

Appropriate Responses to a Child Reporting Sexual Violence & Reporting Requirements & Information

Overview

As an adult in a child's life, bearing witness to a child's report that they are being sexually abused, or have been sexually assaulted, is difficult and confusing; you may react with anger, helplessness, or shock. However, keep in mind that the child will watch your reaction and may shut down, refuse to say more, or change their story if you react emotionally or negatively. Children may also tell only parts of the abuse or pretend that it happened to someone else in order to gauge your reaction. It is important to **stay calm** even though it may be hard, tell the child it was **not their fault**, and *let the child know that you believe them*: very few sexual abuse reports are false. If it is a case of child sexual abuse, **report** it to an appropriate agency.

Reporting Suspected Cases of Child Sexual Abuse

- In Maryland, **child sexual abuse** or sexual abuse of a minor, is defined as sexual molestation or exploitation¹ of a minor, regardless of whether physical injuries were sustained, by a parent or other person who has permanent or temporary care or custody or responsibility for the supervision of a minor, or by any other household or family member.² In Maryland, sexual abuse of a minor includes incest; rape; a sexual offense in any degree; and any other sexual conduct that is a crime.³
 - A 'household member' is defined as a person who lives with, or is a regular presence in a home of, a minor at the time of the alleged abuse, while a 'family member' is defined as a relative of a minor by blood, adoption, or marriage.⁴
- **Sexual assault of a minor** includes any sexual contact with a minor that is perpetrated by a person who is not covered under the "care or custody" or familial or household requirements of child sexual abuse and is at least four years older than the minor.⁵ In Maryland, sexual contact is defined as the intentional touching of the victim's genital, anal, or other intimate area for sexual arousal or gratification, or for the abuse of either party.⁶ Sexual assault of a minor also includes any sexual act or vaginal intercourse with a minor if the minor is 14 or 15 years old, and the person performing the sexual act is at least 21 years old.⁷
- In Maryland, it is illegal for a person in a position of authority over a minor to engage in a sexual act or sexual contact with the minor.⁸
 - A person in a position of authority is anyone 21 years or older who works or volunteers for a public or private preschool, elementary school, or secondary school; or is at least 22 years old and works for remuneration or as a volunteer for a program, such as sports, music, dance, art, or martial arts coaching; tutoring or academic enrichment; daycare or after school care; scouting; day or overnight camping; or any unit of local, state, or federal government; and exercises supervision over or works or interacts with one or more minors who attend the school or participate in the program.⁹

¹ Md. Code Ann., Criminal Law § 3-602(a)(4)(i)

² Md. Code Ann., Criminal Law § 3-602(b)

³ Md. Code Ann., Criminal Law § 3-602(a)(4)(iii)

⁴ Md. Code Ann., Criminal Law § 3-601

⁵ Md. Code Ann., Criminal Law § 3-307

⁶ Md. Code Ann., Criminal Law § 3-301

⁷ Md. Code Ann., Criminal Law § 3-307

⁸ Md. Code Ann., Criminal Law § 3-308

⁹ Md. Code Ann., Criminal Law § 3-308

- Maryland law makes everyone, except attorneys and clergy, a mandatory reporter of suspected child abuse or neglect as defined by Maryland Family Law Code §5-701.¹⁰ There is no similar requirement to report the sexual assault of a minor if the assault does not fit the definition of 'child sex abuse.'
- If you or someone you know suspects child sexual abuse, please contact your local Department of Human Services, Child Protective Services office (www.dhs.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/local-offices) or your local law enforcement agency. If you are unsure of the local jurisdiction to report to in Maryland, call the Maryland Department of Human Resources at **1-800-332-6347**.

Resources

- **Maryland's Rape Crisis and Recovery Centers** provide confidential services to both adult and child victims of sexual abuse. They provide crisis intervention, counseling, referrals, accompaniment to hospitals, police interviews, and courts, as well as assistance with legal and judicial services. To find one in your jurisdiction, visit MCASA's website: www.mcasa.org/survivors/find-a-rape-crisis-center
- **MCASA's Sexual Assault Legal Institute (SALI)** provides legal services to both child and adult survivors of sexual assault across the state of Maryland. More information is available in SALI's *Understanding the Legal System When Your Child Has Been Sexually Abused* booklet. You can order copies of this free resource by calling **877-496-SALI (877-496-7254)**, or visiting the website: www.mcasa.org/survivors/sali
- **Children's Advocacy Centers** coordinate child protective services, police, prosecutors, social workers, and other service providers in cases of *child sexual abuse* to work together to minimize the number of times a child is interviewed and ensure that those working on the case have specialized training. To find the advocacy center in your jurisdiction, call **240-291-6974** or visit the Maryland Children's Alliance website: <https://www.marylandchildrensalliance.org/find-cac>
- **Child Abuse Helplines** are trained to deal with questions about suspected child sexual abuse, and can direct you to resources in your community:
 - [Darkness to Light](#)'s helpline: call **1-866-FOR-LIGHT (1-866-367-5444)** OR text **LIGHT** to **741741**
 - [The Family Tree](#)'s Parenting HelpLine: call **1-800-243-7337**
 - [Childhelp USA](#)'s National Child Abuse Hotline: call or text **1-800-4-A-CHILD (1-800-422-4453)** OR chat live with a trained counselor at: www.childhelp.org/childhelp-hotline

¹⁰ Md. Code Ann. Family Law §§5-705, 5-705