

APPENDIX B

Mandatory Reporting: Summary of Requirements & Guidance for Making a Report

It is a legal requirement, as well as Archdiocesan policy, to report all allegations of suspected abuse or neglect of a child to the appropriate civil authorities. This Appendix B provides guidance to assist with reporting in the District of Columbia and Maryland. Contact information for the civil authorities in the District and the five Maryland counties that comprise the Archdiocese of Washington is found in Appendix A. In addition to making a report to the civil authorities, a report involving any Archdiocesan clergy, seminarian, employee, volunteer, parish, school, or ministry must also be submitted to the Archdiocese of Washington using the contact information listed in Appendix C. The Archdiocesan Office of the General Counsel is available if you need any assistance related to making a report. The Office of the General Counsel can be reached at legaladmin@adw.org or 301-853-4495.

I. District of Columbia

A. When a Report is Required in the District of Columbia

i. Suspected Abuse or Neglect of a Minor

District of Columbia law requires any person who knows, or has reasonable cause to believe, that a child is a victim of sexual abuse to immediately make a report to the police or the District's Child and Family Services Agency.³

In addition, District of Columbia law has specific reporting requirements that apply to certain professionals. Any medical professional, school employee, day care worker, or athletic coach must make a report to the civil authorities if he/she, acting in a professional capacity, learns or suspects that a child (a) has been abused or neglected or is in immediate danger of being abused; (b) has been the victim of actual or attempted sexual abuse or is in immediate danger of being sexually abused; (c) has been assisted, supported, caused, encouraged, commanded, enabled, induced, facilitated, or permitted to become a prostitute; (d) has 10 or more days of unexcused absences from school and is between the ages of 5 and 13; or (e) has an injury caused by a bullet, knife, or other sharp object which has been caused by other than accidental means.

In each of these instances, the professional must make an oral report to the Child and Family Services Agency or the Metropolitan Police Department of the District of Columbia. The reporter may also be requested to document this report in writing.

ii. Suspected Abuse or Neglect of a Vulnerable Adult

While there is not a mandatory reporting requirement for vulnerable adults, District of Columbia law provides that any person *may* voluntarily report an alleged case of abuse, neglect, self-neglect, or exploitation when he or she has reason to believe that an adult is in need of protective services.⁴ This report should be made to the Department of Aging and Community Living, which can be reached at 202-541-3950. Please call 911 if you have reason to believe a vulnerable adult is in

³ D.C. Code § 22-3020.52(a)

⁴ D.C. Code § 7-1903(a)(2)

immediate danger. If a report of alleged abuse of a vulnerable adult involves any Archdiocesan cleric, employee, or volunteer, or otherwise relates to an Archdiocesan parish, school, or ministry, the reporter must provide a copy of this report to the appropriate Archdiocesan department (see Appendix C).

B. What Information to Report in the District of Columbia

District of Columbia law provides specific information that must be included in an oral or written report. The report must include, to the extent known: (a) the name, age, sex, and address of the child who is the subject of the report; (b) each of the child's siblings and other children in the household; (c) each of the child's parents or other persons responsible for the child's care; (d) the nature and extent of the abuse or neglect of the child and any previous abuse or neglect, if known; and (e) all other information which the person making the report believes may be helpful in establishing the cause of the abuse or neglect and the identity of the person responsible for the abuse or neglect.

Note: The reporter must defer to law enforcement, and not undertake their own investigation, if any of the specific information requested above is not readily available.

The Archdiocese strongly encourages all reports of suspected abuse or neglect of a minor to be documented in writing. A written report is also required to be provided to the Archdiocese (using the contact information in Appendix C) whether the report to the civil authorities is made orally or in writing.

II. State of Maryland

A. When a Report Is Required in Maryland

i. Suspected Abuse or Neglect of a Minor

Maryland law requires anyone who has reason to believe that a child has been subjected to abuse or neglect to notify local law enforcement or the local Child Protective Services agency.⁵

In addition, Maryland law has specific reporting requirements for certain professionals, including any health practitioner, educator, police officer, or human service worker who, acting in a professional capacity, has reason to believe that a child has been subjected to abuse or neglect. These professionals must comply with the following specific requirements:

- 1) Make an oral report, by telephone or direct communication, as soon as possible to local law enforcement or the local Child Protective Services agency;
- 2) Make a written report (using Maryland DHR/SSA Form 180, *Report of Suspected Child Abuse/Neglect*) to the local Child Protective Services agency within 48 hours after the contact, examination, attention, or treatment that caused the individual to believe that the child had been subjected to abuse or neglect; and
- 3) Provide a copy of the written report to the local office of the State's Attorney.

⁵ Md. Family Law Code § 5-705

ii. Suspected Abuse of Neglect of a Vulnerable Adult

While there is not a mandatory reporting requirement for vulnerable adults, any individual who has reason to believe that an alleged vulnerable adult has been subjected to abuse, neglect, self-neglect, or exploitation *may* file with the local Office of Adult Services (within the Department of Human Services) an oral or written report of the suspected abuse, neglect, self-neglect, or exploitation.⁶ Please call 911 if you have reason to believe a vulnerable adult is in immediate danger. If the alleged abuse of a vulnerable adult involves any Archdiocesan cleric, employee, or volunteer, or otherwise relates to an Archdiocesan parish, school, or ministry, the reporter must provide a copy of this report to the appropriate Archdiocesan department in accordance with Appendix C.

B. What Information to Report in Maryland

Maryland law provides specific directions for certain professionals (identified above) on what information must be included in the report. This should also serve as guidance to assist anyone who needs to make a report.

The report must include, to the extent known: (a) the name, age, and home address of the child; (b) the name and home address of the child's parent or other person who is responsible for the child's care; (c) the whereabouts of the child; (d) the nature and extent of the abuse or neglect of the child, including any evidence or information available to the reporter concerning possible previous instances of abuse or neglect; and (e) any other information that would help to determine the cause of the suspected abuse or neglect and the identity of any individual responsible for the abuse or neglect.

Note: The reporter must defer to law enforcement, and not undertake their own investigation, if any of the specific information requested above is not readily available.

The Archdiocese strongly encourages all reports of suspected abuse or neglect of a minor to be documented in writing, even if not required by the civil authorities. A written report is required to be provided to the Archdiocese (using the contact information in Appendix C) whether the report to the civil authorities is made orally or in writing.

C. What Forms to Use to Make a Report in Maryland

The State of Maryland has published a fillable form, Maryland DHR/SSA Form 180, *Report of Suspected Child Abuse/Neglect* (a copy of this form is included in Appendix D), that is intended for use by health practitioners, educators, police officers, and human service workers who make a report while acting in a professional capacity. Anyone else may also utilize this form.

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⁶ Md. Family Law Code § 14-302