

MANDATORY REPORTING

Who must make a report/When to make a report of suspected abuse/neglect of a child:

All Personnel of the Archdiocese of Las Vegas must make a report of suspected child abuse or neglect, including, but not limited to, anyone categorized under Nevada law as a "Mandated Reporter".

A report must be made when the person, who, in his/her professional, Personnel or other occupational capacity: Knows, or has reasonable cause to believe, that:

1. A child has been abused, neglected, or subjected to sexual abuse;
2. SHALL report that information (unless to do so would violate the Priest/Penitent privilege, which for these purposes applies ONLY to statements made to a priest in the context of the Sacramental Confession);
3. MUST make a report as soon as reasonably practicable, **but no later than 24 hours** after the person knows or has reasonable cause to believe that the child has been abused or neglected.

"Reasonable Cause to Believe"

In the context of Mandated Reporting of child abuse and neglect, Nevada Revised Statute §432B.121 defines "reasonable cause to believe" as follows:

"[I]f, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred."

A report is a request to law enforcement/Child Protective Services (CPS) to undertake an investigation into the matter. When in doubt, it is better to err on the side of making the report in order to ensure the safety of the child in question.

Mandatory Reporters under Nevada Revised Statute §432B

Some Personnel by virtue of their positions, work locations, or their ordinary employment work outside of the Archdiocese may be considered "Mandated Reporters" under the laws of the State of Nevada, including, without limitation:

- Physicians, practical nurses, physical and occupational therapists, psychiatrists, psychologists, marriage and family therapists, clinical professional counselors, athletic trainers, and any other person providing medical services licensed or certified in the State of Nevada;

- A member of the clergy (unless he has acquired the knowledge of the abuse or neglect from the offender during/in the context of Sacramental Confession); and
- A person employed by a private school and any person who serves as a Personnel at such a school

ADDITIONAL MANDATED REPORTING FOR SCHOOL PERSONNEL PURSUANT TO NRS §392.303

In addition to the reporting required by NRS §432B.220, if, in his or her capacity as a Personnel of or Personnel for a private school, such Personnel knows or has reasonable cause to believe that a child has been subjected to:

- a. Abuse or neglect, sexual misconduct in violation of NRS §201.540, or luring in violation of NRS §201.560 by another Personnel or any Personnel for a public or private school, the Personnel who has such knowledge or reasonable cause to believe its occurrence shall: (i) Report the abuse or neglect, sexual conduct or luring to the agency which provides child welfare services in the county in which the school is located **and** (ii) Report the abuse, neglect, sexual conduct and/or luring a law enforcement agency;
- b. Corporal punishment in violation of NRS §392.4633 or NRS §394.366 by another Personnel of or Personnel for a public or private school, the Personnel or Personnel who has such knowledge or reasonable cause to believe shall: (i) Report the corporal punishment to the agency which provides child welfare services in the county in which the school is located.

All reporting under this additional Mandated Reporting Statute must be undertaken as set forth in all of above.

Please note that any report to the authorities is **only a request for an investigation**. The person making the report does not need to **prove** that abuse has or may have occurred.

The legal investigation at this initial reporting juncture is the responsibility of the Child Protective Services Agency (except in cases of child pornography) and/or law enforcement, such as the LVMPD. The Archdiocese complies with all applicable laws with regard to such reports and cooperates with/works in conjunction and cooperation with the legal authorities at all times. The Archdiocese may also conduct a parallel, internal investigation as set forth herein, given the Human Resource aspect of such an allegation so long as any such investigation in no way interferes with any ongoing investigation by law enforcement.