

## **DEFINITION OF CHILD MALTREATMENT**

### **I. PHYSICAL INJURY**

“Abuse” other than when used in referring to abuse of alcohol beverages or other drugs, means any of the following:

- Physical injury inflicted on a child by other than accidental means

“Physical Injury” is defined as:

- Lacerations
- Fractured bones
- Burns
- Internal injuries
- Severe and/or frequent bruising
- Great bodily harm which creates a substantial risk of death, or which causes serious/permanent disfigurement, or which causes a loss or impairment of function of any bodily member or organ or other serious bodily injury

### **II. NEGLECT**

“Neglect” means failure, refusal or inability on the part of a parent, guardian, legal custodian, or other person exercising temporary or permanent control over a child, by reasons other than poverty, to provide necessary care, food, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of a child.

### **III. EMOTIONAL DAMAGE**

“Emotional damage” for which the child’s parent, guardian or legal custodian has neglected, refused or been unable, for reasons other than poverty, to obtain the necessary treatment or to take steps to ameliorate the symptoms.

“Emotional damage” means harm to a child’s psychological or intellectual functioning. “Emotional damage” shall be evidenced by one or more of the following characteristics exhibited to a severe degree: anxiety, depression, withdrawal; outward aggressive behavior; or a substantial and observable change in behavior, emotional response or cognition that is not within the normal range for the child’s age and stage of development.

#### **IV. UNBORN**

Unborn children in need of protection or services and the expectant mothers of those unborn children. The court has exclusive original jurisdiction over an unborn child alleged to be in need of protection or services which can be ordered by the court whose expectant mother habitually lacks self-control in the use of alcohol beverages, controlled substances or controlled substance analogs, exhibited to a severe degree, to the extent that there is a substantial risk that the physical health of the unborn child, and of the child when born, will be seriously affected or endangered unless the expectant mother receives prompt and adequate treatment for that habitual lack of self-control.

#### **V. SEXUAL ABUSE**

Sexual intercourse or sexual contact in violation of specified criminal Statutes for the purpose of sexually gratifying the perpetrator or degrading the child. This includes sexual exploitation of a child; permitting, allowing, or encouraging a child to engage in prostitution; causing a child to view or listen to sexual activity in violation of state law; exposing genitals or pubic area to a child or causing a child to expose genitals or pubic area in violation of state law.

#### **VI. MANUFACTURING METHAMPHETAMINE**

Manufacturing methamphetamine in violation of state law, under any of the following circumstances:

- With a child physically present during the manufacture.
- In a child's home, on the premises of a child's home, or in a motor vehicle located on the premises of a child's home.
- Under any other circumstances in which a reasonable person should have known that the manufacture would be seen, smelled, or heard by a child.