



ATTORNEYS AND COUNSELORS AT LAW

8280 Greensboro Drive
Seventh Floor
McLean, VA 22102-3807

Phone: 703-761-5000
Fax: 703-761-5023
www.GG-Law.com

Robert B. Adams†
A. Wray Fitch III
Robert Flores†
James A. Gammon*
George R. Grange II
Christine L. Johnson†
Stephen H. King
Robert H. Klima†
Nancy Oliver LeSourd

Kenneth E. Liu
W. Franklin Pugh, P.L.C. †
Jonathan A. Ruybalid †
Daniel D. Smith, P.C. †
Ashley L. Tuite
Scott J. Ward

* Co-Founder, 1934-2011
** Not admitted to VA
† Of Counsel

Selected State Reporting Law Resources

(current as of January 7, 2017)

In General.

Each state and the District of Columbia has its own definition of what constitutes “child abuse” and “child neglect” under civil and criminal laws, and each church should be familiar with the relevant laws and legal definitions in its jurisdiction. In general, the definitions of “child abuse” and “child neglect” in Virginia, Maryland, and the District of Columbia include the following elements (among others):

- Physical abuse
- Neglect (both physical and mental)
- Sexual abuse/Exploitation

This document provides some general definitions of child abuse and resources for finding the relevant child abuse reporting laws and legal definitions in these jurisdictions.

In addition, substantial information about child abuse and neglect prevention, response, and reporting can be found at the Child Welfare Information Gateway, which is online at:

www.childwelfare.gov

A service of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services, this site provides access to print and electronic publications, websites, databases, and online learning tools for improving child welfare practice, including resources that can be shared with families.

To access information about a particular state visit this page on the ChildWelfare.gov site:

www.childwelfare.gov/systemwide/laws_policies/state

Please note that although the information on the www.childwelfare.gov site is updated periodically, it is not always completely up-to-date. For example, most of the information provided on January 1, 2017 is current as of 2015, not 2017 or even 2016. It is always important to check (or to have legal counsel check) the most recent laws and regulations in your state.

Virginia Laws:

As of January 1, 2017, the Virginia child abuse reporting laws appear primarily in Title 63.2 of the Virginia Code and are accessible online at the following URLs:

The full laws may be found at the following URLs:

<http://law.lis.virginia.gov/vacode/title63.2/> (relevant title of Virginia Code)

<http://law.lis.virginia.gov/vacode/title63.2/chapter15/> (relevant chapter of Virginia Code)

Relevant definitions may currently be found at the following URLs:

Several significant specific provisions of the Virginia child abuse reporting laws may be found at the following URLs:

<http://law.lis.virginia.gov/vacode/title63.2/chapter1/section63.2-100/> (relevant definitions)

<http://law.lis.virginia.gov/vacodefull/title63.2/chapter15/article2/> (child abuse reporting law)

<http://law.lis.virginia.gov/vacode/title63.2/chapter15/section63.2-1509/> (mandatory reports)

<http://law.lis.virginia.gov/vacode/title63.2/chapter15/section63.2-1510/> (permissive reports)

<http://law.lis.virginia.gov/vacode/title63.2/chapter15/section63.2-1512/> (limited immunity)

<http://law.lis.virginia.gov/vacode/title63.2/chapter15/section63.2-1513/> (false reports)

<http://law.lis.virginia.gov/vacode/8.01-400/> (clergy privilege)

<http://law.lis.virginia.gov/vacode/19.2-271.3/> (clergy privilege)

Maryland Laws:

As of January 7, 2017, the Maryland Annotated Code is available online at the following URLs:

<http://www.lexisnexis.com/hottopics/mdcode/>

<http://mgaleg.maryland.gov/webmga/frmStatutes.aspx?pid=statpage&tab=subject5>

<http://www.lawlib.state.md.us/researchtools/sourcesmdlaw.html>

The online Maryland Code Annotated does not permit linking to specific titles and sections. Therefore, this document is not able to link to the specific child abuse reporting laws. But such subdivisions can be accessed by drilling down through specific links on these web pages.

As of August 1, 2013, the general citation for the Maryland Child Abuse and Neglect law is Maryland Family Law Code §5-701 *et seq.* The following illustrates the general structure of this law:

Maryland Family Law Code

 Title 5. Children.

 Subtitle 7. Child Abuse and Neglect.

Further helpful information may be found at the website of the Child Protective Services division of the Maryland Department of Human Resources, including at the following URLs:

<http://dhr.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/>

<http://dhr.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/what-is-child-abuse-and-neglect/>

District of Columbia Laws:

As of January 7, 2017, the District of Columbia Official Code is available online at the following URL:

<http://www.lexisnexis.com/hottopics/dccode/>

The online D.C. Code does not permit linking to specific titles and sections. Therefore, this document is not able to link to the specific child abuse reporting laws. But such subdivisions can be accessed by drilling down through specific links on these web pages.

As of January 2, 2017, the general citation for the District of Columbia Child Abuse and Neglect law is D.C. Code § 4-1301.02 *et seq.* The following illustrates the general structure of this law:

DISTRICT OF COLUMBIA OFFICIAL CODE
DIVISION I. GOVERNMENT OF DISTRICT
TITLE 4. PUBLIC CARE SYSTEMS
CHAPTER 13. CHILD ABUSE AND NEGLECT
SUBCHAPTER I. PREVENTION OF CHILD ABUSE AND NEGLECT
PART A . REPORTING ABUSE AND NEGLECT

Important definitions are also currently provided in D.C. Code § 16-2301.

Tab – B: How to Report Abuse to Child Protective Services

Please note that the following numbers may not always work if the reporting party is not calling from the same state where the child is allegedly being abused. For States not listed, or when the reporting party resides in a different State than the child, please call **Childhelp, 800-4-A-Child** (800-422-4453), or your local CPS agency.

- The **Virginia** statewide toll-free child abuse hotline is **1-800-552-7096**.
The Virginia out-of-state child abuse hotline is 804-786-8536.
<http://www.dss.virginia.gov/family/cps/index2.cgi>
- To report suspected child abuse in **Maryland** the Department of Human Resources (DHR) requests that calls be made to the local DHR office or local law enforcement agency. The local DHR office numbers are listed on the following web pages.
<http://dhr.maryland.gov/local-offices/>
<http://dhr.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/local-offices/>
A report can also be made by calling **1-800-332-6347**.
- To report suspected child abuse in the **District of Columbia**, call the DC Child and Family Service Agency: **202-671-7233 / 202-671-SAFE**.
<http://cfsa.dc.gov/service/report-child-abuse-and-neglect>

Information to Provide to CPS When Reporting Suspected Child Abuse

In general, and subject to applicable state laws and regulations, it is helpful for the person reporting suspected abuse to provide the following information:

- ✓ The name and address of the child and the parent or person responsible for his/her care;
- ✓ The names of other persons, especially children, living in the suspected victim's home;
- ✓ Directions to the child's home;
- ✓ The child's age, sex, and race;
- ✓ The name of the school the child attends;
- ✓ The name and address of the alleged abuser, if known;
- ✓ A description of the alleged abuse and or neglect, including how long it may have been happening;
- ✓ The relationship between the person reporting the abuse and the child.