



## CHILD ABUSE AND NEGLECT BEST PRACTICES

**SUBJECT:** State statute directing the collection of military affiliation as part of child abuse and neglect response process 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.

**PRINCIPLES:** States can adopt legislation to increase collaboration between the Department of Defense and State/local governments to fulfill DoD's statutory obligation to address child abuse and neglect. "Best practice" protections include these substantive points:

- Establishing state statute that (1) requires child protective service case workers to ask clients if they are associated with the military, (2) provides them the authority to share this information with the appropriate military authorities to facilitate 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/rehabilitative services in support of military children and families.

**BEST PRACTICES:** The following state statutes address the state's responsibility to address child abuse and neglect regarding all children, including those of military service members. It requires case workers to ask clients if they are associated with the military, and if so, provides them the authority to share the information with the appropriate military authorities.

- Washington State RCW 26.44.030 reads:
  - (4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency, including military law enforcement, if appropriate.
  - (21) The department shall make efforts as soon as practicable to determine the military status of parents whose children are subject to abuse or neglect allegations. If the department determines that a parent or guardian is in the military, the department shall notify a department of defense family advocacy program that there is an allegation of abuse and neglect that is screened in and open for investigation that relates to that military parent or guardian.

- South Carolina - Section 63-7-320, Code of Laws of South Carolina

- SECTION 1. Section 63-7-320 of the 1976 Code is amended by adding subsection (C) at the end to read:

(C) In the event the alleged abused or neglected child is a member of an active duty military family, concurrent with the transfer of the report, the county department of social services shall notify the designated authorities at the military installation where the active duty military sponsor is assigned, pursuant to the memorandum of understanding or agreement with the military installation's command authority.

- SECTION 2. Section 63-7-920 of the 1976 Code is amended by adding subsection (F) at the end to read:

(F) The department or law enforcement, or both, may collect information concerning the military affiliation of the person having custody or control of the child subject to an investigation and may share this information with the appropriate military authorities pursuant to Section 63-11-80.

- SECTION 3. Section 63-7-1990(B)(23) of the 1976 Code is amended to read:

(23) the Division of Guardian ad Litem, Office of the Governor, for purposes of certifying that no potential employee or volunteer is the subject of an indicated report or an affirmative determination.; and

(24) the designated authorities at the military installation where the active duty service member, who is the sponsor of the alleged abused or neglected child, is assigned. The authorities are designated in the memorandum of understanding or agreement between county protective services and the military installation's command authority."

- SECTION 4. Section 63-11-80 of the 1976 Code is amended to read:

Section 63-11-80. An officer, agent or employee of the department or a child welfare agency shall not disclose, directly or indirectly, information learned about a child, the child's parents or relatives, or other persons having custody or control of the child, except in cases involving a child in the custody or control of persons who have military affiliation.