

Child Abuse and Neglect

Prevent Child Texas, a non-profit organization working to prevent child abuse and neglect in Texas, reports that:

- In the United States, 4 children die from child abuse every day;
- 13,700 children are abused and neglected every day in the United States;
- Every 11 seconds a child is reported abused or neglected;
- 184 children died from abuse and neglect in Texas in 2003.

The legal definitions of child abuse and neglect are defined in the Texas Family Code §261.001 / Texas Penal Code §21.11,21.011,22.021,43.01, 43.25 / Texas Health and Safety Code Ch. 481.

Child abuse includes the following acts or omissions by any person:

- A. mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning;
- B. 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;
- C. 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;
- D. 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;
- E. 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;
- F. failure to make a reasonable effort to prevent sexual conduct harmful to a child;
- G. compelling or encouraging a child to engage in sexual conduct as defined by Section 43.01, Penal Code;
- H. 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 the Penal Code) or pornographic;
- I. the current use by a person of a controlled substance as defined by chapter 481, Health and Safety Code, in a manner to the extent that the use results in physical, mental, or emotional injury to a child, or
- J. causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 481, Health and Safety Code.
- K. causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child as defined by Section 43.25, Penal Code.

Neglect includes the following acts or omissions:

- 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 a demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child; or
- placing the child in or failing to remove the 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;
- the failure to seek, obtain, or follow through with medical care for the 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 the 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;
- placing the 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 care or having run away.

Community First has adopted the American Academy of Pediatrics guidelines for When Inflicted Skin Injuries Constitute Child Abuse; Assessment of Maltreatment of Children With Disabilities; Investigation and Review of Unexpected Infant and Child Deaths; Shaken Baby Syndrome: Rotational Cranial Injuries and Failure to Thrive as a Manifestation of Child Neglect. Copies of the complete guidelines can be found on <http://aappolicy.aappublications.org/>.

To report an emergency, call 911. To report child abuse or neglect, call 1-800-252-5400 or use our secure website: <https://www.txabusehotline.org>