

## SCREENING GUIDELINES FOR CHILD SEXUAL ABUSE

Investigations of sexual abuse reports shall be categorized to include: an Intra-familial investigation; Specialized Assessment/Investigation; and/or Stranger Danger.

Intra-familial investigations of sexual abuse include an alleged perpetrator who:

- is a family member;
- has sanctioned or continued access; or
- is involved in the daily or regular care of the child.

Examples of an Intra-familial alleged perpetrator of sexual abuse are mother, father, step-parent, paramour (living out of the home) of the parent/caretaker, an uncle, neighbor, an unlicensed daycare provider, etc.

A Specialized Assessment/Investigation includes an alleged perpetrator of sexual abuse who meets the definition of an Out-of-home care setting; are responsible for the physical care/custody and control of a child; and/or has access to a child by virtue of his/her employment/affiliation to an institution. An example of an Specialized Assessment/Investigation alleged perpetrator includes a teacher, boy/girl scout leader, day camp counselor, licensed foster parent, licensed daycare provider, etc.

An Out-of-home care setting is a detention facility, shelter facility, foster home, pre-finalized adoptive placement, certified foster home, approved foster care, organization, certified organization, child day-care center, type A family day-care home, type B family day-care home, group home, institution, state institution, residential facility, residential care facility, residential camp, day camp, hospital, medical clinic, children's residential center, public or nonpublic school, or respite home that is responsible for the care, physical custody, or control of a child.

Stranger Danger investigations of sexual abuse include an alleged perpetrator who:

- is **not** a family member;
- has **no** sanctioned or continued access; and
- is **not** involved in the daily or regular care of the child.

An example of stranger danger includes any alleged perpetrator who had no relationship to the alleged child victim/family prior to the act. Stranger Danger is outlined in the Family In Need of Services Guideline.

In identifying a child as an alleged perpetrator, the PCSA shall consider the child's developmental capability to determine right and wrong and the consequences of his/her action; the age of the child; if a pattern of behaviors is present, and/or if extenuating circumstances exist. A child under the age of ten shall not be named as an alleged perpetrator. The PCSA shall consider serving a child under the age of ten or a child over the age of ten who does not meet the above criteria to be named as an alleged perpetrator, as a victim of suspected sexual abuse with an unknown perpetrator.

- Examples provided are not all inclusive. If referral indicates a parents/caretakers encouragement or failure to intervene in an activity outlined in the below guidelines, refer to the Child Neglect Guideline. If necessary, consult legal advisor.

ORC DEFINITIONS	SCREEN IN EXAMPLES (ASSOCIATED WITH ORC)	SCREEN OUT EXAMPLES
Sexually Abused Child	Sexually Abused Child	Sexually Abused Child
<p><b>Rape</b> Engaging in sexual conduct with another who is less than thirteen years of age, whether or not the offender knows the age of the other person; engaging in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force; impairing the other's judgment or control by administering any drug, intoxicant or controlled substance by force, threat of force or deception. (ORC 2907.02)</p> <p><b>*Sexual conduct</b> means vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal cavity of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse. (ORC 2907.01)</p> <p><b>Sexual battery</b> Engaging in sexual conduct with another when the offender coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution; the offender is the other person's natural or adoptive parent, stepparent, guardian, custodian or person in loco parentis; the offender is a teacher, administrator, coach, or other person in authority employed by a school. (ORC 2907.03)</p> <p>*See above for definition of sexual conduct</p> <p><b>Unlawful sexual conduct with a minor</b> Person who is eighteen engaging in sexual conduct with another, who is not the spouse of the offender, and the offender knows the other person is thirteen years of age or older, but less than sixteen years of age, or the offender is reckless in that regard. (ORC 2907.04)</p> <p><b>Gross sexual imposition</b> Person having sexual contact with another, not the spouse of the offender; causing another to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following apply: 1. The offender purposely compels the other person, or one</p>	<p>*Child under the age of eighteen engaged in sexual activity with any related individual, regardless of force or coercion.</p> <p>*Any criterion of a sexually abused child that occurs with the alleged perpetrator being a caretaker of the child or an individual whose role and/or relationship with the child indicates coercion.</p> <p>*Sexual activity between any child thirteen years of age or older and any person(s) more than four years older in age.</p> <p>*For the purpose of sexual gratification/exploitation: Engages a child in touching adults genitals; Touching child's genitals for reasons other than hygiene; Adult masturbates in presence of child; Engaging child in act of masturbation; Rubbing genitals against child's genital-rectal area, inner thigh or buttocks; Making no effort to prevent child from observing sexual behavior; Disseminating or showing a child photographs, video and/or any pornographic material; Allowing /forcing child to view pornographic material; Photographing, videotaping and/or viewing child without clothing or partially clothed; Allowing child to be photographed, videotaped and/or viewed without clothing or partially clothed; Enticing, tricking and/or forcing a child into sexual play.</p> <p>*Convicted sexual offender has contact with child and there is a suspicion of sexual contact.</p>	<p><b>*Consider referring screen outs to law enforcement</b></p> <p>*Child under the age of eighteen engaged in sexual activity with any person(s), who has no sanctioned or continued access, is not a family member or is not involved in daily or regular care of the child.</p> <p>*Similar aged children, younger than six years of age, related or unrelated, engaging in game of doctor, mutual disrobing or exploration of the body without force or coercion, when developmentally appropriate.</p> <p>*Sexual experimentation between non-related children in the same developmental stage, regardless of coercion, force or enticement.</p> <p>*Child sixteen years and older engaging in consensual contact with a non-related person(s) over the age of sixteen.</p> <p>*Date rape incident between children.</p> <p>*Parents, relatives or kin who take photographs of small children without clothing or partially clothed with no sexual innuendo (ex. Child's first bath, a toddler playing in the bathtub)</p> <p>*Sexual activities are discussed in presence of child with no intent to engage or entice child.</p> <p>*Child finds/views pornographic material in the home without consent of the parent(s) and the parents are</p>

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<p>of the other persons to submit by force or threat of force;  2. For the purpose of preventing resistance, the offender substantially impairs the judgment or control of the other person or of one of the other persons by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception;  3. The offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery;  4. The other person, or one of the other persons, is less than thirteen years of age, whether or not the offender knows the age of that person;  5. The ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age.  (ORC 2907.05)</p> <p><b>*Sexual contact</b> means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttocks, pubic region, or , if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person. (ORC 2907.01)</p> <p><b>Disseminating material harmful to a juvenile</b>  No person shall recklessly do any of the following:  1. Sell, deliver, furnish, disseminate, provide, exhibit, rent, or present to a juvenile any material or performance that is obscene or harmful to juveniles;  2. Offer or agree to sell, deliver, furnish, disseminate, provide, exhibit, rent or present to a juvenile any material or performance that is obscene or harmful to juveniles;  3. Allow any juvenile to review or peruse any material or view any live performance that is harmful to juveniles.  (ORC 2907.31)</p> <p><b>Illegal use of minor in nudity-oriented material or performance</b></p>	<p>*A suspicion of sexual contact may include a child exhibiting multiple or a combination of abnormal sexual behaviors and/or inappropriate sexual knowledge.</p>	<p>taking steps to prevent a reoccurrence.</p> <p>*Child inadvertently observes sexual activity and parent/caretaker takes steps to prevent a reoccurrence (no intent).</p>

<p style="text-align: center;"><b>ORC DEFINITIONS</b></p>	<p style="text-align: center;"><b>SCREEN IN EXAMPLES (ASSOCIATED WITH ORC)</b></p>	<p style="text-align: center;"><b>SCREEN OUT EXAMPLES</b></p>
<p>A. Person who photographs any minor who is not the person's child or ward in a state of nudity, or create, direct, produce, or transfer any material or performance that shows the minor in a state of nudity, unless both of the following apply:</p> <ol style="list-style-type: none"> <li>1. The material or performance is, or is to be, sold, disseminated, displayed, possessed, controlled, brought or caused to be brought into this state, or presented for a bona fide artistic, medical, scientific, educational, religious, governmental, judicial, or other proper purpose, by or to a physician, psychologist, sociologist, scientist, teacher, person pursuing bona fide studies or research, librarian, clergyman, prosecutor, judge, or other person having a proper interest in the material or performance;</li> <li>2. The minor's parents, guardian, or custodian consents in writing to the photographing of the minor, to the use of the minor in the material or performance, or to the transfer of the material and to the specific manner in which the material or performance is to be used;</li> </ol> <p>B. Consent to the photographing of the person's minor child or ward, or photograph the person's minor child or ward, in a state of nudity or consent to the use of the person's minor child or ward in a state of nudity in any material or performance, or use or transfer a material or performance of that nature, unless the material or performance is sold, disseminated, displayed, possessed, controlled, brought or caused to be brought into this state, or presented for a bona fide artistic, medical, scientific, educational, religious, governmental, judicial, or other proper purpose, by or to a physician, psychologist, sociologist, scientist, teacher, person pursuing bona fide studies or research, librarian, clergyman, prosecutor, judge, or other person having a proper interest in the material or performance.</p>		