



Administrative Policies and Procedures: 14.15

Subject:	Reporting False Allegations of Child Sexual Abuse
Authority:	TCA 37-1-413; 37-5-105; 37-5-106; 37-5-107
Standards:	None
Application:	All Department of Children's Services Child Protective Services and Special Investigations Employees

Policy Statement:

The Department of Children's Services shall report to law enforcement any person who either verbally or by written or printed communication knowingly and maliciously reports, or causes another person to report a false accusation of child sexual abuse.

Purpose:

To ensure compliance with *TCA 37-1-413* and establish procedures to inform law enforcement and the alleged perpetrator if it is determined that the reporter falsely reported allegations of sexual abuse.

Procedures:

A. Reporting false allegations	Any person who either verbally or by written or printed communication knowingly and maliciously reports, or causes, encourages, aids, counsels, or procures another to report, a false accusation of child sexual abuse commits a Class E felony. <i>TCA 37-1-413</i> .
B. Consultation with District Attorney's Office	<ol style="list-style-type: none"> 1. At the conclusion of a CPS investigation where the allegation is sexual abuse the CPSI will consult with the Regional Legal Attorney whether: <ol style="list-style-type: none"> a) The reporter's allegation of child sexual abuse was false. b) It was more likely than not that the reporter knew, at the time of making the allegation, that the allegation was false. c) The reporter has knowingly made a prior false allegation about the same alleged victim or alleged perpetrator. d) The reporter's address is known or reasonably available. 2. After a determination has been made whether malicious false allegations have been reported, the case worker (as applicable) or regional legal counsel can refer to the local District Attorney's office.

Forms:	None
---------------	------

Collateral documents:	<i>None</i>
------------------------------	-------------