**Mandated Reporting of Child Sexual Abuse**

At WCSAP, we receive a lot of questions from advocates about the "ins and outs" of mandated reporting. Although Washington's law about mandated reporting is pretty straightforward, it can feel much more complex in practice. Here are some quick answers (that do not constitute legal advice) to some of the recent questions we have received on this topic:

**Q:**

Do I need to report sexual abuse of a minor that is not committed by a parent or caregiver? What about reporting sexual violence committed against a minor by their peer?

**A:**

WAC 388-15-009 states that "Child abuse or neglect means the injury, sexual abuse, or sexual exploitation of a child by any person under circumstances which indicate that the child's health, welfare, or safety is harmed…" It also defines sexual abuse as "committing or allowing to be committed any sexual offense against a child as defined in the criminal code." Based on a general understanding of Washington's [sex offense definitions (link is external)](http://apps.leg.wa.gov/rcw/default.aspx?cite=9a.44)

, you should report if you have reasonable cause to believe that sexual abuse or assault was committed against a minor, regardless of who the perpetrator is. The relationship of the perpetrator to the victim does not impact whether you are required to make a report. You fulfill your obligation by reporting to either child protective services or law enforcement.

**Q:**

If I get more information about what happened in the course of providing services, do I need to provide that to law enforcement and/or child protective services?

**A:**

No. After making an initial report to authorities, you are only required to provide further information if a NEW disclosure of abuse or neglect is made. Sharing additional information about the incident or the child/teen/family would be a violation of your confidentiality obligations and would place you in the role of investigator rather than advocate. If information is shared with you that may be helpful to an investigation, you can talk to the survivor about whether they would like to share that with the authorities directly.

**Q:**

An adult disclosed that they were sexually abused as a child. Do I need to report that?

**A:**

Guidance from the [Washington State Department of Social and Health Services](https://www.dshs.wa.gov/sites/default/files/SESA/publications/documents/22-163.pdf)

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states that, "the reporting requirement does not apply to abuse or neglect that occurred during childhood if it's discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the requirement does apply." This is important information to incorporate into conversations with adult survivors about your reporting obligations.

**A Victim-Centered Approach**

As with much of our advocacy work, mandated reporting is not only about what we do, but how we do it. A victim-centered approach to mandated reporting includes:

* Explaining your obligation in a developmentally appropriate way. This includes providing examples to the young person that are relevant and easy to understand. For a teen this might sound like, "I am a mandated reporter, which means that I am required to notify law enforcement or child protective services if someone under 18 tells me that they are being harmed. For example, if you told me that someone was forcing you to have sex or that you were having sex with someone who is a lot older than you, I would need to make a report."
* Telling clients the minimum amount of information you would need in order to make a report (first and last name of the victim or the victim's address and nature of the abuse) so they can make informed decisions about what they choose to share
* Discussing this obligation at the start of services and in follow-up conversations or meetings
* Consulting with a supervisor before making a mandatory report
* Informing the client if a report needs to be made, offering the client the opportunity to be involved in the reporting process, discussing what information will be shared, and explaining what may happen following the report.

Processing the implications of the report with the client. For example, how might it affect peer or family relationships? Could the report and subsequent investigation reveal the client's sexual or gender identity? Is a safety plan needed?