

Hello Mandated Reporter Commission,

It is my understanding that at this time sexual acts between children under the age of 12 years are a DCF screen out unless there is neglect by the parent.

These types of cases are not mandated to be referred to the District Attorney's office. I suggest that sexual acts between children under 12 years of age should be mandated referral to the District Attorney's Office.

Consider this hypothetical...11 year old boy and 10 year old girl are in the hallway of his apartment building, and the boy digitally penetrates the girl. The girl returns to her home down the street and tells her Mom what happened. Mom calls DCF. There is no parental neglect as the child was just leaving the apartment building from visiting her friend. DCF screens it out, and there is no DA referral. ...maybe the girl is guided for services by DCF or her family...maybe not.

DCF does not notify the boy's mother. No one tells the mother of the boy that her son is raping the little girl who lives two doors down the street, and the aggressor is not offered any services.

If child on child cases are mandated to be reported to the DA's office, then the DA's Office can notify the boy's Mom that this allegation was made AND forward the matter to the Child Advocacy Center (CAC). Then the CAC can reach out to both the boy's family and guide him toward services for problematic sexual behavior and speak to the girl's family about available services.

This has been a loophole in the system for many years. As you well know, times have changed and children are exposed to sex at a much younger age and are inappropriately sexually touching each other at an alarming rate. The Mandated Reporter Commission has an opportunity to close this loophole, offer the children help during their formative years, and not leave families of young children without knowledge or guidance.

I realize this may not be the focus of your Commission, but the opportunity to make you aware of this concern was too good to pass up.

Thank you for your consideration. ADA Leahy

*Lesly A. Leahy
Assistant District Attorney
For the Bristol District
Deputy Chief
Special Victim's Unit
218 South Main Street
Fall River, MA 02721
508-961-1844*