



## All Adults Must Report Child Sexual Abuse in the District

**F**or the first time in the District of Columbia, a new law makes everyone over age 18 responsible for notifying authorities if they know or suspect that a child up to age 16 (the age of consent in DC) is being sexually abused or that a minor under age 18 is involved in prostitution or pornography.

Since 1966, D.C. has had a robust reporting law (DC Code §4-1321.02) that names 20 categories of professionals—known as “[mandated reporters](#)”—who must call authorities if they know or suspect that a child is being abused or neglected. However in 2012, the nation was shocked when a former assistant coach at Pennsylvania State University was found guilty on 45 counts of sexually abusing pre-teen and teen boys on or near school property. Several high-level university officials were charged with perjury, suspended, or dismissed for covering up the incidents or failing to notify authorities. In the wake of this tragedy, District Council passed the Child Sex Abuse Reporting Amendment Act, which expands the requirement to report this type of child maltreatment in the District. It became law in July 2013.

### Who Must Report

Mandated reporters are obligated to report, as always—but now all District residents age 18 and older who suspect or know of certain types of sexual abuse of children must also notify the Metropolitan Police Department at 911 or the DC Child and Family Services Agency (CFSA) at 202-671-SAFE.

### When to Report

Anyone over age 18 must notify authorities when he or she knows or suspects the following abuses of a child in the District.

- **Sexual Abuse** (D.C. Official Code § 22-3001 et seq.) includes sexual acts and behaviors with a child under age 16 by an adult or person at least four years older than the child. In general, acts and behaviors that constitute sexual abuse in this context include penetration, oral sex, and clothed or unclothed touching of private parts. Intent to abuse, humiliate, harass, degrade, or arouse is also part of the definition.

Pedophilia, adult-child incest, and adult molestation of a child are sexual abuse. However, the exploration that may take place among children at certain developmental stages (“playing doctor”) and teen sex are not sexual abuse *as long as* the parties involved are within four years of the same age and all are participating willingly.

- **Sex trafficking** (DC Official Code § 22-1834) and **prostitution** (DC Official Code §22-2704) of minors are sexual abuse. It is sexual abuse for an individual or business to recruit, entice, harbor, transport, or provide children under age 18 to engage in “commercial” sex acts—basically selling children as sexual partners.

- **A sexual performance that uses minors** (DC Official Code § 22-3102) is sexual abuse. It is unlawful for an adult to use a minor (under age 18) to promote a sexual performance or to produce, direct, possess, or distribute sexual performances involving minors. The performance can be live or captured electronically (photographs, video, or film).

At the same time, the law does not seek to criminalize certain behaviors of minors that may be unwise—but also increasingly common. Youth sharing of nude or otherwise explicit still or moving pictures with others (“sexting”) is not sexual abuse *as long as* all the minors are within four years of the same age and all those participating have consented to the transmission.

## How to Report

Anyone who knows or suspects that a child is being sexually abused must personally call the Metropolitan Police at 911 or Child and Family Services Agency at 202-671-SAFE (202-671-7233). There is no “wrong door” because police and child welfare investigate allegations of child sexual abuse jointly. Callers should provide as much of the following information as possible:

- Name, gender, age and address of the child victim; siblings and other children in the household who may be at risk; and the person committing the abuse.
- Nature and extent of the sexual abuse.
- Any additional information that will assist in investigating the report of child sexual abuse.

The law strictly protects the identity of people who report child abuse or neglect to CFSA.

## Penalties for Failure to Report

Any person over age 18 who knows or suspects that a child is being sexually abused in the District but fails to report is subject to a civil fine up to \$300. The penalties are more severe for mandated reporters who fail to report child sexual abuse: up to a \$1,000 criminal fine or imprisonment of up to 180 days or both.

## Prompt, Sensitive Care for Victims

The District has a model program for assisting child victims of abuse and witnesses to violence—[Safe Shores, The DC Children’s Advocacy Center](#). Safe Shores provides a warm and welcoming place where children, youth, and their families can feel safe while waiting for forensic interviews, therapy, or other services. The center coordinates a multidisciplinary team of professionals who collaborate to investigate and prosecute criminal instances of child abuse and to help victims heal. This team includes police, attorneys, child welfare social workers, and health and mental health practitioners.

## Training for Mandated Reporters

CFSA offers [comprehensive training](#) free of charge on line for professionals mandated to report child abuse and neglect under District laws. This training standardizes information and makes it easy and convenient for all mandated reporters to find out about their responsibilities. Groups can schedule a live speaker on the topic of mandatory reporting by calling (202) 727-7978. ■



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