Wisconsin
Child Abuse Reporting

Who do I contact to report an incident in Wisconsin?
To report a case of child abuse or neglect, contact the county or tribe where the child or child's family lives. If the agency is not known, contact the closest county.

Contact information for each county can be found at:
https://dcf.wisconsin.gov/reportabuse

If the abuse is happening now or is violent in nature, call 911. **Wis. Stat. Ann. §48.981(3)(a)(1)**.

How much time do I have to report an incident?
Immediately.

"A person required to report shall immediately inform, by telephone or personally, the county department or, in a county having a population of 750,000 or more, the department or a licensed child welfare agency under contract with the department or the sheriff or city, village, or town police department of the facts and circumstances contributing to a suspicion of child abuse or neglect or of unborn child abuse or to a belief that abuse or neglect will occur." **Wis. Stat. Ann. §48.981(3)(a)(1)**.

What is "child abuse" in Wisconsin?
Child abuse is: physical injury inflicted on a child by other than accidental means; when used in referring to an unborn child, serious physical harm inflicted on the unborn child, and the risk of serious physical harm to the child when born, caused by the habitual lack of self-control of the expectant mother of the unborn child in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree; sexual intercourse or sexual contact; sexual exploitation of a child; trafficking of a child; permitting, allowing or encouraging a child to commit any act of prostitution as defined under 944.30; causing a child to view or listen to sexual activity; exposing a child to genitals, pubic area, or intimate parts; manufacturing methamphetamines with a child physically present during the manufacture, in a child's home, on the premises of a child's home, or in a motor vehicle located on the premises of a child's home; under any other circumstances in which a reasonable person should have known that the manufacture would be seen, smelled, or heard by a child; and emotional damage for which the child's parent, guardian or legal custodian has neglected, refused or been unable for reasons other than poverty to obtain the necessary treatment or to take steps to ameliorate the symptoms. **Wis. Stat. Ann. §48.02(1)**.

Neglect means failure, refusal or inability on the part of the caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child. **Wis. Stat. Ann. §48.02(12m)**.

Who is a mandatory reporter in Wisconsin?
A physician; a naturopathic doctor; a coroner; a medical examiner; a nurse; a dentist; a chiropractor; an optometrist; an acupuncturist; a medical or mental health professional not otherwise specified in this paragraph; a social worker; a marriage and family therapist; a professional counselor; a public assistance worker, including a financial and employment planner as defined in 49.141(1)(d); a school teacher; a school administrator; a school counselor;

a school employee not otherwise specified in this paragraph; a mediator under s. 767.405; a child care worker in a child care center, group home, or residential care center for children and youth; a child care provider; an alcohol or other drug abuse counselor; a genetic counseler; a member of the treatment staff employed by or working under contract with a county department under s 46.23, 51.42, or 51.437 or a residential care center for children and youth; a physical therapist; a physical therapist assistant; an occupational therapist; a dietitian; a speech-language pathologist; an audiologist; an emergency medical services practitioner; an emergency medical responder, as defined in 256.01(4p); a police or law enforcement officer; a juvenile correctional officer; a court appointed special advocate who has reasonable cause to suspect that a child seen in the course of activities under s. 48.236(3) has been abused or neglected or has been threatened with abuse and neglect and that abuse or neglect of the child will occur, and clergy. **Wis. Stat. Ann. §48.981(2)**.

Are Clergy mandatory reporters in Wisconsin?
Yes. "A member of the clergy shall report if the member of the clergy has reasonable cause to suspect that a child seen by the member of the clergy in the course of his or her professional duties has been abused, or has been threatened with abuse, and abuse of the child will likely occur.

A member of the clergy shall report if the member of the clergy has reasonable cause, based on observations made or information that he or she receives, to suspect that a member of the clergy has abused a child or threatened a child with abuse and abuse of the child will likely occur. **Wis. Stat. Ann. §48.981(2)(bm)(1)-(2)**.

Is there an exception for penitential communication in Wisconsin?
Yes. "A member of the clergy is not required to report child abuse information that he or she receives solely through confidential communications made to him or her privately or in a confessional setting if he or she is authorized to hear or is accustomed to hearing such communications and, under the disciplines, tenets, or traditions of his or her religion, has a duty or is expected to keep those communications secret. Those disciplines, tenets, or traditions need not be in writing." **Wis. Stat. Ann. §48.981(2)(bm)(3)**.

If there is a penitential communication in Wisconsin, how do you define such a communication?
Wisconsin defines a penitential communication as "confidential communications made to him or her privately or in a confessional setting if he or she is authorized to hear or is accustomed to hearing such communications and, under the disciplines, tenets, or traditions of his or her religion, has a duty or is expected to keep those communications secret" **Wis. Stat. Ann. §48.981(2)(bm)(3)**.

If Clergy became aware of abuse or threatened abuse outside of penitential communication, the above statute applies and a report must be made.

Where can I find Wisconsin law on child abuse?
https://docs.legis.wisconsin.gov/statutes/statutes/48/xxi/981/1/am