



Protection of Vulnerable Persons – HB 1355



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State of Florida

HB 1355/ SB 1816 Protection of Vulnerable Persons (Penn State Bill)



- Mandatory for everyone to **report suspected child abuse** or neglect, **even if** the alleged perpetrator is **not the child's caregiver** (estimated 40,000 new calls to the child abuse hotline)
- Public or private universities and colleges can be fined \$1 million if administrators find out child abuse or neglect has occurred and fail to report it
- Includes abuse on campus and at off-campus, university affiliated events
- Requires DCF to provide for web-chat and update other web-based forms for reporting child abuse, abandonment or neglect



F.S. 39.201(1)

- (b) Any person who knows, or who has reasonable cause to suspect, that a child is **abused by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare**, as defined in this chapter, shall report such knowledge or suspicion to the department in the manner prescribed in subsection (2).
- (c) Any person who knows, or has reasonable cause to suspect, that a child is the victim of childhood sexual abuse or the victim of a known or suspected juvenile sexual offender, as defined in this chapter, shall report such knowledge or suspicion to the department in the manner prescribed in subsection (2).

Mandatory Reporting

F.S. 39.201(2)(b)

Each report of known or suspected **child abuse** by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare, as defined in this chapter, shall be made **immediately** to the department's central abuse hotline. Such reports may be made on the single statewide toll-free telephone number or via fax, web-based chat, or web-based report. Such reports or calls shall be immediately electronically transferred to the appropriate county sheriff's office by the central abuse hotline.

Mandatory Reporting

F.S. 39.201(1)(a)

Any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, as defined in this chapter, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the department in the manner prescribed in subsection (2).

F.S. 39.01(2)

“**Abuse**” means any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child’s physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.



How to Report

Telephone: 1-800-96-ABUSE
1-800-962-2873

Fax: 1-800-914-0004

Web report:

[http:// www.dcf.state.fl.us/abuse/report/](http://www.dcf.state.fl.us/abuse/report/)



Essential Links

- [Report Abuse Online](#) »
- [How To Report Abuse](#) »
 - [Definitions for Reporting](#) »
 - [What We Need to Know](#) »
 - [Tips for Successful Fax Reporting](#) »
 - [False Reporting Guidelines](#) »
 - [Mandated Reporter Information](#) »
- [Child Laws: FS Chapter 39](#) »
- [Adult Laws: FS Chapter 415](#) »
- [Frequently Asked Questions](#) »
- [Resources and Useful Links](#) »
- [Check Out Our New ID Badges](#) »
- [Training](#) »

Events

How to Report

Telephone: **I-800-962-2873**

TDD (Telephone Device for the Deaf): **I-800-453-5I45**

This toll free number is available 24/7; counselors are waiting to assist you.

TELEPHONE

Call **1-800-962-2873**.

Phone Options

Press 1 to report suspected abuse, neglect or abandonment of a child

Press 2 to report suspected abuse, neglect or exploitation of the elderly or a vulnerable adult

Press 3 to verify the identity of a child protective investigator who recently visited you

Press 4 for information/referrals to other services in your local area.

Be prepared to provide specific descriptions of the incident(s) or the circumstances contributing to the risk of harm, including who was involved, what occurred, when and where it occurred, why it happened, the extent of any injuries sustained, what the victim(s) said happened, and any other pertinent information are very important. Information callers should have ready includes:



How Do I? Google Custom Search search

- Home Local Resources Services & Programs About Us Newsroom Connect with Us



Sign Up for Florida Dept of Children & Families Email Alerts Enter your email address

A Message from the Governor



I am focused on making Florida the best place for businesses to grow and expand, keeping the cost of living low in our state, and making sure every child is

A Message from the Secretary



DCF is changing. We have new partnerships, philosophies and policies - all to serve Florida families better. Please take a moment to look around the new



Rick Scott
Governor

living low in our state, and making sure every child is able to get a good education. In these ways, Florida's families and children have the best opportunity for success.



David Wilkins
Secretary

better. Please take a moment to look around the new website, follow us on social media and subscribe to our updates. We look forward to continue helping Florida prosper and grow.

The Florida Abuse Hotline:

(800) 962-2873

[Report abuse or neglect online](#)

ACCESS Florida

Food, Medical Assistance and Cash

- [Apply Online](#)
- [Check Benefit Status](#)
- [Report Fraud](#)
- [More Options](#)

Latest News

- [Human Trafficking Summit Raises Awareness of Exploitation of Florida's Children](#)
- [Old Food Assistance Cards to be Deactivated in September](#)
- [More than 2,300 Child Welfare Advocates Attend 2012 Child Protection Summit](#)
- [Tallahassee Area Foster and Adoptive Parent Association Seeking Help After Fire](#)

[More News](#)

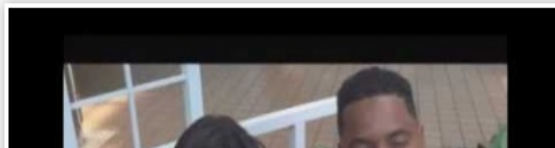
Services



Substance Abuse

Providing prevention, emergency/detoxification, and treatment services for individuals and families at risk of or affected by substance abuse.

Introduction to Fostering in Florida



Upcoming Events



HUMAN TRAFFICKING SUMMIT 9/24
The Florida Children and Youth Cabinet and the

Florida Abuse Hotline Web Reporting

- Home
- Exit

Add Reporter Information

Reporting Abuse For	Select	Primary Language of Victim	Select
Is Interpreter Needed	<input type="radio"/> Yes <input checked="" type="radio"/> No	Reporter Type	Select
<input type="checkbox"/> Reporter Requests Contact		Suffix	Select
Last Name		Middle Name	
First Name		Work Phone	
Home Phone			
Other Phone			
<input type="button" value="Save"/> <input type="button" value="Cancel"/>			

What Information will a Hotline Counselor collect for Non Caregiver Abuse and Child on Child Sexual Abuse allegations?

For all allegations of this nature, a Hotline Counselor will gather:

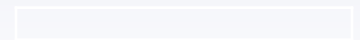
- Incident Location
- First Name, Last Name, Date of Birth, Social Security Number, Race, Sex, and Last Known Address for all participants
- Caller information, Caller Type/Profession, Place of Work, Work Address, work phone, cell phone, Badge Number and Case Number (as appropriate)
- Caller Statements regarding the incident
- Any address information useful in locating the victim or perpetrator
- If received from Law Enforcement personnel other than a Sheriff/Deputy, counselor will clarify whether the incident is being investigated by the reporting municipality, or if they are only reporting the incident.

Immediate Electronic transfer of the caller to the appropriate Sheriff's office for In Progress Calls:

The Hotline Counselor will transfer the caller to the Local Sheriff's Office, only if the call is In Progress, before releasing the call they must announce themselves and the reason for the transfer.

The standard language used will be:

This is <Hotline counselor name> from the Florida Abuse Hotline, and I have a reporter on the line with allegations of Non Caregiver Child Abuse/Child on Child Sexual abuse that occurred within <insert county> county and is currently in progress. If you are ready, I will transfer the reporter to you now.



Electronic dissemination of the documented information to the appropriate Sheriff's office:

The Hotline Counselor will transfer the electronic documentation to the Local Sheriff's Office through the use of the Florida Crime Information Center's (FCIC) Florida Administrative Message (FAM).

The FAM message will follow a standard outline and contain the information collected by the Hotline Counselor while on the call.

NOTE: The Hotline is a Multi-Media Contact Center with the ability to receive phone calls, faxes, and online web reports. Therefore, FAMs generated to the local Sheriff's office may have derived from a fax or online web report. This contact received method will be located with reporter information.



Hotline Terminology:

Participant:	People involved in the incident
Reporter:	Person who reported the incident (caller)
Caregiver:	Person responsible for the well being and care for a child, as defined in Chapter 39.
Reporter Type:	DCF has 41 reporter types predefined within its data collection system, see next slide for all 41
Allegation Narrative:	Information regarding the incident, possible who, what, when, where, why, how
Reporter Narrative:	Information regarding the reporter, such as address, place of work, how they know about the incident, relation to the victim, badge number, case number, and any pieces of confidential information regarding the incident.
FSFN:	DCF system of record for data entry (Florida Safe Families Network)
DOR Verified:	Address county verified in Department of Revenue address system
Vitals Verified:	Participant information verified in Department of Health –Vital Statistics



Common Role Abbreviations:

AP:	Alleged Perpetrator
CH:	Child in Home
HM:	Household Member
IN:	Intake Name (FSFN derived role for DCF case naming convention)
NM:	Non-Household Member
PC:	Parent/Caregiver
SO:	Significant Other
V:	Victim
JS:	Alleged Juvenile Sexual Offender
IC:	Identified Child (Victim child of an Alleged Juvenile Sexual Offender)
RN:	Special Conditions Referral Name (FSFN derived role for DCF case naming convention)
RPT:	Reporter



Example of a Florida Child Abuse Hotline Notification:

FORWARDED MESSAGE FOLLOWS

SUBJECT: FLORIDA ABUSE HOTLINE NOTIFICATION

*

NON CAREGIVER CHILD ABUSE

*

INC LOC: 1111 NW 60ND PLACE, OCALA, FL MARION COUNTY 352-351-5609/24 HOUR LOCATION 4341 SW 13TH STREET, ROOM 116, GAINESVILLE, FL 352-376-4423 DOR VERIFIED

*

V: SABRINA SMITH, 09/21/1999, FEMALE, UNABLE TO DETERMINE, 58 NW 60ND STREET, MARION, OCALA, FL

*

AP: JEREMY ALLEN, 03/08/1990, MALE, OTHER, 444-44-4444, 3400 NE 10TH AVE, MARION, OCALA, FL 34479-2871

*

RPT: BOB JONES, LAW ENFORCEMENT, (352)222-9000

*

ON 7/12/2012, THE COUSIN'S FRIEND'S ADULT BROTHER HELD SABRINA DOWN, GROPED HER UNDER HER CLOTHES AND DIGITALLY PENETRATED SABRINA.

*

THE REPORTER IS DEPUTY B JONES; LAW ENFORCEMENT ID NUMBER: 1111 CASE NUMBER: S120200; CONTACT NUMBER 352-222-9000

NOTE NO KNOWN HEARING IMPAIRMENT; HEARING DEVICE NEEDED: N/A

THIS REPORT IS BEING SCREENED DUE TO THE PERPERTRATOR NOT BEING A CAREGIVER. SABRINA WAS HANGING OUT WITH A COUSIN. THE INCIDENT HAPPENED A WEEK AGO. THE AUNT REPORTED THE INCIDENT A WEEK LATER. SABRINA WAS VISITING HER AUNT. SHE WILL BE PICKED UP BY HER PARENTS ON 7/20/2012. AUNT SHERRY (352-351-5609) AND COUSIN TABITHA

*

REF# 2012121212

*

--FLORIDA ADMINISTRATIVE MESSAGE--

MESSAGE SENT TO: P59-07-0001

--END--

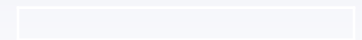
END OF FORWARDED MESSAGE

FAM message is divided into Six Key Sections

- Header
 - Incident Location
 - Participant Information
 - Reporter Information
 - Allegation Narrative
 - Reporter Narrative
 - Reference Number
- ***FORWARDED MESSAGE FOLLOWS***
SUBJECT: FLORIDA ABUSE HOTLINE NOTIFICATION
*
NON CAREGIVER CHILD ABUSE
*
INC LOC: 1111 NW 60ND PLACE, OCALA, FL MARION COUNTY 352-351-5609/24 HOUR LOCATION 4341 SW 13TH STREET, ROOM 116, GAINESVILLE, FL 352-376-4423 DOR VERIFIED
*
V: SABRINA SMITH, 09/21/1999, FEMALE, UNABLE TO DETERMINE, 58 NW 60ND STREET, MARION, OCALA, FL
*
AP: JEREMY ALLEN, 03/08/1990, MALE, OTHER, 444-44-4444, 3400 NE 10TH AVE, MARION, OCALA, FL 34479-2871
*
RPT: BOB JONES, LAW ENFORCEMENT, (352)222-9000
*
ON 7/12/2012, THE COUSIN'S FRIEND'S ADULT BROTHER HELD SABRINA DOWN, GROPED HER UNDER HER CLOTHES AND DIGITALLY PENETRATED SABRINA.
*
THE REPORTER IS DEPUTY B JONES; LAW ENFORCEMENT ID NUMBER: 1111 CASE NUMBER: S120200; CONTACT NUMBER 352-222-9000
NOTE NO KNOWN HEARING IMPAIRMENT; HEARING DEVICE NEEDED: N/A
THIS REPORT IS BEING SCREENED DUE TO THE PERPERTRATOR NOT BEING A CAREGIVER. SABRINA WAS HANGING OUT WITH A COUSIN. THE INCIDENT HAPPENED A WEEK AGO. THE AUNT REPORTED THE INCIDENT A WEEK LATER. SABRINA WAS VISITING HER AUNT. SHE WILL BE PICKED UP BY HER PARENTS ON 7/20/2012. AUNT SHERRY (352-351-5609) AND COUSIN TABITHA
*
REF# 2012121212
*
--FLORIDA ADMINISTRATIVE MESSAGE--
MESSAGE SENT TO: P59-07-0001
--END--
END OF FORWARDED MESSAGE

Header Information: Non Caregiver Child Abuse, or Child on Child Sexual Abuse Allegations

FORWARDED MESSAGE FOLLOWS
SUBJECT: FLORIDA ABUSE HOTLINE NOTIFICATION
*
NON CAREGIVER CHILD ABUSE



Incident Location: FSFN Victim/24 Location Narrative Field

INC LOC: 1111 NW 60ND PLACE, OCALA, FL MARION COUNTY 352-351-5609/24 HOUR LOCATION 4341 SW 13TH STREET, ROOM 116, GAINESVILLE, FL 352-376-4423 DOR VERIFIED

NOTE: The Florida Abuse Hotline uses this field to note incident location, home address, current location and where the victim will be in the next 24 hours. Due to the automatic population of information from the Hotline system to FCIC, the Sheriff's will also see this information in the FAM message.



Participant Information:

Format:

Role in FSFN, First Name, Last Name, Date of Birth, Sex, Race, and Last known address

V: SABRINA SMITH, 09/21/1999, FEMALE, UNABLE TO DETERMINE, 58 NW 60ND STREET
, MARION, OCALA, FL

*

AP: JEREMY ALLEN, 03/08/1990, MALE, OTHER, 444-44-4444, 3400 NE 10TH AVE, MARIO
N, OCALA, FL 34479-2871

NOTE: If participants are unknown, the unknown information will populate in the Florida Administrative Message. There may be more than one victim or perpetrator. The Role in FSFN will be one of the abbreviations presented on slide.



Reporter Information: Reporter information will designate them as the reporter by the label of “RPT”, followed by their name, reporter type, and phone number(s).

RPT: BOB JONES, LAW ENFORCEMENT, (352)222-9000

NOTE: Only the information available to the Florida Abuse Hotline will populate into the FAM message.



Allegations: All of the information available regarding the incident will be presented in the Florida Administrative Message.

ON 7/12/2012, THE COUSIN'S FRIEND'S ADULT BROTHER HELD SABRINA DOWN, GROPED HER UNDER HER CLOTHES AND DIGITALLY PENETRATED SABRINA.



Reporter Narrative: The Florida Abuse Hotline utilizes the reporter narrative to note information regarding the reporter, such as place of work, case number, badge number and any confidential information stated by the reporter. This narrative will also included any other sources who may have information regarding the incident.

```
THE REPORTER IS DEPUTY B JONES; LAW ENFORCEMENT ID NUMBER: 1111 CASE NUMBER:  
S120200; CONTACT NUMBER 352-222-9000  
NOTE NO KNOWN HEARING IMPAIRMENT; HEARING DEVICE NEEDED: N/A  
THIS REPORT IS BEING SCREENED DUE TO THE PERPERTRATOR NOT BEING A CAREGIVER. S  
ABRINA WAS HANGING OUT WITH A COUSIN. THE INCIDENT HAPPENED A WEEK AGO. THE AU  
NT REPORTED THE INCIDENT A WEEK LATER. SABRINA WAS VISITING HER AUNT. SHE WILL  
BE PICKED UP BY HER PARENTS ON 7/20/2012. AUNT SHERRY (352-351-5609) AND COUS  
IN TABITHA
```

NOTE: The Hotline uses this field to note information used by the DCF Child Protective Investigators; therefore, Sheriff's may receive information, such as, "No Known Hearing Impairments", as seen in the example above. Due to auto population, the information cannot be parsed out.

FSFN Report Number: The last thing in the Florida Administrative Message is the FSFN (DCF) Report Number.

REF# 2012121212

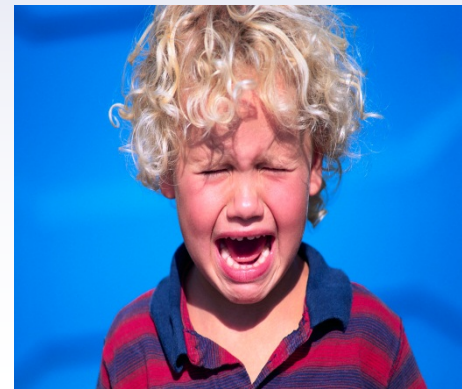
The FSFN number is preceded by “REF#”. This is denoting a reference number to the Sheriff’s, to be used in the event they need to call the Hotline to get more information, ask a question, or perhaps want to listen to a call. The reference number will begin with the year, for example, 2012, followed by six digits.

Phase two of implementation for the Non-Caregiver Child Abuse electronic dissemination will include the Sheriff’s obtaining local FSFN access so they have all the information contained with FSFN on a family, including access to the phone, fax, or online web contact.

Circular Reporting:

In order to avoid circular reporting, (the act of the Hotline sending a phone call or FAM message back out to the Sheriff's office who called it in) if the call, fax or online web report received by the Hotline is from a Sheriff, from the jurisdiction in which the incident occurred, the call and FAM message will not be forwarded back out to that Sheriff's office.

In the event the Hotline received the information from another municipality, the Hotline will clearly note the Law Enforcement officer's name, place or work, address, phone number(s), badge number, and case number in the FAM message.



Reporter Information is **CONFIDENTIAL**

39.202(5)The name of any person reporting child abuse, abandonment, or neglect may not be released to any person other than employees of the department responsible for child protective services, the central abuse hotline, law enforcement, the child protection team, or the appropriate state attorney, without the written consent of the person reporting. This does not prohibit the subpoena of a person reporting child abuse, abandonment, or neglect when deemed necessary by the court, the state attorney, or the department, provided the fact that the person that made the report is not disclosed.

***Therefore, when information comes from the Florida Child Abuse Hotline Notification (FAM), it is recommended the Hotline be listed as the reporter due to confidentiality laws.



Penn State Bill (con't.)

- Any person who knows or has reasonable suspicion that a child is a victim of childhood sexual abuse or is a victim of a juvenile sexual offender must report that knowledge or reasonable suspicion
- Report of child abuse required by the bill must be accepted by the Florida Abuse Hotline and forwarded to the appropriate sheriff's office





Penn State Bill (con't.)

- Increase criminal penalties for "knowingly and willfully" failing to report known or suspected child abuse, abandonment or neglect, or preventing another person from doing so – now 3rd degree felony
- \$1.5 million appropriation for DCF implementation – 47 new hotline counselors
- \$1.5 million to relocate sexual battery victims, with \$1,500 to \$3,000 set aside to help move a victim to a safer location if necessary
- Extends the Florida Crimes Compensation Act to include any child abuse that results in "mental injury" to a child, even if the child wasn't physically injured
- October 1, 2012 effective date

Penn State Bill (con't.)

- DCF must conduct a study on the feasibility of adding text and short message service formats as a means for the hotline to accept and process reports of abuse
- Requires DCF to partner with community-based organizations and public service campaigns to promote public awareness of the hotline



Penn State Bill (con't.)

- Increases criminal penalties by reclassifying certain violations involving sexual conduct with minors.
- Defines “aggravated child abuse” and “mental injury” for the purpose of criminalizing aggravated child abuse and providing for the prosecution of persons who abuse a child and cause mental injury, without an accompanying physical injury.



Questions?

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(352) 334-0454

Stephen_pennypacker@dcf.state.fl.us



The mission of the Department of Children and Families is to work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency.