



## What Is Abuse and Maltreatment?

### **Abuse**

Abuse encompasses the most serious injuries and/or risk of serious injuries to children by their caregivers. An abused child is one whose parent or other person legally responsible for his or her care inflicts serious physical injury upon the child, creates a substantial risk of serious physical injury, or commits a sex offense against the child. Abuse also includes situations where a parent or other person legally responsible knowingly allows someone else to inflict such harm on a child.

### **Maltreatment (Includes Neglect)**

Maltreatment means that a child's physical, mental or emotional condition has been impaired, or placed in imminent danger of impairment, by the failure of the child's parent or other person legally responsible to exercise a minimum degree of care by:

- \* failing to provide sufficient food, clothing, shelter, education;
- or**
- \* failing to provide proper supervision, guardianship, or medical care (*refers to all medical issues, including dental, optometric, or surgical care*); or
- \* inflicting excessive corporal punishment, abandoning the child, or misusing alcohol or other drugs to the extent that the child was placed in imminent danger.

Poverty or other financial inability to provide the above is not maltreatment.

**Note:** *The definitions of abuse and maltreatment are different for children in residential facilities operated or licensed by the state.*

## How Do I Recognize Child Abuse and Maltreatment?

The list that follows contains some common indicators of abuse or maltreatment. This list is not all-inclusive, and some abused or maltreated children may not show any of these symptoms.

### **Indicators of Physical Abuse Can Include:**

- \* Injuries to the eyes or both sides of the head or body (*accidental injuries typically only affect one side of the body*);
- \* Frequent injuries of any kind (*bruises, cuts, and/or burns*), especially if the child is unable to provide an adequate explanation of the cause. These may appear in distinctive patterns such as grab marks, human bite marks, cigarette burns, or impressions of other instruments;
- \* Destructive, aggressive, or disruptive behavior;
- \* Passive, withdrawn, or emotionless behavior;
- \* Fear of going home or fear of parent(s).

### **Indicators of Sexual Abuse Can Include:**

- \* Symptoms of sexually transmitted diseases;
- \* Injury to genital area;
- \* Difficulty and/or pain when sitting or walking; Sexually suggestive, inappropriate, or promiscuous behavior or verbalization;
- \* Expressing age-inappropriate knowledge of sexual relations;
- \* Sexual victimization of other children.

### **Indicators of Maltreatment Can Include:**

- \* Obvious malnourishment, listlessness, or fatigue;
- \* Stealing or begging for food;
- \* Lack of personal care—poor personal hygiene, torn and/or dirty clothes;
- \* Untreated need for glasses, dental care, or other medical attention;
- \* Frequent absence from or tardiness to school;
- \* Child inappropriately left unattended or without supervision.



## Where Do I Call to Make a Report?

As soon as you suspect abuse or maltreatment, you must report your concerns by telephone to the New York Statewide Central Register of Child Abuse and Maltreatment (SCR). The SCR is open 24 hours a day, seven days a week, to receive your call. The timeliness of your call is vital to the timeliness of intervention by the local department of social services' Child Protective Services (CPS) unit. You are not required to notify the parents or other persons legally responsible either before or after your call to the SCR. In fact, in some cases, alerting the parent may hinder the local CPS investigation and adversely affect its ability to assess the safety of the children. The telephone numbers to report abuse or maltreatment by a parent, foster care or day care are:

**Mandated Reporter (800) 635-1522**  
**Public Hotline (800) 342-3720**  
**For Abuse by Institutional Staff:**  
**1-855-373-2122**

Oral reports to the SCR from a mandated reporter must be followed within 48 hours by a written report to the local department of social services' CPS unit on form **LDSS-2221A**.

A copy of this form and the local mailing address can be obtained by contacting your local department of social services, or by visiting the New York State Office of Children and Family Services (OCFS) website at [ocfs.ny.gov](http://ocfs.ny.gov). Click on "Forms", then click on "Try a keyword search...", enter the form number in the box and click "Find".

To contact your local department of social services, click here: <http://ocfs.ny.gov/main/localdss.asp>

## What Happens When I Call the SCR?

There may be times when you have very little information on which to base your suspicion of abuse or maltreatment, but this should not prevent you from calling the SCR. A trained specialist at the SCR will help to determine if the information you are providing can be registered as a report.

The **LDSS-2221A Mandated Reporter** form can be used to help you organize the identifying or demographic information you have at your disposal. Be sure to ask the SCR specialist for the "Call I.D." assigned to the report you have made.

If the SCR staff does not register the child abuse or maltreatment report, the reason for their decision should be clearly explained to you. You may also request to speak to a supervisor, who can help make determinations in difficult or unusual cases.

## Local CPS Role and Responsibilities

When a report is registered at the SCR, the local department of social services is immediately notified for investigation and follow-up. A local CPS caseworker will initiate an investigation within 24 hours.

CPS intervention consists of an evaluation of the child and other children in the home and the development of a plan to meet the needs of the child and family. If there is an immediate threat to the child's life or health, CPS may remove the child from the home.

Upon request, CPS may obtain from the mandated reporter those records that are essential to a full investigation of alleged child abuse and maltreatment for any report made by the mandated reporter. The mandated reporter must determine which records are essential to the full investigation and provide those records to CPS when requested to do so.

Within 60 days of initiating the investigation, CPS will determine whether the report is indicated or unfounded. Mandated reporters may ask to be informed of the outcome of the report.

## Law Enforcement Referrals

If a call to the SCR provides information about an immediate threat to a child or a crime committed against a child, but the perpetrator is not a parent or other person legally responsible for the child, the SCR staff will make a Law Enforcement Referral (LER). The relevant information will be recorded and transmitted to the New York State Police Information Network or to the New York City Special Victims Liaison Unit. This is not a CPS report, and local CPS will not be involved.