

CHILD ABUSE



Jackie Lacey
District Attorney
Los Angeles County

WHAT IS CHILD ABUSE?

Child abuse involves the maltreatment, injury or exploitation of a person under 18 years old in one of these ways: physically, sexually, emotionally or through neglect.

Abuse includes willfully endangering a child's health or safety. The following constitutes child abuse under California law:

■ **Physical** abuse is the intentional infliction of physical injury on a child – including corporal punishment – that results in a traumatic condition, such as a bruise, burn, cut, bite mark, abrasion, bone fracture or internal injury. Willfully causing a child unjustifiable physical pain is abuse.

■ **Sexual** abuse is the sexual assault or exploitation of a child under 18. It includes sexual touching of a child, sexual penetration of any of a child's bodily openings and causing or forcing a child to sexually touch or penetrate the perpetrator's body. Demonstrating sexual activity in a child's presence also is sexual abuse. Encouraging, coercing or forcing a child to engage in sexual activity or poses constitutes sexual abuse, as does photographing a child engaged in sexual activity or poses.

■ **Emotional** abuse involves conduct – including excessive verbal assaults, humiliation, threats, terrorizing and ridicule – that causes emotional injury to a child, sometimes resulting in psychological, behavioral and cognitive disorders. Depriving a child of normal life activities, affection, attention or human contact also may constitute emotional abuse. Willfully causing a child unjustifiable mental suffering is abuse.

■ **Neglect** occurs when a parent, guardian or other person responsible for a child's care and welfare fails to provide adequate food, clothing, shelter, supervision or medical care, endangering or harming the child's health or well-being.

Severe neglect includes situations where a child develops significant malnutrition or medically diagnosed failure to thrive because a caretaker does not provide for the child's needs, either intentionally or through negligence.

General neglect occurs when the caretaker fails to provide adequately for the child's needs, but no physical injury to the child has occurred.

Laws prohibiting child abuse and neglect apply to foster homes, institutions, agencies, schools, camps and other out-of-home care providers, both publicly and privately operated.

KEY QUESTIONS ABOUT CHILD ABUSE

What should you do if you are a victim of child abuse?

Tell someone. Ask for help from a trusted adult, such as a teacher, a school counselor, a principal, a relative, a friend's parent or the police, or you may call the Child Protection Hotline at 1-800-540-4000.

What should you do if you know or suspect that a child is being abused?

If the abuse is in progress or you believe the child is in immediate danger, call 911. You also may call the Child Protection Hotline at 1-800-540-4000.

Are reports of child abuse and neglect confidential?

State law provides measures to protect the confidentiality of persons who report allegations of child abuse. In some instances, the identity of the child abuse reporter may be disclosed only to certain authorized parties, including child protective agencies and their legal counsel; the prosecutor in a criminal case; and legal counsel in juvenile dependency proceedings. If a criminal child abuse case is taken to trial, the person who reported the allegation may be required to testify in court.

What happens when abuse is reported?

The report will be investigated by a law enforcement agency, a Department of Children and Family Services caseworker or both, depending on the circumstances.

What happens after the investigation?

If authorities find that child abuse occurred or is likely to have occurred, steps will be taken by the appropriate agency to protect the child from future harm. This may include providing referrals and services to the family or conducting additional investigation.

In some instances, law enforcement may refer child abuse cases to the District Attorney's Office for possible criminal prosecution. The District Attorney's Office reviews such cases to determine whether there is sufficient evidence to file charges.

The District Attorney's Office has specially trained prosecutors who are sensitive to the needs of abused children and dedicated to making these young victims feel as safe and comfortable as possible throughout the process.

REPORT SUSPECTED
CHILD ABUSE AND NEGLECT
CHILD PROTECTION
HOTLINE
1-800-540-4000

VICTIM SERVICES

The District Attorney's Bureau of Victim Services is available at courthouses and police stations throughout Los Angeles County.

Victim services representatives provide help and resources for victims of violent crimes or threats of violence, including counseling referrals to address the trauma of child abuse.

Other services available include: criminal justice orientation; court support; protective order assistance; emergency shelter, food and clothing; restitution assistance; and help in filing for victim compensation through the California Victim Compensation Board.

LOS ANGELES COUNTY
DISTRICT ATTORNEY'S
BUREAU OF VICTIM
SERVICES

1-800-380-3811
<http://da.lacounty.gov/victims>

虐待兒童

什么是虐待兒童？

虐待兒童是指從身體上、性行爲上、情感上或通過忽視對未滿18歲的個人進行虐待、傷害或剝削。

虐待包括故意危及兒童的健康或安全。依據加利福尼亞州法律，下列行爲構成虐待兒童：

■ **身體虐待**，是指故意對兒童實施人身傷害—包括體罰—造成受傷，例如瘀傷、燒傷、割傷、咬傷、擦傷、骨折或內傷。故意造成兒童不合理身體傷痛就屬於虐待。

■ **性虐待**，是指對未滿18歲兒童進行性侵或剝削。包括對兒童性愛撫、插入兒童身體開口部位，引誘或強迫兒童以性行爲方式撫摸或插入犯罪者的身體。在兒童面前展示性行爲也屬於性虐待。叢恫、脅迫或強迫兒童參與性行爲或擺弄性姿勢構成性虐待，拍攝參與性行爲或擺弄性姿勢的兒童也同樣構成性虐待。

■ **情感虐待**，是指包括過度言語侵犯、侮辱、威脅、恐嚇、嘲弄在內的行爲，此類行爲可導致兒童情感受傷，有時會導致心理、行爲和認知障礙。剝奪兒童正常生活活動、疼愛、關注或人際接觸也可構成情感虐待。故意造成兒童不合理精神折磨就屬於虐待。

■ **忽視**發生于家長、監護人或其他負責兒童保健和福利的人員未提供足夠食物、衣服、庇護、監管或醫療，危及或損害兒童健康或幸福。嚴重忽視包括因照護者故意或過失未滿足兒童需求，兒童發展爲嚴重營養不良或醫學診斷爲發育不良。

嚴重忽視包括因照護者故意或過失未滿足兒童需求，兒童發展爲嚴重營養不良或醫學診斷爲發育不良。

一般忽視發生于照護者未足以滿足兒童需求，但不對兒童身體造成傷害。

禁止虐待和忽視兒童的法律適用于公立和私立寄養家庭、機構、機關、學校、營地及其他家外照護中心。

虐待兒童主要問題

如果您是虐待兒童的受害者，您應該怎麼辦？

告訴他人。向可以信賴的成年人尋求幫助，例如教師、學校輔導員、校長、親戚、朋友家長或警察，或者您也可以撥打兒童保護熱線**1-800-540-4000**。

如果您知曉或懷疑兒童遭到虐待，您應該怎麼辦？

如果虐待正在發生，或者您認爲兒童處于緊急危險之中，請撥打**911**。您也可撥打兒童保護熱線**1-800-540-4000**。

是否對虐待兒童和忽視兒童的舉報進行保密？

州法律規定了對舉報虐待兒童的人員進行保密的措施。在一些情況下，虐待兒童舉報人的身份僅透露給某些授權機構，包括兒童保護機構及其法律顧問；刑事案件中的檢察官；青少年相關案件訴訟的法律顧問。如果開庭審理虐待兒童刑事案件，舉報

人可能需要當庭作證。

如果虐待被舉報，會發生什麼情況？

執法機關或兒童與家庭服務部辦案員（亦或雙方）會依據具體情況對舉報進行調查。

調查之後會發生什麼情況？

如果有關部門發現虐待兒童已發生或者有可能已發生，相應機關會采取措施保護兒童在將來免受傷害。此類措施可包括爲家庭提供轉介和服務，或者再次進行調查。

在一些情況下，執法機關會將虐待兒童案件移交給地方檢察官辦公室，以便提起可能的刑事訴訟。地方檢察官辦公室對此類案件進行審查，確定是否有充足的證據來提起訴訟。

地方檢察官辦公室的檢察官受過專業培訓，熟知受虐兒童的需求，致力于確保年幼受害者在整個過程中都感到安全舒適。

受害者服務

洛杉磯縣全縣所有法院大樓和警局都設有地方檢察官受害者服務辦公室。

受害者服務代表爲暴力犯罪或暴力威脅受害者提供幫助和資源，包括通過提供諮詢轉介來解決虐待兒童受害所帶來的精神創傷問題。

其他可提供的服務包括：刑事司法體系情況介紹；法庭支持；保護令幫助；緊急避難所；食物和衣服；賠償幫助；向加利福尼亞州受害者賠償委員會申請賠償幫助。

洛杉磯縣地方檢察官

受害者服務辦公室

1-800-380-3811

<http://da.lacounty.gov/victims>

舉報可疑的虐待兒童
和忽視兒童案件

兒童保護熱線電話

1-800-540-4000

