Washington State
House of Representatives
Office of Program Research

BILL ANALYSIS

Early Learning & Human Services Committee

SB 5375

Brief Description: Concerning the duty of clergy to report child abuse and neglect.

Sponsors: Senators Frame, Wilson, C., Bateman, Dhingra, Nobles and Valdez.

Brief Summary of Bill

- Requires members of the clergy to report child abuse or neglect when they have reasonable cause to believe that a child has suffered such abuse or neglect.

Hearing Date: 3/14/25

Staff: Luke Wickham (786-7146).

Background:

Mandatory Reporting of Child Abuse and Neglect.
State law identifies certain individuals as having a requirement to report child abuse or neglect if there is reasonable cause to believe that a child has suffered abuse or neglect. These individuals must report this information to a law enforcement agency or to the Department of Children, Youth, and Families (DCYF).

Mandatory reporters of child abuse and neglect include:
- medical practitioners;
- county coroners;
- medical examiners;
- law enforcement officers;
- professional school personnel;

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- registered or licensed nurses;
- social service counselors;
- psychologists;
- pharmacists;
- employees of the DCYF;
- licensed or certified child care providers or their employees;
- employees of the Department of Social and Health Services;
- juvenile probation officers;
- placement and liaison specialists;
- responsible living skills program staff;
- HOPE Center staff;
- the Family and Children's Ombuds or any volunteer in that office;
- host home programs;
- any person in an official supervisory capacity with a profit or nonprofit organization that has reason to believe a person over whom he or she exercises supervisory authority has abused or neglected a child;
- Department of Corrections personnel;
- adults who have reasonable cause to believe that a child who resides with the adult is a victim of severe abuse;
- guardians ad litem and court appointed special advocates; and
- administrative, academic, or athletic department employees of public and private institutions of higher education.

Any mandated reporter who knowingly fails to make a report is guilty of a gross misdemeanor.

Clergy-Penitent Privilege.
A member of the clergy, a Christian Science practitioner, or a priest cannot be examined (questioned during or in preparation for a court proceeding) as to any confession or sacred confidence made without the consent of the person making the confession or sacred confidence.

Summary of Bill:

Members of the clergy are required to report child abuse or neglect, when the clergy member has reasonable cause to believe that a child has suffered abuse or neglect, to the proper law enforcement entity or to the Department of Children, Youth, and Families.

Members of the clergy are not exempted from the mandatory reporting requirement for information obtained solely as a result of a communication that is privileged.

The term "member of the clergy" is defined to mean any regularly licensed, accredited, or ordained minister, priest, rabbi, imam, elder, or similarly situated religious or spiritual leader of any church, religious denomination, religious body, spiritual community, or sect, or person performing official duties that are recognized as the duties of a member of the clergy under the discipline, tenets, doctrine, or custom of the person's church, religious denomination, religious

body, spiritual community, or sect, whether acting in an individual capacity or as an employee, agent, or official of any public or private organization or institution.

Appropriation: None.

Fiscal Note: Requested on March 5, 2025.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.