

**Annual Report to the Legislature**  
**False Reports of Child Abuse, Neglect or Abandonment**  
**Referred to Law Enforcement**  
**FY 2006-2007**  
**May 2008**

I. Statutory references:

S. 39.205(4), F.S. : The department shall establish procedures for determining whether a false report of child abuse, abandonment, or neglect has been made and for submitting all identifying information relating to such report to the appropriate law enforcement agency and shall report annually the number of reports referred.

S. 39.01(28), F.S.: “False report” means a report of abuse, neglect, or abandonment of a child to the central abuse hotline, which is **maliciously** (*emphasis added*) made for the purpose of:

- (a) Harassing, embarrassing, or harming another person;
- (b) Personal financial gain for the reporting person;
- (c) Acquiring custody of a child; or
- (d) Personal benefit for the reporting person in any other private disputes involving the child

The term “false report” does not include a report of abuse, neglect or abandonment of a child made in good faith to the central abuse hotline.

II. Background:

The six regional Family Safety Program Offices were directed to collect data from their respective circuits on three different aspects involving the handling of false reports: (1) the number of suspected false reports investigated; (2) the number of reports resulting in administrative fines; and (3) the number of reports referred to law enforcement for criminal prosecution and the subsequent sanctions.

The initial step in the procedure to determine whether or not a report was made maliciously and under false pretense is typically a staffing between the child protective investigator (CPI) and his or her immediate child protective investigation supervisor (CPIS). At this initial staffing, or at a follow-up staffing with attorneys from Children’s Legal Services or the Attorney General’s Office, a determination is made as to whether or not there is legal sufficiency to pursue an administrative fine and/or refer the case to law enforcement for criminal prosecution. In many instances, even though there is not enough credible evidence to pursue administrative or criminal penalties, the reporter is sent a

“warning letter” by the Department outlining the fines and potential sanctions for making a false report.

As the following chart indicates, there is a considerable drop in numbers at each procedural point – from the initial staffing between investigator and supervisor – to an actual administrative fine being levied and/or resultant criminal prosecution and conviction. From a total of 139 suspected false reports, approximately 25% (35) were eventually referred on for stronger sanctions, with the vast majority (98%) going to law enforcement for possible criminal prosecution.

Of the original 139 suspected false reports, only 3 (3%) eventually resulted in some form of administrative proceeding or judicial action. This significant drop-off in numbers is most likely related to the difficulty or challenge of proving malicious intent on behalf of the individual making the report to the Florida Abuse Hotline. The Department has taken several steps over the years to reduce the incidence of false reporting, including a prompt at the beginning of each call to the Florida Abuse Hotline warning the caller of the potential penalties for making a false report and that the phone call is being recorded. Additionally, operational field staff will send out warning letters to reporters suspected of making a false report even if administrative or criminal penalties have not been initiated.

### III. Disposition of Suspected False Reports by Region:

False Reports					
Region	Suspected False Reports DCF/Sheriff	Administrative Fines		Criminal Prosecution	
		Administrative Fine Pursued	Fines levied and Collected	Referred to Law Enforcement	Resulted in Criminal Prosecution
<b>Central</b>	51	1	0	1	0
<b>Northeast</b>	19	0	0	7	0
<b>Northwest</b>	28	0	0	10	2*
<b>Southeast</b>	28	0	0	16	0
<b>Southern</b>	7	0	0	0	0
<b>Suncoast</b>	6	0	0	0	0
<b>Total</b>	139	1	0	34	2

\*One case closed due to ‘Incompetent to Proceed’ ruling.

## 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 Calendar Year 2007
<b>Report Due Date:</b>	March 1, 2008
<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 number of suspected false reports, the number of administrative fines levied for filing a false report, and the number of reports referred to law enforcement for criminal prosecution.</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> <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>
Annual Report on Suspected False Abuse Reports	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>