

***There's no one
I can trust***

**The impact of mandatory reporting
on the help-seeking and wellbeing
of domestic violence survivors**

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With support from

The National Domestic Violence
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Overview

Mandatory reporting laws require individuals to report information about specific harms perpetrated by adults to people under 18 years old and to vulnerable adults. Laws differ by state in terms of who is mandated to report, what information triggers a report, and to whom they report the information.

The National LGBTQ Domestic Violence Capacity Building Learning Center is a collaborative project of The Northwest Network of Bi, Trans, Lesbian, and Gay Survivors of Abuse and the National Coalition of Anti-Violence Programs and is funded by the Family Violence Prevention Services Administration.

Women-: refers to all women except trans* women.

Men-: refers to all men except trans* men.

Trans*: includes participants who identify as transgender, trans male-to-female, and trans female-to-male.

Gender variant: includes participants who identify as gender fluid, gender queer, gender non-conforming, or multi-gender.

Sexually fluid refers to individuals who identify as queer, pansexual, questioning, or who selected multiple orientations.

Given the reluctance of many domestic violence survivors to use the criminal justice system¹, it is important to increase survivors' access to competent support from other sources. This includes support from friends, family, coworkers, teachers, religious communities, and medical professionals. However, **mandatory reporting laws** require some of these supports to report information that survivors share to the police or child protective services (CPS). This could impact survivors' willingness to reach out for help and what happens to them when they do.

During May and June of 2015, the **National LGBTQ Domestic Violence Capacity Building Learning Center** (the Learning Center) partnered with the National Domestic Violence Hotline (The Hotline) to explore the impact of mandatory reporting on help-seeking for domestic violence. We conducted an online survey with individuals seeking support through The Hotline's online chat services. The survey included quantitative and qualitative questions.

A total of **3,616 domestic violence survivors and help-seekers** completed the survey. Table 1 shows participant demographics.

For each yes/no question, we looked at the sample responses overall and tested whether the responses differed significantly by gender, sexual orientation, race/ethnicity, or age.²

To test for gender differences, we created a category for trans* and gender variant people to explore the unique experiences and vulnerabilities they face. We collapsed the two categories to increase the statistical power for analyses.

We acknowledge that the categories "woman" and "man" are not complete without including trans women and men, so we use a minus sign to signal their incompleteness.

Table 1. Description of who participated in the survey (n= 3616)

	#	%
Gender (n = 3510)		
Women-	2,984	85%
Men-	421	12%
Trans*	35	1%
Gender variant	70	2%
Sexual Orientation (n = 3537)		
Heterosexual	2,878	81%
Bisexual	294	8%
Gay/Lesbian	145	4%
Sexually fluid	220	6%
Race/Ethnicity (n = 3436)		
White/Caucasian	1,959	57%
Latino/a/ Hispanic	550	16%
Black/ African American	447	13%
Multi-racial/ Mixed race	241	7%
Asian/ Asian American	206	6%
American Indian/ Native Alaskan	36	1%
Age (n = 3511)		
<18 years old	482	14%
18-24 years old	1064	30%
25- 40 years old	1388	40%
>40 years old	577	16%
Seeking help for self or other (n = 3526)		
Looking for help for self	3,072	87%
Looking for help for other	454	13%

¹ The National Domestic Violence Hotline (2015). Who will help me? Domestic violence survivors speak out about law enforcement responses. Washington, DC. <http://www.thehotline.org/resources/law-enforcement-responses>

² We used univariate and multivariate logistic regressions to explore their significance unconditionally and controlling for other demographic characteristics. In all cases where we performed both univariate and multivariate regressions, the results of both were consistent.

Asking for Help and Being Reported

Nearly **1 in 10 (9%)** participants said that someone they turned to for help **reported** what they shared to an official or an authority figure.



Significantly more trans*/gender variant people and women- were reported compared to men-.³

Over one-quarter of trans*/gender variant people were reported by someone when they reached out to them for help.



³ $p < .001$ and $p < .05$, respectively

Asking for Help and Being Reported

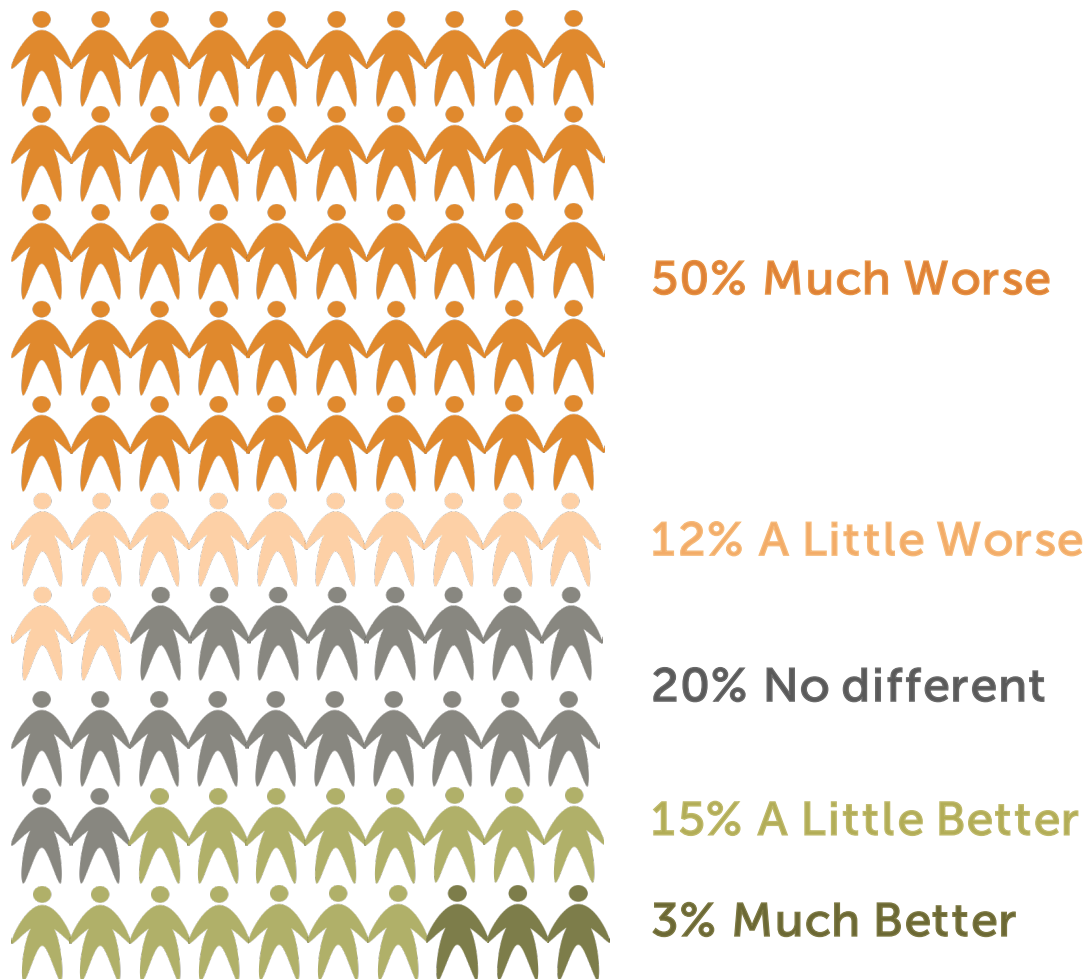
Of those who were reported:

Only **3 out of 10 (31%)** participants received **any preparation** before the report was made.⁴



The majority of participants said the report made the situation worse or had no impact.

Half (50%) of participants who have been reported said it made the situation much worse.⁵



⁴ Finding was consistent and did not differ significantly by demographic group

⁵ Finding did not differ significantly by demographic group or by where people were reported to.

Asking for Help and Being Reported

Impact of the report

Made things better

He got more counseling and better meds.

[The report] got us away from our abuser.

[I] was given a [temporary] order of protection for myself and child protective services started monitoring my abuser's actions.

Made no difference

CPS came to investigate/interview but nothing was done after that.

He was arrested and the case was dismissed for lack of evidence but no police officer or DA contacted me.

Nothing changed after the report. My husband acts like we are happy in front of people, but behind closed doors, he is emotionally abusive...and destructive....

Made things worse

Police and CPS did nothing and abuser went on a rampage against us.

The formal report was made without my being on board. I felt helpless, and as though my situation had been labeled FOR me before I could come to any conclusion myself.

Every time cops got involved they never arrested him, so now he keeps coming after me knowing he gets away with it.

He is more abusive but he just makes sure no one is listening to us, so they will not go and report us again.

[The report] made the stalking more active and gave more information to the perpetrator which helped him to violate the restraining order.

I had a telephone hotline operator escalate an anxiety attack into armed police presence and mandatory confinement, during which time I was abused by a county official. I was held, totally lucid, for four days. Took years before I could use a phone again.

Asking for Help and Being Warned

1 in 7 (15%) participants were **warned**

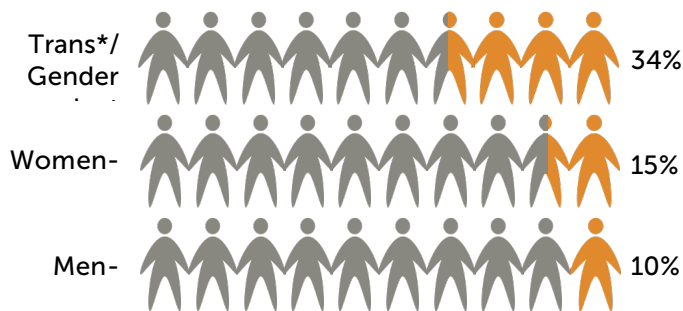
when reaching out for help that the person would legally have to report what they shared to an official or an authority figure.



Rate of being warned differed by gender and sexual orientation

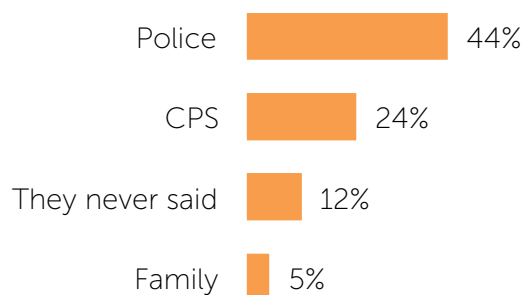
Significantly more **trans*/gender variant people and women-** were warned than men-.⁶

Significantly more **bisexual and sexually-fluid people**⁴ were warned than heterosexuals.⁷



Most participants were warned they would be reported to the police (44%) or to CPS (24%).

More than 1 in 10 people (12%) said they were not even told to whom they would be reported.⁸



⁶ $p < .001$ and $p < .05$, respectively

⁷ $p = .05$ and $p < .05$, respectively

⁸ Participants could select more than one answer choice.

Asking for Help and Being Warned

6 in 10 (60%) participants said the warning they received changed what they decided to share.⁹



Common reactions to being warned

People minimized their experiences

I lied to them and said things were fine.

I didn't tell full truth. [I] made it seem not as bad.

People held back important details

It made me hold things back that I thought they would tell the school.

Left out any physical parts of abuse towards children.

People stopped talking

I didn't want my kids taken away so I didn't talk.

Never said another word.

I did not want to share any information because I was afraid if the police or anyone else came to the house to ask about the abuse I would be killed afterwards.

People stopped reaching out for help

I talk to no one, there's no one I can trust, no one I can turn to and nowhere I can go.

I stopped going to my doctor's office.

I now just keep everything to myself.

⁹ Finding was consistent and did not differ significantly by demographic group.

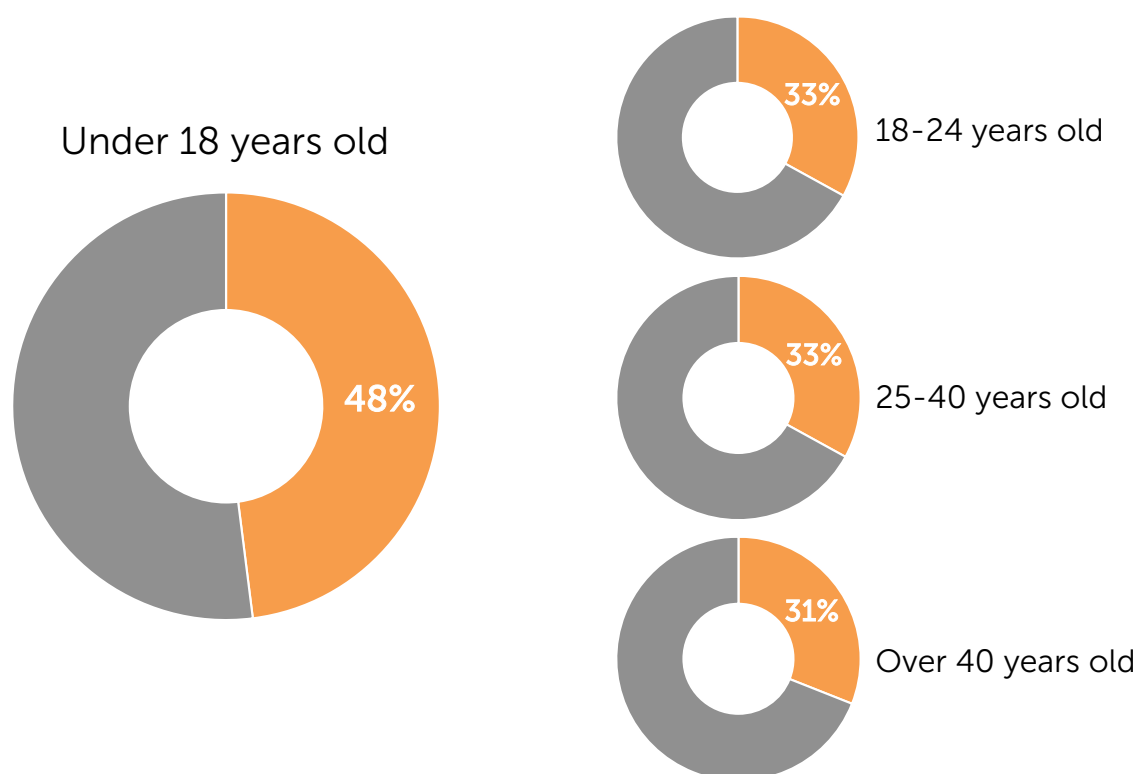
Too Afraid to Reach Out for Help

Over **1 in 3** (34%) participants said they have **not asked someone for help** for fear the person would be legally required to report what they shared.



Significantly more people under 18 years old were afraid to reach out for help.

Nearly **half** (48%) of people under 18 years old said they did not seek help from someone for fear of being reported. This was significantly more compared to participants from all other age groups.¹⁰

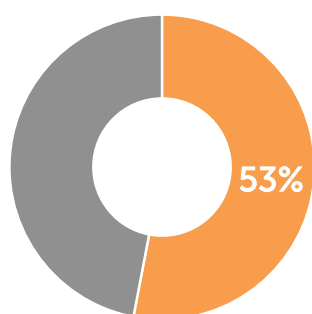


¹⁰ $p < .001$, $p < .001$ and $p < .001$, respectively

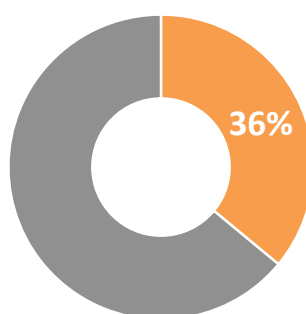
Too Afraid to Reach Out for Help

Significantly more trans*/gender variant people and women- were afraid to reach out for help compared to men-.¹¹

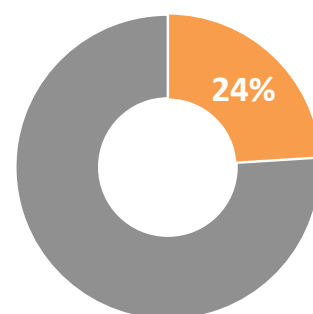
Over half of trans*/gender variant people said they were afraid to ask someone for help for fear of being reported.



Trans*/
Gender variant



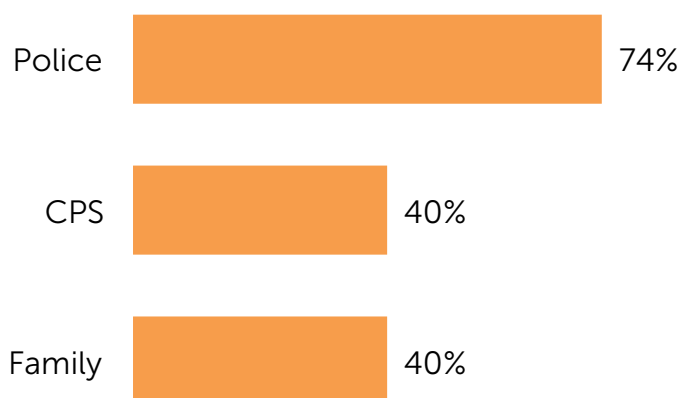
Women-



Men-

The majority of participants (74%) were afraid they would be reported to the police.

A little less than half (40%) were afraid they would be reported to CPS and/or their family.¹²



¹¹ $p < .001$ and $p < .001$, respectively

¹² Participants could select more than one answer choice.

Conclusions

This study shows that mandated reporting directly and indirectly impacts many domestic violence survivors and help-seekers, and most often the impact is detrimental.

For those with direct experience of mandated reports, **50% said the report made things much worse**. In contrast, only 3% said it made things much better. This strongly suggests that mandated reports are not helping most people. The qualitative responses shed some light on why this might be, highlighting many unintended consequences and hardships experienced by the very people that mandated reports aim to help.

Warnings of potential reports changed what most survivors were willing to share. Some said the warning kept them from seeking future help from support providers. Although the warnings may help to avoid triggering a mandated report, these data suggest that they make it harder for most survivors and help-seekers to receive the support they seek.

Finally, one-third of respondents (and roughly half of youth under 18 and trans* and gender variant people) said that they turned to fewer people for support for fear that they would be reported. This suggests that negative perceptions or experiences of mandatory reporting laws reduce opportunities to receive support for domestic violence, especially among youth and young adults.

Recommendations

This study illustrates a clear need to reexamine the cost-benefit of mandatory reporting policies.

Potential areas for reform of federal and state mandatory reporting laws include:

- Reduce the number of support providers who are mandated reporters.
- Increase transparency of reporting process and law enforcement/CPS response, including investigation, assessment and services.
- Increase infrastructure for community oversight of mandated reporting and systems' responses, such as a Community Review Board when CPS establish service plans or take children into placement.
- Increase protections for confidentiality of records and communications across disciplines.
- Train reporters to inform survivors when a report must be made about them with limited exceptions.
- Place self determination and privacy of all survivors (including youth) at the center of mandated reporting best practices for all mandated reporters, e.g., safety planning when a report must be made.
- Work across disciplines to reduce disproportionate impact on vulnerable and marginalized populations (including trans*, bisexuals, and youth).
- Clarify that mandatory reporting was not intended for and should not be applied to incidents of teen dating violence.

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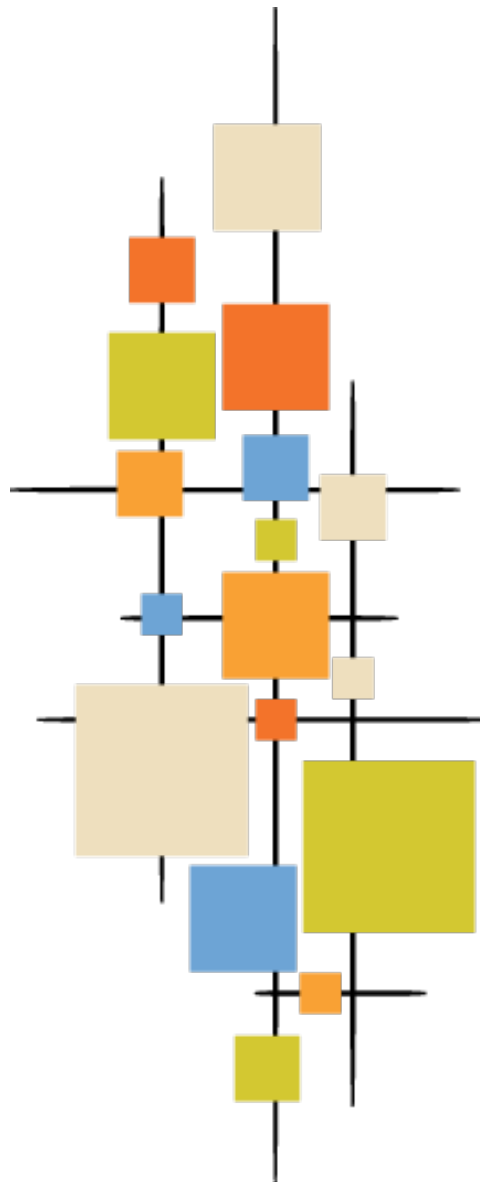
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For more information about the report or the work of the National LGBTQ DV Capacity Building Learning Center, please contact Margaret Hobart at Margaret@nwnetwork.org or by phone at 206-568-7777.

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