

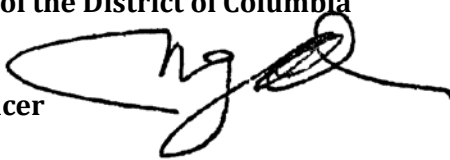
Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Philip H. Mendelson
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: October 9, 2012

SUBJECT: Fiscal Impact Statement – “Child Sexual Abuse Reporting Amendment Act of 2012”

REFERENCE: Bill 19-647, Draft Committee Print shared with the Office of Revenue Analysis on September 11, 2012

Conclusion

Funds are not sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the bill. The bill will cost \$397,900 in FY 2013 and \$1,371,200 in FY 2013 through FY 2016 budget and financial plan.

The bill’s implementation is subject to its inclusion in an approved budget and financial plan.

Background

Under current law, many medical professionals and District agency employees and representatives¹ are required to report incidents of attempted or actual child sexual abuse when professionals, employees and representatives discover such incidents in their professional or official capacity. Sexual abuse incidents can be reported to the Metropolitan Police Department (MPD) or via the Child and Family Services’ (CFSA) hotline.² If the reported abuse is intra-familial,³ CFSA’s Child Protection Services (CPS) works with MPD to investigate the claim. If the abuse is non-familial, CPS will refer the report to MPD for investigation.

¹ Specific positions and professions are detailed in D.C. Official Code § 4-1321.02(b).

² 202-671-SAFE (7233).

³ Intra-familial is defined as the abuse of a child committed by a person who is related to the child by blood, legal custody or marriage or has assumed parental responsibilities or obligations for the child.

The bill requires any person,⁴ and not just professionals, government employees and representatives, to report to MPD⁵ any actual knowledge or reasonable suspicion that a child is a victim sexual abuse.⁶ Exceptions to the reporting requirements include actual victims of sexual abuse if the alleged perpetrator is the same as the victim's abuser, attorney-client privilege, and duly ordained ministers of religion when the confession is made directly to the minister in the course of activities considered confidential by church doctrine. The bill also establishes a civil penalty of \$300 for a person's failure to report actual or suspected abuse. Lastly, the bill provides immunity for those persons who, in good faith, report cases of abuse from civil and criminal repercussions and from employment discrimination.

Financial Plan Impact

Funds are not sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the bill. The bill will cost \$397,900 in FY 2013 and \$1,371,200 in FY 2013 through FY 2016 budget and financial plan. The bill's implementation is subject to its inclusion in an approved budget and financial plan.

The bill could increase the number of reports received, and thus cases investigated, in two ways. First, the bill expands the population of those required to report from specific professions to all persons 18 years of age or older. Second, the bill imposes a civil fine for those who fail to report.

CFSA estimates the bill will result in a 15 percent increase in reports. A 15 percent increase will result in an additional 90 calls⁷ to the CPS hotline per month requiring one additional hotline employee.⁸ Since 90 percent of all calls result in investigations and 20 percent of those are related to child sexual abuse, the agency expects an increase of 16 investigations per month. Currently, each investigative social worker handles a workload of 10 cases. This necessitates the addition of 1.5 social workers plus supervisory and support staff and materials.

Child Sexual Abuse Reporting Amendment Act of 2012					
Bill 19-647					
Estimated Costs					
	FY 2013 ^a	FY 2014	FY 2015	FY 2016	Total
Personnel Costs ^b	\$302,200	\$321,500	\$324,400	\$327,400	\$1,275,500
Assessment Tools/Reporter Guide	\$95,700	\$0	\$0	\$0	\$95,700
Annual Total	\$397,900	\$321,500	\$324,400	\$327,400	\$1,371,200

Table Notes

^a Assumes a January 1, 2013 implementation date.

⁴ A person is defined in the bill as any individual 18 years of age or older.

⁵ A call to CFSA or 9-1-1 is considered a call to the police.

⁶ The bill amends the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001 *et seq.*), by adding a new section to expand the reporting requirements around actual or suspected cases of child sexual abuse.

⁷ CFSA currently handles 600 calls per month through the hotline.

⁸ Hotline social workers can support approximately 100 calls per month.

^b Personnel include 1 hotline social worker, 1.5 social workers to investigate, .5 supervisors, and .5 staff support

Additionally, MPD experienced a 48 percent increase⁹ in child sexual abuse allegations since 2009. High profile child abuse cases, such as the Banita Jacks¹⁰ case in 2009 and the Jerry Sandusky¹¹ case in 2011, contributed to the increases in allegations and subsequent investigations. Over the same time period, the number of confirmed cases of abuse has decreased 35 percent.¹² MPD can absorb the costs associated with increased reports and investigations through existing resources. However, a significant increase in reports as a result of the bill could result in the Department reallocating resources from other initiatives to support these efforts. The Office of Revenue Analysis is unable to predict the magnitude of increased reports as a result of this bill, so we are unable to project the specific impact on other Department initiatives.

⁹ MPD received 99 allegations per month in 2009 and 146 per month in 2012 (through September). All allegations must be investigated.

¹⁰ <http://www.washingtonpost.com/wp-dyn/content/article/2009/07/11/AR2009071102661.html?sid=ST2009070603102>.

¹¹ http://espn.go.com/ncf/topics/_/page/penn-state-scandal.

¹² MPD confirmed 29 cases per month in 2009 and has confirmed 19 cases per month in 2012 (through September).