Reading the Signs

Preventing Child Abuse

Compiled by Rosemary Kelly,
Round Rock ISD Director of Guidance and Counseling

2010-2011

Child Abuse in the Law

The 81st legislative session passed HB 1041 relating to school district policies addressing sexual abuse of children and the establishment of a state strategy to reduce child abuse and neglect to improve child welfare. The safety of our students is of the utmost importance to Round Rock ISD and we have added information to our district website to increase teacher, parent and student awareness of issues regarding sexual abuse of children.

How Is Child Abuse and Neglect Defined in Federal Law?

Federal legislation lays the groundwork for States by identifying a minimum set of acts or behaviors that define child abuse and neglect. The Federal Child Abuse Prevention and Treatment Act (CAPTA), (42 U.S.C.A. §5106g), as amended by the Keeping Children and Families Safe Act of 2003, defines child abuse and neglect as, at minimum:

> Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation.

Legally, What Child Abuse and Neglect Are in Texas

In Texas, the definitions of child abuse and neglect include specific acts or omissions by a person responsible for a child's care, custody or welfare. Here are important legal definitions from Section 261.001 of the Texas Family Code.

"Abuse" includes the following acts or omissions by a person:

- mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning;
- causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning;
- physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the child to a substantial risk of harm;
- failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;
- sexual conduct harmful to a child's mental, emotional, or physical welfare including conduct that constitutes the offense of indecency with a child under Section 21.11, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;
- failure to make a reasonable effort to prevent sexual conduct harmful to a child;

- compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code;
- causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene as defined by Section 43.21, Penal Code, or pornographic;
- causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child as defined by Section 43.25, Penal Code;
- the current use by a person of a controlled substance as defined by Chapter 481, Health and Safety Code, in a manner or to the extent that the use results in physical, mental, or emotional injury to a child;
- or causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 481, Health and Safety Code.

"Neglect" includes:

- the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child;
- the following acts or omissions by a person:
    - placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;
    - failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;
    - the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused; or
    - placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or

- the failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away.

"Person responsible for a child's care, custody, or welfare" means a person who traditionally is responsible for a child's care, custody, or welfare, including:

- a parent, guardian, managing or possessory conservator, or foster parent of the child;
- a member of the child's family or household as defined by Chapter 71;
- a person with whom the child's parent cohabits;
- school personnel or a volunteer at the child's school; or
- personnel or a volunteer at a public or private child-care facility that provides services for the child or at a public or private residential institution or facility where the child resides.

Prevention of Child Abuse

The term "prevention" is typically used to represent activities that stop an action or behavior. It can also be used to represent activities that promote a positive action or behavior. Research has found that successful child abuse interventions must both reduce risk factors and promote protective factors to ensure the well-being of children and families.

The following protective factors have been linked to a lower incidence of child abuse and neglect:

- Nurturing and attachment. When parents and children have strong, warm feelings for one another, children develop trust that parents will provide what they need to thrive.
- Knowledge of parenting and of child and youth development. Parents who understand how children grow and develop can provide an environment where children can live up to their potential.
- Parental resilience. Parents who are emotionally resilient have a positive attitude, creatively problem solve, effectively address challenges, and are less likely to direct anger and grustration at their children
- Social connections. Trusted and caring family friends provide emotional support to parents by offering encouragement and assistance in facing the daily challenges of raising a family.
- Concrete supports for parents. Parents need basic resources such as food, clothing, housing, transportation, and access to essential services that address family-specific needs (such as child care, health care, and mental health services) to ensure the health and well-being of their children.

Why is child abuse prevention important?

The impact of child maltreatment can be profound. Research shows that child maltreatment is associated with adverse health and mental health outcomes in children and families, and those negative

effects can last a lifetime. In addition to the impact on the child, child abuse and neglect affects various systems-including physical and mental health, law enforcement, judicial and public social services, and nonprofit agencies as they respond to the incident and support the victims.
In 2006, an estimated 905,000 children in the United States were found to be victims of child abuse and neglect. Working together, state and local governments, school districts, community organizations and private citizens can help prevent child abuse and neglect.

What is the economic impact of child abuse and neglect?

One analysis of the immediate and long term economic impact of child abuse and neglect suggests that child maltreatment costs the nation as much as $258 million each day, or approximately $94 billion each year.

Types of Child Abuse

What Are the Major Types of Child Abuse and Neglect?

Most experts recognize four major types of maltreatment: physical abuse, neglect, sexual abuse, and emotional abuse. Although any of the forms of child maltreatment may be found separately, they often occur in combination. Abandonment and parental substance abuse may also be defined as forms of child abuse or neglect. The examples provided are for general information on child abuse:

- **Physical abuse** is nonaccidental physical injury (ranging from minor bruises to severe fractures or death) as a result of punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting (with a hand, stick, strap, or other object), burning, or otherwise harming a child, that is inflicted by a parent, caregiver, or other person who has responsibility for the child. Such injury is considered abuse regardless of whether the caregiver intended to hurt the child. Physical discipline, such as spanking or paddling, is not considered abuse as long as it is reasonable and causes no bodily injury to the child.

- **Neglect** is the failure of a parent, guardian, or other caregiver to provide for a child's basic needs. Neglect may be:
    - *Physical* such as failure to provide necessary food or shelter, or lack of appropriate supervision
    - *Medical* such as failure to provide necessary medical or mental health treatment
    - *Educational* such as failure to educate a child or attend to special education needs
    - *Emotional* such as inattention to a child's emotional needs, failure to provide psychological care, or permitting the child to use alcohol or other drugs

- **Sexual abuse** includes activities by a parent or caregiver such as fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution or the production of pornographic materials.
    - *Sexual abuse* is defined by Child Abuse Prevention and Treatment Act as "the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or inter-familial relationships, statutory

rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children."

- **Emotional abuse** (or psychological abuse) is a pattern of behavior that impairs a child's emotional development or sense of self-worth. This may include constant criticism, threats, or rejection, as well as withholding love, support, or guidance. Emotional abuse is almost always present when other forms are identified.

- **Abandonment** in general, is when the parent's identity or whereabouts are unknown, the child has been left alone in circumstances where the child suffers serious harm, or the parent has failed to maintain contact with the child or provide reasonable support for a specified period of time.

- **Substance abuse** is an element of the definition of child abuse or neglect in many States. Circumstances that may be considered abuse or neglect include:
    - Prenatal exposure of a child to harm due to the mother's use of an illegal drug or other substance
    - Manufacture of methamphetamine in the presence of a child
    - Selling, distributing, or giving illegal drugs or alcohol to a child
    - Use of a controlled substance by a caregiver that impairs the caregiver's ability to adequately care for the child.
    - An act or failure to act which presents an imminent risk of serious harm.

Signs of Abuse

Physical Abuse

- Unexplained or repeated injuries such as welts, bruises, or burns.
- Injuries that are in the shape of an object (belt buckle, electric cord, etc.)
- Injuries not likely to happen given the age or ability of the child. For example, broken bones in a child too young to walk or climb.
- Disagreement between the child's and the parent's explanation of the injury.
- Unreasonable explanation of the injury.
- Obvious neglect of the child (dirty, undernourished, inappropriate clothes for the weather, lack of medical or dental care).
- Fearful behavior.

Emotional - Verbal Abuse

- Aggressive or withdrawn behavior.
- Shying away from physical contact with parents or adults.
- Afraid to go home.

Sexual Abuse

- Child tells you he/she was sexually mistreated.
- Child has physical signs such as:
    - difficulty in walking or sitting.
    - stained or bloody underwear.
    - genital or rectal pain, itching, swelling, redness, or discharge
    - bruises or other injuries in the genital or rectal area.

- Child has behavioral and emotional signs such as:
    - difficulty eating or sleeping.
    - soiling or wetting pants or bed after being potty trained.
    - acting like a much younger child.
    - excessive crying or sadness.
    - withdrawing from activities and others.
    - talking about or acting out sexual acts beyond normal sex play for age.

Where can Child Abuse occur?

Abuse can happen in any family, regardless of any special characteristics. However, in dealing with parents, be aware of characteristics of families in which abuse may be more likely:

- Families who are isolated and have no friends, relatives, church or other support systems.
- Parents who tell you they were abused as children.
- Families who are often in crisis (have money problems, move often).
- Parents who abuse drugs or alcohol.
- Parents who are very critical of their child.
- Parents who are very rigid in disciplining their child.
- Parents who show too much or too little concern for their child.
- Parents who feel they have a difficult child.
- Parents who are under a lot of stress.

What to do if you suspect Child Abuse of any kind

If you suspect child abuse of any kind, you should:

- Take the child to a quiet, private area.
- Gently encourage the child to give you enough information to evaluate whether abuse may have occurred.
- Remain calm so as not to upset the child.
- If the child reveals the abuse, reassure him/her that you believe him/her, that he/she is right to tell you, and that he/she is not bad.
- Tell the child you are going to talk to persons who can help him/her.
- Return the child to the group (if appropriate).
- Record all information.
- Immediately report the suspected abuse to the proper local authorities. In most states, reporting suspected abuse is required by law.

How can private citizens help?

- Get to know your neighbors. Problems seem less overwhelming when support is nearby.
- Help a family under stress. Offer to babysit, help with chores and errands, or suggest resources in the community that can help.
- Reach out to children in your community. A smile or a word of encouragement can mean a lot, whether it comes from a parent or a passing stranger.
- Be an active community member. Lend a hand at our schools, community or faith-based organizations, children's hospitals, social service agencies, or other places where families and children are supported.

- Keep your neighborhood safe. Start a Neighborhood Watch or plan a local "National Night Out" community event. You will get to know your neighbors while helping to keep your neighborhood and children safe.
- Learn how to recognize and report signs of child abuse and neglect. Reporting your concerns may protect a child and get help for a family who needs it.

How to Report Suspected Child Maltreatment

Anyone can report suspected child abuse or neglect. Reporting abuse or neglect can protect a child and get help for a family—it may even save a child's life.
Childhelp® is a national organization that provides crisis assistance and other counseling and referral services. The Childhelp® National Child Abuse Hotline http://www.childhelp.org/get_help (CREATE LINK) is staffed 24 hours a day, 7 days a week, with professional crisis counselors who have access to a database of 55,000 emergency, social service, and support resources. All calls are anonymous. Contact them at 1.800.4.A.CHILD. (1.800.422.4453)
If you need help with personal or family situations, you may wish to visit some of the sites below.
If you suspect a child is being abused or neglected or if you are a child who is being maltreated, contact your local child protective services office or law enforcement agency, so professionals can assess the situation.

To report suspected abuse or neglect:

Toll-Free: (800) 252-5400
https://www.dfps.state.tx.us/Child_Protection/About_Child_Protective_Services/reportChildAbuse.asp

Tips to prevent child abuse and neglect:

Remember
that children are the future

Children are our future and their early years have an enormous impact on their future health and success. Child abuse prevention is one result of a firm community commitment to supporting children and the families raising them.

Recognize
prevention is a shared responsibility

Parenting is the toughest job any of us will ever undertake, and our most important civic contribution. As parents we have enormous responsibility to raise our children to be productive members of society, and as citizens we are responsible for ensuring that all parents and families have access to the support, information and services they need to succeed.

Raise
the issue of prevention

We all care about the issue of child abuse. But, we hear a lot more about the problem than we do about the solutions. Preventing child abuse means setting the stage for healthy, stable families who have the tools they need for nurturing their children. Help your community understand *prevention*. Ask your elected officials to support programs and services that help families and children.

Reach out
to kids & parents

Anything you do to support kids and parents in your family and extended community helps to reduce the likelihood of child abuse and neglect.
Be a good neighbor. Offer to baby-sit. Donate your used children's clothing, furniture and toys for use by another family. Be kind and

supportive, particularly to new parents and children.

Recommend
ideas that our community can use

There are many programs, services and actions that support families and prevent child abuse.*

Facilitate friendships and support. Offer opportunities for parents in the neighborhood to get to know each other, develop support systems, and take leadership roles. Strategies may include sports teams, potlucks, classes, advisory groups, board leadership and volunteer opportunities.

Strengthen parenting. Attend the Round Rock ISD Parent Summit. The summit offers classes that supports parents and covers a variety of parenting issues.

Respond to family crises. School Counselors are trained to support families. Our campuses also have parent support specialists to assist parents. *Adapted from *Building on Strengths: Enhancing Protective Factors for Children and Families*, National Clearinghouse of Child Abuse and Neglect Information.

RESOURCES

Adult Survivors of Abuse (415) 928-4576 http://www.ascasupport.org/
American Bar Association Section on Family Law http://www.abanet.org/family/
Childhelp® National Child Abuse Hotline http://www.childhelp.org/get_help
1.800.4.A.CHILD (1.800.422.4453)
Leaving Your Child Home Alone *kidshealth.org/parent/firstaid_safe/**home/home_alone**.html*
National Center for Missing and Exploited Children *www.**missing**kids.com/*
Child Pornography Tipline (1.800.843.5678)
National Clearinghouse for Alcohol and Drug Information, U.S. Department of Health and Human Services
National Domestic Violence Hotline *www.ndvh.org/*
1.800.799.SAFE (7233);
1.800.787.3224 (TDD)
National Runaway Switchboard *www.1800**runaway**.org/*
1.800.621.4000
Office for Victims of Crime-Help for Victims *www.ojp.usdoj.gov/ovc/*
Office for Victims of Crime Resource Center www.ojp.usdoj.gov/ovc/ovcres/welcome.html
http://www.preventchildabuse.org/chapters/statecontact.cfm?stateabbrev=tx
Substance Abuse *ncadi.samhsa.gov/*
Information for teens
http://www.oag.state.tx.us/teens/resources/victims.shtml
Information for younger students
Source: Child Welfare Information Gateway

Reports & Statistics

- 1 in 4 girls is sexually abused before the age of 14.
  Source: Hopper, J. (1998). Child Sexual Abuse: Statistics, Research, Resources. Boston, MA Boston University School of Medicine.

- 1 in 6 boys is sexually abused before the age of 16.
  Source: Hopper, J. (1998). Child Sexual Abuse: Statistics, Research, Resources. Boston, MA Boston University School of Medicine.

- More than 90% of all sexual abuse victims know their perpetrator. Almost 50% of the offenders are household members and 38% are already acquaintances of the victims.
  Source: US Department of Justice. (1997) and Finkelhor and Ormond. (2001).

- The average serial child molester has between 360-380 victims in his lifetime.
  Source: South Carolina Forcible Sex Crimes. (1999). Summary, South Carolina Law Enforcement Division, Columbia, SC.

- Only 12% of all cases of child abuse are reported.
  Source: Hanson, R.F., Resnick, H.S., Saunders, B.E., Kilpatrick, D.G., & Best, C. (1999). Factors Relating to the Reporting of Childhood Sexual Assault. Child Abuse and Neglect, (23) 559-569.

- 38% of girls are sexually abused before the age of 18.
  16% of boys are sexually abused before the age of 18.
  Source: www.womenofsubstance.org

- The most common ages of children when sexual abuse occurs are between 8 and 12.
  Source: David Finkelhor et al, *A Sourcebook on Child Sexual Abuse*, Newbury Park: Sage Publications, 1986

- 21.6% of women who reported being raped during their lifetime were under age 12 at the time of their first rape. 32.4% of these women were 12-17 years of age. Therefore, over half of all female rape victim/survivors surveyed in this study were under the age of 18 at the time of their first rape.
  Source: Full Report of the Prevalence, Incidence, and Consequences of Violence Against Women: Findings from the National Violence Against Women Survey, (NCJRS) 2000 (www.ncjrs.org/pdffiles1/nij/183781.pdf)

- Persons under 18 years of age account for 67% of all sexual assault victimizations reported to law enforcement agencies. Children under 12 years old account for 34% of those cases and children under six years account for 14% of those cases
  Source: Snyder, Howard. "Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics." Bureau of Justice Statistics, U.S. Department of Justice, 2000.

- 1.8 million of the 22.3 million adolescents in the United States have been sexually assaulted
  Source: Kilpatrick, D.G. and B.E. Saunders "The Prevalence and Consequences of Child Victimization: Summary of a Research Study by Dean Kilpatrick, Ph.D. and Benjamin Saunders, Ph.D." National Institute of Justice, U.S. Department of Justice, 1997

- Juveniles are responsible for victimizing 40% of the child sexual assault victims under six years of age.
  Source: Snyder, Howard. "Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics." Bureau of Justice Statistics, U.S. Department of Justice, 2000.

- Teens 16 to 19 years of age were three and a half times more likely than the general population to be victims of rape, attempted rape, or sexual assault.
  Source: Rennison, Callie M. "Criminal Victimization 1999: Changes 1998-00 with Trends 1993-99." Bureau of Justice Statistics, U.S. Department of Justice, August 2000.

- According to the U.S. Department of Justice, victims of rape and sexual assault report that in nearly 3 out of 4 incidents, the offender was not a stranger. Based on police-recorded incident data, in 90% of the rapes of children younger than 12, the child knew the offender.
  Source: Greenfield, et al, 1997. Sex Offenses and Offenders: An Analysis of Data on Rape and Sexual Assault. United States Department of Justice.

- Like rape, child molestation is one of the most underreported crimes: only 1-10% are ever disclosed.
  Source: FBI Law Enforcement Bulletin

- 2/3rds of babies born to teenage mothers were fathered by adult men, not the fellow classmates long suspected.
  Source: The Alan Guttmacher Institute, 1996 Based on a California Study

- Just 14% of child victimizers used a weapon, compared to nearly half of those who victimized adults.
  Source: U.S. Department of Justice, March, 1996 "Child Victimizers: Violent Offenders and Their Victims"

- The United States has the world's highest rape rate of the countries that publish such statistics. It's 4 times higher than Germany, 13 times higher than England, and 20 times higher than Japan.
  Source: National Victim Center

- 100 Children are kidnapped by strangers each year in the United States.
  Source: U.S. Department of Justice, 2002

- 74 percent of abducted children who are murdered are killed within three hours of the abduction. In 80% of the cases, the initial contact between the killer and the victim was within 1/4 mile of the victim's residence, and the majority of cases (57%) were based solely on opportunity.
  Source: Hanfland, Keppel & Weis, *Case Management for Missing Children Homicide Investigation*: Executive Summary. Olympia, Washington: Office of the Attorney General of Washington and U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention, May 1997.