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# The Big Story

## Sweeping changes suggested for Pa. child abuse law

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Dr. Cindy Christian, right, along with Bucks County District Attorney David Heckler, left, addresses the media during a news conference announcing the findings of a report from the Pennsylvania Task Force on Child Protection Tuesday, Nov. 27, 2012 at the capitol in Harrisburg, Pa. Pennsylvania should enact "sweeping" changes to state child abuse laws, the legislative commission concluded Tuesday after a year of study prompted by Jerry Sandusky's arrest on child molestation charges. The Pennsylvania Task Force on Child Protection's recommendations include rewriting state law, redefining what constitutes child abuse and expanding the list of people who are required to report suspected abuse. (AP Photo/Bradley C Bower)

HARRISBURG, Pa. (AP) — Pennsylvania should enact sweeping changes to its child abuse laws, including stronger penalties for failing to report the crime, a legislative commission concluded Tuesday after a year of study prompted by Jerry Sandusky's arrest on molestation charges.

The Pennsylvania Task Force on Child Protection recommended rewriting state law, redefining what constitutes child abuse and expanding the list of people who are required to report suspected abuse.

"We propose a transformation in the way information concerning child abuse is handled and maintained, the way in which crimes against children are investigated in parts of the state, and the way in which those with a responsibility for the well-being of children are trained," said David Heckler, the Bucks County district attorney who chaired the panel.

The recommendations are nonbinding and will probably require a set of as-yet-unwritten bills for the Legislature to consider when it convenes for a new two-year session in January.

"Strengthening these laws must be done as soon as possible, but we should recognize that it cannot be done overnight," Heckler said.

The Republican leader in the state Senate praised the report and said he expected some bills would move to the governor early next year, saying there would be swift action in some cases.

"We are fully prepared to commit the time and effort necessary to make our state safer for children," said Majority Leader Dominic Pileggi.

Sandusky, a 68-year-old former Penn State assistant football coach, is serving a 30- to 60-year state prison sentence after being convicted this summer of 45 counts of sexual abuse of 10 boys. He maintains his innocence and is pursuing appeals.

Heckler acknowledged that the Sandusky and Roman Catholic priest molestation scandals provided the impetus for the creation of the task force but said the panel took a wider view.

"What we did here is not a knee-jerk reaction to anything. It is a seizing of the opportunity to look at the whole system" and gather advice from experts, he said.

One of its proposals, to increase the use of investigative teams from various fields for child abuse cases, may have prevented additional victims after Sandusky's acts drew the attention of police and child welfare workers more than a decade before his arrest, Heckler said.

"I firmly believe if there had been a multidisciplinary team in Centre County in the late '90s and early 2000s, that you would have heard about Jerry Sandusky then," he said.

Dr. Cindy W. Christian, a child-abuse pediatrician at Children's Hospital of Philadelphia and professor of pediatrics at the University of Pennsylvania, said the proposed expansion of the definition of child abuse in Pennsylvania is central to the recommendations.

The present definition "is so narrowly defined that what is child abuse in every other state in this country is not necessarily

child abuse in Pennsylvania," said Christian, a task force member.

Under current law, children have to show they experienced severe pain in order to substantiate abuse claims. The 11-member task force said that requirement should be eliminated and a lower bar established.

Other highlights of the recommendations include enlarging the pool of people labeled as "perpetrators" under one state law. Task force members said such a change would get more children help from county agencies, help authorities identify more abusers, provide a more complete picture of the amount of abuse and likely lead to more criminal investigations.

The task force also suggested setting harsher penalties when people who are required to report abuse fail to do so.

Those who should be required to report suspected abuse also should be expanded to include college administrators and employees, coaches, lawyers and computer repair people who encounter images of child abuse, the committee said.

The definition of sexual abuse also should be expanded to include sexually explicit conversations, the panel said.

Under the recommendations, more people would find themselves subject to the child endangerment criminal statute, including anyone who knowingly acts to prevent police or child welfare workers from learning of abuse in order to protect someone.

Task force member Jason Kutulakis, a Carlisle attorney, said he considered the most pressing recommendation be the expanded use of multidisciplinary investigative teams and additional child advocacy centers, so that they are located within a 90-minute drive of any Pennsylvania child.

Three Penn State officials face related charges for their actions in response to complaints about Sandusky acting inappropriately with children in Penn State showers: the university's former president Graham Spanier, former athletic director Tim Curley and former vice president Gary Schultz. Each has said he is innocent.

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Online:

<http://www.childprotection.state.pa.us/index.cfm>

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