Duty To Warn Guidelines for SPAs
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Overview – The Military Family Environment

Like civilian families, military families have to manage their lives within an environment that consists of a constant state of change. However, military families are faced with challenges most civilian families never have to encounter. These challenges commonly evolve from extended periods of separation due to multiple deployments, which can place a great deal of pressure on our service members and their families. As a result of this pressure, some service members and families have difficulty adjusting and need assistance in coping.

Fortunately, military services today have changed from the military services of prior generations. One of the biggest differences is seen in the multiple resources and services being utilized by the U.S. Department of Defense (“DoD”) to support the service members and their families. The MFLC programs are examples of these DoD resources and services. As a Contracted Provider, you play a crucial and specific role in supporting service members and families through these stressful times.
**Contracted Provider Duty To Warn (DTW) Guideline Goals**

Upon review of this guide, you will:

- Become familiar with the DTW process as it applies to Contracted Providers
- Be able to Identify DTW situations in your role as a Contracted Provider
- Understand DTW protocol under the law and the DoD contract as it applies to Contracted Providers

Here are some helpful tips to keep you on the road to success during an On-Demand assignment.

- **BE PROACTIVE**
  - As emphasized in your On-Demand education, you must hit the ground running and be proactive.

- **SEEK OUT POC**
  - Search out your POCs and local duty to warn resources. The Chaplain will be the POC for many On-Demand events and local resources may consist of a community mental health entity or the Guard/Reserve’s Unit representatives.

- **SAFETY FIRST**
  - In the event you find yourself alone with a client who may be an imminent danger to him/herself, keep them safe until you can accomplish a warm hand-off to the POC.

While working in the On-Demand environment, you may find some duty to warn situations to be uniquely challenging. With On-Demand environments, it is common to provide support in a camp setting, miles away from immediate resources.

These Guidelines are divided into three sections. Each section covers a different topic important to understanding the various components of the DTW protocol for Contracted Providers. If you have questions regarding the Guidelines, you can contact your MFLC Liaison.
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Introduction to Duty To Warn

Professional Confidentiality Standards
Remember to maintain professional standards regarding confidentiality at all times. Since the MFLC program is “off the record” (with the exception of DTW reports and activity forms), no records of contact are kept on or about military clients.

Comparing Reporting Requirements in the Civilian Practice and as a Contracted Provider
While working in your civilian practice, you encounter situations where you are legally required to break client-practitioner confidentiality such as suspected child abuse, danger to client and in some states danger to others. In these cases, a report is made to the appropriate agency, the police, or when there is an immediate threat of harm, to an identified person.

While some of these requirements stay the same, military settings have additional protocols as set forth in the DoD contract. This guide will help you understand these protocols.

Understanding DTW Protocols for Contracted Providers
While providing non-medical, problem-solving counseling, and psycho-education, you may encounter individuals who, in your professional judgment, are at-risk for harm to self or others, domestic violence, violence against another person, engaging in present or future illegal activity and/or child or elder vulnerable adult abuse. Although safety of the client(s) is the first priority, providing services to these individuals is outside the scope of services under the DoD contract.

Military guidelines governing Duty to Warn situations have been established by the Office of the Secretary of Defense (OSD). These guidelines ensure that the proper authorities are notified to better address the service/family member’s needs. DTW procedures are defined by the branch of service and program in which you are providing services and define whether you should notify the POC, other military installation designees, or emergency responders. To view a flow chart on General Duty to Warn protocol.

Informed Consent
In your non-MFLC practice, you may be accustomed to your client completing paperwork that informs him/her of the limits of confidentiality. As a Contracted Provider on a military installation, prior to conducting any counseling session, the DoD contract requires that you obtain informed consent by providing each client with a specific description of the consent elements. To accomplish this, the DoD has approved a disclosure which must be read to the client along with a review of the following points that describe the parameters and scope of the program:

- Counselors provide brief solution-focused problem-solving support Counselors work in support of and, in conjunction with, existing military entities/services
- Counselors keep no records
- Counselors maintain a duty to warn obligation
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- Counselors cannot see service/family members who are "in the system"
- Counselors are not restricted reporters

In the System
When a military member or their dependent is being seen through military agencies, they are considered “in the system” and are defined as out of scope for services in the MFLC program. Generally, services are out of scope in circumstances where the Military has already provided an appropriate resource and the provision of services through the MFLC program would be redundant and not coordinated with the overall Military support structure. If you encounter someone who is already in the system, you should refer him/her back to the agency they are currently working with and appropriately end the conversation or consultation. These agencies include:

- Social Work Services
- Behavioral Health Clinic
- Mental Health Clinic
- Family Advocacy Program
- Sexual Assault Response Coordinator (SARC)
- Chaplain (note, however, the counselor could see an individual referred by the Chaplain unless they are being seen by the chaplain for long term or mental health issues)

NOTE:
Additionally if a service member (“SM”) or family member (“FM”) is involved in any investigation being conducted by the Military Police (MPs), Judge Advocate General (JAG) or the Command, this individual is “in the system” Services to individuals involved in such investigations are also out of scope of the DoD contract.

If the SM/FM is involved in a mental health or legal system outside of the military, you should contact your MFLC Liaison to discuss the individual’s eligibility for MFLC program services. When services are out of scope, you should refer the SM/FM back to the service in which they are receiving or offer them additional resources.

Restricted Reporting
Restricted reporting is a military term, which describes the opportunity for an eligible victim of sexual assault or domestic abuse (active duty service members and adult family members over 18) who are eligible to receive military medical treatment to have the possibility of reporting the incident of domestic abuse or sexual assault without initiating the investigative process or notification to the victim’s or alleged offender’s commander.

An adult family member or intimate partner may be able to use restricted reporting for domestic abuse or sexual assault. In order to utilize restricted reporting, the service or family member can only report the incident to one of the following specified individuals who will determine whether they qualify for a restricted report:
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- Victim Advocate
- Supervisor of a Victim Advocate
- Healthcare Provider
- Family Advocacy Program Office (FAP)
- Sexual Assault Response Coordinator (SARC)

If domestic violence is disclosed to other individuals than those listed above it may result in command notification and law enforcement investigation.

Contracted Providers are not designated as restricted reporters and so if someone was to disclose a domestic violence incident to you that you believe might qualify for a restricted report, you should stop the session, remind them of their option for a restricted report and do a warm hand off to the appropriate source. If they continue to disclose this or do not opt for a restricted report, it then becomes a DTW situation (follow protocols). A report of sexual assault does not require that you follow the DTW protocol, although the victim should be transferred to the appropriate agency since this is out of scope for the MFLC program and MFLCs cannot continue to see someone who is reporting sexual assault.

Professional Confidentiality Standards
You must maintain professional standards regarding confidentiality at all times with the exception of mandatory duty to warn reporting requirements. Since the MFLC program is “off the record,” the only records you submit are the activity reports that do not contain identifying information or any details regarding the specific counseling you provide. Your services are private and confidential to encourage the widest level of participation.
Branch/Program-Specific DTW Criteria

The DTW criteria have been established by DoD. All branches of service have the same basic criteria for DTW, (Air Force and SOCOM has additional criteria) that also necessitate a DTW. These criteria include situations that you have concluded in your professional judgment involve:

- Threat to Harm Self or Others
- Child and Vulnerable Adult Abuse and Neglect
- Domestic Violence and Abuse
- Violence Against any Person
- Any Present or Future Illegal Activity

Army

Please thoroughly review Appendix C for the Army’s DTW process flow. Remember to contact your MFLC Liaison if you have any questions.

Army Guard/Reserves

The Army’s Guard and Reserve criteria are the same as the Active Duty Army. The protocol is slightly different because the Army Guard/Reserves have different contacts, so thoroughly review the Army Guard and Reserve DTW process flow.

Marines

The Marine’s DTW criteria are the same as Active Duty Army’s. The protocol uses some different terminology, (i.e. MCCS). If you have any questions, contact your MFLC Liaison. Please thoroughly review Appendix C for the Marine’s DTW process flow.

Air Force

The Air Force’s DTW criteria are more stringent than the other branches. When working with Airmen, you may encounter individuals in the Personnel Reliability Program (PRP). The PRP has additional requirements that should be discussed with your MFLC Liaison once you arrive at your Air Force assignment. Please thoroughly review Appendix D for the Air Force DTW process flow.

Legal Requirements for Child/Vulnerable Adult Abuse Reporting for United States and its Territories

While providing support in the MFLC program, you may rotate through both the CYS and Adult programs. In cases where you suspect child/vulnerable adult abuse or neglect, you must report to the local state protective services agencies to meet the requirements of state and federal law. You should also report suspected domestic abuse and child/vulnerable adult abuse/neglect to the nearest installation’s Family Advocacy Program.

You are not responsible for determining the veracity of the report or the seriousness of the incident and should facilitate a warm hand-off of the affected individual to the POC. Ideally, the POC will be responsible for
verifying that the incident is reported to the appropriate reporting agency in accordance with installation and/or school protocol. The POC is not authorized to screen reports of suspected child/vulnerable adult abuse/neglect in lieu of a Contracted Provider making the report.

Simultaneous reporting is encouraged for all programs. Simultaneous reporting means that you make a report to the POC or POC's designee and they will in turn assist you with making the report to the appropriate reporting agency. DoD wants to insure that a report is filed whenever, in your judgment, you feel it is necessary according to the DTW protocol. In addition, the DoD wants an insider to assist with the report to make sure installation protocols are followed.

There may be times when it is not installation protocol to notify the state protective services (“CPS” and “APS”) – their protocol might be to notify the MPs or FAP and then allow them to call in a report. However, you are still responsible for making an independent report to the state protective services if you cannot confirm the POC made a report to the agency or are not provided with the name of the person the POC spoke to or a case number, you should make the report. During your initial installation information session, you should be provided with the name and contact information of the appropriate installation POC or designee(s), including after-hours contact numbers.

In most situations you should contact your MFLC Liaison as soon as you determine in your professional judgment that the situation has the potential to be a DTW. In cases of imminent danger, you should do what is necessary in your professional judgment to keep the child or vulnerable adult safe and then contact your MFLC Liaison as soon as possible.

**Program Specific DTW Variations**

**SOCOM /CYB Clearance**

While working under SOCOM or CYB Clearance assignments, there may be different guidelines related to the handling of DTW situations, so please check with your MFLC Liaison or Manager for the unique protocol under SOCOM.

**Locations outside of the United States and its Territories (Community in Europe)**

**Army**

Army DTW protocol is followed except for child abuse reporting, where there is no report made to agencies outside the installation. In Europe, the Team Leads acts as MFLC Liaison; therefore, you should contact the Team Lead (TL) immediately for all situations that you have determined in your professional judgment give rise to a DTW unless you believe there is imminent danger. In the event of imminent danger, notify the POC immediately. The agency to which you report on the installation is identified by your TL.
**USAFE**
Follow the Air Force DTW protocols with the same exception for child abuse reporting. You contact the Team Lead (TL) immediately on all situations that you have determined in your professional judgment give rise to a DTW unless there is imminent danger. In the event of imminent danger, notify the POC or TL immediately.

**AFRICOM**
DTW Protocol for AFRICOM assignments is based on the location of the assignment. For AFRICOM assignments housed on an Army installation, Army OCONUS protocol is followed. For AFRICOM assignments on USAFE installations, follow USAFE DTW protocol.

For AFRICOM assignments on the continent of Africa, protocols are ADJUSTED adjusted based on the structure and needs of the base. Once the DTW criteria are met, you will inform the POC (HOA J1 Command.) Command will then arrange for client referral to the SWS Medical on camp.

**PACRIM**
The DTW protocols follow branch of service guidelines except for child abuse reporting, which is specific to each location. Verify the DTW procedures with your MFLC Liaison prior to seeing service members and their families.
Contracted Provider DTW Responsibilities

Contracted Providers are part of a larger military support structure, a team that collectively contributes to the well-being of service members and family members. In order to effectively and efficiently meet the needs of these individuals when providing services, you should be familiar with specific DTW protocol under the law and the DoD contract.

Guidelines for Contracted Provider

- **Upon arrival at an installation, meet with the current/departing counselor and with the POC to clarify the duty to warn protocol and emergency contact numbers for the installation.**
- **Possess a copy of and be familiar with the informed consent disclosures prior to counseling service members and family members. Inform your MFLC Liaison if the location does not have a laminated informed consent disclosure.**
- **Know the branch specific DTW procedures and obtain answers to procedural questions from the MFLC Liaison prior to counseling service members and family members.**
- **Use your professional judgment to identify DTW situations and respond to them within branch of service protocol.**
- **For Data Collection Protocol by Phone: If receiving a phone call from a service/family member, start the call with "Hi, my name is______ I see you already have my #... can I get your name and # in case we get cut off?"**
- **For Initial Client Contact Protocol: For in-person DTW, obtain the name, phone number, address for the person at-risk, as well as the Unit of the service member. In child programs you will need to get this from the POC/Director/Principal. If the POC does not provide the demographic information to you, notify your MFLC Liaison.**
- **Contact your MFLC Liaison immediately in all situations that you have determined in your professional judgment meet military criteria for a DTW. Provide the identifying information to your POC when you report the DTW.**
- **Provide DTW summary email to MFLC Liaison/Manager as soon as possible but within 24 hours of DTW event. There should be no participant demographics included in the email, but do include a description of the risk causing the DTW, the actions taken, the date and time of any required reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).**
- **Enter an activity form with DTW checked “yes” and “warm hand-off” chosen for ineligibility type**
- **Locate the transition/resource binder to ensure all DTW information is accurate and up to date.**
Responsibilities of an MFLC Liaison/TL as to Contracted Providers

- Provide necessary DTW protocol information to his/her assigned Contracted Providers and answer questions if and when they arise.
- Complete DTW report and send to MFLC Field Ops Manager within 24 hours of the conclusion of the event. If all of the information is not available, and provide the reason for this in the email.

Responsibilities of a Field Ops Manager

- Review the DTW form, clarifying any issues or questions with the MFLC Liaison.
- Keep MFLC Liaison updated on DTW procedural changes.
- Enter their name in the “Manager Approved” field and email DTW form to QA Lotus Notes Mailbox MFLCDTWComplaints/GRP/MHN/HNT@FHS Lotus along with comments regarding adherence to protocol and/or any coaching that was done. The DTW form must be forwarded ASAP, but at maximum within 2 business days of the event.
- Ensure that any problems with following protocol, documentation, or identification of Duty to Warn are discussed with MFLC Liaison.
Appendix:
The following flow charts are designed to illustrate the scope of services set forth in the DoD contract and the requirements under law and the DoD contract that create a Duty to Warn in certain situations.

Harm to Self
*These do NOT describe all possibilities; therefore, it is important to call the MFLC Liaison whenever you determine in your professional judgment that you have a DTW.

Examples
- Person describes recent ideation to harm self but has no plan or access to means to act.
- Person states they are going to harm self, or has a specific plan, intent and means to act.
- Person may disclose recent attempt, history of depression/anxiety/recent losses/deaths, or a history of mental health hospitalization.

How to resolve
- Use your professional judgment to keep person safe
- Obtain demographic information for hand-off and to notify the POC
- Follow branch-specific DTW procedures

*Air Force and SOCOM have different criteria for this determination. Please contact your MFLC Liaisons for specifics.
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Domestic Violence

*Air Force and SOCOM have different criteria for this determination. Please contact your MFLC Liaisons for specifics.

**Examples**
- A current/former spouse
- A person with whom the abuse shares a child in common
- A current or former intimate partner with whom the abuser shares or
- Has shared a common domicile?

**How to resolve**
- Use your professional judgment to keep person safe
- Obtain demographic information for hand-off and to notify the POC
- Follow branch-specific DTW procedures
Scenarios:

Domestic Violence Scenario 1

Step 1: You are meeting with a service member and his wife for a scheduled session. During the session, the wife discloses that her husband has hit her on more than one occasion. You stop the conversation and remind both of them about the limits of confidentiality. What is your best action?

- Contact FAP (Family Advocacy) immediately for a warm hand-off
- Contact your MFLC Liaison & POC to notify them of the situation. Then Contact FAP

Answer: The couple may have the right to make a Restricted Report. If possible, immediately contact FAP to make a warm hand-off of the couple by phone. If the couple is unwilling to be connected to FAP, you should contact your MFLC Liaison and POC to notify them of the situation. Then, notify FAP.
Domestic Violence Scenario 2

**Step 1:** You receive a call from an Airman who wanted to come in immediately. After you get his name and number, you read him the confidentiality statement and he proceeds to tell you that he has endured some domestic violence from his wife. You stop the conversation and contact FAP. It is after-hours and FAP is closed with no additional number listed. What is your best action?

- Tell the Air Man to wait until the next business day when they can reach FAP
- Contract your MFLC Liaison and POC

Answer: You should always contact your MFLC Liaison and POC first.

**Step 2:** The POC discusses the situation with the Airman and they call the 24 hour command post. Action was taken by the 24 hour command post to keep the Airman safe. What is your best action the next day?

- No follow up is necessary with the Airman, you should contact FAP and make a report the next business day.
- Contract your FAP and make a report

Answer: You should contact FAP and make a report
Domestic Violence Scenario 3

Step 1: You meet with an 18 year old daughter of a soldier who was referred to you by ACS. She is a high school senior and lives at home, but reports she is afraid to go home because her father drinks daily and gets aggressive. You read the informed consent to the client and she tells you that her dad has a history of getting “angry and out of control.” She is afraid to go home because her father was angry at her when she left for school today. What is your best action?

- Contact your MFLC Liaison to discuss, then contact FAP
- Contact your MFLC Liaison and POC

Answer: Contact your MFLC Liaison to discuss then contact FAP. FAP can help determine the best option for this adult dependent.
Child/Vulnerable Adult Abuse/Neglect-General

Examples of Reportable Child Abuse

• The child may have bruises, bite marks, or cigarette burns
• The child may display signs of sexual activity or maltreatment between a minor and any person who is at least 3 years older or younger.
• The child may indicate sexual activity resulting from threat, coercion, or violence

Example of Reportable Child Neglect

• The child may not be attending school
• The child may be deprived of necessities
• The child may lack medical care for serious conditions

Is the person the action directed toward

• A current/former spouse
• A person with whom the abuse shares a child in common
• A current or former intimate partner with whom the abuser shares or has shared a common domicile?

Resolve

• Use your professional judgment to keep person safe
• Obtain demographic information for POC and hand-off
• Follow branch-specific DTW procedures
Child Abuse/Neglect Reporting Information

How do you make a report when the time comes? During your installation orientation, you should obtain the name and contact information for the POC or designee. If you have questions, contact your MFLC Liaison (or in Europe, your Team Lead).

- **Simultaneous Reporting:** Simultaneous reporting is encouraged for all programs. Simultaneous reporting means that you make a report to the POC or POC’s designee and they will assist you with making the report to the appropriate reporting agency. DoD wants to insure that a report is filed whenever you feel it is necessary. In addition, the DoD wants an insider to assist with the report to make sure installation protocols are followed.

- **Independent Reporting (OCONUS):** There may be times when it is not installation protocol to notify child protective services – their protocol might be to notify the MPs or FAP and then allow them to call in a report. However, you are still responsible for making an independent report to CPS if you cannot confirm the POC made a report to CPS with a name of the person the POC spoke to or a case number. During your initial installation orientation, you should be provided with the name and contact information of the appropriate installation POC or designee(s), including after-hours contact numbers.

- **Reporting Resources (OCONUS):** Please verify that you have numbers for your POC, FAP, CPS in your region, and the Domestic Violence hotline among those resources. If you need assistance finding the number for CPS, contact your MFLC Liaison. You can always call Child help at 800-4-A-CHILD. They are available 24/7 and can direct you to the correct CPS or agency. Additional information can be found online at www.childwelfare.gov under “Responding to Child Abuse.”

What if I am unsure if there is child abuse/neglect?

If you think you have a reportable situation, but you are unsure, you do have options available to you. The first and most important is to call your MFLC Liaison or if in Europe, your Team Lead.

Always call your MFLC Liaison in cases of child abuse or suspicion of child abuse.

You can also consult with other resources:

- *Call FAP with a ‘hypothetical’ situation*
- *Call CPS*

Always error on the side of caution. If you have reason to believe abuse or neglect is taking place, make a report.
Scenarios:

Child Abuse/ Neglect Scenario 1

**Step 1:** You meet with a 6 year old child and her mother. The mother is very upset. The child has spent the weekend with her father which is required in the divorce agreement twice per month. The child reports that daddy “spanked her” and she doesn’t want to go to his house again. What do you do?

- **Talk more with the mother & child to gather details about the situation**
- **Stop the conversation & contact your MFLC Liaison**

**Answer:** It’s best to talk more with mother and child to gather more details.

**Step 2:** In discussing the situation, the mother reports that the child told her “Daddy got mad at me for spilling juice on the new carpet and smacked my face and made me scrub the carpet.” The child also told her mother that she had “to stay in my room for the rest of the weekend and I couldn’t play or watch TV.” The mom is crying and the child is visibly upset. You notice a large bruise on the child’s upper cheek beside her eye. The child tells you that this is not the first time daddy has spanked her. Is this a clear case of child abuse?

- **YES**
- **NO**

**Answer:** YES, this seems to be a clear-cut case of child abuse. There is a visible mark on the child’s face that is consistent with the story.
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Step 3: After talking with the mother and child, what is your next action? What do you do?

- Contact CPS and make a report
- Contact your MFLC Liaison immediately to discuss the circumstances

Answer: Contact your MFLC Liaison immediately to discuss the circumstances (in Europe, call your Team Lead).

Step 4: Who should you contact after speaking with your MFLC Liaison? What is your next action?

- FAP (Family Advocacy)
- Your POC (Point of Contact)

Answer: You should contact your POC first. A simultaneous report with the POC present is encouraged but not required. They may also want to assist in a warm hand-off to FAP. If the POC is unwilling to be present for a simultaneous report, then you can call the MFLC Liaison back if you need assistance in making an independent report the state agency and FAP.
### Step 5: Once your MFLC Liaison and POC have been notified, what is your next step?

**Contact CPS or local state agency to report the abuse**

**You are finished, because your POC will contact CPS for you**

**Answer:** You must notify CPS/local state agency and file a report. It is encouraged that you make a simultaneous report with the POC present, but this is not required (see section on OCONUS).

### Step 6: In addition to summarizing the event for child abuse cases, you must also include what information in the report?

**Date and time of the report, name of person reported to at CPS/local agency/FAP, name of state agency, and case number (if available) for the report.**

**CPS contact number, CPS report number, and the name of the CPS investigator, the child's and parent's name.**

**Answer:** The date/time of report, state agency name, name of person who took report, and report number if available (see section on OCONUS).
Child Abuse/ Neglect Scenario 2

**Step 1:** You are meeting with a 12 year old boy who reports that his father is deployed and his mother drinks alcohol daily. He states that she passes out every night, often before dinner, leaving him and his 5 year old sister alone to get dinner and go to bed. He also reports that there is often no food in the house. What is your first action?

- Contact CPS & make a report
- Contact your MFLC Liaison immediately to discuss the circumstances

**Answer:** You should always contact your MFLC Liaison first (Team Lead in Europe).

**Step 2:** In discussing the case, you, your MFLC Liaison, and the POC agree this is a reportable situation because the children are in an environment of neglect and are unsupervised without any provision for meals. What is your next action?

- You & your MFLC Liaison contact the POC who agrees to make a report and provide the demographic information to you to report to appropriate agency
- You, your MFLC Liaison, and the POC should meet again to discuss whether this incident is reportable by law

**Answer:** Allow the POC to make a report and provide you with the demographic information. (If they are unwilling to make a simultaneous report)
Step 3: In addition to the summary of the DTW, you should provide what information?

The name of the CPS investigator, the name of your MFLC Liaison and your POC

The date/time of the report, name of the agency reported, name of the person reported to, and a report number if available. You must also remember to call your MFLC Liaison.

Answer: The date/time of report, name of agency reported, name of person reported to, and a report number if available.
Violence Against Any Person
Violence against any person would involve issues such as: a serious threat against any person, hate crimes or aggravated assault.

Example of Violence:
- The person not be going to work
- The person has busies or marks
- The person lack medical care for serious conditions

Resolve?
- Keep person safe
- Call your MFLC Liaison
- Obtain demographic information
- Follow branch specific DTW procedures

*For DoDEA assignments at ALL schools, follow school procedures AND call state agency.
Restricted Reporting

Illegal activity is defined as serious criminal offense. This includes, but is not limited to: attempt to commit a felony, bribery, burglary, driving while intoxicated or driving while impaired because of substance abuse, alcohol, drugs or any other condition that impaired judgment or driving ability.

- Use your professional judgment to keep person safe
- Call your MFLC Liaison
- Obtain demographic information for POC or independent reporting agency
- Follow branch specific DTW procedures

1. The client must be read the Consent Statement.

2. When a Service Member (SM) elects to make a restricted report for situations of sexual assault or domestic violence, do not take any further assessment information. (Restricted reporting is when the military may provide assistance to the client without notifying command or investigation the allegation).

3. For sexual assault the Contracted Provider will offer to connect the client with the Sexual Assault Response Coordinator (SARC) office. For Domestic Violence transfer to VA or FAP. A warm transfer should be attempted.

4. When contacting the SARC, VA or FAP, with the Service Member or the Contracted Provider will identify him/herself and explain that they have Service Member/self on the phone who would like information concerning the restricted reporting process.

5. Should the client decline to be connected to the SARC/VA/FAP. The Contracted Provider will offer to provide phone numbers to the SARC and Victim Advocate/Family Advocacy Offices.

6. Should the client decline to make a restricted report and provide further information to the Contracted Provider, the MFLC follows DTW protocol.
Duty To Warn (DTW) Guidelines for SPAs

Army / Marines

Harm to Self/Others

Is the person in imminent danger?

Yes

- Use your professional judgment to ensure the safety of the individual
- Contact MFLC Liaison
- Collect demographic information
- Provide warm hand-off to “Command or MPs/911
- Contact POC and provide DTW information
- Provide DTW summary email to MFLC Liaison/Manager ASAP, but within 24 hours of DTW. There should be no participant demographics, but do include a description of what caused the DTW, actions taken, date and time of any reports, the name of the person and agency reported to and report number, the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).

No

- Contact MFLC Liaison
- Collect demographic information for POC
- Provide warm hand-off to Behavioral health or social work services
- Contact POC and provide DTW information
- Contact MFLC Liaison within 2 hours, within 24 hours provide DTW summary email to MFLC Liaison/Manager. There should be no participant demographics included, but do include a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).

* For more info refer to Army installations outside the US & territories

* Command is defined as NCO with a higher rank than soldier being seen
Domestic Violence

Is the person in imminent danger?

**Yes**
- Use your professional judgment to ensure the safety of the individual
- Contact MFLC Liaison
- Collect demographic information for POC
- Provide warm hand-off to “Command or MPs/911
- Contact POC and provide DTW information
- Provide DTW summary email to MFLC Liaison/Manager ASAP, but within 24 hours of DTW. There should be no participant demographics, but do include a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).

**No**
- Contact MFLC Liaison
- Collect demographic information for POC
- Provide warm hand-off and provide individual with number to Domestic Violence hotline
- Contact POC and provide DTW information
- Provide DTW summary email to MFLC Liaison/Manager as soon as possible but within 24 hours of DTW event. There should be no participant demographics included, but do include a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).

* For more info refer to Army installations outside the US & territories
Child Abuse/Neglect

Is there reason to suspect child abuse/neglect?

Yes

- Use your professional judgment to keep the child safe
- Contact your MFLC Liaison immediately
- Collect demographic information for POC
- Attempt to make simultaneous report with POC. If POC is unavailable or disagrees with the decision to report the incident, report to the state agency
- Obtain the name of the person taking the report, agency name, and case number
- Make a report to FAP if event occurred on a installation
- Provide warm hand-off to FAP in adult program
- Contact POC and provide DTW information id simultaneous report was NOT made
- Provide DTW summary email to MFLC Liaison/Manager as soon as possible but within 24 hours of DTW event. There should be no participant demographics included but do include a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).

* For more info refer to DoDEA assignments at off-post schools, follow school procedures AND call state agency.

* For more info refer to Army installations outside the US & territories
Air Force

Harm to Self/Others

Is the person in imminent danger?

Yes

- Use your professional judgment to ensure the safety of the individual
- Contact MFLC Liaison
- Collect demographic information for POC
- Provide warm hand-off to POC
- Contact MFLC Liaison and an email summary with a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).

* For more info refer to Air Force installations outside the US & territories
Duty To Warn (DTW) Guidelines for SPAs

Domestic Violence

Is the person in imminent danger?

Yes

• Use your professional judgment to ensure the safety of the individual
• Contact MFLC Liaison
• Collect demographic information for POC
• Attempt to make warm hand-off to POC, if POC unavailable, make warm hand-off to FAP
• Provide individual with the number to Domestic Violence hotline
• Contact POC and provide DTW information
• Contact MFLC Liaison and provide an email summary with a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).

* For more info refer to Air Force installations outside the US & territories
## Duty To Warn (DTW) Guidelines for SPAs

### Army Guard / Reserves

#### Harm to Self/Others

**Is the person in imminent danger?**

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notify assigned POC immediately and provide warm hand-off</td>
<td>Collect demographic information for POC</td>
</tr>
<tr>
<td>If POC is unavailable, contact 911</td>
<td>Provide warm hand-off to POC</td>
</tr>
<tr>
<td>Gather demographic information for POC</td>
<td>Contact MFLC Liaison and provide an email summary with a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was &quot;handed off&quot; to (i.e., FAP, behavioral health, etc.).</td>
</tr>
<tr>
<td>Contact MFLC Liaison and provide an email summary with a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was &quot;handed off&quot; to (i.e., FAP, behavioral health, etc.).</td>
<td></td>
</tr>
</tbody>
</table>
Domestic Violence

Is the person in imminent danger?

**Yes**

- Contact POC immediately and provide warm hand-off
- If POC is unavailable, contact 911
- Provide individual with number to the Domestic Violence hotline
- Collect demographic information for POC
- Contact MFLC Liaison and provide an email summary with a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).

**No**

- Collect demographic information for POC
- Provide individual with number to the Domestic Violence hotline
- Contact POC immediately and provide warm hand-off
- Contact MFLC Liaison and provide an email summary with a description of the risk causing the DTW, the actions taken, the date and time of any reports, the name of the person and agency reported to and report number (if available), the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).
Child Abuse/Neglect

Is there reason to suspect child abuse/neglect?

Yes

- Use your professional judgment to keep the child safe
- Contact MFLC Liaison
- Collect demographic information to report to POC or state agency
- Attempt to make simultaneous report with POC. If POC is unavailable or disagrees with the decision to report the incident, report to the state agency
- Obtain the name of person taking the report, agency name, and case number
- Contact POC and provide DTW information if simultaneous report was NOT made
- Contact MFLC Liaison and provide a summary email including, a description of the risk causing the DTW, actions taken, date and time of any reports, the name of the person and agency reported to and report number, the names of the POC, any escort, and the person and location the participant was "handed off" to (i.e., FAP, behavioral health, etc.).
### Acronyms

<table>
<thead>
<tr>
<th>Term/Acronym</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACS</td>
<td>Army Community Services</td>
</tr>
<tr>
<td>A&amp;FRC</td>
<td>Airman &amp; Family Readiness Center</td>
</tr>
<tr>
<td>Base</td>
<td>Air Force and Marine Installation</td>
</tr>
<tr>
<td>Camp</td>
<td>Army and Marine Installations</td>
</tr>
<tr>
<td>CONUS</td>
<td>Continental United States</td>
</tr>
<tr>
<td>CYS</td>
<td>Child and Youth Services</td>
</tr>
<tr>
<td>Deployment Cycle</td>
<td>The deployment process is comprised of seven phases: Train up/Preparation, Mobilization, Deployment, Employment, Redeployment, Post Deployment, and Reconstitution. Each phase of the deployment cycle presents emotional challenges to service members and families.</td>
</tr>
<tr>
<td>DoD</td>
<td>Department of Defense</td>
</tr>
<tr>
<td>DTW</td>
<td>Duty To Warn</td>
</tr>
<tr>
<td>FM</td>
<td>Family Member</td>
</tr>
<tr>
<td>FAP</td>
<td>Family Advocacy Program</td>
</tr>
<tr>
<td>“In the System”</td>
<td>Someone already receiving treatment from Military Mental Health Resources, FAP, Chaplain, SARC, or JAG (In some situations for full time programs the Chaplain refers the SM to the Contracted Provider so we may want to include that referrals from the Chaplain would be permissible.</td>
</tr>
<tr>
<td>Informed Consent</td>
<td>Informed consent is legal conditions whereby a person can be said to have given consent based upon an appreciation and understanding of the facts and implications of an action; in this case, consent to the limits of confidentiality. Contracted Providers must obtain informed consent prior to providing services.</td>
</tr>
<tr>
<td>J.A.G.</td>
<td>Judge Advocate General</td>
</tr>
<tr>
<td>Limits of Confidentiality</td>
<td>The Limits of Confidentiality will be read when sessions are more than 20 minutes for children 13-18 years of age or 30 minutes or more for any participant over 18 years of age. This is to ensure the participant understands the confidentiality parameters. The statement reads as follows: “Information you provide to me or other counselors will be kept confidential, except to meet legal obligations or to prevent harm to self or others. Legal obligations include requirements of law and DoD or military regulations. Harm to self or others includes suicidal thought or intent, a desire to harm oneself, domestic abuse/violence, child abuse or neglect, violence against any person, and any present or future illegal activity.”</td>
</tr>
<tr>
<td>Line of Sight Rule</td>
<td>As required by the DoD contract, Contracted Providers are never to meet alone with a child or group of children without being in the line of sight of the child’s parent(s), the military POC, or the POCs designee.</td>
</tr>
<tr>
<td>MCCS</td>
<td>Marine Corp Community Services</td>
</tr>
<tr>
<td>MP</td>
<td>Military Police</td>
</tr>
<tr>
<td>OSD</td>
<td>Office of the Secretary of Defense</td>
</tr>
<tr>
<td>POC</td>
<td>Point of Contact</td>
</tr>
<tr>
<td><strong>POST</strong></td>
<td>Army Installation</td>
</tr>
<tr>
<td><strong>PRP</strong></td>
<td>Personnel Reliability Program</td>
</tr>
<tr>
<td><strong>QI</strong></td>
<td>Quality Improvement</td>
</tr>
<tr>
<td><strong>QA</strong></td>
<td>Quality Assurance</td>
</tr>
</tbody>
</table>
| **Reportable Child Abuse** | Is the abuse or neglect of a child, eighteen years or younger, and is defined as:  
- Deliberate physical injury that at a minimum leaves marks or bruises or is to the face of head  
- Sexual activity or maltreatment between a minor and any person who is at least three years older or younger  
- Sexual activity resulting from threat, coercion, or violence  
- Witnessing domestic violence  
- Witnessing domestic violence threats with an exposed weapon |
| **Reportable Child Neglect** | Withholding education  
- Emotional maltreatment or deprivation of necessities  
- Withholding medical care for serious conditions  
- Living in hazardous conditions  
- Insufficient nutrition, supervision, shelter, or clothing |
| **Reportable “Danger to Self”** | • A participant reports they are going to harm self  
• A participant reports recurrent ideation to harm self  
• A participant denies risk of self-harm, but informs Contracted Provider of intent to engage in risky behaviors that may result in a significant or lethal injury and/or has a history of self-harming behavior |
| **Reportable “Danger to Others”** | • A participant reports their intent to harm another person and has a specific plan  
• A participant reports having recurrent ideation and a means available to harm others |
| **Reportable Vulnerable Adult Abuse** | The exploitation or deliberate injury, abuse or neglect of an adult who is physically or cognitively impaired. The impairment must be of the nature to restrict the victim’s ability to care for their own daily living needs and prevent them from taking action to avoid harm or exploitation. The exploitation may be financial, sexual or for any other gain. |
| **Reportable Public Safety Warnings** | A participant is employed in a safety sensitive DoD position and engages in behaviors that violate DoD or Service Branch regulations On the job such as substance abuse or not following safety procedures.  
Other high-risk employees with readily available lethal means of harming the public such as military personnel meeting Personnel Reliability Program (PRP) certification status. |
| **Reportable Sexual Assault** | Intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent  
Includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling) or attempts to commit these acts  
Sexual assault can occur without regard to gender or spousal relationship or age of victim. |
### Reportable Domestic Abuse

Domestic violence or a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty when such violence or abuse is directed toward a person who is:
- A current or former spouse
- A person with whom the abuser shares a child in common
- A current or former intimate partner whom the abuser shares or has shared a common domicile

### Domestic Violence

An offense that involves the use, attempted use or threatened use of force or violence against a person of the opposite sex, or the violation of a lawful order issued for the protection of a person who is:
- A current or former spouse
- A person with whom the abuser shares a child
- A current or former intimate partner with whom the abuser shares or has shared a common domicile

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>SI</td>
<td>Suicide Ideation</td>
</tr>
<tr>
<td>SM</td>
<td>Service Member</td>
</tr>
<tr>
<td>SARC</td>
<td>Sexual Assault Response Coordinator</td>
</tr>
<tr>
<td>TL</td>
<td>Team Leader</td>
</tr>
<tr>
<td>VAP</td>
<td>Victim Advocacy; Victim Advocate Program</td>
</tr>
</tbody>
</table>

### Warm Hand-Off Transfer

When Contracted Provider uses his or her professional judgment and skills to facilitate the coordination of care by making a referral to and/or introduction to a resource.