



Wisconsin Chapter | POSITION STATEMENT

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State laws relating to the reporting of the disappearance and death of a child

Subject: On July 5th of this year, a Florida jury found Casey Anthony not guilty of first degree murder and several other serious charges revolving around the disappearance and death of her two-year old daughter Caylee Anthony. One concerning aspect of this case is the fact that a mother failed to report to law enforcement for almost one month that her child was missing.

Background: Under current Wisconsin law:

- A person is required to report to the authorities any death that occurs as a result of an accident or under unexplained, unusual, or suspicious circumstances. Failure to do so is punishable by imprisonment of not more than 90 days or a fine of not more than \$1,000.
- There are no explicit penalties for failing to report the disappearance of a child within a specific timeframe.
- Hiding/burying a corpse with the intent to conceal a crime is punishable by a fine of up to \$25,000, 10 years in prison, or both.
- Abandoning a child in a place where he or she might suffer because of neglect is punishable by a fine of up to \$25,000, 10 years in prison, or both.

Child maltreatment remains a serious problem in Wisconsin. In 2009 there were:

- 38,097 reports of child abuse
- 930 substantiated cases of physical abuse
- 1,406 substantiated cases of sexual abuse
- 62 substantiated cases of emotional abuse
- 2,809 substantiated cases of child neglect
- 23 substantiated cases of a child having died because of child abuse or neglect

Note: Majority of the children (74%) who died were under the age of 1 year

Source: <http://www.preventchildabusewi.org/subSection.jsp?subid=224§ionid=2>

Position: Parents (or guardians) hold the ultimate responsibility for assuring the health and safety of their children. A missing child is very likely to be in danger; such danger could be related to being alone and unsupervised (risk of pedestrian injury, drowning, poisoning or ingestion, etc) or related to child maltreatment (kidnapping, physical or sexual abuse, homicide). If a child is missing it is the parents' (or guardian's) responsibility to find the child or report the child as missing to authorities immediately.

For this reason, WIAAP supports legislation that would make it a crime to fail to report that a child is missing.

Reference: **The Pediatrician's Role in The Prevention of Missing Children**

<http://aappolicy.aappublications.org/cgi/content/full/pediatrics;114/4/1100>