



**Annual Report to the Legislature on
False Reporting**

2019-2020 State Fiscal Year

Department of Children and Families
Office of Child Welfare

Shevaun L. Harris
Secretary

Ron DeSantis
Governor

I. Purpose

The Department of Children and Families (department) is required by section 39.205(7), Florida Statutes (F.S.), to report annually to the Legislature the number of identified false reports referred to law enforcement by the department or its authorized agent(s). Child abuse investigations initiated as a result of false reporting undeservedly inconvenience the personal lives of families and introduces a degree of intrusion which diminishes the family's sense of trust in government. False accusations can affect an individual's career and/or status quo within their community. Additionally, from the department's perspective, responding to false reports increases the strain on agency resources and hinders the department from serving families and children in real need.

A false report is defined in s. 39.01(27), F.S., as a report of abuse, neglect, or abandonment of a child to the central abuse hotline, in which the report is maliciously made for the purpose of:

- Harassing, embarrassing, or harming another person;
- Personal financial gain for the reporting person;
- Acquiring custody of a child; or
- Personal benefit for the reporting person in a private dispute.

Reports made in good faith based upon an individual having a reasonable cause to suspect a child has been maltreated but which are subsequently determined by the child protective investigator to have no credible evidence of maltreatment are not the same as false reports. False reports have the specific motivation of being contrived without merit to harass a family or to result in personal gain for the reporter or another individual.

II. Background

In 1998, the definition and annual requirements for false reporting were added to Chapter 39, F.S. In 2012, the Florida Legislature amended s.39.205(8), F.S., allowing the child protective investigator to discontinue an investigation upon determining that the report was made for malicious purposes. The quick cessation of the investigative activities results in less intrusion into families' lives and hopefully minimizes the potential negative impact to families from false reporting. This abbreviated closure also frees up the investigator to move on to other legitimate investigations.

III. False Report Chart-Data Elements

The chart below encompasses the following data elements associated with the handling of suspected false reports by CPIs:

Column 1- Region and Circuit Identifier.

Column 2- Number of Investigations. Data is provided on the Total Reports closed during FY 2019-2020, the number of reports closed with No Indicators (e.g., unfounded closure findings)

of maltreatment and the number of Suspected False Reports within the No Indicator closure category.

Column 3- Internal Reviews. Data is provided on the type of staffing the CPI participated in prior to additional actions being taken on suspected false reports. Typically, the CPI will consult with his or her immediate supervisor (CPI Supervisor) or legal counsel to determine the most appropriate follow-up for a suspected false report.

Column 4- Warnings Issued. Data is provided on the number of verbal or written warnings issued to individuals suspected of making false reports. Warnings are typically issued when the investigator suspects it is a reporter's first instance of making a false report or when sufficient evidence is lacking to support a request for criminal investigation.

Column 5- Administrative Fines. Data is collected on the number of administrative fines levied against individuals determined to have made a false report and the amount collected by the department.

Column 6- Referred to Law Enforcement or State Attorney/Attorney General. Data is provided on the number of reports referred for criminal investigation and/or prosecution. If known, the outcome (e.g. conviction, dismissal, etc.) is presented as well.

IV. Data on Suspected False Report by Circuit and Region

Suspected False Reports – Closed During July 1, 2019 through June 30, 2020											
Column 1	Column 2			Column 3		Column 4		Column 5	Column 6		
Region & Circuit	Number of Investigations ¹			Staffings ² (Internal Review)		Warning Issued ²		Administrative Fines ²	Criminal Investigation/Prosecution ²		
	Total Reports	Closed No Indicators ³	Suspected False Reports	CPIS ⁴ or Manager	Legal Counsel	Verbal	Written	Issued Amount	Law Enforcement	SAO Charged	Court Sanctions
Northwest											
1	17,732	7,375 (42%)	51	17	0	6	0	0	0	0	0
2	7,032	3,098 (44%)	11	19	0	16	0	3	2	0	0
14	7,580	2,893 (38%)	44	33	0	28	0	5	4	0	0
Northeast											
3	4,497	2,222 (49%)	1	0	0	0	0	0	0	0	0
4	21,334	10,815 (51%)	2	2	1	1	0	0	1	1	0
7	16,440	6,742 (41%)	5	3	0	0	0	0	4	0	0
8	8,167	3,967 (49%)	0	0	0	0	0	0	0	0	0
Central											
5	21,573	10,751 (50%)	1	1	0	0	0	0	0	0	0
9	28,467	12,769 (45%)	3	2	0	0	0	0	2	0	0
10	15,483	8,002 (52%)	1	0	0	0	0	0	0	0	0
18	16,317	8,115 (50%)	0	0	0	0	0	0	0	0	0
Southeast											
15	17,648	7,737 (44%)	112	112	8	45	4	0	57	46	2
17	19,234	8,950 (47%)	190	190	0	36	20	0	114	1	0
19	8,917	4,014 (45%)	28	22	2	0	0	0	3	1	0
Suncoast											
6	22,674	10,832 (48%)	10	10	0	0	0	0	8	1	0
12	11,835	5,269 (45%)	45	45	1	6	0	0	17	1	0
13	19,282	9,663 (50%)	4	4	0	3	0	0	0	0	0
20	18,611	8,832 (47%)	2	2	1	2	1	0	0	0	0
Southern											
11	22,674	10,832 (48%)	49	49	0	5	0	0	7	0	0
16	752	362 (48%)	2	0	0	0	0	0	0	0	0
FY 19-20	306,249	143,240 (47%)	561	511	13	148	25	8	219	51	2

¹Data Source: Child Intakes Received Report and Child Abuse and Neglect Investigations by Most Serious Findings *Last Updated: 1/12/2021

²Data Source: Regional Family Safety Program Offices

³Closed No Indicators findings are more commonly referred to as Unfounded reports, in which there is no credible evidence to support any allegations of abuse, neglect, or abandonment. The percentages are approximate, based on rounding.

⁴CPIS is the acronym for Child Protective Investigator Supervisor.

V. Summary

For fiscal year 2019-2020, there were 561 investigations closed as a suspected false report, compared to 323 the prior fiscal year. There was an increase in the number of intakes received, an increase in the number of investigations closed with no indicators, and correspondingly an increase in the number of investigations closed as a suspected false report. The Central Region noted two of their reports closed as false reports were in error. Internal reviews were completed by a CPI Supervisor or Manager on approximately 91% of the investigations prior to additional actions being taken on suspected false reports. Approximately 31% of suspected false reports received warnings (verbal or written) during fiscal year 2019-2020, and only 8 administrative fines were issued across the entire state. Of the 219 suspected false reports referred to law enforcement, approximately 24% were prosecuted or received court sanctions. More importantly, the ability for CPIs to cease investigative activities upon the determination of a false report, as provided by 39.205(8), F.S., does continue to lessen the intrusiveness of a child protective investigation for those families being harassed by individuals filing false reports.