

Reporting Child Abuse, Neglect, Exploitation, or Trafficking

Purpose

To comply with Oklahoma law requiring library personnel to report suspected cases of child abuse, neglect, exploitation, or trafficking.

Employees have a legal obligation under Oklahoma law to report child abuse, neglect, and exploitation to the Oklahoma Department of Human Services (DHS). Library employees are also obligated under Oklahoma law to report suspected child trafficking to the Oklahoma Bureau of Narcotics and Dangerous Drugs Control (OBNDCC). Library personnel having reason to believe that a child under the age of eighteen (18) years is a victim of abuse, neglect, or exploitation shall promptly report such to the Oklahoma Department of Human Services (OKDHS). Reports may be made personally by calling the OKDHS Abuse and Neglect Hotline at **1-800-522-3511**. Employees must report suspected child trafficking to OBNDCC at **1-800-522-8031**. Failure to report such information promptly, making false reports, or reporting with lack of factual foundation, shall be a misdemeanor. The law also grants immunity from any civil or criminal liability to a person who in good faith makes such a report. It is not the responsibility of Library personnel to prove the child has been abused, neglected, exploited, or subject to child trafficking. Evidence of child abuse, neglect, exploitation, or trafficking may consist of the child reporting such, physical marks on the body, signs of sexual abuse, exploitation or neglect.

The following State definitions give guidance on what constitutes Child Abuse, Neglect, Exploitation or Trafficking:

- "Abuse" – harm or threatened harm to a child's health, safety or welfare by a person responsible for the child's health, safety or welfare including sexual abuse and sexual exploitation;
- "Exploitation" means an unjust or improper use of the resources of a child for the profit or advantage, pecuniary or otherwise, of a person other than the child, through the use of undue influence, coercion, harassment, duress, deception, false representation or false pretenses.
- "Harm or threatened harm to a child's health or safety" includes, but is not limited to:
 - a. nonaccidental physical or mental injury,
 - b. sexual abuse,
 - c. sexual exploitation,
 - d. neglect,
 - e. failure or omission to provide protection from harm or threatened harm, or
 - f. abandonment;
- "Neglect" means failure or omission to provide:
 - a. adequate food, clothing, shelter, medical care, and supervision,
 - b. special care made necessary by the physical or mental condition of the child, or
 - c. abandonment;
- "Sexual abuse" includes, but is not limited to, rape, incest and lewd or indecent acts or proposals made to a child, as defined by law, by a person responsible for the child's health, safety or welfare;
- "Sexual exploitation" includes, but is not limited to, allowing, permitting, or encouraging a child to engage in prostitution, as defined by law, by a person responsible for the child's health, safety or welfare or allowing, permitting, encouraging, or engaging in the lewd, obscene, or pornographic photographing, filming, or depicting of a child in those acts as defined by the state law, by a person responsible for the child's health, safety or welfare.
- Trafficking is defined as modern-day slavery and involves the use of force, fraud, or coercion to obtain some type of labor or commercial sex act. Child trafficking is defined by the Oklahoma Statutes at OKLA. STAT. tit. 21 § 866 and includes, but not limited to, the acceptance, solicitation, offer, payment or transfer of any compensation, in money, property or other thing of value, at any time, by any person in connection with the acquisition or transfer of the legal or physical custody or adoption of a minor child, except as ordered by the court or except as otherwise provided by law.

The child abuse, neglect, exploitation, or trafficking reporting obligations are individual, and no employer, supervisor, or administrator shall impede or inhibit the reporting obligations of any employee or other person or in any manner discriminate or retaliate against the employee or other person who in good faith reports suspected child abuse or neglect, or who provides testimony in any proceeding involving child abuse or neglect. Any employer, supervisor, or administrator who discharges, discriminates, or retaliates against the employee or other person shall be liable for damages, costs, and attorney fees. Every Library employee who reports child abuse, neglect, and/or exploitation to the OKDHS or child trafficking to OBNDCC via the hotline(s) shall immediately thereafter advise the CEO or the chief operating officer. The aforementioned individuals should be immediately contacted via cell phone and an online incident report must also be filed.

To facilitate the reporting process, upon receiving notification by the Library employee who made the original report to the OKDHS or OBNDCC, of any suspected case of child abuse, neglect, exploitation, or trafficking, regardless of the identity of the alleged abuser, the CEO, chief operating officer or designee will immediately confer with the employee to confirm the suspicion and if it is believed the child is in imminent threat of harm, also phone the dispatcher at the Tulsa City Police Department (911).