

STATE LAW AND COMMUNITY RESOURCES

When responding to child sexual abuse and commercial sexual exploitation of children, it is important to consult with professionals in the field. The Georgia Center for Child Advocacy has compiled state law as well as community resources to help you protect children. The Georgia Center for Child Advocacy remains available should you need assistance navigating these resources.



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GEORGIA LAW

The sexual abuse of children is defined as and may include:

- A person employing, using, persuading, inducing, enticing or coercing any minor who is not that person's spouse to engage in any sexual act
- Sexual intercourse, including genital-genital, oral-genital, anal-genital, oral-anal or penetration of an object, whether between persons of the same or opposite sex
- Lewd exhibition of the genitals or pubic area of any person
- Physical contact in an act of apparent sexual stimulation or gratification with any person's clothed or unclothed genitals, pubic area, or buttocks or with a female's clothed or unclothed breasts
- Penetration of the vagina or rectum by any object except when done as part of a recognized medical procedure
- Commercial sexual exploitation of children

Statutory Rape (OCGA 16-6-3) is defined and may include:

- Sexual intercourse with any person under the age of 16 years
- A person 21 years of age or older convicted of statutory rape shall be imprisoned for a minimum of 10 and up to 20 years
- If the victim is at least 14 - 16 years of age and the person convicted is no more than 4 years older than the victim, such person shall be guilty of a misdemeanor
- It does not matter if the victim or perpetrator is male or female
- It does not matter if the perpetrator is unaware of the victim's age
- It does not matter if the sex is consensual

Revision to Code 20-2-143, relating to sex education and AIDS prevention instruction requires:

- Annual age-appropriate sexual abuse and assault awareness and prevention education in kindergarten through grades 9;
- To provide that professional learning may include participating in or presenting at in-service training on sexual abuse and assault awareness and prevention (CS 20-2-200);
- In-service training programs on sexual abuse and assault awareness and prevention for professional personnel that will be providing instruction in annual age-appropriate sexual abuse and assault awareness and prevention education in K through grade 9 (CS 20-2-201).

The Technical Assistance Resource Guide (TARG) identifies best practices, principles of prevention, resources for the classroom, and age-appropriate teaching suggestions.

<http://georgiacenterforchildadvocacy.org/learn-more/resources/child-sexual-abuse-and-exploitation-prevention-resource-guide.html>

GEORGIA MANDATED REPORTERS

Suspected child abuse, which as of July 1, 2017, includes any suspected act that would qualify as "trafficking an individual for sexual servitude", is required to be reported by any person pursuant to this Code section shall be reported unless the reasonable cause to believe such abuse has occurred or is occurring is based upon any communication to that person which is otherwise made privileged or confidential by law.

The following persons having reasonable cause to believe that a child has been abused shall report or cause reports of that abuse to be made as provided in this Code section:

- Physicians licensed to practice medicine, interns, or residents;
- Hospital or medical personnel;
- Dentists;
- Licensed psychologists and persons participating in internships to obtain licensing;
- Podiatrists;
- Registered professional nurses or licensed practical nurses or nurse's aides;
- Professional counselors, social workers, or marriage and family therapists licensed;
- School teachers; School administrators; School guidance counselors; visiting teachers; school social workers; or school psychologists;
 - **School** means any public or private pre-kindergarten, elementary school, secondary school, technical school, vocational school, college, university, or institution of postsecondary education.
- Child welfare agency personnel, as that agency is defined pursuant to Code Section 49-5-12;
- Child-counseling personnel;
- **Child service organization personnel defined as** persons **employed by or volunteering** at a business or an organization, whether public, private, for profit, not for profit, or voluntary, that provides care, treatment, education, training supervision, coaching, counseling, recreational programs or shelters to children
- Law enforcement personnel;
- **Clergy** means ministers, priests, rabbis, imams, or similar functionaries by whatever name called, or a bona fide religious organization
 - **Exception:** provided, however, that a member of the clergy shall not be required to report child abuse reported solely within the context of confession or other similar communication required to be kept confidential under church doctrine or practice.
 - **Exception:** When a clergy member receives information about child abuse from any other source, the clergy member shall comply with the reporting requirements of this Code section, even though the clergy member may have also received a report of child abuse from the confession of the perpetrator.
- Reproductive health care facility or pregnancy resource center personnel and volunteers.
 - **Pregnancy Resource Centers** means an organization or facility that provides pregnancy counseling or information as its primary purpose, either for a fee or as a free service; does not provide or refer for abortions; does not provide or refer for FDA DRUGS approved contraceptive or devices; and is not licensed or certified by the state or federal government to provide medical or health care services and is not otherwise bound to follow federal Health Insurance and Accountability Act of 1996, P.L.104-191, or other state or federal laws relating to patient confidentiality.
 - **Reproductive health care facilities** mean any office, clinic or any other physical location that provides abortions, abortion counseling, abortion referrals or gynecological care and services.

MAKING A REPORT

- Georgia law requires **anyone who works or volunteers at a child-serving agency** to report suspected child abuse or neglect **within 24 hours** (O.C.G.A. § 19-7-5). Frequently hospitals, schools and other facilities have an internal child abuse report protocol. You should be aware of this protocol and follow it.

For instance, there may be a designated reporter like the child care center director who is charged with making reports to DFCS. Each organization will handle this in their own way to assure that accurate reports are made in a timely fashion. **If a mandated reporter informs the agency's designated reporter of suspected abuse, the mandated reporter has fulfilled their obligation under the law.**

- **To make a report, call the DFCS Child Protective Center:: 1-855-GA-CHILD (1-855-422-4453).** If you feel the child is in immediate danger, call 911.
- **You can also make a report of suspected abuse online.** The Georgia Mandated Reporter Form is to be used by mandated reporters who wish to report electronically. This form requires an access code which can be obtained through completion of the Mandated Reporters training, go to:

<http://dfcs.dhs.georgia.gov/child-abuse-neglect>

- Make the report even if you do not have *all* the information. Remember you are not an investigator. If you have this information written down, it will help save time when you call.
 - Name, age, home address and current location of the child
 - Name and address of the child's parents/caregivers, if known
 - Name and address of suspected maltreater
 - Locations where abuse took place, if known
 - The nature and extent of injuries
 - Any other information the reporter believes might be helpful in establishing the cause of the injuries and the identity of the perpetrator
 - Photographs of the child's injuries to be used as documentation in support of allegations by hospital employees or volunteers, physicians, law enforcement personnel, school officials or employees, or volunteers of legally mandated public or private child protection agencies may be taken without permission of the child's parents
 - Any information about other household members
- Any person or official required by Georgia law to report suspected cases of child abuse who knowingly and willfully fails to do so **shall be guilty of a misdemeanor**. A misdemeanor is a crime that is less serious than a felony but can still be punishable by fine or incarceration in a county jail.
- Mandated reporters who report in good faith are protected by the law, even if the report is not substantiated. **All reports are confidential and the reporter may remain anonymous**, if they choose to do so. However, in some instances, the mandated reporter does not wish to remain anonymous and would like to be interviewed and/or serve as a resource for the child/family. DFCS is required to keep the reporter's name confidential.

CHILD SEXUAL ABUSE STATE AND NATIONAL RESOURCES LIST

- **DFCS Child Protective Center:**
1-855-GA-CHILD (1-855-422-4453)
To report child abuse, reports are taken 24 hours a day, 7 days a week. If you have an immediate emergency, please call 911 or your local police department.
- **Rape, Abuse and Incest National Network (RAINN)| National Sexual Assault Hotline:**
1-800-656-HOPE (1-800-656-4673)
<https://www.rainn.org/>
Adult Survivors of Sexual Abuse: 1-on-1 call or chat online with a trained specialist 24/7. Spanish/English support. They can refer to free local services: support groups, counseling for survivors, health facilities, laws, and next steps toward healing and recovery.
- **Georgia Crisis And Access Line (GCAL)**
1-800-715-4225 | www.mygcal.com/
24/7 hotline for accessing mental health services in Georgia. Get connected to treatment and support services for mental disorders, addictions, as well as support for people developmental disabilities.
- **Crisis Text Line**
Text: "GA" to 741741
<http://www.crisistextline.org/>
Service is free, confidential and available 24/7. Teens & adults experiencing an emotional crisis can text with a trained Crisis Counselor. The counselor will help move the texter from a 'hot' moment to a 'cool' moment.
- **Georgia Sex Offender Registry**
Tel: (404)270-8465
www.gbi.georgia.gov/georgia-sex-offender-registry
- **Prevent Child Abuse Georgia Helpline:**
1-800-CHILDREN (1-800-244-5373)
Hotline is open Mon-Fri, 8am-7pm, support in Spanish/English. Callers are connected to local resources on parenting, raising grandkids, child wellbeing, counseling, support groups, and family violence/abuse concerns.
- **Childhelp National Child Abuse Hotline:**
1-800-4-A-CHILD (1-800-422-4453)
<https://www.childhelp.org/hotline/>
Hotline is staffed 24/7 with professional crisis counselors and assistance in over 170 languages. Valuable resource for mandated reporters, children at risk for abuse, distressed parents seeking crisis intervention, and concerned individuals who suspect child abuse.
- **Male Survivor**
<http://www.malesurvivor.org/index.php>
Provide state, national and international resources including a therapist directory, support groups, discussion forums, and events for male survivors.
- **Darkness to Light Resources for Parents and Organizations**
<http://www.d2l.org/resources/>
Find PDF printables on child development, talking to kids about digital and body safety, and other prevention tips.
- **Trauma Focused Cognitive Behavioral Therapist**
<https://tfcbt.org/members/>
A national listing of therapists certified in Trauma Focused Cognitive Behavioral

COUNSELING IN ATLANTA FOR LATINX/HISPANIC COMMUNITY

- **Ser Familia** | (678) 363-3079
<http://serfamilia.org/> | Norcross

This organization offers programs for Latinx families: couples workshops, youth programs, and individual/family counseling that are bilingual/bi-cultural (including counseling for sexual abuse)
- **CETPA** | (770) 662-0249
<http://www.cetpa.org/> | Norcross

This organization has bilingual and bi-cultural professional counselors specializing in the areas of mental health, addictions, and family counseling (including counseling for sexual abuse)

COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN STATE AND NATIONAL RESOURCES LIST

- **Georgia Cares**
1(844) 8GA-DMST (24 hour Hotline)
www.gacares.org
The state coordinating agency connecting services and support for child victims of sex trafficking and exploitation. A single point of entry for all child sex trafficking victims
- **Wellspring Living**
www.wellspringliving.org
Provide an array of programs for females ages 12-30 who are domestic sex trafficking victims or 'at risk' of trafficking in Georgia
- **Street Grace**
Tel: (678) 809-2111
Email: info@streetgrace.org
www.streetgrace.org
Atlanta-based faith-driven organization who mobilizes community resources to help end DMST through awareness, empowerment, and engagement
- **Shared Hope International**
www.sharedhope.org
Provides prevention programs, mentorship programs for exploited women and children, and policy initiatives to strengthen trafficking laws
- **National Human Trafficking Resource Center & National Hotline**
Tel: (888) 373-7888 or
Text: "BeFree" to 233733
Email: nhtrc@PolarisProject.org
www.traffickingresourcecenter.org
National, toll-free hotline, 24/7, in more than 200 languages. They connect human trafficking victims and survivors to critical support and services to get help and stay safe
- **Georgia Statewide Human Trafficking Task Force**
<https://cjcc.georgia.gov/georgia-statewide-human-trafficking-task-force>
Consists of 8 Work Groups addressing the five elements of the trafficking continuum: Vulnerability-Recruitment-Exploitation-Withdrawal-Reintegration
- **Tapestri**
Tel: (404) 299-2185
www.tapestri.org
Provides a wealth of resources for immigrant and refugee victims of domestic violence and trafficking in Atlanta
- **youthSpark, Inc.**
Tel: (404) 612-4628
www.youth-spark.org
Georgia organization of leaders in investigative research, policy advocacy, and training focusing on child sex trafficking
- **National Center for Missing & Exploited Children**
Tel: 1(800)-THE-LOST (1-800-843-5678)
www.missingkids.com/cybertipline
The CyberTipline® receives leads and tips regarding suspected crimes of sexual exploitation committed against children
- **Demanding Justice**
www.demandingjustice.org
Exposes buyers and tracks what each state is doing to demand justice exploitation committed against children
- **Child Sex Trafficking Webinar Series**
www.choa.org/cptraining
Online training opportunities for adults to learn more about child sexual abuse prevention and child sex trafficking.
- **The Institute on Healthcare and Human Trafficking**
www.vIHHT.org
Collaboration of Atlanta healthcare leaders who provide a central resource center for medical & behavioral health professionals seeking information on sex and labor trafficking involving children and adults