

# Georgia Child Abuse Reporting

## Who do I contact to report an incident in Georgia?

An oral report or written report by electronic transmission or facsimile should be made to a child welfare agency designated by the Department of Human Services, or to an appropriate police authority or district attorney in the absence of such agency.

Mandatory reporters should make initial oral reports to the person in charge of the facility or welfare agency.

Oral reports can be made by phone.

Phone: 1-855-GACHILD / 1-855-422-4453. This phone line is monitored 24 hours per day, 7 days per week. If the abuse represents an emergency, please call 911.

Website for more information: <https://dfcs.georgia.gov/how-report-child-abuse> Georgia, Code § 19-7-5.

## How much time do I have to report an incident?

Reports should be made immediately, but no more than 24 hours after there is reasonable cause to believe abuse has occurred. **OCGA §19-7-5(e)(2).**

## What is “child abuse” in Georgia?

“Physical injury or death inflicted upon a child by a parent or caretaker thereof by other than accidental means; provided, however, that physical forms of discipline may be used as long as there is no physical injury to the child; Neglect or exploitation of a child by a parent or caretaker thereof; Endangering a child<sup>i</sup>; Sexual abuse<sup>ii</sup> of a child; or Sexual exploitation<sup>iii</sup> of a child” **OCGA §19-7-5(b)(4).**

## Who is a mandatory reporter in Georgia?

Physicians licensed to practice medicine, physician assistants, interns, or residents; Hospital or medical personnel; Dentists; Licensed psychologists and persons participating in internships to obtain licensing pursuant to Chapter 39 of Title 43; Podiatrists; Registered professional nurses or licensed practical nurses licensed pursuant to Chapter 26 of Title 43 or nurse's aides; Professional counselors, social workers, or marriage and family therapists licensed pursuant to Chapter 10A of Title 43; School teachers; School administrators; School counselors, visiting teachers, school social workers, or school psychologists certified pursuant to Chapter 2 of Title 20; Child welfare agency personnel, as such agency is defined in Code Section 49-5-12; Child-counseling personnel; Child service organization personnel; Law enforcement personnel; Reproductive health care facility or pregnancy resource center personnel and volunteers. **OCGA §19-7-5(c)(1).**

## Are Clergy mandatory reporters in Georgia?

Not if the abuse reported is done solely within the context of a confession or other similar communication required to be kept confidential under church doctrine or practice.

However, when a clergy member receives information about child abuse from any other source, the clergy member shall comply with the reporting requirements, even though the clergy member may have also received a report of child abuse from the confession of the perpetrator. **OCGA §19-7-5(g).**

**Where can I find Georgia law on child abuse?**

<https://codes.findlaw.com/ga/title-19-domestic-relations/ga-code-sect-19-7-5.html>

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<sup>i</sup> Endangering a child means (A) Any act described in subsection (d) of Code Section 16-5-70; (B) Any act described by Code Section 16-5-73; (C) Any act described by subsection (I) of Code Section 40-6-391; or (D) Prenatal abuse, as such term is defined in Code Section 15-11-2.

<sup>ii</sup> Sexual abuse means a person's employing, using, persuading, inducing, enticing, or coercing any minor who is not such person's spouse to engage in any act which involves: (A) Sexual intercourse, including genital-genital, oral-genital, or oral-anal, whether between persons of the same or opposite sex; (B) Bestiality; (C) Masturbation; (D) Lewd exhibition of the genitals or pubic area of any person; (E) Flagellation or torture by or upon a person who is nude; (F) Condition of being fettered, bound, or otherwise physically restrained on the part of a person who is nude; (G) 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; (H) Defecation or urination for the purpose of sexual stimulation; (I) Penetration of the vagina or rectum by any object except when done as a part of a recognized medical procedure; or (J) Any act described by subsection (c) of Code Section 16-5-46. Sexual abuse shall include consensual sex acts when the sex acts are between minors if any individual is less than 14 years of age; provided, however, that it shall not include consensual sex acts when the sex acts are between a minor and an adult who is not more than four years older than the minor. The provision shall not be deemed or construed to repeal any law concerning the age or capacity to consent.

<sup>iii</sup> Sexual exploitation means conduct by any person who allows, permits, encourages, or requires a child to engage in: (A) Prostitution, as defined in Code Section 16-6-9, or (B) Sexually explicit conduct for the purpose of producing any visual or print medium depicting such conduct, as defined in Code Section 16-12-100.