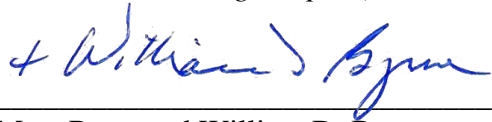


ROMAN CATHOLIC DIOCESE OF SPRINGFIELD	
<b>Policy Name:</b>	Mandated Reporter Policy and Procedure
<b>Policy #:</b>	2021-01
<b>Effective Date:</b>	April 1, 2021
<b>Revision Date:</b>	This policy replaces "Section 3.1: Reporting Responsibilities" in the <i>Policy for the Protection of Children and Young People</i> (Revised January 1, 2013)
<b>Approved by:</b>	 <hr/> Most Reverend William D. Byrne Bishop of Springfield

## MANDATED REPORTER POLICY AND PROCEDURE

The Roman Catholic Bishop of Springfield, a Corporation Sole ("Diocese of Springfield") recognizes that the protection of children is a responsibility shared by the entire community, including the Church, parents, teachers, healthcare professionals, public safety officials, public and private social services agencies and the general public.

The Diocese of Springfield is committed to working with civil authorities to protect children by preventing child abuse and neglect, reporting alleged incidents of abuse or neglect, cooperating in investigations of allegations and any resultant judicial proceedings, as well as advising victims of their right to report independently and supporting their exercise of that right, as specified in the *Charter for the Protection of Children and Young People*.

The Diocese will act in accordance with standards that will, at all times, comply with those established in civil law, and this policy shall be reviewed periodically by the Office of Safe Environment and Victim Assistance (OSEVA) to ensure complete compliance with current civil law.

### I. DEFINITIONS:

- A. **Mandated Reporter** (As defined by Massachusetts law): The Commonwealth of Massachusetts includes the following in their list of mandated reporters:
  - a. "Clergy members, including ordained or licensed leaders of any church or religious body, persons performing official duties on behalf of a church or religious body, or persons employed by a religious body to supervise, educate, coach, train, or counsel a child on a regular basis."  
<https://www.mass.gov/doc/dcf-mandated-reporter-guide/download>
  - b. The sole exception is that ordained priests shall not report any information subject to the priest-penitent privilege.
- B. **Diocesan Personnel:** Clergy, staff, volunteers and other adults including those who do not work with or volunteer with children.

- C. **Child:** “Children,” “child,” “minor,” “youth,” or “young person” is defined to mean any person fewer than 18 years of age.
- D. **Vulnerable Adults:** A person who is known or believed to be under the age of 18 years (i.e. “a child”), or a person:
  - a. Between the ages of 18 and 59 inclusive who is a disabled person as that term is presently defined in Massachusetts General Law Chapter 19C, § 1 (i.e. “a disabled person”); or
  - b. A person who is 60 years of age or older (i.e. “an elderly person”).
  - c. For purposes of mandated reporting policy, young adults who are of legal age but remain in the care of our parishes and school are to be considered “vulnerable adults.”
  - d. “Vulnerable persons” are sometimes referred to as “special victims” in the law enforcement community.
- E. **Reasonable Suspicion:** Reasonable suspicion has been defined by the U.S. Supreme Court as “the sort of common-sense conclusion about human behavior upon which practical people . . . are entitled to rely.” Further, it has defined reasonable suspicion as requiring only something more than an “unarticulated hunch.” It requires facts or circumstances that give rise to more than a bare, imaginary, or purely conjectural suspicion. <https://definitions.uslegal.com/r/reasonable-suspicion>

## II. REPORTING POLICY AND PROCEDURE

- A. **Diocesan Standard for Reporting:** Any Diocesan personnel, including those who do not work with or volunteer with children, who has a reasonable suspicion or reasonable cause to believe that a child is being or has been the victim of physical abuse, sexual abuse, sexual assault, or neglect, shall make a report to the appropriate civil and Diocesan authorities as set forth at II.C. Any Diocesan personnel with knowledge of or reasonable cause to believe that an adult is the victim of historical sexual abuse or that a vulnerable adult is the victim of physical abuse, sexual abuse, sexual assault, or neglect shall make a report as set forth in II. E. below.
  - a. Diocesan personnel are required to report suspected incidents of current child abuse to the Department of Children and Families (DCF) both by phone and in writing.
  - b. Historical incidents of sexual abuse alleged to have occurred with the victim was a minor, even if the victim is now an adult shall be reported by phone or email and in writing to the OSEVA. (See II.E. below)
  - c. Diocesan personnel are expected to report suspected incidents of abuse of vulnerable adults by phone, email, and in writing to the OSEVA. (See II.E. below)

- B. Incidents to be reported based on reasonable cause to believe that a child is suffering emotional or physical injury resulting from:
  - a. Abuse inflicted on the child that causes harm to the child's welfare or health, including sexual abuse;
  - b. Neglect, including malnutrition;
  - c. Physical dependence on an addictive drug at birth; or
  - d. Being sexually exploited;
  - e. Being a victim of human trafficking as defined under MGL c. 119 §51A.
- C. Mandated Reporters with a reasonable suspicion or reasonable cause to believe that a child is being or has been abused shall immediately report these suspicions by phone to your local DCF Area office or the Massachusetts State Hotline at 800.792.5200. If a reporter suspects that a child is in immediate danger, call 911 to report.
  - a. Immediately after reporting to DCF, report to the Diocesan OSEVA by phone at 800.842.9055
  - b. WITHIN 48 HOURS: Complete and file a written 51A by fax or email: <https://www.mass.gov/doc/child-abuse-reporting-form/download> with Mass DCF (see Appendix A) with copy to the OSEVA (Instructions for where to file are on the form).
- D. Reports of suspected current or ongoing abuses of a minor shall include the following information to the extent it is known:
  - a. Name, address, and age of the child;
  - b. Name and address of the child's parent, guardian, or caregiver;
  - c. Whereabouts of the child;
  - d. Nature and extent of the alleged maltreatment and any history of injury that may be evidence of past abuse;
  - e. Name, address, and whereabouts of the person or persons suspected of perpetrating the abuse or neglect, if known; and
  - f. Any other information that may be relevant to determine the cause of the suspected abuse or the identity of the person responsible.

*(N.B. The Reporter's responsibility is to report reasonable cause to suspect or believe that a child is being or has been abused. The Reporter should not conduct any further investigation in order to obtain more information than is readily available. It is the responsibility of the civil authority to ascertain whether an investigation is warranted and to conduct any investigation.)*

- E. Reports of Historical Abuse or suspected abuse of a vulnerable person by Diocesan Personnel shall be reported immediately to the OSEVA by phone at 800.842.9055.
  - a. WITHIN 48 HOURS: Complete and file a Historical Abuse Report Form (see Appendix B) with OSEVA by fax to 413.452.0678 or email to [reportabuse@diospringfield.org](mailto:reportabuse@diospringfield.org).
  - b. Reports to local District Attorneys will be filed by the OSEVA within 24 hours of receipt of the Historical Abuse Report Form.

- c. Adult alleged victims of abuse by Diocesan Personnel shall be informed of their independent right to report to the appropriate civil authorities. Diocesan Personnel shall support victims in their exercise of this right.
  - d. OSEVA shall report of abuse of a vulnerable adult by phone and in writing to the appropriate state authority within 24 hours.
- F. Incidents to be reported based on a reasonable suspicion or reasonable cause to believe that a vulnerable adults is suffering from physical abuse, sexual abuse, or neglect include:
  - a. Abuse inflicted on the vulnerable adult that causes harm to the vulnerable adult's welfare or health, including sexual abuse; and
  - b. Neglect, including malnutrition.
- G. Diocesan Personnel submitting reports shall makes themselves available and fully cooperate in any investigation of child abuse/neglect. This includes investigations of alleged sexual abuse of minors who are now adults.
- H. Massachusetts law provides civil and criminal immunity to any mandated reporter who acts in good faith and not frivolously or with deliberate intent to do harm to another. Immunity extends to investigations and judicial proceedings that arise from report.
- I. The Bishop or his designee will provide a verbal and written report of suspected child abuse to the provincial of an accused religious or the bishop of a diocesan priest who is not a priest of the Diocese of Springfield, Massachusetts.
- J. Record Keeping: Accurate records of reports received, whether supported or not, and all actions taken, including evidence, church authority's response to the reports and relevant comments as well as notifications by the OSEVA or other representative of the Diocese to officials of the State and/or local authorities or provincials shall be kept in strict, secure, and confidential files.
  - a. Copies of original statements provided to DCF and law enforcement will be kept on file.
  - b. For the protection of both the individuals involved and the institutions, records shall be kept indefinitely.
- K. In cases in which the individual designated to receive the report is the accused, the report should be directed to the Bishop or his designee.

## APPENDIX A


**Report of Child(ren) Alleged to be Suffering from Abuse or Neglect**


Massachusetts law requires mandated reporters to immediately make a report to the Department of Children and Families (DCF) when they have reasonable cause to believe that a child under the age of 18 years is suffering from abuse and/or neglect by:

**STEP 1: Immediately reporting by oral communication to the local DCF Area Office (see contact information at end of form); and**

**STEP 2: Completing and sending this written report to the local DCF Area Office within 48 hours of making the oral report.**

For more information about requirements for mandated reporters and filing a report of alleged abuse and/or neglect please see **A Guide for Mandated Reporters** available on the DCF website at [www.mass.gov/dcf](http://www.mass.gov/dcf).

Please complete all sections of this form. If some data is uncertain or unknown, please signify by placing a question mark (" ? ") after the entry.

**CHILDREN REPORTED**

Name	Current Location/Address	Language Spoken	Birth Sex		Age or Date of Birth	ICWA/Tribal Affiliation
			Male	Female		

**EMERGENCY CONTACT(S) FOR CHILDREN REPORTED:** Please list the emergency contact information for all of the reported children, including contact name, relationship, and contact number information.


**OTHER CHILDREN:** Please include information about other children in the home/family, including name and age/date of birth (if known).


**PARENT, GUARDIAN OR CAREGIVER 1**

Name:			
First	Last	Middle	
Address:			
Street & Number	City / Town	State	Zip Code
Phone #:	Age/Date of Birth:		
Language Spoken:	Relationship to Child(ren):		

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## **PARENT, GUARDIAN OR CARGIVER 2**

Name: \_\_\_\_\_  
First Last Middle  
Address: \_\_\_\_\_  
Street & Number City / Town State Zip Code  
Phone #: \_\_\_\_\_ Age/Date of Birth: \_\_\_\_\_  
Language Spoken: \_\_\_\_\_ Relationship to Child(ren): \_\_\_\_\_

## **REPORTER / REPORT**

Report Date: \_\_\_\_\_ Mandatory Report Non Mandatory Report  
Reporter's Name: \_\_\_\_\_  
First Last Middle  
(If the reporter represents an institution, school or facility, please indicate)  
Reporter's Address: \_\_\_\_\_  
Street & Number City / Town State Zip Code  
Phone #: \_\_\_\_\_  
Has reporter informed caregiver of report? Yes No  
What is the reporter's relationship to the child(ren)? \_\_\_\_\_

What is the nature and extent of injury, abuse, maltreatment or neglect? Please list any prior evidence of same and/or other worries regarding danger to the child(ren). (Please cite the source of this information if not observed firsthand.)

## **RELATED CONCERNS:** Please check all that apply.

- |                                                              |                                                                     |                                           |
|--------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Substance Use/Misuse                | <input type="checkbox"/> Acute/Chronic Medical Condition            | <input type="checkbox"/> Runaway          |
| <input type="checkbox"/> Substance Exposed Newborn           | <input type="checkbox"/> Housing Instability/Homelessness           | <input type="checkbox"/> Gang Involvement |
| <input type="checkbox"/> Neonatal Abstinence Syndrome        | <input type="checkbox"/> Human Trafficking/Labor                    | <input type="checkbox"/> None Applies     |
| <input type="checkbox"/> Domestic Violence                   | <input type="checkbox"/> Human Trafficking/Sexually Exploited Child | <input type="checkbox"/> Unknown          |
| <input type="checkbox"/> Mental/Behavioral Health Challenges | <input type="checkbox"/> Teen Parenting                             | <input type="checkbox"/> Other            |

**DESCRIPTION OF RELATED CONCERNS:** Please include additional information that will help DCF further understand the concerns checked above. This includes any specific concerns about alcohol/drug use by the parent/guardian/caregiver. If there are concerns related to domestic violence, please also list any information that will help DCF make safe contact with the family (e.g., work schedule, place of employment, daily routines for the adult victim, etc.).

If known, please provide the name(s) and address, phone #, DOB/age, relationship to child, and language spoken of the person(s) responsible for the injury, abuse, maltreatment or neglect and/or any other information that you think might be helpful in establishing the cause of the injury, abuse, maltreatment or neglect.

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What are the circumstances under which the reporter became aware of the injury, abuse, maltreatment or neglect? Please include information on dates and timeframes for when the injury, abuse, maltreatment or neglect occurred.

Pedikit# (if applicable):

Incident Date (if known):

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What action has been taken thus far to treat, shelter or otherwise assist the child(ren) to deal with the situation?

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Are there any concerns for social worker safety?

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Please provide any information about the family's strengths and capacities that you think will be helpful to DCF in ensuring the child's safety and supporting the family to address the abuse and/or neglect concerns.

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Signature of Reporter:

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**To report child abuse and/or neglect:** Weekdays from 9:00 am to 5:00 pm call the local DCF Area Office.  
Weekdays after 5:00 pm and 24 hours on weekends and holidays call the  
**Child-At-Risk-Hotline 1-800-792-5200**

## DCF AREA OFFICES

### Boston Region

Dimock Street, Roxbury	617-989-2800
Harbor, Chelsea	617-660-3400
Hyde Park	617-363-5000
Park Street, Dorchester	617-822-4700

### Central Region

North Central, Leominster	978-353-3600
South Central, Whitinsville	508-929-1000
Worcester East	508-793-8000
Worcester West	508-929-2000

### Northern Region

Cambridge/Somerville	617-520-8700
Cape Ann, Salem	978-825-3800
Framingham	508-424-0100
Haverhill	978-469-8800
Lawrence	978-557-2500
Lowell	978-275-6800
Lynn	781-477-1600
Malden	781-388-7100

### Southern Region

Arlington	781-641-8500
Brockton	508-894-3700
Cape Cod & Islands	508-760-0200
Coastal, Braintree	781-794-4400
Fall River	508-235-9800
Plymouth	508-732-6200
New Bedford	508-910-1000
Taunton/Attleboro	508-821-7000

### Western Region

Greenfield	413-775-5000
Holyoke	413-493-2600
Pittsfield	413-236-1800
Robert Van Wart Center, East Springfield	413-205-0500
Springfield	413-452-3200



## APPENDIX B



### THE DIOCESE OF SPRINGFIELD, MASSACHUSETTS

*serving berkshire, franklin, hampden & hampshire counties*

## Report of Historical Allegation of Sexual Abuse

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The Roman Catholic Diocese of Springfield requires clergy, staff, educators and volunteers to immediately make a report to the diocesan Office of Safe Environment and Victim Assistance (OSEVA) when they have information that a person who is now over the age of 18 suffered sexual abuse when they were a child under the age of 18 years.

**Step 1:** Immediately report to Diocesan OSEVA at 800.842.9055 or 413.452.0624.

**Step 2:** Diocesan OSEVA report to local district attorney

**Step 3:** WITHIN 48 HOURS: Complete and send this written report to the Diocesan OSEVA by fax to 413.452.0678 or [reportabuse@diospringfield.org](mailto:reportabuse@diospringfield.org)

Please complete all sections of this form.

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#### Victim-Survivor Reported:

Name: \_\_\_\_\_

Current Age/DOB: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

#### Alleged Perpetrator:

Name: \_\_\_\_\_

Status (Living/Deceased): \_\_\_\_\_

Relationship to Individual: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

March 18, 2021



**Individual Making the Report:**

Name: \_\_\_\_\_

Date of Report: \_\_\_\_\_

Relationship to Victim-Survivor: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

**What information has been reported to you? (Please cite the source of this information.)**

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Signature of Reporter: \_\_\_\_\_

**To report current suspected child abuse:**

**Step 1:** Report to Mass. DCF at **800.792-5200 (or your local DCF Office)**

**Step 2:** Report to Diocesan OSEVA at **800.842.9055**

**Step 3:** WITHIN 48 HOURS: Complete and file written 51A by fax or email:  
<https://www.mass.gov/doc/child-abuse-reporting-form/download> with Mass. DCF and  
OSEVA (Instructions for where to file are on the form.)

**Step 4:** Diocesan OSEVA reports allegations to local District Attorneys

March 18, 2021