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11 Steps to Mitigate Abuse and Molestation Issues

By Scott Konrad

Your chief responsibility when serving vulnerable populations is creating a safe environment where your clients can thrive. Unfortunately, abuse and molestation incidents are a harsh reality, especially in the nonprofit, education, youth sports and healthcare sectors. Such claims can damage reputations and cause devastating financial losses, even when unsubstantiated.

To mitigate the risks associated with abuse and molestation claims, organizations must adopt a multifaceted approach that emphasizes both prevention and protection. By developing comprehensive internal policies, securing appropriate insurance coverage and maintaining a robust response plan, entities can safeguard themselves from potential claims.

The Risk Facing NPOs

Tracking incidents of abuse and molestation is challenging, as these acts often go unreported. However, statistics from the Centers for Disease Control and Prevention (CDC) suggest that approximately one in four girls and one in 20 boys in the U.S. experience sexual abuse, with 91% of cases perpetrated by someone the child knows and trusts. The economic impact of this abuse is staggering, with costs estimated at \$9.3 billion.

The consequences for victims are severe, often leading to lifelong trauma. For organizations, abuse allegations carry the risk of serious reputational damage, legal battles and significant financial strain. These risks grow as many states extend or remove statutes of limitations, allowing victims to seek recourse long after incidents.

As of November 2023, at least 30 states have enacted laws that revive previously expired child sexual abuse claims. This has resulted in a surge of new lawsuits, many of which involve third-party litigation financing, where law firms receive external funding to pursue high-value cases. As a result, the average payout for these claims now runs into the millions, causing many insurers to reduce coverage limits or raise premiums.

With fewer insurance options available, nonprofits are forced to absorb more financial risk. This underscores the need to adopt a proactive approach to preventing abuse and securing the best possible protection.

Implementing Critical Prevention Strategies

The most effective way to protect against abuse and molestation claims is to prevent incidents from happening. Organizational leaders must implement and enforce policies to reduce abuse risk. Key elements of a successful prevention program include:

- **Background and reference checks:** Conduct thorough background checks on all employees, volunteers and contractors who work directly with vulnerable populations. Recheck full-time employees every three years for red flags.
- **Training for staff and volunteers:** Training programs should educate personnel on managing high-risk situations. This includes minimizing one-on-one interactions, maintaining boundaries, and learning how to recognize signs of abuse or “grooming” behavior. Regular refresher courses will keep awareness high.
- **Proper supervision:** Supervisors and leaders must remain vigilant, monitoring staff and volunteers for any behaviors that could raise suspicion. Early intervention can prevent misconduct from escalating.
- **Physical space management:** Conduct regular assessments of your facilities to identify areas that may be vulnerable to abuse. Installing visitor management systems and surveillance cameras in key locations can deter inappropriate behavior and provide crucial evidence in the event of an incident.
- **Risk assessment:** Organizational managers should regularly assess programs for potential risks, especially activities like overnight stays, offsite trips, unsupervised transportation or unfamiliar interactions.
- **Open communication channels:** Encourage reporting of suspicious behavior without fear of retaliation. Confidential reporting hotlines can facilitate open communication, reinforcing the motto, “If you see something, say something.”

Responding To Incidents: A swift, decisive plan

Despite best efforts, incidents or allegations might still arise. A strong response plan mitigates fallout and fortifies defense. Essential elements of a nonprofit’s robust response plan include:

- **Designated response team:** Pre-assign specific members of the organization to respond to allegations or incidents of abuse. This team should include individuals with the authority to notify parents, guardians and law enforcement when necessary.
- **Investigation procedures:** Establish clear procedures for conducting investigations, including creating a set of open-ended questions for alleged victims, perpetrators and witnesses. Maintaining consistency in these investigations is key to a defensible outcome.

- A clear chain of command: Ensure that there is a clear process in place for staff to report incidents. Everyone should know who to contact and how to escalate concerns.
- Support resources: Providing access to counseling services for victims, employees and their families can be an essential part of the recovery process. Demonstrating concern and compassion for those affected by the incident can also help repair trust within the community.
- Crisis management support: Partner with crisis response firms to handle public relations, legal considerations and incident management. They can mitigate reputational damage while ensuring adherence to legal and ethical guidelines.

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