

PHIL KING
State Representative
District 61

COMMITTEES:

Regulated Industry, Chairman

Civil Practices

Redistricting

COUNTIES:

Parker • Wise

March 21, 2003

Mr. Greg Abbott
Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

Dear General Abbott:

Reports of suspected child sexual abuse, by either mandatory reporters under the reporting statutes; or concerned citizens as permissive reporters; are made daily across the state. These reports come from many locations and under many varied circumstances.

The failure of state agencies to investigate these cases may result in disaster for the child, escape of the abuser and potential liability for the agency(s) involved. In order for law enforcement officers to properly apply the reporting statutes, the following inquiries require your interpretation of the applicable state laws.

- 1) Are law enforcement officers, on or off duty, required to make a report of suspected child sexual abuse when they observe facts that suggest child sexual abuse has occurred or is occurring?
- 2) Are reporters (either mandatory or permissive) required to conduct any investigation regarding the circumstances of the child prior to making the report of suspected abuse?
- 3) Are law enforcement agencies required to respond to the report and investigate the circumstances to determine if the child is being abused?
- 4) After the initial investigation, are law enforcement agencies required to refer these investigations to specialized state agencies for further consideration and review of the circumstances?
- 5) Are there any circumstances or locations under which these observations may take place that change any of the above interpretations?

Sincerely,

Phil King
State Representative



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