



## Non-caregiver Abuse: Addressing Unintended Consequences

**Background:** Last session, the legislature passed HB 1355, which required the Department of Children and Families (DCF) to accept calls for non-caregiver abuse. DCF would not investigate these calls, but instead would send the allegations to the local Sheriff's Office where the alleged abuse occurred. The new law broadens *who* reports *what* to the DCF Abuse Hotline – requiring every member of the public to report all known and suspected child abuse to the DCF Abuse Hotline for incidents involving noncaregivers.

This *exponentially increases* the number of calls to the Abuse Hotline and those transferred to Sheriff's Offices around the State. This would include any alleged perpetrator over the age of 18 who is not in a caregiver role (which is a parent, teacher, or coach) and allegedly abuses someone under the age of 18. The new law also increased the penalty for any individual who fails to report child abuse to a third degree felony.

The Florida Sheriffs Association, DCF, the Florida Department of Law Enforcement, and the Florida Police Chief's Association came together for a series of webinars and training sessions on how best to implement HB 1355, and through that process determined some unintended consequences resulting from this new law.

**Issue:** When the law went into effect, two unintended consequences of the bill became apparent: duplicate reporting and circular reporting.

Because the law requires every person to report noncaregiver abuse, law enforcement must also report all allegations, even if the agency is currently investigating the alleged criminal activity and they know that the incident was already reported to DCF. The proposed language clarifies that law enforcement does not have to report to DCF if they know the matter was already reported to DCF by law enforcement. This process has been identified as duplicate reporting.

Circular reporting occurs when an abuse allegation is called into the Abuse Hotline by a police department. Because the statute requires DCF to send all abuse calls to the Sheriff's Office, the abuse calls that were reported to or are being investigated by a police department would come back to the Sheriff's Office who in turn sends it back to the police department of jurisdiction. The proposed language would eliminate DCF sending reports to Sheriffs if the call originated from a law enforcement officer in the course of their official duties.

**Support clarifying language that allows law enforcement to report noncaregiver child abuse more efficiently. Vote YES on HB 757 by Representative Hood & SB 1162 by Senator Bradley**

