Oklahoma
Child Abuse Reporting

Who do I contact to report an incident in Oklahoma?

(1) Contact the Oklahoma Child Abuse Hotline at 1-800-522-3511. If the child is in imminent danger, contact 911 or local law enforcement.
(2) Via telephone to the county's office of the Department of Human Services. **Oklahoma, Stats. title 10A, §§ 1-2-101(b)(1).**

How much time do I have to report an incident?

The report should be made promptly. **Oklahoma, Stats. title 10A, §§ 1-2-101(B)(1)**.

What is considered "abuse" in Oklahoma?
"Abuse" means harm or threatened harm[i] or failure to protect from harm or threatened harm to the health, safety, or welfare of a child by a personal responsible for the child's health, safety, or welfare, including but not limited to nonaccidental physical or mental injury, sexual abuse[ii], or sexual exploitation.[iii]

Provided, however, that nothing contained in this act shall prohibit any parent from using ordinary force as a means of discipline including, but not limited to, spanking, switching, or paddling. **Oklahoma, Stats. title 10A, *§* 1-1-105**.

What is considered "neglect in Oklahoma?
"Neglect[iv]" means:
(a.) the failure or omission to provide any of the following:
1. Adequate nurturance and affection, food, clothing, shelter, sanitation, hygiene, or appropriate education,
2. Medical, dental, or behavior health care,
3. Supervision or appropriate caretakers to protect the child from harm or threatened harm of which any reasonable and prudent person responsible for the child's health, safety or welfare would be aware, or
4. Special care made necessary for the child's health and safety by the physical or mental condition of the child,

(b) the failure or omission to protect a child from exposure to any of the following:
1. the use, possession, sale, or manufacture of illegal drugs,
2. illegal activities, or
3. sexual acts or material that are not age-appropriate or

(c) abandonment[v] **Oklahoma, Stats. title 10A*, §* 1-1-105**.

Who is a mandatory reporter in Oklahoma?
"Every person having reason to believe that a child under the age of eighteen (18) years is a victim of abuse or neglect shall report the matter promptly to the Department of Human Services." **Oklahoma, Stats. title 10A, § *1-2-101(B)(1).***

Are Clergy mandatory reporters in Oklahoma?
Yes.

Is there an exception for penitential communication in Oklahoma?
No.

Where can I find Oklahoma law on child abuse?

http://ok.elaws.us/os/10a-1-2-101

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[i] Harm or threatened harm to the health or safety of a child" means any real or threatened physical, mental, or emotional injury or damage to the body or mind that is not accidental including but not limited to sexual abuse, sexual exploitation, neglect, or dependency.

[ii] "Sexual abuse" includes but is not limited to rape, incest, and lewd or indecent acts or proposals made to a child, as defined by law, by a person responsible for the health, safety, or welfare of the child.

[iii] "Sexual exploitation" includes but is not limited to allowing, permitting, or encouraging a child to engage in prostitution, as defined by law, by a person responsible for the heath, safety, or welfare of a child, or allowing, permitting, encouraging, or engaging in the lewd, obscene, or pornographic, as defined by law, photographing, filming, or depicting of a child in those acts by a person responsible for the health, safety, and welfare of the child.

[iv] "Neglect" shall not mean a child who engages in independent activities, except if the person responsible for the child's health, safety or welfare willfully disregards any harm or threatened harm to the child, given the child's level of maturity, physical condition or mental abilities. Such independent activities include but are not limited to: (1) traveling to and from school including by walking, running or bicycling, (2) traveling to and from nearby commercial or recreational facilities, (3) engaging in outdoor play, (4) remaining at home unattended for a reasonable amount of time, (5) remaining in a vehicle if the temperature inside the vehicle is not or will not become dangerously hot or cold, except under the conditions described in Section 11–1119 of Title 47 of the Oklahoma Statutes, or (6) engaging in similar activities alone or with other children.

[v] Nothing in this paragraph shall be construed to mean a child is abused or neglected for the sole reason the parent, legal guardian or person having custody or control of a child, in good faith, selects and depends upon spiritual means alone through prayer, in accordance with thte tenets and practice of a recognized church or religious denomination, for the treatment or cure of disease or remedial care of such child. Evidence of material, educational or cultural disadvantage as compared to other children shall not be sufficient to prove that a child is deprived; the state shall prove that the child is deprived as defined pursuant to this title. Nothing contained in this paragraph shall prevent a court from immediately assuming custody of a child, pursuant to the Oklahoma Children's Code, and ordering whatever action may be necessary, including medical treatment, to protect the child's health or welfare;