

# MANDATORY REPORTING IN KENTUCKY

**When Do We Step In?**

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## Kentucky is known for:

BASKETBALL

Mammoth Cave

MOONBOW  
CUMBERLAND  
FALLS

BOURBON

DERBY

BLUEGRASS  
MUSIC

Birthplace of  
Abraham Lincoln

KFC

Kentucky has also been titled, according to the US Department for Health and Human Services, as #1 for child abuse and neglect.

## YES, RIGHT HERE IN KENTUCKY.

If you think this  
is a "foreign" issue,  
think again.

The Department of Justice  
estimates that 200,000 American  
children are trafficked each year.  
Many of them right here in Kentucky.

If you have a suspicion, please  
trust your instinct. Because for  
minors under 18 exploited in  
commercial sex or forced labor,  
it's not necessary to prove force,  
fraud or coercion. Anyone under 18  
engaged in these activities is the  
victim of human trafficking!



1 888 373 7888

IF YOU FEEL YOU'VE  
FOUND A VICTIM  
OF TRAFFICKING,  
CALL US AS SOON  
AS YOU CAN.



NATIONAL TRAFFICKING HOTLINE:  
1 888 373 7888

THE NATIONAL CHILD ABUSE HOTLINE:  
1 800 4 A CHILD

[rescueandrestoreky.org](http://rescueandrestoreky.org)

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IN KENTUCKY, 59 PERCENT OF  
ALL HUMAN TRAFFICKING VICTIMS  
ARE CHILDREN. IT'S TIME TO END IT.

THERE IS HOPE. In Kentucky, human trafficking  
is more prevalent than you'd ever believe. It happens  
in our big cities to our smallest towns. In fact, the  
average man in 2010 is less educated than the  
man in 1980. 1 888 373 7888 or 1 800 4 A CHILD  
[www.rescueandrestoreky.org](http://www.rescueandrestoreky.org)



# LEGAL/ILLEGAL V/S MANDATORY REPORTING



Imagine someone breaking in your house, the act itself is illegal but you are not required to report it.

**16 years old is the age of consent for sex in Kentucky.**

**Under the age of 16 cannot consent to sex.**

**Vulnerable Adults cannot consent to sex. (mentally ill, mentally incapacitated, and physically helpless persons that are hindered in their ability to make decisions or protect themselves)**

**Anyone under the age of 18, cannot consent if the perpetrator is in a position of authority.**

**ANY SUSPICION FOR HUMAN TRAFFICKING (LABOR OR SEX) MUST BE REPORTED IMMEDIATELY!**



# WHAT ARE THE LAWS IN KENTUCKY?

## Under 16 years old

Person <16 with a person 21 years old or older, must be reported.

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Report to DCBS.

Report to the county attorney or the commonwealth attorney.

Report to police.

## 16-<18 Years Old

When the victim is a 16/17 year old and the other person is a person of authority (teacher/principal, minister, coach etc), mandatory reporting is required.

## Vulnerable Adults

Report any abuse/neglect to Adult Protective Services.





# SEXUAL ASSAULT REPORTING

## Under 16 Years Old

Person <16, person 21 years old or older, must be reported.

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Report to DCBS.

Report to the county attorney or the commonwealth attorney.

Report to police.

## 16-<18 Years Old

Can decide if sexual assault is reported to police.

Do not automatically contact police for anyone 16 years old and older, they may not want to report to police.

## Vulnerable Adults

Report to Adult Protective Services.



# KNOW THE PEOPLE TO CONTACT

- Talk with your local police departments, get to know them.
- Post numbers in your clinic for trafficking victims.
- Become familiar with your local rape crisis center.
- Meet and become familiar with local DCBS if that is an option.

Knowledge of your resources will help you answer questions in the future.





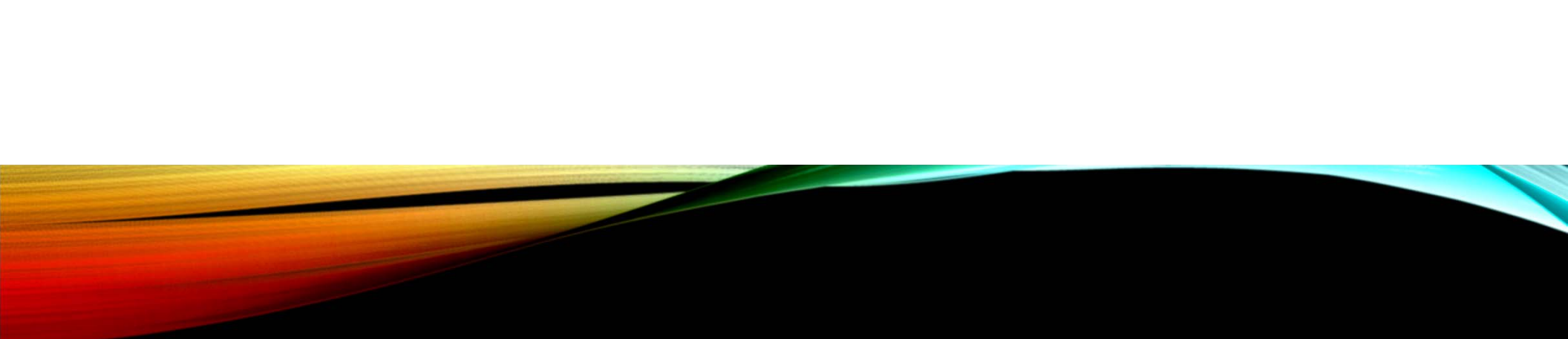
# HOW CAN WE HELP IN CLINIC

- Immediately work to build trust and confidence with your client.
- Follow and Review the H&P with the client
- Slow down when you ask the questions about sexual behavior
- Take time with your clients-question about number of partners, notice who is with them and how they behave.



# SOURCES & RESOURCES

- <https://chfs.ky.gov/agencies/dcbs/dpp/cpb/Pages/default.aspx>
- <https://humantraffickinghotline.org/>
- <https://ag.ky.gov/protecting-children/human-trafficking>
- <https://www.acf.hhs.gov/cb/research-data-technology/statistics-research/child-maltreatment>
- <https://silverleafky.org/>

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- *Kentucky law says there is a lack of consent if a person engages in a sexual act with another person by forcible compulsion or with a person who is incapable of consent because he or she is physically helpless, mentally defective or mentally incapacitated. "Mentally defective" means that a person suffers from a mental disease or defect that renders the person: incapable of understanding the nature and consequences of a sexual act; or unaware a sexual act is occurring. "Mentally incapacitated" means that a person is temporarily incapable of appreciating or controlling the person's conduct as a result of the influence of a controlled or intoxicating substance: administered to the person without the person's consent; or that renders the person unaware a sexual act is occurring. "Physically helpless" means that a person is: unconscious; physically unable to communicate a lack of consent; or rendered unaware that a sexual act is occurring.*



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