

CHILD ABUSE



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DISTRICT ATTORNEY

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 pose in a sexual manner 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 in which 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 also apply to foster homes, institutions, agencies, schools, camps and other out-of-home care providers, both publicly and privately operated.

REPORT SUSPECTED CHILD ABUSE OR NEGLECT

Child Protection Hotline

1-800-540-4000

Toll-free Within California

Outside California

213-639-4500

TDD

1-800-272-6699

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**.

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 are dedicated to making these young victims feel as safe and comfortable as possible throughout the process.

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 and their families. This includes 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.

Information for Undocumented Victims and Survivors

Victims are not required to be in legal immigration status to request services. Under federal law, certain undocumented crime victims who have suffered substantial physical or mental abuse are eligible to apply for the U nonimmigrant status visa (U Visa). For a list of local nonprofit agencies that assist victims with the U visa and T visa application process, please visit <http://da.lacounty.gov/victims/uvisa/uvisa-tvisa-assistance-agencies>.

Helping Crime Victims

1-800-380-3811

Los Angeles County District Attorney's Office
Bureau of Victim Services
<http://da.lacounty.gov/victims>



Scan here to view
this pamphlet online.

Victims' Rights

California law protects crime survivors from possibly harmful actions by employers and property owners.

Employee Rights

Your employer cannot terminate or punish you for taking time off from work if you are a crime victim or attempting to get a restraining order from the court or other legal protection against your or your child's abuser. If your employer punishes you, you are entitled to be rehired and reimbursed for the money you lost. Your employer is required to keep any knowledge of your situation private.

If your employer has more than 25 employees, then they cannot punish you for seeking:

- Medical help for an injury caused by a crime
- Service from a domestic violence shelter or any other service that provides support for victims
- Mental health services for a crime
- Ways to ensure your safety, such as temporary or permanent relocation of where you live

Tenant Rights

You have the right to terminate a tenancy and reclaim your security deposit if you, your child or another member of your household or immediate family is the victim of a crime related to abuse. Your landlord also cannot terminate your lease or refuse to renew your lease because you or a household member was a victim of domestic violence, sexual assault, stalking, human trafficking or abuse of an elder or dependent adult.

For more information about victim rights, read the Marsy's Law pamphlet: <http://da.lacounty.gov/marsys-law>.