

**House Criminal Justice
Ohio House of Representatives**

**Supportive Testimony
S.B. 100, Senator Spada
Sharmane Delgado, MSW Intern
January 20, 2004**

Chair Latta, Members of the House Criminal Justice Committee, my name is Sharmane Delgado and I am a Master's Level Intern student for the Public Children Services Association of Ohio (PCSAO). PCSAO represents the 88 public child protection agencies in Ohio, working for safe children, stable families and supportive communities. I am pleased to appear before you today to state the Public Children Services Association of Ohio's support of S.B. 100.

In Franklin County alone, there were **10,930** reports of child abuse and neglect in 2001. Child abuse and neglect is a growing problem nationally. According to the National Child Abuse and Neglect Data system (NCANDS) there was an estimated **1,300 child fatalities** in 2001. This statistic means that 1.81 children per 100,000 in general population die from abuse, and neglect. Research indicates that **258 million is spent per day in the United States** on direct or indirect services as a result of child abuse and neglect. **The annual cost per U.S. family is \$1,461.66.** Child abuse and neglect is a traumatic event for a child. There are a multitude of emotional, physical, mental, psychosocial, and permanent damage of child abuse and neglect that children and families must cope long-term. Ohio Law has recognized the need to make mandatory reporting a requirement of other helping professionals (such as, teachers, doctors, social workers) and clergy members, officials, or any representative of the church should be

included. In church, there is great opportunity for those children that are at risk to be protected. Clergy members are in the business of counseling and helping families about their spiritual walk. Most families feel comfortable and seek to confide in their local clergy person, knowledge of abuse and neglect in their families as well as others they might know. The responsibility of protecting children and families should be paramount to ecclesiastical duties, and since the clergy staff is privy to this information that might not get reported to the local PCSA, mandatory reporting is necessary from clerics. SB100 is fully supported by PCSAO because of the two major components that will improve the current Ohio reporting law.

- **Senate Bill 100** specifically includes all clergy members or any person acting in a designated function on behalf of any church, religious society, or faith to report the abuse or neglect of a child to a public children services agency (PCSA).
- Under this bill those who report are protected in the sense that the name and any information will not be released to the perpetrator of the alleged abuse. Of those who report abuse and neglect they will be immune from any civil or criminal liabilities for injury, death, or loss to person or property that otherwise might be incurred or imposed as a result of making the report and participating in the judicial process.

The mandatory reporting of abuse and neglect will start the PCSA's involvement in completing a 24-hour investigation of abuse or neglect, and risk assessment for the children involved. The benefit of mandatory early reporting is more children may survive fatalities due to unreported abuse and neglect as well as reduce the risk of further abuse and/or neglect.

- **Senate Bill 100** also pinpoints the statute of limitations for those children who have been abused or neglected.

Under this legislation the statute of limitations would not run until the child has reached the age of majority or the PCSA, or the law enforcement had knowledge of the crime committed. Under current legislation the statute of limitation begins when the crime is committed and there are specific time limits involved.

According to the U.S. Department of Health & Human Services, Administration of Children & Families, there are **18 states that currently include clergy members in their mandatory reporting**. Ohio should be added to the list of states that make child welfare and safety priority.

In summary SB100 is a great step in the direction of protecting our children from child abuse and neglect. Clergy members should be added to the list of mandated reports of child abuse and neglect.

Thank you for the opportunity to testify, and your consideration today. I would like to also thank the sponsor of this SB 100, Senator Spada for his time and support in protecting Ohio's children and families. I would be happy to respond to any questions at this time.