



CHILD ABUSE AND NEGLECT IDENTIFICATION AND REPORTING

The Secretary of Defense is required by law to coordinate with civilian child welfare to obtain information of allegations of child abuse and neglect involving children in military families.

KEY MESSAGE: State statute directing the collection of military affiliation as part of child welfare and neglect case files, and sharing pertinent case file information with the appropriate military authorities, can provide consistency and complement the statutory responsibility of the Department of Defense. This is a win-win for the state and military child welfare systems and military families we serve.



DISCUSSION POINTS:

- States have the responsibility and authority to address child welfare regarding all children residing in their state to include the authority to remove children from their families due to maltreatment.
- DoD depends on working in collaboration with state and local governments to fulfill its statutory obligation to address child abuse and neglect.
- Section 1787 of Title 10 states, “The Secretary of Defense shall request each state to provide for the reporting to the Secretary of any report the state receives of known or suspected instances of child abuse and neglect in which the person having care of the child is a member of the armed forces (or the spouse of the member).”
 - County welfare agencies may not have authority or direction to collect information concerning military affiliation of families; and as a consequence, these agencies may miss families that should be reported to the appropriate DoD authorities.
 - Additionally, there is often no corresponding state statutory authority for state and local governments to share case information with the appropriate DoD authorities.
- Current DoD Policy, DoD Instruction 6400.01, describing the DoD Family Advocacy Program, requires the Military Services to establish Memoranda of Understanding (MOUs) with state and local child welfare services to collaborate on the oversight of cases involving military families.
 - Establishing state statute requiring (1) child welfare case workers to ask clients if they are associated with the military, (2) providing them the authority to share this information with the appropriate military authorities facilitates a more consistent and authoritative approach to collaborative oversight.
 - Statutory authority would support development of more consistent MOUs allowing better coordination of local child welfare and military protective and rehabilitative services in support of military children and families.

The Department of Defense (DoD), IAW Section 1787 of Title 10, United States Code, established the Family Advocacy Program (FAP) to address prevention of and response to child abuse and neglect involving children in military families.

Current data reflect that 70-percent of active duty military families reside in the civilian community.