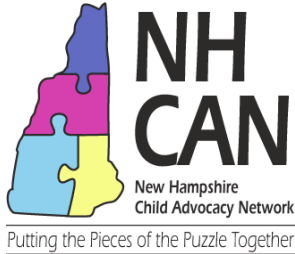


Our children. Our state. Our future.  
2006 Priorities for New Hampshire's Children



## Universal Reporting: Child abuse and neglect

### Highlights

- ✓ Untreated child abuse and neglect is a thread that connects many of our most serious and expensive social problems, including delinquency, runaways, sexual promiscuity, violence and sexual crime.
- ✓ Reporting suspected child abuse helps ensure that children who have been subject to abuse receive treatment soon after the traumatic event, and start the healing process as soon as possible.
- ✓ This can only happen when all adults, including religious leaders, meet the responsibility to report suspected child abuse to the state.
- ✓ Proposed legislation would clarify who is required to report child abuse or neglect.

### Issue overview

Untreated child abuse and neglect is a thread that connects many of our most serious and expensive social problems, including delinquency, runaways and sexual promiscuity among youth and violence and sexual crime committed by adults. Reporting suspected child abuse helps ensure that children who have been subject to abuse receive treatment soon after the traumatic event, and start the healing process as soon as possible. This can only happen when all adults, including religious leaders, meet their responsibility to report suspected child abuse to the state.

New Hampshire already has a comprehensive law on child abuse reporting. RSA 169-C:29 states: "Any physician, surgeon, county medical examiner, psychiatrist, resident, intern, dentist, osteopath, optometrist, chiropractor, psychologist, therapist, registered nurse, hospital personnel (engaged in admission, examination, care and treatment of persons), Christian Science practitioner, teacher, school official, school nurse, school counselor, social worker, day care worker, any other child or foster care worker, law enforcement official, **priest, minister, or rabbi** or any other person having reason to suspect that a child has been abused or neglected **shall** report the same in accordance with this chapter." (Emphasis added).

This law has been on the books since 1979. It works effectively to bring children who may be abused to the attention of state workers who can make a specific determination of whether abuse has occurred and, if necessary, bring the matter to the courts to protect the child. The law is comprehensive. It includes all religious leaders, as it includes lawyers, doctors and teachers. Some religious groups, however, including organized religions, consider themselves exempt from the state law. This belief needs correction- to protect our children. And it needs correction now.

Consider a recent case from the New Hampshire Supreme Court: *Holly Berry & a v. Watchtower Bible and Tract Society of New York, Inc.* [available through the NH Supreme Court's web site: <http://www.courts.state.nh.us/supreme/opinions/2005/berry081.htm>], involving sexually and physically abused children whose situation was known to church leaders and yet not reported to the Division for Children, Youth and Families. The *Berry* Opinion did not address the issue of clergy reporting responsibility- but it did serve to highlight the problem. There is no way of telling how many more children are in circumstances similar to the Berry girls. A simple clarification of state law could protect them.

### **Action plan**

We propose legislation amending RSA 516:35, the legislation some cite to support a clergy exemption to reporting, so as to clarify clergy responsibilities under the existing child abuse reporting law. No religious code condones child abuse and no religious leader should protect a perpetrator over a child. It is time to be proactive and enforce an environment of zero tolerance for child abuse.

### **What can I do?**

- ✓ **Contact your legislators and let them know you support the legislation clarifying the duty to report child abuse or neglect.** (Hint: Use the Children's Alliance legislative action center to contact your representatives: <http://www.childrennh.org/capwiz.php>.)
- ✓ **Talk to your own religious leaders**, and urge them to let the legislature know that most members of the clergy support reporting child abuse.
- ✓ **Read the Child Advocacy Updates and Alerts and track the legislation.** (To sign up to receive these e-mails, send an e-mail to [childrensalliancenews@childrenNH.org](mailto:childrensalliancenews@childrenNH.org) and ask to be added to the e-mail list.)