



“For parents impacted, by parents impacted.”

## An Analysis of Rise’s Mandated Reporting Surveys & A Call to Action

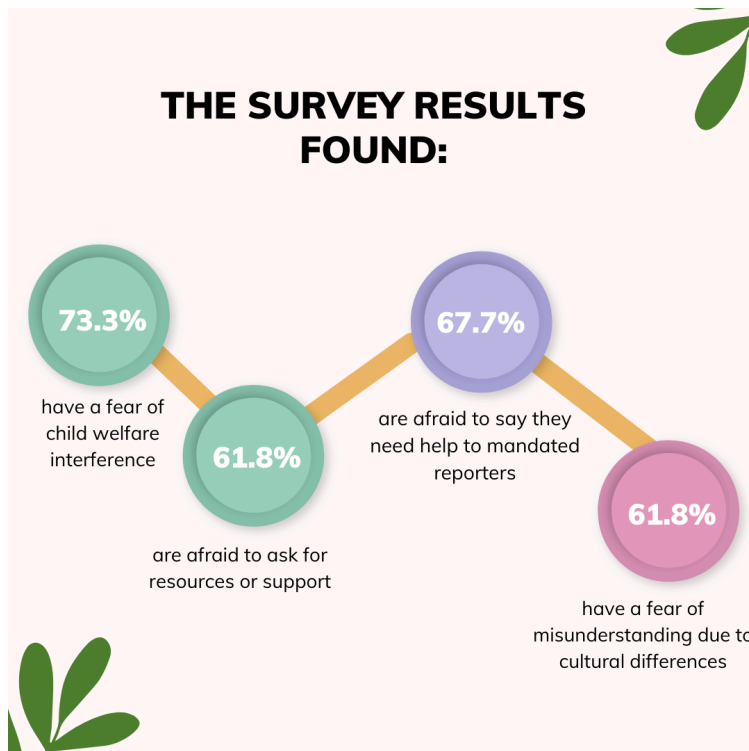
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### **What is Mandated Reporting?**

Mandated reporting refers to the **legal obligation to report abuse and neglect**. Mandated reporters are individuals or agencies that are legally required to make these reports. In the United States, mandated reporting laws vary significantly. The Rape, Abuse, and Incest National Network (RAINN) allows you to look up mandated reporting laws for your state.

**What is a mandated reporter?** Mandated reporters are people required by law to report suspected or known instances of abuse and neglect. In most states, mandated reporters are designated by their profession. Here is a full list of mandated reporters in New York State.

- In some states, all adults are considered mandated reporters. Because mandated reporter laws vary by state, understanding who a mandated reporter is can feel confusing.
- Mandated reporters have an individual duty to report known or suspected abuse or neglect relating to children, elders, or dependent adults.



Our Parents’ Platform Organizing Team conducted a survey from March 2023 to August 2023 on parents’ experiences and attitudes towards mandated reporting. *Figure 1.1 Courtesy of Rise, survey findings from Mandated Reporting Survey (2023).*

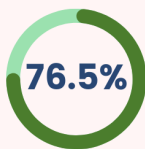
### **How is MR harming our communities?**

Rise’s parents have shared their testimonies with mandated reporting, and the traumatic effects it has had on their families. Some similarities in each of their stories reflect- child

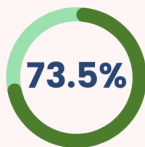
welfare framing poverty as neglect, communities of color are being disproportionately targeted, and surveilled for child removal. The current structure of mandated reporting in New York State fails to protect and serve children and families. Instead, mandated reporting is the first step in the pipeline into the harmful family policing system. Poverty is conflated with neglect—and 74% of reported “maltreatment” allegations in NYC are for neglect. Parents—predominantly Black and brown women—are criminalized for surviving conditions of poverty, making it virtually impossible for low-income communities of color to avoid family policing system involvement. This broad category of neglect accounts for 76% of all “child maltreatment” allegations made to New York City’s Administration for Children’s Services (ACS). About two-thirds of reports to the Statewide Central Registry (SCR) are made by mandated reporters—“certain professionals mandated by New York State law to report suspected child abuse and neglect.” The current structure does not hold space for parents to ask for support, advocate for their children’s needs, struggle with societal conditions of poverty and racism, discuss family conflict, concerns and challenges—or make mistakes, as all people do.

Mandated reporting also harms the reporters themselves, putting them in a compromising position. Both mandated reporters and parents experience fear about mandated reporting, which fosters an environment of harm and punishment, rather than support. Mandated reporters are legally obligated to make reports and may do so out of fear of losing their professional licenses, or being held accountable if a child were to be harmed. As for parents, the threat of a call to ACS deters parents/families from seeking help, as they assume any sign of crisis will result in an SCR report. Many mandated reporters are not aware of what an investigation entails and the long-term traumatic impact it has on families, and may even view the family policing system as a source of resources.

### HOW PARENTS FEEL AROUND MANDATED REPORTERS:



of parents experience anxiety



of parents experience judgement and shame



of parents experience trauma

Figure 1.2. Courtesy of Rise

Additionally, current mandated reporting laws are usually interpreted strictly, despite the fact that they leave room for discretion. Mandated reporters aren’t required to report risk—the law requires them to report suspected abuse or neglect. Professionals working in mandated reporter roles can connect families with support needs to resources, rather than reporting, and can speak out about the harm of mandated reporting.

#### What is Rise doing to decrease MR?

To address the problems with mandated reporting, we propose better training that reflects the reality of what Mandate reporting families can entail, especially,

for school personnel and medical staff as this is where most of the calls are coming from. Staff are making calls due to what was learned in MR training.

One school personnel stated, At times we just don't have time and energy to be with the parents to better understand what they need, listen and support with resources. We would hope the hotline we call will provide those things to the family.

One of our [peer trainers](#) experienced a case due to tardiness and her child's behaviors.

*"The school called and said that they were sending my son to the family friend's house, because that was what he wanted—and that they had reported me to ACS. I was furious. Why couldn't the school help me when I had asked the dean, guidance counselor and social worker for help and resources? Why couldn't they meet with me first to ask about what my son said? I would have spoken truthfully. But because school employees are mandated to report so-called "abuse," they called ACS. -*

*Zoraida Ramirez*

Another parent, who would like to remain anonymous shared, *"Hospital staff are going by their own protocol, often initiating investigations. Since I had a history of abusing recreational drugs....they told me, "we don't feel it's safe for her daughter to be in her care". This was completely contradictory to my negative drug tests and testimonials from my daughter's doctor that she was healthy and had no drugs in the system ....law enforcement even said there was no evidence of neglect or drug use."*

<sup>1</sup>

The feedback that is heard from parents is that they are scared of mandated reporters and are afraid of asking or seeking support. Which then keeps families hiding their struggles due to the fear of child welfare taking their child, when all a parent needed was a helping hand.

Another parent said, *".....I now see why a lot of victims just remain silent. I felt constantly shamed by all those sheriffs, nurses, and CPS workers. I was a victim coming out of an extremely hostile situation. I was judged, victim blamed.....(Beth S.)"*

### **Rise's plans on reducing MR calls in the next few years:**

In 2021, Rise worked with parents and community partners and developed [Someone to Turn To: A Vision of Creating Networks of Parent Peer Care](#). In the [Peer Program](#), we have reimagined what parents say they wanted and needed: a source of support outside of the child welfare system—parents are building a new network of healing, care and peer to peer support to reduce the mandated reporting in community-based organizations and schools in NYC.

The Peer Program is training parents as peer supporters in communities highly impacted by ACS and informing parents of resources available in a resource guide.

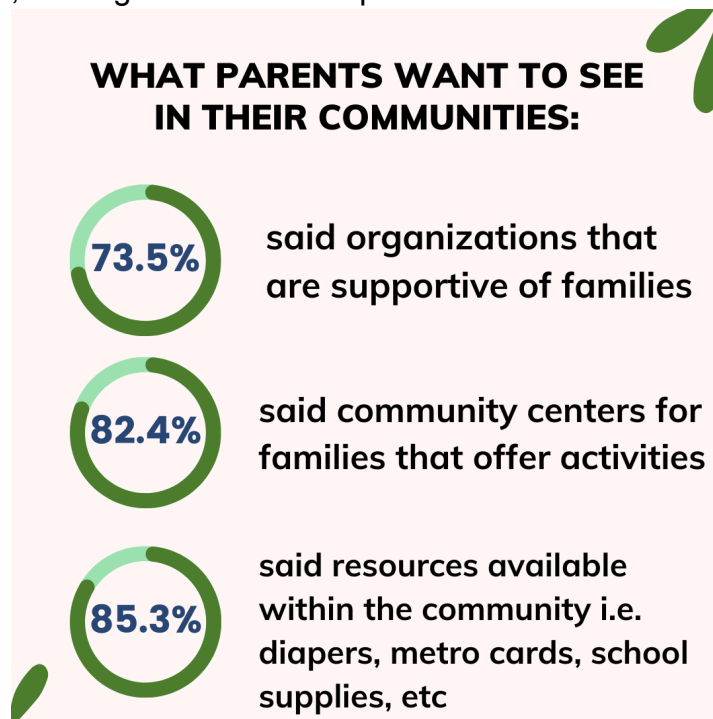
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<sup>1</sup>This quote has been loosely edited to protect the parent's identity and for clarity.

They are currently in the process of making sure the info is accurate by visiting the sites and making sure they're parent-friendly and not connected to ACS. It's difficult because so many people are mandated reporters. Calls can be due to lack of resources, lack of supervision, so the peer program wants to assure that parents are genuinely supported.

### Recommendations:

- Immediately, schools should review the protocols mandated reporters follow and implement a new model that follows a framework of supporting families when issues arise. Designating school staff as mandated reporters breeds distrust between teachers (and other school personnel) and families, making school another place of harm in the community.



*Figure 1.3. Courtesy of Rise*

- Require all City and City-contracted agencies to engage in organizational review processes to identify and address existing internal policies that drive staff to make hotline calls instead of directly serving and supporting families—as well as policies that are working well to address family support needs.
  - Organizations and institutions with mandated reporters on staff, such as shelters, schools and hospitals, should review their existing policies and develop concrete plans for increasing the number of direct support referrals they make and decreasing the number of hotline calls.
  - For example, a lack of school guidance counselors may lead to reports instead of support. The City Council's Committee on General Welfare could oversee the implementation of these public action plans.

- OCFS has begun to rethink MR training to build on our concepts on supporting families versus reporting: Our hope is that the training continues to be relooked yearly as policies are shifting to support families. We would like to see updates on all mandated reporter training and protocols immediately to distinguish poverty-related neglect from child endangerment and abuse and to address family support needs directly. This can begin to reduce the number of reports, shrink reliance on the system and effectively connect families to resources.
- Train mandated reporters to understand that a report is not a referral to services and should not be misused for that purpose.
- Mandated reporter training should identify potential consequences of reporting and the harm of family separation.
- Provide clear standards for recognizing the difference between poverty and neglect and resources for responding to poverty-related needs (e.g., food, clothing, housing concerns).
- Set clear limits for when a mandated reporter can be held criminally liable for not making a report.
- Any organization that employs mandated reporters should be required to develop a clear, written internal process to assess concerns and options and determine whether a report is required. The process should identify and define steps to connect families to resources and support prior to making a hotline report, except in cases of suspected physical or sexual abuse or imminent risk. Protocols should emphasize the importance of engaging directly with parents and families and connecting parents to legal representation if a report will be made.

This is merely the beginning of a long-term project to change mandated reporting into mandated supporting and in collaboration with our Peer Program, we'll continue to do the work ensuring parents are supported and given the resources they need. With this report, we hope it raises awareness about the harms of mandated reporting to families, children, and their communities.

**Acknowledgements:** We would like to thank all the parents that participated in completing our surveys and wrote testimonials. We would also like to thank our Executive Director, Jeanette Vega-Brown, and all of Rise's staff, funders, and supporters. We couldn't do this work without you.