

Who are Mandated Reporters?

Louisiana Children’s Code Art. 603 defines “mandatory reporter.” They are any of the following individuals:

- Health Practitioner
- Mental Health/Social Service Practitioner
- Member of the Clergy
- Teaching or Child Care Provider
- Police Officers or Law Enforcement Officials
- Commercial Film & Photographic Print Processor
- Mediators
- Parenting Coordinators
- Court-Appointed Special Advocates (CASA)
- Organizational or Youth Activity Provider
- Coaches
- Foster Parents
- Group Home Staff Members
- DCFS and Office of Juvenile Justice employees with supervisory or disciplinary authority over children
- Probation Officers

Depending on who perpetrated the alleged abuse/neglect, a report must be submitted to either Law Enforcement or DCFS, and in some situations to both agencies.



How to Report Suspected Abuse/Neglect to DCFS

Call toll-free 1-855-4LA-KIDS (855-452-5437) to speak with a trained specialist 24 hours a day, 7 days a week; **OR** for reports of alleged abuse/neglect that do not require immediate assistance, submit a report online through the DCFS Mandatory Reporter Portal found at https://mr.dcfsl.gov/c/MR_PortalApp.app; **OR** make a report from any DCFS Child Welfare office.

Per Louisiana law, reports made orally must be followed by a written report to DCFS within five days. This may occur by entering a follow-up report online through the Mandatory Reporter Portal or by mailing a CPI-2 form to the DCFS Centralized Intake Office, P.O. Box 3318, Baton Rouge, LA 70821. The online portal and the CPI-2 form are available on our website, dcfs.la.gov.

To report suspected child abuse or neglect to DCFS, call toll-free 1-855-4LA-KIDS (855-452-5437) to speak with a trained specialist 24 hours a day, 7 days a week.

Mandated Reporters may make reports of non-emergent child abuse and/or neglect online through the [DCFS website](http://dcfs.la/report). Reports involving child fatalities, drug-exposed newborns, human trafficking, life-threatening injuries, sexual abuse, and/or when a child is in immediate risk of serious harm should NOT be made through the online portal, but called in to the Hotline.

Related Requirements for Reporting to Law Enforcement

La. R.S. 14:403 mandates any person who is 18 years of age or older who witnesses the sexual abuse of a child to report the abuse to law enforcement or the Department of Children and Family Services as required by Children’s Code Article 610.

La. R.S. 14:131.1 mandates any person having knowledge of the commission of any homicide, rape, or sexual abuse of a child to report such information to a law enforcement agency or district attorney, except when the person having such knowledge is bound by any privilege of confidentiality recognized by law.



To learn more about reporting child abuse or neglect:



<http://dcfs.la/report>

To learn more about being a mandatory reporter:



<http://dcfs.la/reporters>

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DCFS Form CPI-P2, Issued: 8/25 Replaces: 6/19

Mandated Reporters of Child Abuse and Neglect

Who you are, and what you need to know



What is Abuse and Neglect?

The Louisiana Children’s Code provides the following definitions of abuse and neglect by a parent or caretaker:

“**Abuse**” is any one of the following acts that seriously endanger the physical, mental, or emotional health and safety of the child:

- The infliction, attempted infliction, or, as a result of inadequate supervision, the allowance of the infliction or attempted infliction of physical or mental injury upon the child by a parent or any other person.
- The exploitation or overwork of a child by a parent or any other person, including but not limited to commercial sexual exploitation of the child.
- The involvement of the child in any sexual act with a parent or any other person, or the aiding or toleration by the parent, caretaker, or any other person of the child’s involvement in any of the following:
 - Any sexual act with any other person.
 - Pornographic displays.
 - Any sexual activity constituting a crime under the laws of this state.
 - A coerced abortion conducted upon a child
 - Female genital mutilation as defined by R.S. 14:43.4.



“**Neglect**” is the refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness, or condition of the child, because of which the child’s physical, mental, or emotional health and safety is substantially threatened or impaired. Neglect includes prenatal neglect.

Consistent with Article 606(B), ***the inability of a parent or caretaker to provide for a child due to inadequate financial resources shall not, for that reason alone, be considered neglect.*** Whenever, in lieu of medical care, a child is being provided treatment in accordance with the tenets of a well-recognized religious method of healing that has a reasonable, proven

record of success, the child shall not, for that reason alone, be considered to be neglected or maltreated. However, nothing herein shall prohibit a court from ordering medical services for the child when there is substantial risk of harm to the child’s health or welfare.

“**Prenatal neglect**” means exposure to chronic or severe use of alcohol or the unlawful use of any controlled dangerous substance, as defined by R.S. 40:961 et seq., or in a manner not lawfully prescribed, which results in symptoms of withdrawal in the newborn or the presence of a controlled substance or a metabolic thereof in his body, blood, urine, or meconium that is not the result of medical treatment, or observable and harmful effects in his physical appearance or functioning.

A **Physician Notification** is required if a newborn exhibits symptoms of withdrawal or other observable and harmful effects in his appearance or functioning that a physician believes are due to the use of a controlled dangerous substance in a lawfully prescribed manner by the mother during pregnancy. Reporting requirements can be found on our website at <http://www.dcfslouisiana.gov/page/substance-exposed-newborns-reporting>.



When to Report Abuse/Neglect

The Louisiana Children's Code (Article 610) specifies that mandated reporters shall make reports immediately upon learning of incidents of child abuse or neglect.

Contact DCFS when you believe a child may have been abused or neglected by an individual that the agency is authorized to assess and/or investigate.

Contact your local or state law enforcement agency when you have reason to believe the perpetrator is:

- a teacher, instructor, administrator, staff person, school bus driver, teacher aide, paraprofessional, food service worker, or employee of any public or private elementary, secondary, vocational-technical training, special, or postsecondary school, city, parish, or other local public school board, if the abuse or neglect is perpetrated on a student

- another child who does not reside in the same residence for cases of suspected sexual abuse
- any other suspected perpetrator not defined above.

Dual reporting to both DCFS and law enforcement is allowed and, in some situations, mandated.

ANY INDIVIDUAL with knowledge of a homicide, rape, or child sexual abuse is required by law to report this information to Law Enforcement.

Who Does DCFS Investigate?

1. A "caretaker", defined as any person legally obligated to provide or secure adequate care for a child, including a parent, tutor, guardian, legal custodian, foster parent, an operator or employee of a residential or treatment facility licensed by DCFS or the Louisiana Department of Health; or other person providing a residence for the child.
2. A person who maintains an interpersonal dating relationship with a parent or caretaker.
3. A person living in the same residence as a parent, caretaker, or child.
4. An employee or operator of an early learning center or registered family child day care home.
5. An indeterminable individual when reported by a mandatory reporter, but the reporter suspects that the abuse occurred at a child’s residence.

DCFS’ Role When Child-on-Child Sexual Abuse Occurs

DCFS conducts investigations involving child-on-child sexual abuse when the caretaker is allegedly culpable. When child-on-child sexual abuse occurs in the home, without allegations of caretaker responsibility, a family assessment is conducted.

For child-on-child sexual abuse that occurred in a school setting, DCFS will conduct family assessments with the children and families involved.

What are Possible Outcomes for Mandated Reporters?

Any person who is required to report the abuse or neglect of a child and knowingly and willfully fails to do so shall be fined not more than \$500, imprisoned for not more than six months, or both. If the abuse is sexual or results in serious bodily injury, neurological impairment, or death of the child, a mandated reporter who knowingly and willfully fails to report it shall be fined not more than \$3,000, imprisoned, with or without hard labor, for not more than three years, or both.

Any person who has knowledge of the commission of any homicide, rape, or sexual abuse of a child and fails to report or disclose it to a law enforcement agency or district attorney, unless bound by privilege of confidentiality recognized by law, shall be fined not more than \$500, or imprisoned, with or without hard labor, for not more than one year, or both.

Any person 18 or older who witnesses the sexual abuse of a child and knowingly and willfully fails to report to law enforcement or DCFS, as required by Children’s Code Article 610, shall be fined not more than \$10,000, imprisoned, with or without hard labor, for not more than five years, or both.

You may be requested to testify regarding any incident of which you have direct knowledge if the case becomes the subject of legal or judicial action.

State law protects the identity of all mandated reporters, and you are given immunity from legal liability as a result of reports you make in good faith.

