

Legal

CHILD ABUSE TELEMEMO

Service _____

- 1. Date and time of telephone call: _____
- 2. Person handling call: _____
- 3. Name and phone number of caller: _____
- 4. Congregation name, city, and state of caller: _____
- 5. Name, age, and congregation status of offender: _____
- 6. Name, age, and congregation status of victim: _____
- 7. Briefly describe the nature and extent of abuse: _____

CONFIDENTIAL

- 8. When did the abuse occur? _____
- 9. Is victim in same home with offender? _____
- 10. What efforts are being made to protect victim? _____

- 11. Has a report been made to authorities? YES- NO-
- 12. Give details of how reported: _____
- 13. Who else has knowledge of abuse? _____
- 14. Have any elders been contacted by authorities for testimony or cong. records? YES- NO-
- 15. Direction given: _____

NONREPORTING

The elders have no duty to report child abuse under the child abuse reporting law. Whether others who have knowledge make a report or pursue the matter legally is a personal decision. We explained the Society's policy of confidentiality and directed the elders to contact the Legal Department if they are subpoenaed. We had no legal objection to the elders handling this matter as they would any other case of serious wrongdoing. The elders should refer to the *Awake!* issues on child abuse (6-22-82, 1-22-85, 12-22-86, 10-1-83) in giving appropriate spiritual assistance to the family. Positive steps should be taken to prevent further abuse. The elders should monitor the situation carefully for the protection of other potential victims.

REPORTING

The elders have a duty to report child abuse under the child abuse reporting law. They should speak to the offender directly and find out if he is willing to turn himself in. If he is unwilling, there may be someone else who has knowledge of the abuse who will make a report. If no one who has knowledge of the abuse is willing to make a report, two elders should make an anonymous phone report from a neutral location, such as a phone booth. They should keep a written record of who made the call, to whom it was made, the date and time of the call, and other pertinent factors. This record should then be signed by the two elders and placed in congregation files as proof that a report of child abuse was made in compliance with the law. We explained the Society's policy of confidentiality and directed the elders to contact the Legal Department if they are subpoenaed. We had no legal objection to the elders handling this matter as they would any other case of serious wrongdoing. The elders should refer to the *Awake!* issues on child abuse (6-22-82, 1-22-85, 12-22-86, 10-1-83) in giving appropriate spiritual assistance to the family.

- 16. Other direction: _____
- 17. Follow up required: _____

See Reverse Side

18. Additional comments: _____

CONFIDENTIAL

SURVEY QUESTIONS

1. What action has been taken by the elders? _____
2. How long have the elders known of the accusation before calling Legal? _____
3. Have the elders reviewed the letter of: Yes No
 July 1, 1989 _____ _____
 March 23, 1992 _____ _____
 February 3, 1993 _____ _____
4. Have previous accusations been made against the accused? _____
5. Has the child received a medical examination? _____
6. What person brought this charge to the elders? _____
7. Where did any conversations with the child occur? _____
8. Did the elders talk directly with the child? _____
9. How many elders felt that the victim was somewhat at fault or willingly participated in the acts? _____

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39. **If the accused denies the accusation**, the investigating elders should try to arrange a meeting with him and the accuser together. (Note: If the accusation involves **child sexual abuse** and the victim is currently a minor, the elders should **contact the branch office** before arranging a meeting with the child and the alleged abuser.) **If the accuser or the accused is unwilling to meet with the elders or if the accused continues to deny the accusation of a single witness and the wrongdoing is not established, the elders will leave matters in Jehovah's hands.** (Deut.