


Haverford Township Police Department Operations Manual		
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Accreditation Index: 4.6.1		Rescinds: Directive 4.6.1 of November 2019
Chapter: Four – Pennsylvania Legal Mandates	Section: Six – Child Protective Services	
Chief of Police: <i>John F. Viola</i>		

SUBJECT: PENNSYLVANIA CHILD PROTECTIVE SERVICES LAW

I. PURPOSE

The purpose of this policy is to establish compliance with Section 6311 of the Pennsylvania Child Protective Services Law (Title 23 PA C.S. 6301, et seq.).

II. POLICY

It shall be the policy of this department to protect a child who is the suspected victim of child abuse, physical or sexual, by compliance with the Pennsylvania Child Protective Services Law (Title 23 PA C.S. 6301, et seq.) and follow the mandated reporting requirements. Furthermore members of this department shall ensure child abuse victims needing medical treatment receive that treatment as soon as possible to reduce the physical and psychological effects of the abuse.

III. DEFINITIONS

Abuse - The occurrence of one or more of the following acts between family or household members, sexual or intimate partners or persons who share biological parenthood:

- (1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.
- (2) Placing another in reasonable fear of imminent serious bodily injury.

- (3) The infliction of false imprisonment pursuant to 18 Pa.C.S. § 2903 (relating to false imprisonment).
- (4) Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).
- (5) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18 (relating to crimes and offenses).

Family or household members - Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.

IV. PROCEDURES

A. Reporting Requirements

1. Title 23 Pa.C.S.A. § 6311 **Persons required to report suspected child abuse**
 - (a) **Mandated reporters.**--The following adults shall make a report of suspected child abuse, subject to subsection (b), if the person has reasonable cause to suspect that a child is a victim of child abuse:
 - (1) A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State.
 - (2) A medical examiner, coroner or funeral director.
 - (3) An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals.
 - (4) A school employee.
 - (5) An employee of a child-care service who has direct contact with children in the course of employment.
 - (6) A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual

leader of any regularly established church or other religious organization.

- (7) An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, is a person responsible for the child's welfare or has direct contact with children.
- (8) An employee of a social services agency who has direct contact with children in the course of employment.
- (9) **A peace officer or law enforcement official.**
- (10) An emergency medical services provider certified by the Department of Health.
- (11) An employee of a public library who has direct contact with children in the course of employment.
- (12) An individual supervised or managed by a person listed under paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (13), who has direct contact with children in the course of employment.
- (13) An independent contractor.
- (14) An attorney affiliated with an agency, institution, organization or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance or control of children.
- (15) A foster parent.
- (16) An adult family member who is a person responsible for the child's welfare and provides services to a child in a family living home, community home for individuals with an intellectual disability or host home for children which are subject to supervision or licensure by the department under Articles IX and X of the act of June 13, 1967 (P.L. 31, No. 21),¹ known as the Public Welfare Code.

2. Reporting Procedure

- a) An officer of this department receiving a report of alleged or suspected child abuse will make certain that the welfare of the child is immediately protected.

- b) All officers of this department who receive a report of alleged or suspected child abuse shall start or cause to be started a criminal investigation into the suspected abuse.
 - (1) Officers shall limit the extent of any interview with the child and rather interview the parents, guardians, other reporting party and/or other child representative in an attempt to gather the information needed for investigative purposes.
 - (2) The interview(s) of the third party shall be done out of the presence of the child victim.
- c) Should reasonable facts arise to substantiate the suspicion of child abuse the reporting officer shall notify his supervisor.
- d) The on-duty supervisor shall notify the Detective Division Supervisor and the on-duty or on-call detective shall be notified of a substantiated suspicion of Child Abuse.
- e) Law enforcement officers are legally mandated to comply with Section 6311 of the Pennsylvania Child Protective Services Law (23 Pa. C.S.A. 6301, et seq.) in regard to persons required to report suspected child abuse per section 6313(a), upon consulting with the on-call detective determination shall be made as to who will make the required report to Children and Youth Services; either the responding officer or on-call detective.
(PLEAC 4.6.1)
 - (1) In the event the responding officer is tasked with notification they shall make an immediate report via oral report to the Department of Human Services of the Commonwealth via the established Statewide, toll-free number (Childline) [REDACTED]. The assigned detective shall ensure the written report (incident report), which may be submitted electronically, is forwarded within 48 hours to the department or county agency assigned to the case.
 - (a) Both the initial report to ChildLine and the forwarding of the written report to CYS shall be documented in a supplement(s) to the initial report by the officer/detective making the notification.
 - (2) In the event the on-call or assigned detective is tasked with making the initial report, they may make the report as outlined above or via electronic reporting procedure (Childline Portal)

[REDACTED] as established in accordance with section 6305 in satisfaction of all notification requirements.

- f) The assigned detective shall investigate all substantiated suspicions of child abuse.

BY ORDER OF THE CHIEF OF POLICE