South Carolina
Child Abuse Reporting

Who do I contact to report an incident in South Carolina?
Call the toll-free hotline at 1-888-CARE4US or 1-888-227-3487.

Reports of child abuse or neglect may be made orally by telephone or otherwise to the county department of social services or to a law enforcement agency in the county where the child resides or is found. **S.C. Code Ann. §63-7-310(D)**.

Contact 911 immediately if the situation is a life-threatening emergency.

How much time do I have to report an incident?
No specific time frame is given in South Carolina law. It is best practice to make reports immediately.

What is "child abuse" in South Carolina?
"Child abuse or neglect" or "harm" occurs when the parent, guardian, or other person responsible for the child's welfare inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained as a result of excessive corporal punishment, but excluding certain types of corporal punishment or physical discipline[i]; commits or allows to be committed against the child a sexual offense as defined by the laws of this State or engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child; fails to supply the child with adequate food, clothing, shelter, or education as required under Article 1 of Chapter 65 of Title 59, supervision appropriate to the child's age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or mental injury[ii]; abandons the child; encourages, condones, or approves the commission of delinquent acts by the child[iii]; commits or allows to be committed against the child female genital mutilation as defined in Section 16-3-2210 or engages in acts or omissions that present a substantial risk that the crime of female genital mutilation would be committed against the child; or; has committed abuse or neglect as described in subsections (i) through (vi) such that a child who subsequently becomes part of the person's household is at substantial risk of one of those forms of abuse or neglect; a child is a victim of trafficking in persons as defined in Section 16-3-2010, including sex trafficking, regardless of whether the perpetrator is a parent, guardian, or other person responsible for the child's welfare. Identifying a child as a victim of trafficking in person does not create a presumption that the parent, guardian, or other individual responsible for the child's welfare abuse, neglected, or harmed the child. **S.C. Code Ann. §63-7-20(6)**.

Who is a mandatory reporter in South Carolina?
A physician, nurse, dentist, optometrist, medical examiner, or coroner, or an employee of a county medical examiner's or coroner's office, or any other medical, emergency medical services, mental health, or allied health professional, member of the clergy including a Christian Science Practitioner or religious healer, clerical or nonclerical religious counselor who charges for services, school teacher, counselor, principal, assistant principal, school attendance officer, social or public assistance worker, substance abuse treatment staff, or childcare worker in a childcare center or foster care facility, foster parent, police or law enforcement officer, juvenile

justice worker, undertaker, funeral home director or employee of a funeral home, persons responsible for processing films, computer technician, judge, or a volunteer non-attorney guardian ad litem serving on behalf of the South Carolina Guardian Ad Litem Program or on behalf of Richland County CASA must report in accordance with this section when in the person's professional capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in Section 63-7-20. **S.C. Code Ann. §63-7-310(A**).

Are Clergy mandatory reporters in South Carolina?
Yes. Clergy are required to report incidents of child abuse. **S.C. Code Ann. §63-7-310(A**).

Is there an exception for penitential communication in South Carolina?
Yes. The Clergy-Penitent privilege is maintained under South Carolina law when the information about the alleged incident is received from the alleged perpetrator of the abuse and neglect during a protected communication. The statute specifically states clergy must report except if the communication is privileged that is protected by the clergy and penitent privilege as provided for in Section 19-11-90. **S.C. Code Ann. §63-7-420**.

If there is a penitential communication in South Carolina, how do you define such a communication?
South Carolina defines a privileged communication with the context of the Clergy-Penitent relationship as "any confidential communication properly entrusted to him in his professional capacity and necessary and proper to enable him to discharge the functions of his office according to the usual course of practice or discipline of his church or religious body." **S.C. Code Ann. §19-11-90**.

The privilege **does not apply** if Clergy become aware of the abuse outside of the privileged communication.

Where can I find South Carolina law on child abuse?
https://www.scstatehouse.gov/code/t63c007.php

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[i] That which: is administered by a parent or person in loco parentis; is perpetrated for the sole purpose of restraining or correcting the child; is reasonable in manner and moderate in degree; has not brought about permanent or lasting damage to the child; and is not reckless or grossly negligent behavior by the parents
[ii] However, a child's absences from school may not be considered abuse or neglect unless the school has made efforts to bring about the child's attendance, and those efforts were unsuccessful because of the parent's refusal to cooperate. For the purpose of this chapter "adequate health care" includes any medical or nonmedical remedial health care permitted or authorized under state law.
[iii] including, but not limited to, sexual trafficking or exploitation, and the commission of the acts are shown to be the result of the encouragement, condonation, or approval