



# The Florida Senate

*Interim Project Report 2008-105*

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Committee on Children, Families, and Elder Affairs

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## FALSE REPORTS OF CHILD ABUSE, ABANDONMENT, OR NEGLECT

### SUMMARY

Section 39.201(1)(a) and (b), F.S., requires reporting of child abuse, abandonment, or neglect to the Department of Children and Families (DCF or "the department") through the Florida Abuse Hotline (hotline). Any person who knows, or has a reasonable cause to suspect child abuse, abandonment, or neglect, or that a child is in need of supervision and care and there is no one available to provide such supervision and care, must report such knowledge or suspicion to the hotline.

Approximately one-third of the calls received by the hotline are screened out and do not result in an investigation. One-half of the remaining reports are investigated and closed with no findings of alleged maltreatment. According to DCF, a small percentage of these reports are flagged as potential false reports. A false report does not include a report made in good faith.

If a report is flagged as a false report, the department must decide whether or not to pursue an administrative fine, pass the report on to local law enforcement for further investigation, pursue both options, or pursue neither option.

Section 39.206(1), F.S., authorizes the department to impose an administrative fine, not to exceed \$10,000, against a person who files a false report. According to the department, it rarely pursues an administrative fine.

The criminal penalties for making a false report of child abuse, abandonment, or neglect in Florida are among the three<sup>1</sup> most stringent in the United States.

Relatively few reports of abuse, neglect or abandonment are flagged by the department as potential false reports. Upon preliminary investigation, the number of potential false reports is reduced even

further. The alleged false report is then referred to law enforcement for investigation. Law enforcement will review the referral and determine whether or not to refer the alleged false report to the appropriate State Attorney for potential criminal prosecution. In order to be convicted for the crime of false reporting, the reporter must have filed the false report knowingly, willingly, and with malicious intent.

Florida's current statutory and administrative consequences for submitting false reports appear to be effective deterrents for false reporting. Any additional tightening of the statutory provisions or department policies and procedures may result in a chilling effect on legitimate reports of child abuse, abandonment, or neglect.<sup>2</sup>

The provisions of s. 39.205(4), F.S., require DCF to provide the Legislature with an annual report including the number of reports referred to local law enforcement as false reports. However, the department has not been fully compliant with these provisions. The reporting requirements and the department's sporadic compliance with them make it difficult to determine whether there is a problem with false reporting in Florida.

It is recommended that the Legislature amend s. 39.205(4), F.S., to provide clearer guidance to the department regarding the data to be reported annually relating to false reports.

### BACKGROUND

According to *Child Maltreatment 2005*, the most recent report of data from the National Child Abuse and Neglect Data System (NCANDS), approximately

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<sup>1</sup> Florida, Tennessee, and Texas.

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<sup>2</sup> September 10, 2007, Interview, Patricia A. Badland, Director, Office of Family Safety, Department of Children and Families, notes on file with Committee on Children Families and Elder Affairs.

899,000 children in the U.S. were found to be victims of child abuse or neglect in calendar year 2005.<sup>3</sup> Approximately 131,000 of those victimized were in the State of Florida.<sup>4</sup> Many victims do not receive help because the crimes committed against them are not reported.<sup>5</sup>

Section 39.201(2)(a), F.S., requires that reports of child<sup>6</sup> abuse<sup>7</sup>, abandonment<sup>8</sup>, or neglect<sup>9</sup> be made

<sup>3</sup> U.S. Department of Health and Human Services Website: <http://faq.acf.hhs.gov> (Last updated April 9, 2007).

<sup>4</sup> *Id.* at page 54.

<sup>5</sup> Department of Children and Families Website: <http://www.dcf.state.fl.us/abuse/about.shtml>.

<sup>6</sup> Section 39.01(12), F.S., defines the term child as an unmarried person who is born, under the age of 18 and who has not been emancipated by order of the court.

<sup>7</sup> Section 39.01(2), F.S., defines the term “abuse” “...as any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.”

<sup>8</sup> Section 39.01(1), F.S., defines the term “abandoned” as “...a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver responsible for the child's welfare, while being able, makes no provision for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations. If the efforts of the parent or legal custodian, or caregiver primarily responsible for the child's welfare, to support and communicate with the child are, in the opinion of the court, only marginal efforts that do not evince a settled purpose to assume all parental duties, the court may declare the child to be abandoned. The term ‘abandoned’ does not include an abandoned newborn infant as described in s. 383.50, a ‘child in need of services’ as defined in chapter 984, or a ‘family in need of services’ as defined in chapter 984. The incarceration of a parent, legal custodian, or caregiver responsible for a child's welfare may support a finding of abandonment.”

<sup>9</sup> Section 39.01(43), F.S., defines the term “neglect” as “...a time when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability unless actual services for relief have been offered

immediately to the Florida Abuse Hotline. Under the provisions of s. 39.201(1)(a), F.S., any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected is required to report such knowledge or suspicion to the department. A person, who is required to report known or suspected child abuse, abandonment, or neglect and knowingly and willfully fails to do so, is guilty of a misdemeanor of the first degree punishable by imprisonment not to exceed one year and a fine not to exceed \$1,000.<sup>10</sup>

A person making a report of possible child abuse, abandonment, or neglect is not required to provide his or her name to hotline staff unless the reporter holds one of the following occupations:

- Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons;
- Health or mental health professional other than one listed in s. 39.201(1), F.S.;
- Practitioner who relies solely on spiritual means for healing;
- School teacher or other school official or personnel;
- Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker;
- Law enforcement officer; or
- Judge.<sup>11</sup>

The names of all reporters are held confidential and exempt from public records pursuant to s. 39.202, F.S.

For the hotline to accept a report on a child, personnel at the department's central abuse hotline are required to determine whether the child who is the subject of the report meets the following statutory conditions:

- Is a Florida resident, and can be located in Florida, or is temporarily out of the state but expected to return;

to and rejected by such person. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child may not, for that reason alone, be considered a negligent parent or legal custodian; however, such an exception does not preclude a court from ordering the following services to be provided, when the health of the child so requires medical services by a doctor or practitioner of spiritual or religious healing.”

<sup>10</sup> Section 39.205(1), F.S.

<sup>11</sup> Section 39.201(1)(b), F.S.

- Has been harmed or is believed to be threatened with harm<sup>12</sup> by a parent, legal custodian, caregiver, or other person responsible for the child's welfare; or
- Is not a Florida resident but can be located in Florida and has been harmed in Florida or is believed to be threatened with harm in Florida by a parent, legal custodian, caregiver, or other person responsible for the child's welfare.<sup>13</sup>

The department's quality assurance program regularly reviews calls to the hotline involving three or more unaccepted reports on a single child, in order to detect such things as harassment and situations that warrant an investigation because of the frequency or variety of the source of the reports. The Program Director for Family Safety may refer a case for investigation when it is determined, as a result of this review, that an investigation may be warranted.<sup>14</sup>

### Reporting Process

When a call is made to the hotline, a hotline counselor determines if the information provided by the caller meets the requirements to accept a report for investigation. According to DCF, approximately one-third of reports received by the hotline do not meet the statutory requirements and are screened out.<sup>15</sup>

Once a hotline counselor determines that the accusation meets the required provisions, hotline staff create a report and refer it to a DCF investigator. If there is an immediate threat to a child's safety or well-being, a threat that a child will be unavailable, or if factors otherwise warrant, the department must begin the investigation immediately.<sup>16</sup> All other investigations must be started within 24 hours of the receipt of the report from hotline staff.<sup>17</sup> An investigator will make an inquiry on behalf of the department based on the subject of the report, in accordance with the provisions of Rule 65C-29.003(3), F.A.C. If a hotline counselor receives a report of child abuse, abandonment, or neglect by a non-relative, the call will be immediately transferred to the appropriate local sheriff's office.<sup>18</sup>

Section 39.301(9), F.S., requires that for each report the department receives, an on-site child protection investigation be conducted that includes face-to-face interviews with the child, other siblings, the parents, and other adults who are living in the household. The investigation also requires an on-site assessment of the child including the following:

- The composition of the family or household;
- Whether there is an indication of abuse of any child in the family or household, the nature of the injuries, and a determination of the person responsible for the abuse;
- Whether any of the family members, legal custodians, caregivers, or any other persons in the household have a criminal background;
- Conduct a risk assessment to determine the immediate and long-term risk to the child through the utilization of standardized risk assessment instruments. The risk assessment is to be completed within 48 hours (if determined to be needed by the assessment, a case plan must be developed); and
- The services needed to ensure the child's safety, well-being, and development.

According to DCF, almost 50 percent of the reports investigated are closed with no findings of alleged maltreatment. Of these, a small percentage may be false reports.<sup>19</sup> Reports that cannot be proven and are closed as unfounded should not be confused with a false report that is made knowingly, willingly, and maliciously.

### False Reports

The term "false report" is defined in s. 39.01(28), F.S., as a report of abuse, abandonment, or neglect of a child made to the central abuse hotline, which 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 any other private disputes involving the child.

A false report does not include a report of abuse, abandonment, or neglect that is made in good faith,<sup>20</sup> a report of abuse, abandonment, or neglect that does not

<sup>12</sup> Section 39.01(31), F.S.

<sup>13</sup> Section 39.201(2), F.S., also see Rule 65C-29.002, F.A.C.

<sup>14</sup> Section 39.201(7), F.S.

<sup>15</sup> DCF Quick Facts, Florida Department of Children and Families, June 22, 2007, 17.

<sup>16</sup> Section 39.201(5), F.S.

<sup>17</sup> *Id.*

<sup>18</sup> Section 39.201(2)(b), F.S.

<sup>19</sup> August 14, 2007, Interview, John S. Harper, Chief, Child Protective Investigations and Intervention Unit, Department of Children and Families.

<sup>20</sup> Section 39.01(28), F.S.

meet the statutory requirements in s. 39.01(2), F.S., or a call made to the hotline in error.

The department may become aware of a potential false report through staff observation, as a result of information received from third parties, or through a complaint submitted by the subject of the false report.

If an investigator suspects that a false report was made, the investigator indicates that suspicion by flagging the report as a potential false report. Once a report is identified as a potential false report, a course of action is decided.<sup>21</sup> In order for the department to proceed, the consent of the subject of the false report must be obtained.<sup>22</sup> It is the department's responsibility to refer the alleged false report to local law enforcement to determine whether sufficient evidence exists to refer the case for prosecution.<sup>23</sup> If law enforcement finds sufficient evidence for prosecution for filing a false report, they must refer the case to the appropriate state attorney.<sup>24</sup>

Florida law provides three potential criminal or civil penalties against a false reporter:

1. A person who knowingly and willfully makes a false report of child abuse, abandonment, or neglect or advises another to make such a report is guilty of a felony in the third degree<sup>25</sup> punishable by imprisonment not to exceed five years and a fine not to exceed \$5,000.
2. In addition to or in lieu of the criminal penalties,<sup>26</sup> s. 39.206(1), F.S., authorizes the department to impose an administrative fine, not to exceed \$10,000 per violation upon a person who knowingly and willfully makes or advises another to make a false report of abuse, abandonment, or neglect of a child.
3. A person who knowingly and willfully makes or advises another to make a false report of abuse, abandonment, or neglect of a child may also be

sued civilly for damages, including attorney fees and costs.<sup>27</sup>

## METHODOLOGY

This project included a review of the DCF Hotline practices and procedures; a review of investigative practices and procedures; a review of the limited data available with regard to reporting individuals; a review of how other states deal with the issue of false reports; and a sampling of state attorneys regarding prosecution rates of suspected false reports.

## FINDINGS

According to a 2007 summary of state reporting laws, compiled by the United States Department of Health and Human Services, approximately thirty-two states and the Virgin Islands classify false reporting as a misdemeanor or similar charge.<sup>28</sup> However, in nine states, Arkansas,<sup>29</sup> Florida,<sup>30</sup> Illinois,<sup>31</sup> Indiana,<sup>32</sup> Michigan,<sup>33</sup> Missouri,<sup>34</sup> Tennessee,<sup>35</sup> Texas,<sup>36</sup> and Virginia,<sup>37</sup> a false report may be classified as a felony under specific circumstances. Florida, Tennessee, and Texas are the only states in which false reporting is given a first offense felony classification.

In 1998, the Legislature amended s. 39.205(4), F.S., requiring DCF to provide the Legislature with an annual report outlining the number of reports referred to local law enforcement as false reports. The department submitted its first report in Fiscal Year (FY) 02/03. This report included data for FYs 00/01, 01/02, as well as FY 02/03. Subsequently, the department submitted a report in FY 03/04, and 05/06. The department did not submit a report to the Legislature for FY 04/05. The department's report to the Legislature for FY 03/04 did not include the number of false reports referred to law enforcement.

The data contained in the chart below is derived from reports and from additional data obtained from the

<sup>21</sup> August 14, 2007, Interview, John S. Harper, Chief, Child Protective Investigations and Intervention United, Department of Children and Families.

<sup>22</sup> Section 39.205(5), F.S.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> Chapter 98-403, Laws of Florida; s. 39.205(6), F.S.

<sup>26</sup> Section 39.205(6), F.S.

<sup>27</sup> Section 39.206(10), F.S.

<sup>28</sup> Penalties for Failure to Report and False Reporting of Child Abuse and Neglect: Summary of State Laws: Child Welfare Information Gateway, June 2007.

<sup>29</sup> Section 12-12-504, Arkansas Code.

<sup>30</sup> Section 39.205(6), F.S.

<sup>31</sup> Section 325, 5/4, Illinois Statute.

<sup>32</sup> Section 31-33-22-3, Indiana Code.

<sup>33</sup> Section 722.633(5), Michigan Law.

<sup>34</sup> Section 210.165, Missouri Statute.

<sup>35</sup> Section 37-1-413, Tennessee Code.

<sup>36</sup> Section 261.107, Texas Statute.

<sup>37</sup> Section 63.2-1513, Code of Virginia.

department in the course of developing this report. The only data that the department is currently required to report is the number of potential false reports referred to law enforcement for investigation. The inconsistent and sporadic reporting of the data makes it difficult to gain a clear picture of false reporting in Florida.

According to the Felony Bureau Chief of the Office of the State Attorney for the 13<sup>th</sup> Judicial Circuit, very few cases of this kind are ultimately prosecuted primarily due to the improbability of conviction.

FALSE REPORTING DATA FOR FY 00/01 - FY 05/06 As provided by the Department of Children and Families						
	FY 00/01	FY 01/02	FY 02/03	FY 03/04	FY 04/05	FY 05/06
<b>Calls Involving Children, Answered By Hotline Staff</b>	390,365	418,913	362,982	351,440	346,502	347,877
<b>Initial Child Investigations</b>	146,423	153,172	153,589	149,924	155,238	162,844
<b>Initial Reports Closed with No Findings of Alleged Maltreatment</b>	75,545	79,453	This data was not collected by the department	64,443	69,507	72,696
<b>Number of Suspected False Reports</b>	This data was not collected by the department.	This data was not collected by the department.	This data was not collected by the department.	This data was not collected by the department.	This data was not collected by the department.	143
<b>Reports Reviewed for Administrative Fines</b>	31	This data was not collected by the department.	63	This data was not collected by the department.	This data was not collected by the department.	The department's report did not contain this data.
<b>Administrative Fines Levied</b>	6	9	2	This data was not collected by the department.	This data was not collected by the department.	The department's report did not contain this data.
<b>Potential False Reports Referred to Law Enforcement for Investigation</b>	162	115	108	The department's report did not contain this data.	The department did not submit a report for FY 04/05.	58
<b>False Reports Resulting in Prosecution</b>	22	This data was not collected by the department.	4	This data was not collected by the department.	This data was not collected by the department.	This data was not collected by the department.

### Prosecution

A sampling of state attorneys confirmed that they receive very few allegations of false reporting from the department through local law enforcement. According to the state attorneys interviewed, these cases are very difficult to prove. In order to successfully prosecute a case of alleged false reporting, the state must prove that the reporter filed the false report knowingly, willingly, and with malicious intent.<sup>38</sup>

<sup>38</sup> August 8, 2007 Interviews, Mike Sinacore, Felony Bureau Chief, Office of the State Attorney for the 13<sup>th</sup>

### Administrative Fines

If a decision is made by the department to pursue an administrative fine for a false report, investigative staff and a child welfare legal staff evaluate and document the reasons to believe that the report in question is a

Judicial Circuit, Kathleen Hoague, Chief Assistant State Attorney, Office of the State Attorney for the 11<sup>th</sup> Judicial Circuit, and Allen Mizrahi, Division Chief, Special Assault Division, State Attorney's Office for the 4<sup>th</sup> Judicial Circuit.

false report. In determining whether a report was filed maliciously, the department considers the following questions, where applicable:<sup>39</sup>

- Have the facts alleged in the report been determined to be untrue?
- Has the reporter admitted that the report is untrue or that it is a false report?
- Have criminal charges been filed for false reporting?
- Has the reporter made contradictory statements?
- Have prior reports by this reporter been determined to be false or to have no indicators of abuse, abandonment, or neglect?
- Have statements been made during the investigation, which indicate retaliation?
- Is there a history of family disputes?
- Are custody issues being decided concurrently with the report?
- Is the reported information patently false relative to what is observable?
- Is the information provided by an individual who witnessed the reporting of false information or to whom the reporter admitted to false reporting?
- Is there a likelihood of personal or financial gain for the reporter?
- Did the responsible caregiver have access to the alleged victim at the time the alleged maltreatment occurred?
- Is there any other relevant information from neighbors, relatives, professionals or other persons?

When determining the amount of the administrative fine, the department must consider the following:

- The gravity of the violation including the probability that serious physical or emotional harm will result or has resulted due to the false report, the severity of the actual or potential harm, and the nature of the false allegation;<sup>40</sup>
- Actions taken by the false reporter to encourage an investigation on the basis of false information;<sup>41</sup> and
- Any previous false reports filed by the same individual.<sup>42</sup>

As a mitigating factor, the department must consider any action taken by the false reporter to retract the false report.<sup>43</sup>

The department has broad discretion in setting the administrative fine up to \$10,000 for each false report. When the department determines that a false report was made and sets the amount of the administrative fine, the department must send a notice of proposed agency action to the alleged false reporter and that person's legal council, if known.<sup>44</sup>

The notice advises the alleged false reporter of the date and time the report was made, the penalty for making a false report, the names of the alleged victim(s), and the facts conveyed in the alleged false report.<sup>45</sup>

If after 20 days, the department has received no information sufficient to discourage imposition of the administrative fine or if no response is received, the department is required to issue a Notice of Intent.<sup>46</sup>

A Notice of Intent, filed by the department, states the name, age, and address of the individual, the facts constituting the allegation that the individual made a false report, and the administrative fine being imposed by the department.<sup>47</sup> Each Notice of Intent must be sent by certified mail to the alleged false reporter and that person's legal council, if known.<sup>48</sup>

According to s. 39.206, F.S., any person alleged to have filed a false report is entitled to an administrative hearing, pursuant to ch. 120, F.S., before the imposition of the fine becomes final. The person must request an administrative hearing within 60 days after receipt of the notice of proposed agency action by filing a request with the department. Failure to do so constitutes a waiver of the right to a hearing, making the administrative fine final.

If a hearing is requested the department is responsible to prove by a preponderance of the evidence the

<sup>39</sup> CF Operating Procedure No. 175-19, Administrative Fines and other Penalties for False Reporting of Abuse, Neglect and Abandonment, May 9, 2001.

<sup>40</sup> Section 39.206(6)(a), F.S.

<sup>41</sup> Section 39.206(6)(b), F.S.

<sup>42</sup> Section 39.206(6)(c), F.S.

<sup>43</sup> Section 39.206(6)(b), F.S.

<sup>44</sup> CF Operating Procedure No. 175-19, Administrative Fines and other Penalties for False Reporting of Abuse, Neglect and Abandonment, May 9, 2001, page 3.

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> Section 39.206(2), F.S.

<sup>48</sup> Section 39.206(3), F.S.

falseness<sup>49</sup> of the report and the identity of the reporter.<sup>50</sup>

According to DCF, the low number of administrative fines levied against a person for a false report is primarily due to the workload<sup>51</sup> it places on the department's investigative staff and child welfare legal staff,<sup>52</sup> and because most cases are referred to law enforcement for possible criminal investigation and prosecution.

### False Reporting Deterrents

In addition to the penalties outlined in ss. 39.205(6) and 39.206, F.S., the department has implemented the following measures designed to decrease the incidence of false reporting to the Florida Abuse Hotline.<sup>53</sup>

- Caller identification<sup>54</sup> and call recording<sup>55</sup> enable DCF to supply information to state attorneys and law enforcement to assist in their investigation.
- Each caller hears a recorded warning message detailing the penalties for making a false report.
- Hotline and investigative staff are trained in the identification of a false report.
- Hotline and investigative staff are instructed to advise a person suspected of making a false report of the potential for administrative, civil and criminal consequences of their actions.
- Investigative staff are instructed to provide direction and encouragement to victims of false

reporting to pursue false allegations with law enforcement and the state attorney.

- District staff are encouraged to send informational letters, outlining the consequences of false reporting, to callers whose reports are suspicious.

## RECOMMENDATIONS

According to information provided by the United States Department of Health and Human Services, the State of Florida maintains some of the toughest penalties for a person making a false report of child abuse, abandonment, or neglect. Additionally, the Legislature has imposed and the department has implemented a number of policies and procedures designed to deter false reporting.

Any strengthening of ss. 39.205(6) or 39.206(1) and (10), F.S., or any increase in the department's current deterrent practices must be weighed against the possible chilling effect on a person making a report of suspected child abuse, abandonment, or neglect in good faith.

Due to the limited amount of statistical information and the irregularity of the department's reports to the Legislature on false reporting, it is recommended that the Legislature amend s. 39.205(4), F.S., to provide the department with better direction on what must be reported. It is recommended that DCF report the following data within its annual report relating to false reports of abuse, abandonment, or neglect:

- The number of false reports referred to local law enforcement for investigation (currently required by law<sup>56</sup>);
- The number of suspected false reports;
- The number of false reports reviewed for potential administrative fines;
- The number of investigations conducted as a result of a report of child abuse, abandonment, or neglect;
- The number of reports closed with no findings of alleged maltreatment;
- The number of administrative fines levied and collected pursuant to s. 39.206(1), F.S.; and
- The number of reports resulting in prosecution.

<sup>49</sup> The term "falseness" refers to the statutory definition of a false report found in s. 39.01(28), F.S.

<sup>50</sup> CF Operating Procedure No. 175-19, Administrative Fines and other Penalties for False Reporting of Abuse, Neglect and Abandonment, May 9, 2001, page 3.

<sup>51</sup> According to the DCF, Office of the General Council, the department's workload begins with an investigation of a potential false report and a review of the evidence by Child Welfare Legal Services (CWLS). Once a notice of proposed agency action is filed and a hearing is requested, a CWLS must prepare the prosecution. This preparation will consume a substantial amount of attorney time. Each hearing is subject to review and appeal.

<sup>52</sup> Email from Leslie A. Chytka, MSW, Operations & Management Consultant II, Department of Children and Families, on file with the Committee on Children, Families, and Elder Affairs (August 8, 2007, 2:57 PM EDT) confirmed via voicemail (August 15, 2007, 4:35 PM EDT) Pat Badland, Director, Office of Family Safety.

<sup>53</sup> According to the DCF, while the department encourages each district to implement training and other false reporting deterrent techniques, it is unclear whether the statewide implementation has been consistent.

<sup>54</sup> Chapter 95-228, Laws of Florida.

<sup>55</sup> Chapter 99-168, Laws of Florida.

<sup>56</sup> Section 39.205(4), F.S.