



## The Children's Law Center of Indiana

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### The Duty to Report Child Abuse

The reporting of child abuse and neglect is the foundation upon which the entire child protection system is built. Mandatory reporting laws are critical in discovering and responding to allegations of child abuse. Every state has a child abuse reporting law. While many states apply the law only to professionals (like physicians or teachers or mental health providers), it is important to remember that in Indiana **any person who has reason to believe that a child is a victim of child abuse or neglect has an affirmative duty to make a report to Child Protective Services (CPS) or to law enforcement.** In other words, the child abuse reporting law in Indiana applies to everyone, not just professionals. A person who fails to make a report, in fact, may be charged with Failure to Report Child Abuse, a Class B misdemeanor that could result in a \$1000 fine and 180 days in jail. Any child abuse report that you make can be made anonymously. Your identity is protected by state confidentiality laws. You cannot be sued by the person you report even if CPS later finds that there was no substantiated abuse or neglect. However, if you make a report in bad faith (that is, knowing the report is false), you may be charged with a Class A misdemeanor and be held liable to the person falsely accused. Bear in mind, though, that the law presumes all child abuse reports are made in good faith. Remember also that when you make a child abuse report, you are only reporting *suspected* child abuse. You are not making a legal determination as to whether a child has been abused or neglected as defined by Indiana law. By making the report, you are simply discharging your duty under state law. It will be the responsibility of Child Protective Services to determine whether child abuse or neglect has actually occurred.

**If you have reason to believe a child is a victim of child abuse or neglect, call the Indiana State Child Abuse Hotline by dialing 1-800-800-5556.**

**If the line is busy or you can't get through, call your county Child Protective Services office or local law enforcement.**