

From: Driggs, Scott S (HHS/OGC)

Sent: Thursday, May 24, 2012 2:15 PM

To: Forrestal, Doyle (HHS/IEA); Cisneros, Oscar (OS/ASA/OCIO/ITIO); Conway, Pete (IHS/BIL); Devine, Percy (AoA/Regions VI & VII); Gillies, Patrick (HRSA); Grinnell, Richie K (IHS/ALB); Hinson, Jeffrey Y. (CMS/CFMFO); Howell, Velveta (HHS/OCR); Korn, James (OIG/OAS); Livesay, Diane L. (CMS/CFMFO); Mitchell, LaTonya M (FDA/ORA); Pinheiro, Ronald (HHS/ASPR/OPEO); Rogers, Thomas (ACF); Salazar, Marguerite (HHS/IEA); Smith, Charles (SAMHSA/OPPI); Sullivan, Thomas (ACF); Taylor, Zachary (HHS/OASH)

Subject: FW: Revisions to the AG Guidelines - Child Abuse Reporting Update

Attachments: AG Guidelines0001.pdf

FYI

From: Ryan, Diana

Sent: Thursday, May 24, 2012 2:02 PM

To: Driggs, Scott S (HHS/OGC)

Subject: FW: Revisions to the AG Guidelines - Child Abuse Reporting Update

The Attorney General recently approved a revision to the Attorney General Guidelines for Victim and Witness Assistance ("Guidelines"), which address the scope of the federal child abuse reporting requirement under section 13031 of the Victims of Child Abuse Act of 1990, 42 U.S.C. § 13031 (see attached memo signed by the Attorney General and the Deputy Attorney General from the Office of Legal Counsel). The revisions are contained in Guidelines Article III.L.c.(3)(a)(b) and (c). That provision requires persons engaged in certain activities and professions on any federal lands or in any federal facilities to report "facts that give reason to suspect that a child has suffered an incident of child abuse," if they learn such facts in the course of their professional activities. Failure to make such a report is subject to criminal penalties. The Attorney General has concluded that the statute is best read to require that all persons who learn of suspected child abuse while engaged in certain activities and professions on federal lands or in federal facilities must report that abuse, no matter where the suspected child victim is cared for or resides. The amended Guidelines are effective as of May, 2012.

Although the VA raised the question that prompted these revisions, I thought you would want to know of this update to the child abuse reporting guidelines so you could remind federal employees in your agency that if they work in a federal facility, they must report suspected child abuse even if the child is not being cared for or attending school at the facility if they discover facts that give them a reason to suspect that a child has suffered an incident of abuse.

Diana Ryan

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