, disfigurement, mental distress, unnecessary degradation or substantial risk of physical injury or death.

Physical Indicators of Child Abuse



Cuts, bite marks, pinch marks, bald patches, retinal hemorrhaging, and abdominal injuries may also be indicators of child abuse.

Injuries that are unexplainable or do not have a reasonable explanation may be a result of child abuse.

Physical Indicators of Child Abuse

Bruising and cuts around the wrists, neck, and ankles may indicate a child has been tied up or choked.

Bruises and cuts are suspicious when they occur in places not typical to play or an accident; welts on face, torso, stomach, back, thighs, upper arms, buttocks, bottoms of feet or palms.

Normal bruising on a child will have a reasonable explanation, and will occur on an obvious contact point; forehead, cheek bone, chin, elbows, shins, etc.

Other Observable Indicators

The marks may be in the **shape of an object** or injuries in ***various stages** of healing.

Fractures/dislocations that are **unexplained** and involve facial structure, skull, bones around joints, or ***spiral fractures**.

Burns on the palms of the hand, soles of the feet, buttocks or the back that may reflect a **pattern of a cigarette**, cigar, electrical appliance, rope, or **immersion burns** may be the result of child abuse.

Behavior Indicators of Abuse

The abused child may display a wide range of behaviors which can include reporting injuries from their caregiver.

Other behavioral indicators may be:



- Overly shy and avoids contact with adults.
- Afraid to go home, or requests to stay at school.
- Cries excessively, easily agitated, or sits and stares.
- Flinches when touched.

Behavior Responses to Abuse?

The child's response to the abuse may vary, depending on their age and/ or other factors such as:

- The nature of the child's relationship with the abuser.
- The frequency of the abuse.
- The type of abuse.
- The length of time the abuse occurs.
- The availability of supports to the child.
- The constitutionality of the child.



Physical Indicators of *Child Sexual Abuse*



- Complaints of pain or irritation of the genitals
- Sexually transmitted diseases
- Pregnancy
- Frequently unexplained sore throats, yeast or
- Urinary tract infections
- Complain of pain while sitting or playing.

Physical Indicators of *Child Sexual Abuse*



- Be overly aggressive.
- Soil underwear.
- Be fascinated with fire.
- Touch others inappropriately or have a more sexualized play
- Enticing peers to engage in excessive masturbation.
- Age inappropriate sexual knowledge.*

Behavior Indicators of *Child Sexual Abuse*

- Excessive masturbation
- Sexual knowledge beyond the child's developmental level
- Depression and suicide attempts
- Chronic runaways
- Avoidance of certain adults and places
- Decline in school performance

How does Delaware define neglect?

10 Delaware Code § 901: Neglect

(18) “Neglect” or “neglected child” means that a person who is **responsible** for the care, custody, and/or control of the child and who also **has the ability** and financial means to provide for the care of a child; and



10 Delaware Code § 901: Defining Neglect

1. and fails to provide necessary care with regard to: food, clothing, shelter, education, health, medical, or other care necessary for the child's emotional, physical or mental health, or safety and general well-being;
2. Chronically and severely abuses alcohol or a controlled substance, is not active in the treatment for such abuse, and the abuse threatens the child's ability to receive care necessary for that child's safety and general well-being; or

10 Delaware Code § 901: Defining Neglect

3. and fails to provide necessary supervision appropriate for a child when the child is unable to care for that child's own basic needs or safety, after considering such factors are the child's age, mental ability, physical condition, the length of the caretaker's absence, and the context of the child's environment.

In making a finding of neglect under this section, consideration may be given to dependency, neglect, or abuse history of any party.



Child Neglect: Physical Indicators

Neglected children may be significantly below normal in height and weight for their age;

may appear in inappropriate, chronically dirty or ill fitting clothes and shoes; may report being unsupervised or poorly supervised;

and/or may be living in homes with no heat, electricity, water, or sanitary living conditions.

Child Neglect: Physical Indicators



Neglected children may have poor hygiene, body odor, lice, or scaly skin.

Neglected children may not be receiving medical or dental care.

Some Behavioral Indicators of Child Neglect?

Neglected children will often assume adult responsibilities; may run away from home;

may be chronically hungry, beg for,

or steal food; and/or show a lack of interest in trying new tasks.

Other Behavioral Indicators

Children who are neglected will often fall asleep in school, are chronically tardy, and/or have poor attendance.

Neglected children can be excessively emotionally needy.



What does the trauma of Abuse and Neglect have on Children?

Exposure to abuse and neglect may cause significant impact on one or more developmental domains.

The coping strategies often developed by abused and neglected children are socially unacceptable; aggression, stealing, lying, yelling, tantrums, inattentive, lack of social skills, inability to follow direction, and unable to play cooperatively.

Where is abuse or neglect more likely to occur?



Child abuse and neglect can occur in any family,

regardless of culture, socio-economic status, neighborhood, or level of education.

Behaviors Associated with Abusive and Neglectful Parents

- They are often reactive and have arbitrary consequences for misbehaviors that are inconsistently applied.
- They lack a daily routine.
- They infer behavioral expectations rather than explain them to the child.

Behaviors Associated with Abusive and Neglectful Parents

- They possess little understanding of actions leading to consequences.
- They feel justified in their behaviors.
- They blame the child with a “they made me do it” mentality.
- They lack patience.

Characteristics of Abusive Parents

- Socially isolated; few family members or friends
- Drug and/or alcohol involvement
- Domestic violence
- Self-focused rather than child-focused
- Emotional immaturity
- Little, if any, emotional control
- Show aggression towards animals

If you suspect a child is being abused or neglected...

DO NOT interview the child multiple times.

DO NOT take pictures of the injuries or ask the child to undress.

DO NOT notify the parent or caregiver*

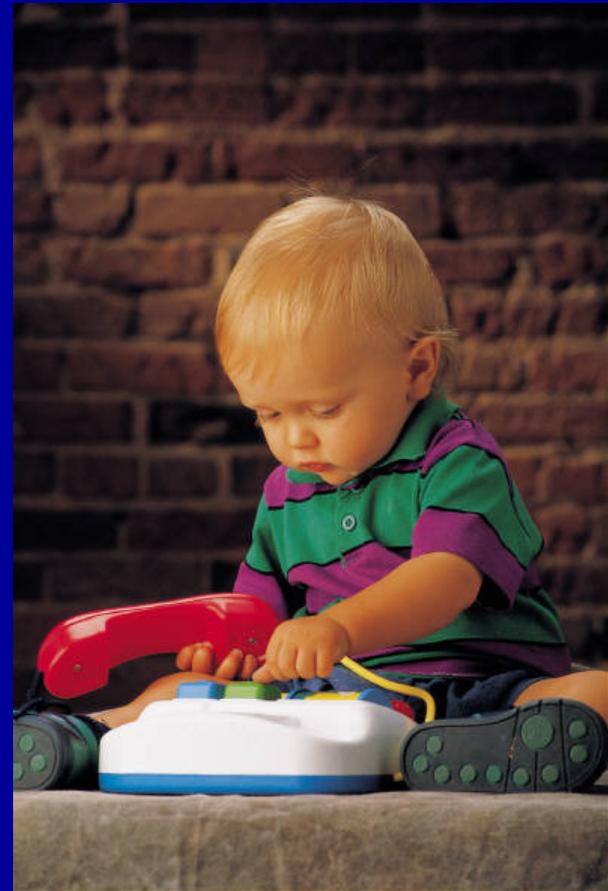
** DFS or the police will notify parents if necessary*

DFS operates a 24 hour hotline which can be accessed by dialing:

1-800-292-9582

When abuse is suspected, mandatory reporters are required to contact the Division of Family Services. The Division also investigates when children are at risk of being abused or neglected.

DFS Hotline



When Reporting Child Abuse

The caller will be asked:

- the child's name, date of birth, parent contact information, and the current location of the child.
- to identify their relationship to the child and to detail the suspected abuse or neglect.

The caller will need to be as descriptive as possible, including the location of the injuries, as well as behaviors and appearances that raise concern.

Reporting Child Abuse

Any **first hand** information on the parents' behaviors; presence of parental violence, animal abuse, drug/alcohol abuse, mental illness, or domestic violence should also be reported.

It is the policy of DFS to **not** reveal the reporter's name to the family. When reports are made from schools, it is helpful to know who the reporter is in case we have follow up questions.

Anyone acting in good faith, who reasonably believes a child is being abused or neglected is protected under the law. Reporters shall have immunity from any liability; civil or criminal.

Mandatory Reporting Form

A MANDATORY REPORTING FORM is available online at:

<http://kids.delaware.gov/information/school.shtml>

Or by entering Delaware Mandatory Reporting Form on the search line of the internet.



Investigation

Upon acceptance, a report of the alleged abuse or neglect is assigned to an investigator who will conduct an investigation in accordance with State policy.

Information from collateral contacts is obtained during an investigation.

For example, DFS may contact day cares, teachers, and doctors for basic information regarding health, appearance, attendance, and observations of the family.

Contact will be made in person, via phone, or written correspondence. Any professional receiving this type of request from the division should respond promptly and fully in order to expedite the division's decision regarding the child's safety.

Memorandum of Understanding (MOU)

The Division of Family Services has a Memorandum of Understanding with the Department of Education permitting information to be shared.

The web address for the school MOU can be found at:
<http://www.doe.k12.de.us/DOEDSCYFMOU.pdf>

Want to learn more?

For further information about DFS, child abuse, and the Department of Services for Children, Youth & Their Families can be found at:

<http://kids.delaware.gov/information/information.shtml>



Thank you.