

**The Rocky Mountain Conference of the United Methodist Church**  
**Safe Sanctuary Policy – Legal Issues**

**GENERAL**

This part of the Safe Sanctuary Policy provides guidance for some of the legal issues involved with abuse and the reporting of abuse in the hopefully rare event that someone in a position of trust is called upon to intervene on behalf of a child, youth, or vulnerable adult who is suspected of being abused.

To this end, a “Survey of Reporting Requirements and Other Matters Under Child Protection Statutes in Colorado, Utah, and Wyoming” compiled by the Rocky Mountain Conference Chancellor is offered for informational purposes.

The Survey is organized around the following topics, with the relevant laws of each State cited for consideration:

1. Mandatory Reporters
2. Conditions requiring a report, along with a description of what “abuse” and “neglect” look like.
3. Status of clergy confidences or confessions
4. Statutory immunity from liability for reporting
5. Failure to report
6. False reports
7. Faith healers
8. Miscellaneous

Also included is (1) an informational sheet offering help in spotting abuse and neglect and (2) a form which can be used to report a suspected incident of abuse. PLEASE NOTE: Reporters of abuse or neglect should NEVER interview the suspected victim as to the details of the reported abuse. This should be left to the professionals responding to the report.

As the footnote on the Chancellor’s Survey reads, for an excellent overview of mandatory reporting requirements in all 50 states, see the website, “Child Welfare Information Gateway”, maintained by the U.S. Department of Health and Human Services: [www.childwelfare.gov](http://www.childwelfare.gov)

These materials should be considered “for information only”. Any questions over legal issues should be asked of an attorney familiar with child protection law in the State in question.

**Attachments**

- ✓ Defining and Recognizing Abuse and Neglect
- ✓ Form for reporting Suspected Incident of Child Abuse
- ✓ Survey of Reporting Requirements and Other Matters Under Child Protection Statutes in Colorado, Utah, and Wyoming

# Defining and Recognizing Abuse and Neglect

Keeping children safe in the church, not only requires proper training and screening of those persons working with children in a position of trust within the church, but that eyes and ears are open for children who come into the church who have been abused or neglected outside of the church setting.

Children suffering from abuse or neglect often will not tell anyone about it, therefore, it is important to be able to recognize just what defines abuse and neglect and the possible signs to watch for.

## **Most Common Types of Abuse and the signs to watch for:**

### **Physical: Bodily harm as defined by the state laws**

#### **Possible Signs of Physical Abuse:**

- Hostile and aggressive behavior toward others
- Fearfulness of parents and/or other adults
- Destructive behavior toward self, others, and/or property
- Inexplicable fractures or bruises inappropriate for child's developmental stage.
- Burns, facial injuries, pattern of repetitious bruises

### **Emotional: Spoken or unspoken violence or emotional cruelty**

#### **Possible Signs of Emotional Abuse:**

- Exhibits severe depression and/or withdrawal
- Exhibits severe lack of self-esteem
- Failure to thrive
- Threatens or attempts suicide
- Speech and/or eating disorders
- Goes to extreme to seek adult approval
- Extreme passive/aggressive behavior patterns

### **Sexual Abuse: Sexual contact between child and adult (or more powerful child) including fondling, intercourse, incest and exploitation of the child through pornography or prostitution.**

#### **Possible Signs of Sexual Abuse:**

- Unusually advanced sexual knowledge and/or behavior for child's age and developmental stage.
- Depression-cries often for no apparent reason
- Promiscuous behavior
- Runs away from home and refuses to return
- Difficulty walking or sitting
- Bruised/bleeding in vaginal or anal areas
- Exhibits frequent headaches, stomachaches, extreme fatigue
- Sexually transmitted diseases

Joy T. Melton, *Safe Sanctuaries, Reducing the Risk of Child Abuse in the Church*, pp. 17-18 (See "Helpful Resources" page in "SS Policy Supporting Doc – Rev 3.pdf")

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## **Most common types of Abuse (continued)**

**Ritual Abuse: A form of physical, sexual or psychological violence inflicted on a child in a stylized manner by someone in a position of responsibility.**

### **Possible Signs of Ritual Abuse:**

- Disruptions of memory or consciousness
- Unexplained mistrust and mood swings
- Flashbacks
- Eating disorders
- Fear of the dark, especially at sundown or a full moon
- Agitation or despair that seems to occur in cycles
- Fear of ministers, priests, or others wearing robes or uniforms
- Nightmares or sleep disorders
- Any of the symptoms of sexual abuse

**In addition to these indicators, children who have been abused at church may exhibit some of the following:**

- Unusual nervousness or anxiety about being left in the nursery or Sunday school class
- Reluctance to participate in church activities that were previously enthusiastically approached
- Comments such as “I don’t want to be alone with \_\_\_\_\_” in reference to a childcare worker or Sunday School teacher (or youth volunteer).
- Unexplained hostility toward a childcare worker or teacher.

### **Possible Signs of Neglect:**

- Failure to thrive
- Pattern of inappropriate dress for climate
- Begs or steals food: chronic hunger
- Depression
- Untreated medical conditions
- Poor hygiene

Joy T. Melton, *Safe Sanctuaries, Reducing the Risk of Child Abuse in the Church*, pg. 18 - see “Helpful Resources” page in “SS Policy Supporting Doc – Rev 3.pdf”)

**In Summary:** “Abuse” is by and large *intentional* misconduct. “Neglect” on the other hand, is by and large *negligent* conduct, regardless of intention. If either is suspected by persons in a position of trust, it should be reported immediately to the mandatory reporters in the church (see your State laws on mandatory reporting included in this packet).

**Report of Suspected Incident of Abuse  
(for Children, Youth, and/or Vulnerable Adults)**

Please note that what is asked for on this form is only basic information pertaining to the nature of observed and suspected injuries. Please try to give the extent of the victim's injuries including any previously known or suspected case(s) of abuse or neglect of the victim(s) or the victim's family members. **DO NOT INTERVIEW THE VICTIM**; leave this to the professionals called in on the case. This form or copies of it should be given to the Conference Event Coordinator and/or the Pastor-in-Charge, and the local District Superintendant for action.

Name of worker (paid or volunteer) observing or receiving disclosure of abuse

\_\_\_\_\_  
(Please include ministry title and reliable contact information.)

Other potential witnesses \_\_\_\_\_

Alleged victim's name \_\_\_\_\_

Address \_\_\_\_\_

Male or Female \_\_\_\_\_ Age \_\_\_\_\_ Birth date \_\_\_\_\_ Ethnicity \_\_\_\_\_

Victim's family members \_\_\_\_\_

\_\_\_\_\_  
Date/Address of initial conversation with/report from victim \_\_\_\_\_

\_\_\_\_\_  
Basic description of the nature of the suspected/observed injuries

\_\_\_\_\_  
Name of person accused of the abuse \_\_\_\_\_

Address \_\_\_\_\_ Date of Birth \_\_\_\_\_

Relationship of accused to victim (paid staff, volunteer, family member, other): \_\_\_\_\_

\_\_\_\_\_

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Name of mandatory reporter \_\_\_\_\_

Date & time incident reported to mandatory reporter \_\_\_\_\_

\_\_\_\_\_

Summary \_\_\_\_\_

\_\_\_\_\_

Call to victim's parent(s)/guardian(s) \_\_\_\_\_

Date/Time \_\_\_\_\_

Spoke with \_\_\_\_\_

Summary \_\_\_\_\_

\_\_\_\_\_

Call to County Social Services \_\_\_\_\_

Date/Time \_\_\_\_\_

Spoke with \_\_\_\_\_

Summary \_\_\_\_\_

\_\_\_\_\_

Call to the Local Police Dept. \_\_\_\_\_

Date/Time \_\_\_\_\_

Spoke with \_\_\_\_\_

Summary \_\_\_\_\_

\_\_\_\_\_

Tel. number of police contact \_\_\_\_\_

Signature, address, and occupation of person make this report \_\_\_\_\_

\_\_\_\_\_