

Utah bill enhances consequences for people who fail to report abuse

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Utah lawmakers approved legislation to encourage the reporting the abuse of children and vulnerable adults when there is a reason to believe abuse is happening. (Photo: Getty Images){ }

(KUTV) — Utah lawmakers approved legislation to encourage the reporting the abuse of children and vulnerable adults when there is a reason to believe abuse is happening.

House Bill 218 third substitute, sponsored by Rep. Brian King (D-House District 28), enhances the consequences for anyone who fails to report abuse, neglect or exploitation to the Adult Protective Services or law enforcement.

Currently, the only consequence of willfully failing to report abuse is a potential Class B misdemeanor charge.

If the governor signs this bill, a failure to report abuse will include reporting to the Division of Occupational and Professional Licensing of a healthcare worker who fails to report, reporting to the employing law enforcement agency if a law enforcement officer fails to report, and reporting to the Utah State Board of Education if a teacher fails to report.

“For far too long, too many abuse cases have gone unreported,” King is quoted in a news release.

This bill takes a nuanced and sophisticated approach to encouraging the legal and moral obligation of reporting abuse, neglect, or injury to a child or vulnerable adult. It promotes good behavior while also balancing potential priest-penitent and attorney-client privileges.

The consensus bill came together through extensive collaboration with the Division of Child and Family Services, Adult Protective Services, criminal defense lawyers, the ACLU, and the Attorney General’s office.

The legislation will allow discretion for cases such as failing to report abuse if a person believes it would put themselves in danger, such as with cases of domestic violence. It also retains a provision for immunity from civil or criminal actions for people who, in good faith, report abuse – a provision that incentives people to do the right thing and report, a news release states.