



# POLICY AND PROCEDURE

# NO.545

## Abuse/Neglected Children

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### GENERAL CONSIDERATIONS AND GUIDELINES:

Under Massachusetts law, M.G.L. C.119, sec.51A, police officers are one of certain professions required in relation to performing their duties to report suspected cases of child abuse or neglect. As mandatory reporters, police officers are to make a report to the Department of Social Services (DSS) if, during the course of their activities, they have reasonable cause to believe that a child under eighteen has been abused, neglected, or is physically dependent on an addictive drug at birth.

When, in good faith, an officer reports a suspected case of abuse or neglect, they will be immune from civil or criminal liability. Failure to report abuse or neglect could enact a penalty of a fine up to \$1000.

### DEFINITIONS:

Abuse means the occurrence of at least one of the following acts between family or household members:

- a. attempting to cause or causing physical harm;
- b. placing another in fear of immediate serious physical harm; or
- c. Causing another to engage involuntarily in sexual relations by force, threat of force, or duress.

### REPORTING REQUIREMENTS:

Anytime a case of child abuse or neglect is suspected, the Department of Social Services must be contacted immediately. A written report must then be filed with DSS within forty-eight (48) hours. The written report should contain:

- a. names and addresses of the juvenile and parents, if known;
- b. the juvenile's age and sex;
- c. the nature and extent of the injuries, including evidence of prior incidents;
- d. the circumstances under which the juvenile's injuries became noticed;
- e. whatever action, if any, taken to assist the juvenile; and
- f. The officer's name.

### PROCEDURES FOR REPORTING:

In all cases of suspected child abuse or neglect the information mandated by M.G.L.119, s.51A will be telephoned to DSS as soon as possible.

After normal business hours, on holidays and weekends, Judge Baker Hotline # 1-800-922-8169 should be contacted to provide services for the reported abused and neglected children and for families in time of crisis. When notified Judge Baker Hotline personnel will evaluate the situation and determine what type of service are necessary, including taking children into temporary custody.

The telephone numbers of these agencies and preprinted forms to facilitate making the formal written to DSS are available at Service Division.

**SPECIAL INSTANCES:**

Police officers frequently encounter a child without parental or custodial supervision either due to the absence or as a result of an arrest. When this occurs, the police officer should attempt to place the child with a responsible family member. If this is not possible, the Department of Social Services, 340 Main St. can be notified and they will provide care for the child.

When the child's caretaker is arrested and is to be released within a reasonably short time, the child may be temporarily cared for at the police department. If the child is in need of medical care, it should be provided immediately.

Per:

*Edward P. Gardella*  
Chief of Police

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