

**Child-on-Child Sexual Abuse Sub-Committee of
The Task Force on Child Protection**

Preamble:

These recommendations are the result of collaboration between law enforcement, local school district, Child Protection Team, D.C.F., F.D.L.E., Public Defender, and the State Attorney Office. The starting point of these recommendations is the realization that victims and offenders of sexual abuse require treatment and services upon entry into the child welfare system. It is abundantly clear that an offender 15 years of age or under frequently has been the victim of sexual abuse and requires specialized intervention. Further, early intervention, prevention, and treatment are most effective in breaking the cycle of victimization. These recommendations are supported by the findings of the D.J.J. Blueprint Commission Report to be issued February 5, 2008.

Recommendations:

1. Amend Florida Statute 39.201(2)(f) to eliminate distinction between 12 year old and under offenders, and 13 year old and over offenders, for purposes of responding to child-on-child sexual abuse, substituting one age group of 15 years old and under. The definition of "juvenile sexual abuse" as found in F.S. 39.01(7) shall be amended as appropriate.
2. Amend Florida Statute to eliminate the distinction between victim and offender for purposes of providing services and responding to child-on-child sexual abuse allegations.
3. D.C.F. Hotline operators are mandated to accept all calls of child-on-child sexual abuse by a child age 15 years and under and to transmit all available information to the local D.C.F. Said operators shall complete additional annual training for a minimum of 4 hours on accepting child-on-child sexual abuse calls.
4. Upon receiving a report of child-on-child sex abuse by a child 15 years of age or under D.C.F. is mandated to complete a C.O.C. Assessment form on both children (victim(s) and offender(s)) and directed within 3 days to provide a psycho-sexual evaluation to both children, the results of which are unavailable to the State for intake or trial purposes, unless otherwise waived. The victim's assessment shall be unavailable to the defense unless court ordered.
5. The Recommendations above do not preclude the State's ability to prosecute any allegation of child-on-child sexual abuse, nor to interfere with law enforcement's obligation to investigate such matters.
6. D.C.F., C.P.T., and D.J.J. must be adequately funded to provide a full spectrum of services in a timely fashion to children involved in child-on-child sexual abuse, including but not limited to residential treatment.
7. The Jimmy Ryce law should be amended to provide that other than court ordered psycho-sexual evaluations, DCF shall not use said report for civil commitment purposes.