



A ValorUS® and
Arc of California Project

Reporting Abuse: Who, What, When, Where, Why, and How

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Plain Language Guide to Mandated Reporting in California

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What is a Mandated Reporter?

Let's break down the term. Mandated means you have to, you must, you legally need to. It means if you don't you will get in trouble with the law.

To report means to tell someone.

A reporter is the one who tells.

A report is a conversation AND a written form saying what happened.

A mandated reporter is a person who the law says MUST tell. They tell by talking and writing down what happened.

Why do they have to report?

Mandated reports happen for many reasons. They usually happen when someone abuses someone else. Abuse is when someone hurts another person on purpose. The hurt can happen to your body, your money, and sometimes your feelings.

The mandated reporter will tell who got hurt and who hurt them. Sometimes a mandated reporter may tell when they THINK someone got hurt, but they aren't sure. Or they may tell if you are hurting yourself or someone else.

Some common types of abuse:
physical, sexual, neglect, emotional,
financial, technology

Physical is another word for body. Physical abuse means when someone hurts your body on purpose. The hurt to your body can happen in many ways. If someone hits you, won't give you your medication or food (neglect), or touches you in a way that you don't want (sexual abuse), those are all things that might be abuse. Here are some examples of abuse:

Physical Abuse

- Hitting
- Slapping
- Pinching
- Pulling hair
- Biting
- Kicking

Sexual Abuse

- Touching your genitals or private body parts
- Making you touch their genitals or private body parts
- Showing you nudes images or pornography
- Taking nudes images of you
- Talking about sexual acts with you

Neglect

- Taking your wheelchair, crutches, or hearing aids
- Keeping your service animal away from you
- Not giving you your medications
- Not helping you in the bathroom when you need help
- Not giving you clean clothes that fit you

Emotional is another word for feelings. Emotional abuse is when someone hurts your feelings on purpose. The hurt to your feelings can happen in many ways. It might be emotional abuse if someone:

- Calls you a name
- Yells at you
- Tells you to do bad things
- Says mean things to you

Financial is another word for money. Financial abuse means when someone hurts your money. The hurt to your money can happen in many ways. It might be financial abuse if someone:

- Steals from you
- Makes you buy them things
- Borrows money and never repays it
- Keeps your money

Tech or technology is another word for phones, computers, tablets, online apps, and communication devices. Tech abuse means when someone hurts you by using these devices. The hurt with technology can happen in many ways. It might be tech abuse if someone:

- Takes away your device
- Pretends to be you on an app
- Threatens to share private photos or information about you online
- Spies on you through your device

Other things might be abuse too. If you aren't sure, ask someone you trust. If they are a mandated reporter, they may have to report what you ask them.

When do mandated reporters have to report?

Mandated reporters have to report any time someone tells them about abuse. They also have to report if they think abuse might have happened. Once a mandated reporter finds out about abuse they need to report as soon as possible. After they report, someone should contact you within 2-3 days to follow up and ask some questions.

Who is a mandated reporter?

Many people that work for or with people with disabilities are mandated reporters. If you aren't sure if someone is a mandated reporter, you can ask them. Some people may not be mandated reporters, but they can decide to report abuse if they think it is the right thing to do.

Here are some people that are mandated reporters:

- Doctors
- Dentists
- Fire fighters
- People at church
- Police officers
- Program staff
- Regional center staff
- Social workers
- Teachers
- Therapists

Who do they have to report about?

Mandated reporters have to report about abuse that happens to people under 18, over 64 and “dependent adults”. A dependent adult may be someone with a disability that makes it difficult to do daily activities. A dependent adult can also be someone that has a hard time protecting themselves from abuse because of their disability.

Who do they report to?

Mandated reporters have a few options about who to tell when someone is being abused. If the person is in danger, they may need to call the police. If the person is in a safe place they may only need to tell Adult Protective Services or an ombudsperson. Adult protective services (APS) and ombudsperson are both agencies that take reports of abuse and investigate them. An investigation may include talking to the person that was abused, friends or family members that may know about the abuse or the person doing the abuse. It is important to tell exactly what happened, how you feel about it and what you want to change so that they can try to help you.

Who don't they tell?

Mandated reporters are not supposed to tell your family, friends, social worker or conservator about abuse that is reported. Sometimes they may ask who you want to tell, so that you can get more help and support. After APS or the Ombudsperson is told, they may talk to your family, friends, social worker, or conservator to find out more information. If there is anyone you don't want to know about the abuse, it is important to tell the mandated reporter, APS, and Ombudsperson. Sometimes they can keep this information private, but sometimes they may need to talk to people close to you as part of their investigation.

Where are mandated reporters?

Since mandated reporters are mostly people who provide care, you can usually find mandated reporters in places that you get care services. They are in group homes, day programs, doctor's offices, the regional center, and schools. If you aren't sure if someone is a mandated reporter, you can ask them.

How do mandated reporters report abuse?

Mandated reporters report abuse by calling an agency that will investigate. The agency that will investigate can be adult protective services or the ombudsperson. Sometimes they may have to call the police. After mandated reporters call about the abuse, they will also write a report about the abuse and send it to the same agency.

Remember...

It is important to tell the people helping you what you want. If you are not happy with decisions or plans, tell the people helping you. Sometimes they can change what will happen, but sometimes changes take a long time. The people helping you want to make sure that you are safe and happy. You also have a right to decide what you want to share about your abuse, or what you don't want to share. Abuse is never your fault. You have a right to be safe and happy.

The Step-by-Step Process

A mandated reporter finds out about abuse or thinks that abuse happened.

Mandated reporter calls APS or Ombudsperson and tells them and then sends a written report.

APS or Ombudsperson will decide if they need more information.

They may call you or other people to find out more about what happened.

They may visit you or other people to find out more about what happened.

After they get enough information they will try to figure out the best way to help you.

Getting Help

If you have been sexually abused, find a crisis center that can help give you some choices or counseling at:

www.valor.us/get-help

or

RAINN 1-800-656-4673

Call 911 if you are in danger or someone is hurting you. If you feel that you are not safe, 911 can send a police officer to help you. If you are hurt, 911 can send an ambulance to help you.

Call 211 or visit www.211ca.org for local places that can help you find many different types of supports and services. 211 can give you phone numbers for places that can help with food, housing, job assistance, healthcare and more. They do not provide counseling or emergency services.

Glossary

This glossary will explain what some of the words in this guide mean. Not all of the words you do not understand will be explained in this glossary. If you have questions about some words, please ask the person that gave you his guide, or someone else that you trust.

Abuse – when someone tries to hurt you in some way. They may hurt your body, your money, your property, or your feelings.

APS or Adult Protective Services – an organization that works with people with disabilities and people over the age of 60 when they are being abused or treated badly.

Investigation – the process of trying to find out the truth. An investigation can be done by one group, like the police. An investigation can also be done by different groups at the same time, like the police, your day program, and APS.

Ombudsperson – a person who works with people with disabilities and people over the age of 60 when they are being abused or treated badly in a nursing home, board and care facility, or assisted living facility.

Mandated reporter – a person that the law says **MUST** report abuse that they know about. If they do not report this abuse, they can get in trouble with the law.



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