



CRIMES AGAINST CHILDREN

Children are especially susceptible to becoming victims of crime as they are less able to care for and defend themselves. The Texas Penal Code and Texas Family Code respectively address crimes against children and child abuse and neglect.

Examples of **Crimes Against Children** include:

- Injury to a Child: intentionally or recklessly causing bodily injury, serious mental deficiency, or impairment to a child
- Sexual assault, aggravated sexual assault or attempted sexual assault of a child
- Other sexual offenses involving children including: continuous sexual abuse, indecency, prohibited sexual conduct, solicitation
- Child Abandonment: abandoning a child without providing reasonable and necessary care for the child
- Child endangerment including: placing a child in imminent danger of death, bodily injury, or physical or mental impairment; possession, use or manufacturing of certain controlled substances in the presence of a child; exposing a child to a controlled substance causing the child's body to contain the controlled substance
- Leaving a young child unattended in a vehicle

Acts of **Child Abuse and Neglect** do not always constitute *criminal* offenses. However, abuse and neglect are very harmful and may lead to serious injury or death. We as a community must take child abuse and neglect seriously and work to stop it.

How to recognize Child Abuse:

There are four major types of child maltreatment: physical abuse, neglect, sexual abuse, and emotional abuse.

Physical Abuse is physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child. The physical injury (ranging from minor bruises to severe fractures or death) can result from punching, beating, shaking, kicking, biting, throwing, stabbing, hitting, burning, choking, or otherwise harming a child. Such injury is considered abuse regardless of whether the caretaker intended to hurt the child.

Suspect Physical Abuse When You See:

- Frequent injuries such as bruises, cuts, black eyes, or burns without adequate explanations
- Frequent complaints of pain without obvious injury
- Burns or bruises in unusual patterns that may indicate the use of an instrument or human bite; cigarette burns on any part of the body
- Lack of reaction to pain

- Aggressive, disruptive, and destructive behavior
- Passive, withdrawn, and emotionless behavior
- Fear of going home or seeing parents
- Injuries that appear after a child has not been seen for several days
- Unreasonable clothing that may hide injuries to arms or legs

Neglect is failure to provide for a child's basic needs necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services have been offered and refused.

Suspect Neglect When You See:

- Obvious malnourishment
- Lack of personal cleanliness
- Torn or dirty clothing
- Stealing or begging for food
- Child unattended for long periods of time
- Need for glasses, dental care, or other medical attention
- Frequent tardiness or absence from school

Sexual Abuse includes fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution or producing pornographic materials.

Suspect Sexual Abuse When You See:

- Physical signs of sexually transmitted diseases
- Evidence of injury to the genital area
- Pregnancy in a young girl
- Difficulty in sitting or walking
- Extreme fear of being alone with adults of a certain sex
- Sexual comments, behaviors or play
- Knowledge of sexual relations beyond what is expected for a child's age
- Sexual victimization of other children

Emotional Abuse is mental or emotional injury that results in an observable and material impairment in a child's growth, development, or psychological functioning. It includes extreme forms of punishment such as confining a child in a dark closet, habitual scapegoating, belittling, and rejecting treatment for a child.

Suspect Emotional Abuse When You See:

- Over compliance
- Low self-esteem
- Severe depression, anxiety, or aggression
- Difficulty making friends or doing things with other children
- Lagging in physical, emotional, and intellectual development
- Caregiver who belittles the child, withholds love, and seems unconcerned about the child's problems

Additional risk factors such as family violence or caregiver drug and alcohol use may also be indicators that child abuse or neglect is occurring.

If you suspect child abuse or a child makes an outcry to you about abuse, you are required by law to report it. *Contact Law Enforcement and Child Protective Services.*

Two Ways to Report Abuse or Neglect to CPS:

1-800-252-5400

Call the Abuse Hotline toll-free 24 hours a day, 7 days a week, nationwide.

www.txabusehotline.org

For non-emergencies: you may make your report through the secure web site and you will receive a response within 24 hours.

If a child makes an outcry to you:

Listen to him/her speak but do not ask any questions about the incident. Doing so could influence the child's story, which could prevent Law Enforcement from getting an accurate description of the incident from him/her. Once you have notified law enforcement and the case has been assigned to a Child Abuse Detective for investigation, he/she may set up a forensic interview for the child with a specially trained interviewer. Law Enforcement is required to notify CPS of all suspected child abuse/neglect cases, including when children are present during family violence incidents.

What can I do to help my child after abuse has occurred?

Listen to him/her about the abuse. Reassure him/her that telling an adult was the right thing to do and that you will help keep him/her safe. You may want to let the school know that an incident has happened to your child so that they can watch for any changes in your child's behavior or performance at school. You might want to seek out counseling for your child, and possibly yourself, from a mental health professional. It is normal for parents to be affected when their child has been abused and counseling can help both of you work through the victimization. If CPS is contacted regarding your child, remember that it does not mean that your child will definitely be removed from your care. It is best to be open and cooperative with the professionals involved in the case.

What does the Law say?

See: <http://www.statutes.legis.state.tx.us>

Select:

Code: Penal Code
Article/Chapter: Chapter 21. Sexual Offenses
Chapter 22. Assaultive Offenses
Chapter 25. Offenses against the Family

Also

Select:

Code: Family Code
Article/Chapter: Chapter 261. Investigation of Report of Child Abuse or Neglect
Art./Sec.: Section 261.001 Definitions

Available Resources

Center for Child Protection: (512) 472-1164

www.centerforchildprotection.org

Child Protective Services – Travis County Offices: (512) 834-3195 or (512) 369-7000

www.dfps.state.tx.us/Child_Protection/About_Child_Protective_Services

Austin Child Guidance Center: (512) 451-2242

www.austinchildguidance.org

Office of the Attorney General – Crime Victims Compensation: 1 (800) 983-9933

www.oag.state.tx.us/victims/about_comp.shtml

“How to Recognize Child Abuse” through “Suspect Emotional Abuse when you see” copied on 12/30/10 from the Texas Department of Family and Protective Services Website: <http://www.dfps.state.tx.us/itsuptoyou/recognize.asp>

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