



When Mandated Reporters in California Must Report Consensual Disparate Age Sexual Intercourse to Child Abuse Authorities

(1) If a minor has consensual sexual intercourse with an older (or younger) partner, is a report mandated?*

| Age of Partner | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
|----------------|----|----|----|----|----|----|----|----|----|----|----|
| Age of Patient | | | | | | | | | | | |
| 11 | N | N | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 12 | N | N | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 13 | N | N | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| 14 | Y | Y | N | N | N | N | N | N | N | Y | Y |
| 15 | Y | Y | N | N | N | N | N | N | N | Y | Y |
| 16 | Y | Y | N | N | N | N | N | N | N | N | N |
| 17 | Y | Y | N | N | N | N | N | N | N | N | N |
| 18 | Y | Y | N | N | N | N | N | N | N | N | N |

Chart by David Knopf, LCSW, UCSF.

(2) If a minor engages in “lewd and lascivious acts” with an older or younger partner, is a report required?

“Lewd and lascivious acts” are acts performed with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of the minor or partner. Mandated reporters must report “lewd and lascivious acts” when a minor is 14 or 15 and the partner is 10 or more years older, (14 year old with an adult 24 years or older/ 15 year old with an adult 25 years or older), or when a minor is under 14 and the partner is 14 or older, regardless of claimed consent by the minor.

(3) Are there other situations in which sexual intercourse must be reported?*

Mandated reporters must report sexual intercourse or other sexual activity with a minor under 18 years old when the activity appears coerced, exploitative, based on intimidation, or in any other way resembles abuse -- regardless of claimed consent by the minor and regardless of partner age.

*The law does not require providers to ask about partner age.

**This worksheet is not a complete review of all California sexual abuse reporting requirements.