Protecting Children from Abuse

Scott J. Ward, Esq. Gammon & Grange, P.C.

www.GG-Law.com

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Why is this information important?

Sexual abuse is one of the leading causes of lawsuits churches, schools, and youth ministry organizations face today. Lawsuits in some cases can be large enough to bankrupt an organization. *More importantly, the devastation experienced by the*

affected minors and their families is profound.

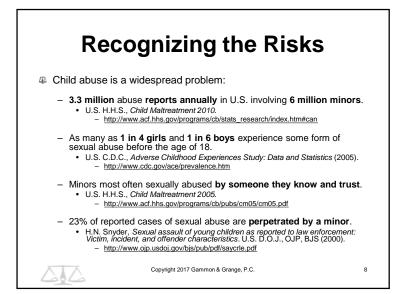
- Important to educate pastors and churches and thereby:
 - Prevent the devastation experienced by victims;
 - Enable pastors to more effectively help; and minister to those who may have suffered abuse

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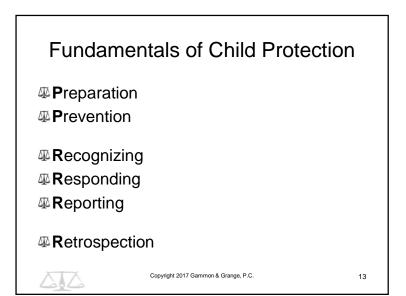
- Reduce the liability risk to ministries.

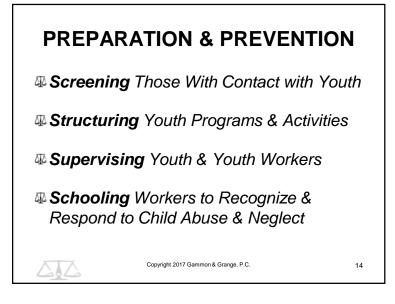


Recognizing the Risks The impact of child abuse is profound: Children Physical, emotional, and mental health

- Adults
 - · False accusations difficult to correct
- Churches and ministries
 - Ministry impact
 - even if allegations ultimately prove false
 - · Economic impact
 - Direct judgments, settlements, counseling, etc.
 - Indirect attendance, support.

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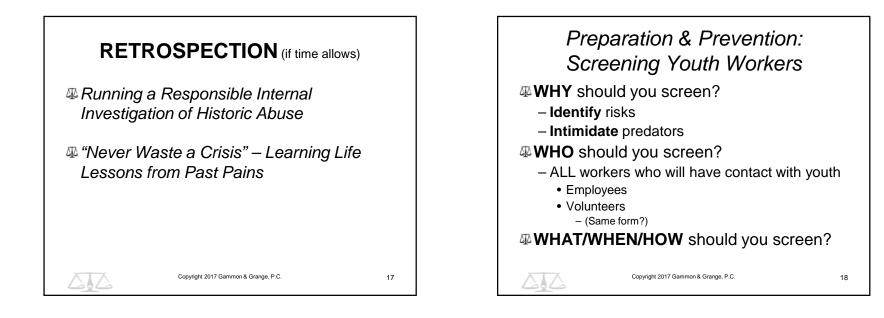


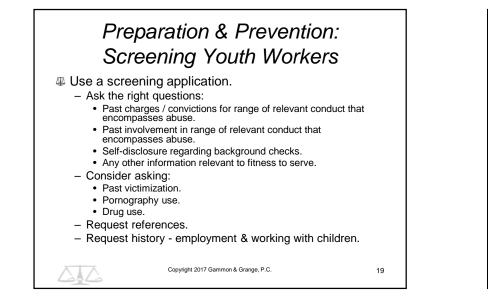
RECOGNIZING, RESPONDING & REPORTING

- A Recognizing Indicators of Child Abuse
- Responding to Allegations and Indicators of Possible Child Abuse
- Reporting Abuse Wisely In Accordance with Applicable Laws
- A Running a Responsible Investigation

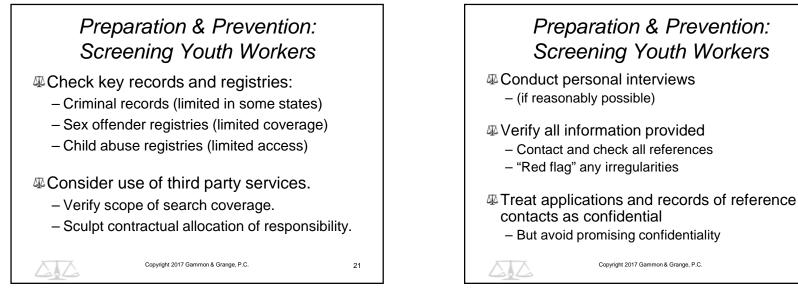
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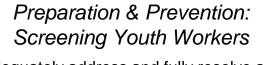
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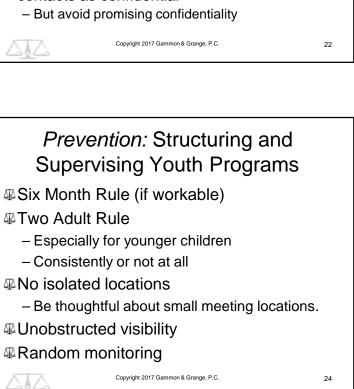
Preparation & Prevention: Screening Youth Workers Require that applicants sign a concluding verification provision on the application: Representing that all information is accurate and complete. Committing to update about any changes. Authorizing records checks. Authorizing references to provide information. Releasing church & references from liability. Be sure signatory has capacity to consent and that consent is not "voidable" (e.g., a minor).

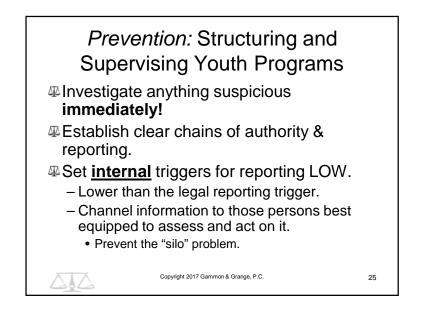




Adequately address and fully resolve any irregularities.

Do not permit applicants to work with children in any capacity unless they have completely passed the screening process.







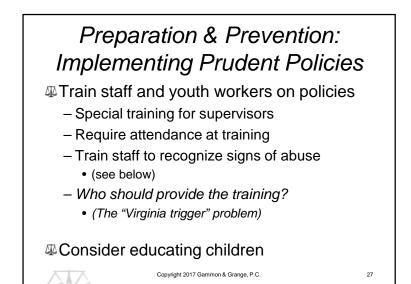
All policies in writing:

- Screening process
- Structure & supervision of youth & ministries
- Reporting requirements (including laws)
- Sex Offenders
- A Regular review by legal counsel
- A Promulgate to all employees & volunteers

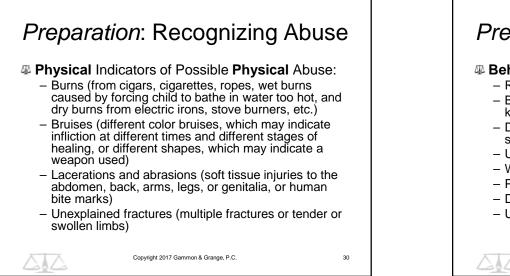
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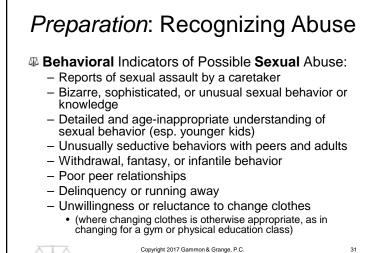
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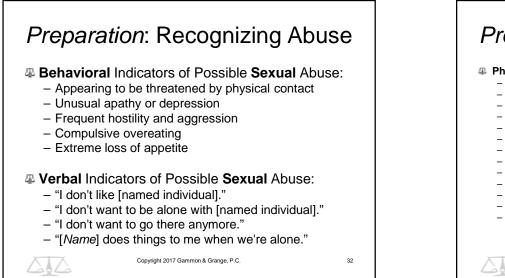
- Required sign-off



Preparation: Recognizing Abuse Behavioral Indicators of Possible Physical Abuse: - Dramatic changes in school performance Sleep disturbances (nightmares, insomnia, fear of dark. fear of sleeping alone) Inappropriate fears (fear of being with a person, being in a familiar place, or doing a familiar activity) - Changes in behavior (hostile language, aggressive behavior, or overly compliant behavior) - Changes in eating behavior (anorexia, bulimia, or sudden increases or decreases in appetite) - Delinquency or running away from home - Conflicting or changing stories about how injury occurred - Delaved treatment, resistance to treatment, or inappropriate treatment of injury Copyright 2017 Gammon & Grange, P.C. 29



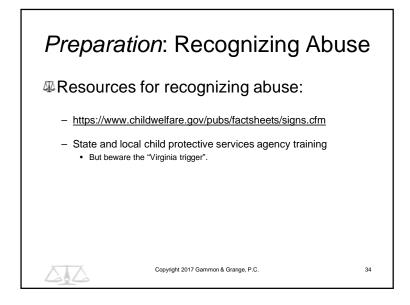




Preparation: Recognizing Abuse Physical Indicators of Possible Sexual Abuse: - Difficulty in walking or sitting - Torn, stained, or bloody underclothing - Pain or itching in the genital area - Bruises or bleeding in the external genitalia, vaginal, or anal areas - Redness or swelling in the anal area - Swollen genitalia

- Pain in urinating or defecating
- Unusual odors in the genital area - Venereal disease, especially in pre-teens
- Vaginal infections or discharge
- Unexplained persistent sore throat or gagging (due to oral sex)
- Pregnancy
- Physical complaints with no apparent somatic base

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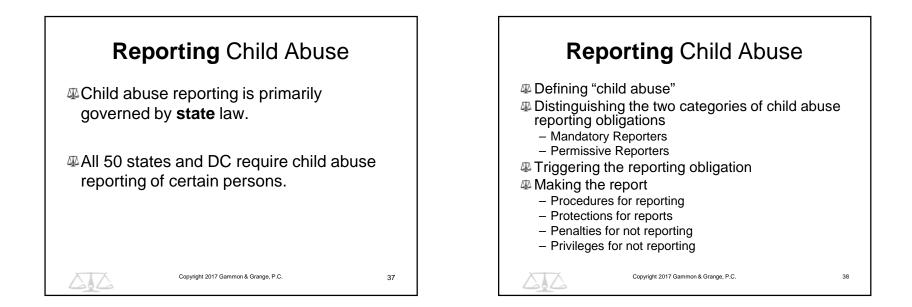


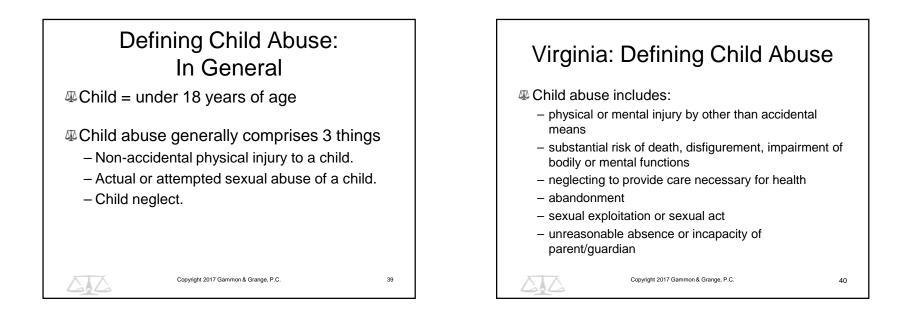
Responding to Abuse ALWAYS respond! Don't ignore allegations or suspicions. Contact legal counsel immediately. Comply with applicable reporting laws. (see below) Cooperate with authorities. Immediately remove the accused from all contact with children. For employees, suspend WITH pay while investigating. Notify insurance provider (as counsel advise).

A Promptly investigate.



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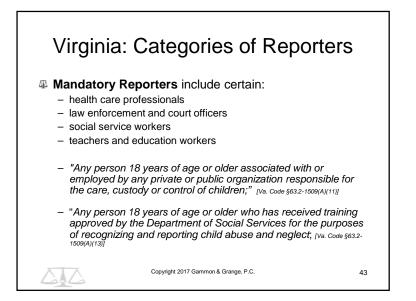


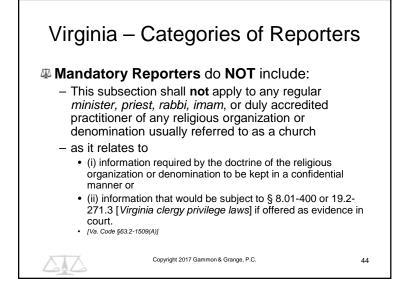
Maryland: Defining Child Abuse Child abuse or neglect is defined as: – Physical or mental injury (by certain persons) under

- circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed.
- Sexual abuse, regardless of injuries.
- Neglect leaving child unattended or failing to give proper care under circumstances that indicate harm or substantial risk of harm to child's health or welfare or of mental injury

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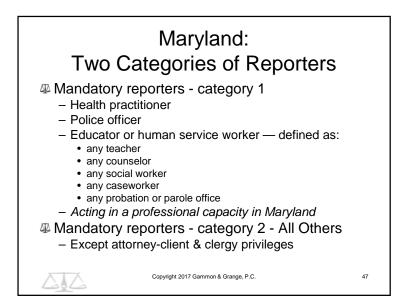


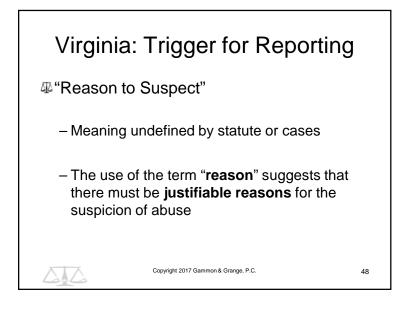


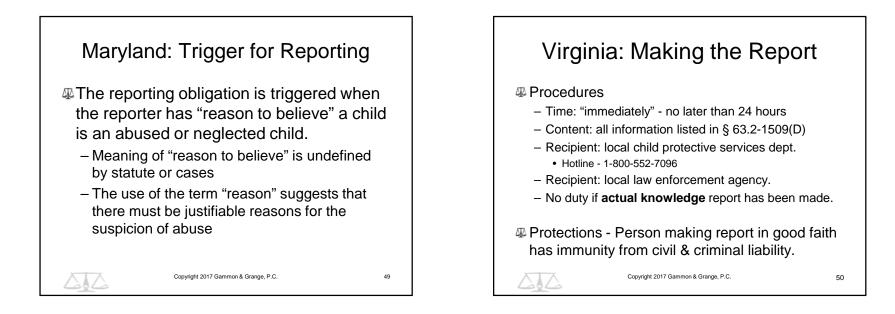




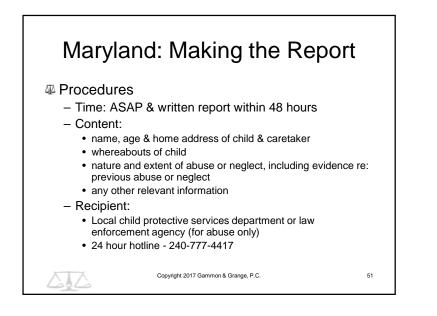


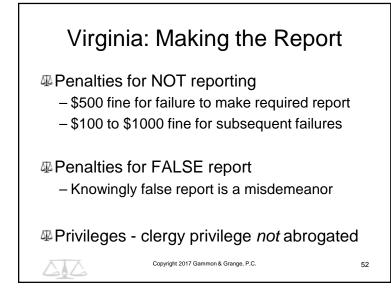


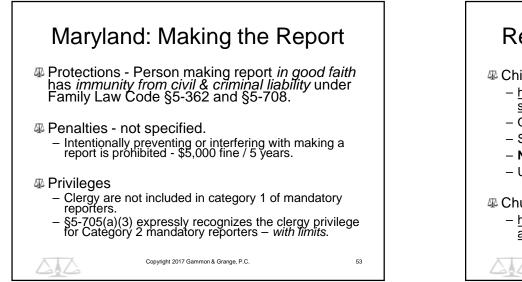


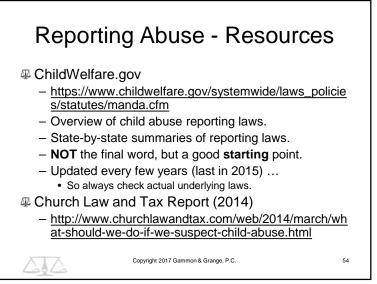


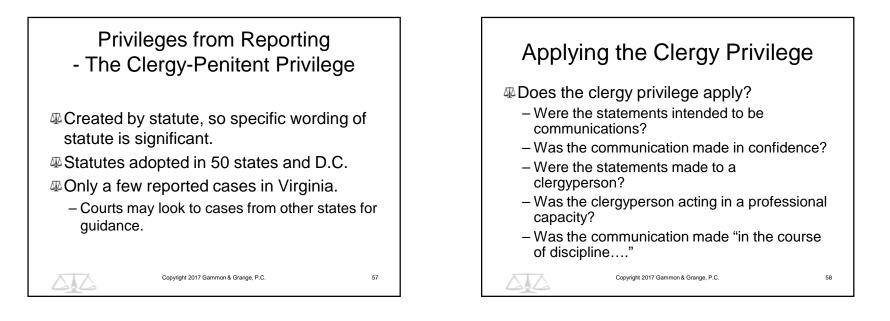
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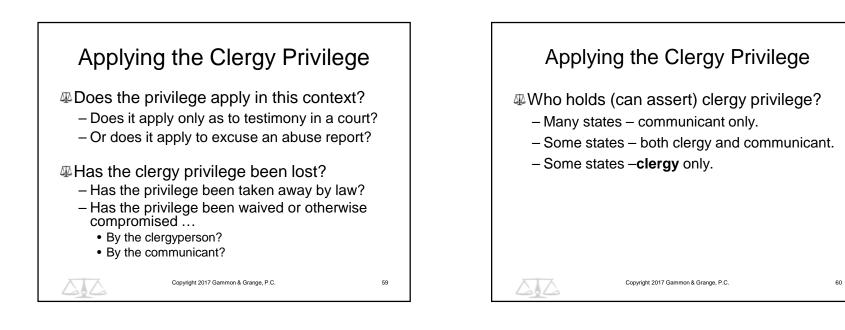


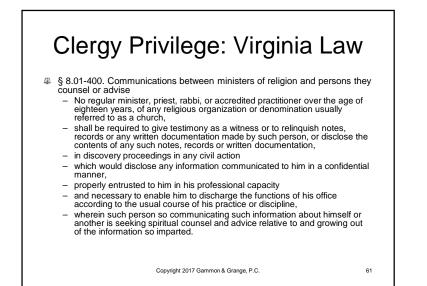












Does the Clergy Privilege Apply?

Were the statements intended to be *communications*?

 - "...any information communicated to him ... wherein such person so communicating such information"

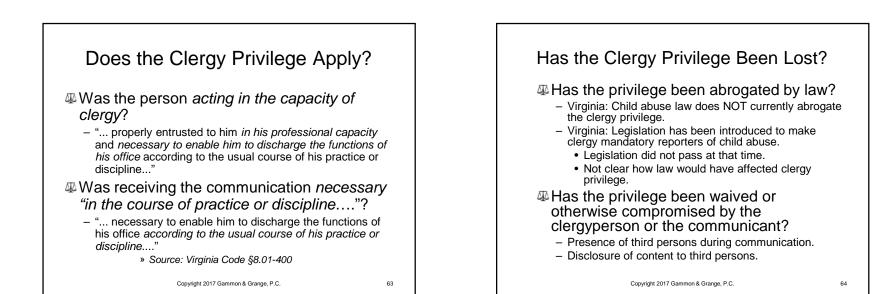
Was the communication made in confidence?

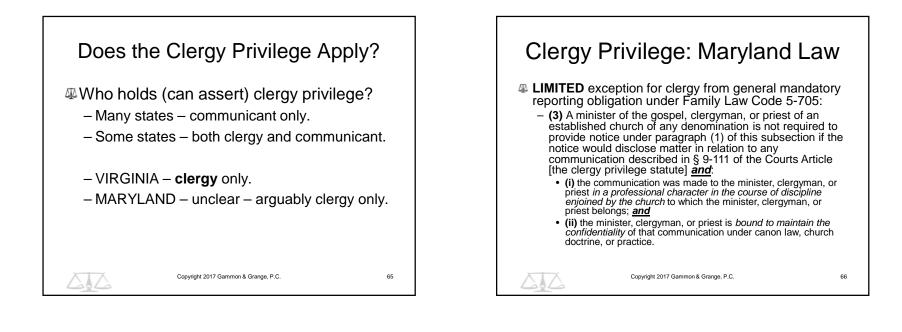
- "...any information communicated to him in a confidential manner...."

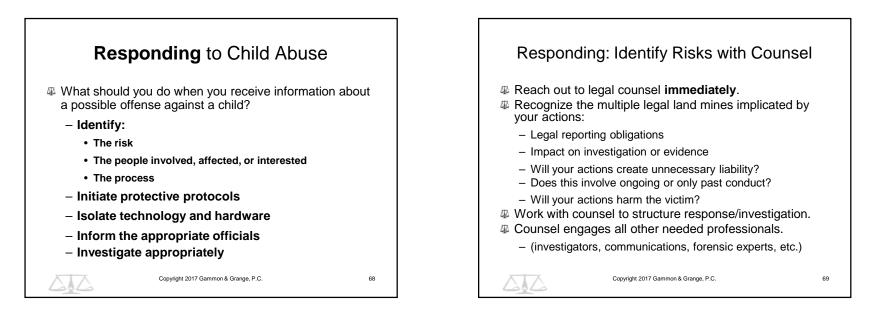
Were the statements made to a clergyperson?

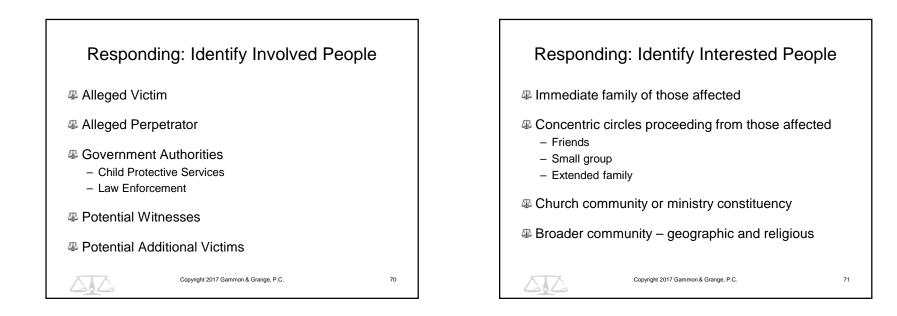
- "No regular minister, priest, rabbi, or accredited practitioner over the age of eighteen years, of any religious organization or denomination usually referred to as a church...."

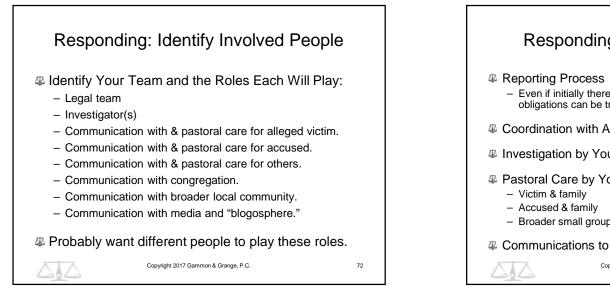
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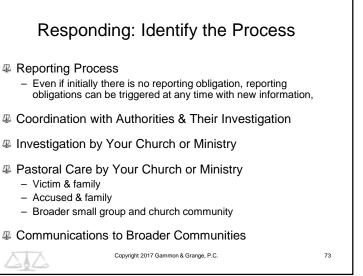


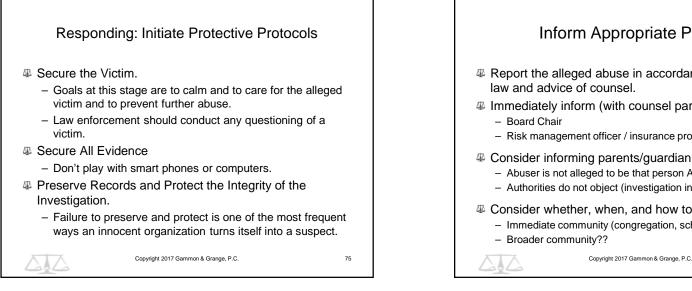












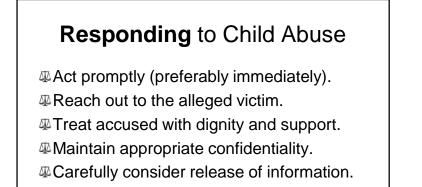
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Inform Appropriate Persons Report the alleged abuse in accordance with applicable

- Immediately inform (with counsel participation):
 - Risk management officer / insurance provider
- Consider informing parents/guardian IF:
 - Abuser is not alleged to be that person AND
 - Authorities do not object (investigation integrity).
- A Consider whether, when, and how to inform community:

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- Immediate community (congregation, school)

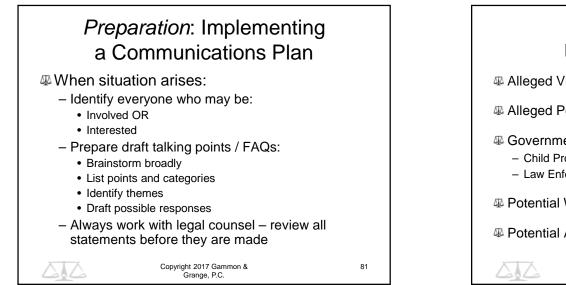


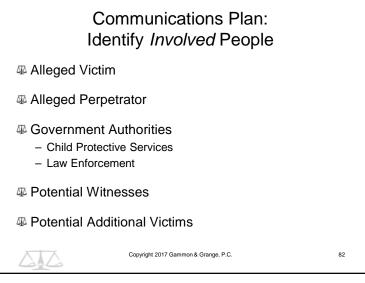
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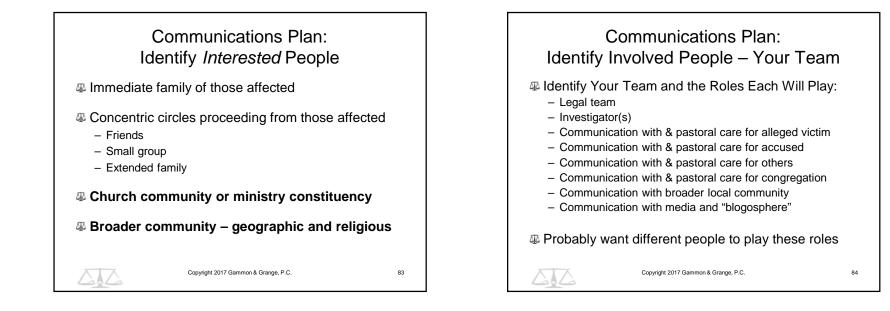
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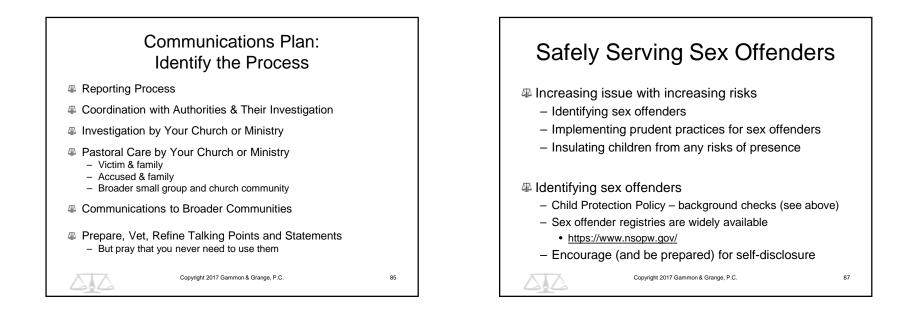
Bring closure to the investigation.

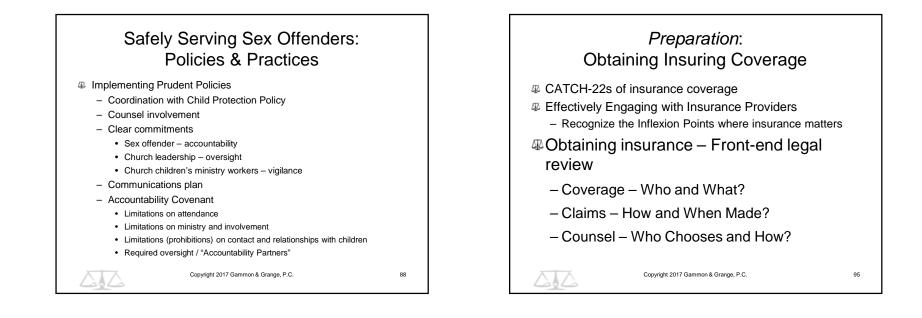












Preparation: Effectively Engaging with Insurance A Incident occurs – Reporting to insurer A Claim is made – Reporting to insurer Coverage is acknowledged or denied - Whether and How to Challenge ⊥ Litigation is going on - Choosing counsel (if possible under policy) - Cooperating with and overseeing counsel

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