

Annual Report to the Legislature  
False Reports of Child Abuse, Neglect or Abandonment  
Referred to Law Enforcement  
FY 2007-2008  
March 2009

I. Background:

The Department of Children & Families is directed by s. 39.205(4), F.S. to provide the legislature with an annual accounting on the number of child abuse reports referred to local law enforcement as false reports. The annual reports, submitted by the department since 2003, have varied considerably in structure and depth of material presented. Florida Senate 'Interim Project Report 2008-105' released in October 2007 specifically recommended that seven (7) discrete data elements comprise the substance of the annual report. In 2008, SB 1044 contained language requiring the department to regularly include these data elements in the annual report but the proposed legislation was not enacted. The department has chosen to include these data aspects in the current and future annual reports even though they are not statutorily required.

II. Data Elements:

The statewide totals for these seven data elements are presented on region and circuit levels. The definitions for each element are as follows:

**(1) The overall number of investigations which were conducted as a result of a report of child abuse, neglect, or abandonment.**

This number reflects all child protective investigations closed from July 1, 2007 through June 30, 2008 and was extracted from the Child Protective Investigator Trend Report in the Florida Safe Family Network (FSFN). FSFN is the department's statewide automated child welfare information system (SACWIS) and is the file of record for all child protective investigations and case management functions in the state of Florida.

**(2) The number of abuse reports closed with no findings of alleged maltreatment.**

This number is a subset of all reports identified in (1) above and is extracted from the Child Protective Investigator Trend Report for closed investigations with 'No Indication' findings for the time period July 1, 2007 through June 30, 2008.

In Florida, investigators assign one of three findings (Verified, Some Indication or No Indication) to each maltreatment allegation contained in the report. Reports frequently contain several allegations (i.e., the child has a physical injury from being punched by a parent and there is no food in the home, etc.). **Each report is categorized by the most serious finding it contains.** In the above example, if the investigation revealed that the alleged physical abuse maltreatment actually involved an incident of "play fighting" between the parent and child (a 'No Indication' finding) but neighbors did report that the child regularly begged for food (a 'Verified' finding) the overall report would be categorized as 'Verified.' Similarly, if a report contains three different maltreatments

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(e.g., physical abuse, sexual abuse and medical neglect, etc.) with no evidence for two of the maltreatments ('No Indication' findings) and conflicting or inconclusive evidence for the third maltreatment (a "Some Indication" finding) the overall report is categorized as a 'Some Indication' report. A 'Verified' maltreatment is the most serious finding a report can contain, a 'Some Indication' finding the second most serious, and a 'No Indication' maltreatment the least serious.

#### **(3) The number of suspected false reports.**

An ad hoc Florida Safe Families Network (FSFN) data run on the number of suspected false reports was provided by the Family Safety Program Office data unit for all closed investigations for the time period July 1, 2007 through June 30, 2008.

When a child protective investigator suspects a false report might have been made, the investigator documents his or her concern by checking a dropdown box – 'Referral to State Attorney as Possible False Report' – found on the "Recommended Disposition" tab of the Safety Assessment (the FSFN electronic case file). This data field was specifically designed to denote potentially false reports. This marker provides the largest subset of *suspected* false reports and is only a preliminary assessment by the investigator that the report may have been made maliciously for the purpose of harassment, financial gain, acquiring custody of a child, or for the personal benefit of the party reporting.

This designation prompts a follow-up review(s) by supervisors and managers to determine if further action is warranted. Typically, only about 30-40% of these reports are subsequently staffed with Children's Legal Services for consideration of an administrative or criminal sanction. The suspected false report designation remains attached to the case record, even when sanctions are not pursued, to alert investigators in subsequent reports to the fact that someone may be targeting the family for harassment. In some areas of the state, this designation triggers the sending of a "warning letter" to the reporting party (if known).

#### **(4) The number of false reports reviewed for potential administrative fines.**

This number is a subset of all reports identified in (3) above and is provided to the Family Safety Program Office by staff in each of the six regions throughout the state.

#### **(5) The number of administrative fines levied and collected.**

This number is a subset of all reports identified in (4) above and is provided to the Family Safety Program Office by staff in each of the six regions throughout the state.

#### **(6) The number of false reports referred to law enforcement for criminal prosecution.**

This number is a subset of all reports identified in (3) above and is provided to the Family Safety Program Office by staff in each of the six regions throughout the state.

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### (7) The number of false reports resulting in criminal prosecution.

This number is a subset of all reports identified in (6) above and is provided to the Family Safety Program Office by staff in each of the sex regions throughout the state.

To explore the cause of the traditionally low numbers reported for data elements 4, 5, 6, and 7, the Florida Senate 'Interim Project Report 2—8-105' referenced interviews with both representatives from the Department's Children's Legal Services and the Office of the State Attorney. In regard to the low number of administrative fines pursued by the Department, the parties interviewed stated the workload associated with preparation and pursuit of this effort consumes a substantial amount of attorney time (see footnote 51 in the report). Correspondingly, the Felony Bureau Chief of the Office of the State Attorney mentioned that the improbability of conviction (page 5) deterred efforts at prosecution.

### III. Chart of False Reports by Circuit and Region:

False Reports - July 1, 2007 through June 30, 2008								
Region	Circuit	Investigations			Administrative Fines		Criminal Prosecution	
		Total Reports	Closed No. Ind.	Suspected False Rpts.	Reviewed for Admin. Fine	Fines levied and Collected	Referred to Law Enforcement	Number Criminally Prosecuted
Northwest	1	8697	4684	10	0	0	1	0
	2	3562	1945	3	0	0	2	0
	14	4015	1725	3	0	0	0	0
Northeast	3	2396	1404	3	3	0	0	0
	4	12562	6559	9	5	0	8	0
	7	9274	5808	2	0	0	0	0
	8	4312	2149	15	15	0	0	0
Central	5	10880	4977	4	3	0	3	3
	9	16058	8557	10	3	0	0	0
	10	7959	4205	9	1	0	1	0
	18	9923	5607	2	0	0	0	0
	19	5091	2579	5	0	0	0	0
Southeast	15	9472	5006	19	19	0	16	0
	17	12461	6158	1	0	0	0	0
Southern	11	11864	6677	8	0	0	0	0
	16	693	293	0	0	0	0	0
Suncoast	6	14462	7127	2	1	0	1	0
	12	6566	3203	0	0	0	0	0
	13	10575	5241	5	1	0	1	0
	20	8597	5362	8	0	0	0	0
<b>Totals</b>		<b>169419</b>	<b>89266</b>	<b>118</b>	<b>51</b>	<b>0</b>	<b>33</b>	<b>3</b>
			<b>52.6%</b>					

## NOTICE OF FILING

<b>Reporting Agency:</b>	Department of Children and Families
<b>Recipient Agency:</b>	GOVERNOR, SENATE PRESIDENT, HOUSE SPEAKER, CHAIRPERSONS OF THE APPROPRIATE SUBSTANTIVE COMMITTEES AND APPROPRIATION COMMITTEES
<b>Subject:</b>	Suspected False Child Abuse Reports Annual Report for Fiscal Year 2007-2008
<b>Report Due Date:</b>	March 31, 2009
<b>Statutory Requirements:</b>	section 39.205(4), Florida Statutes
<b>Abstract:</b>	<p>This is a legislatively mandated report on the incidence of suspected false child abuse reports investigated by the Department of Children and Families and Sheriff Offices. The report provides data on the overall number of child abuse reports investigated during fiscal year 2007-2008, number of those reports closed with 'No Indication' findings, number of suspected false reports, number of reports reviewed for administrative handling, number of administrative fines levied, number of suspected false reports referred to law enforcement, and the number of reports resulting in criminal prosecution.</p> <p>The Department's report provides a brief history of the report, describes the data elements that comprise the report, and provides state, region, and circuit data on false reporting.</p> <p>Copies of this report may be obtained by contacting:</p> <p>Department of Children and Families Office of Family Safety 1317 Winewood Boulevard Tallahassee, FL 32399-0700</p> <p>Attention: John Harper (850) 922-3862; e-mail <a href="mailto:John_Harper@dcf.state.fl.us">John_Harper@dcf.state.fl.us</a></p>

**LEGISLATIVELY MANDATED REPORT – STATUTORY REQUIREMENT**

<b>REPORT TITLE</b>	<b>STATUTORY REFERENCE</b>	<b>SPECIFICATIONS</b>
False Reports of Child Abuse, Neglect, or Abandonment Report	section 39.205(4), Florida Statutes	<p>This is a report on the incidence of suspected false abuse reports called into the Florida Abuse Hotline for the purpose of initiating a child protective investigation.</p> <p>The report outlines the general review process to determine if a false report has been made, provides data by region, and discusses the challenges involved in pursuing sanctions for those suspected of having made a false report.</p>