

***Hope For Children Foundation***  
***Responding to Domestic Violence: A Guide***

**We will not use this table of contents in the guide unless a college providing college credits requires us to do so.**

This guide will be translated in English with an eighth grade reading level for about 15 pages of the 30 page Guide due to the average adult reading level in Texas. It is important that parts of section XI. remain in its present form concerning the actual law in the State of Texas. This will also be translated into a fourth grade reading level in Spanish language, containing approximately 15 pages front and back. The proposed text for the guide is included in this document. It is missing the commercial design of the front cover and the entire document with pictures, the list of financial supporters on the back cover, the pre-post and evaluations, the colleges providing college credits. The posting of this draft of the Guide by Hope For Children Foundation is for the sole purpose to seek suggestions from its funding sources and other Texas colleagues before the final deadline of December 31, 2004. The final draft is estimated to go to print in the early months of 2005 after receiving final approval from the board of directors of Hope For Children Foundation. Hope For Children Foundation makes no guarantees as to the information contained within this guide. An indemnification will be included in the final product to indemnify all participants including funding sources.

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***We want to distribute this document to each household in Texas in the hope it will reach the heart and soul of every individual. No one person has been singled out. It is our desire that this information be a stepping stone for peace, joy and good relationships in each home. The education guide that follows does not contain all the information necessary for domestic personal safety, but can help protect families from abuse and violence if carefully considered. Upon request and qualification you will receive \_\_\_ college credits upon completion of this course with a passing score of 80% or more on the final examination. This education document is offered to you at no charge. Partial funding has been paid for by the following: \_\_\_\_\_. Those requesting college credits are charged a fee of \$\_\_\_\_, please see page \_\_\_ for more details. Funding participants are listed on the back cover of this document. This course is intended for adult use. The second half of the document is written in Spanish. A videotaped of DVD presentation in English or Spanish should be available to check out at many local libraries, at no additional charge. The videotapes or DVD's are intended to help one better understand this written material if needed. Please follow the simple instructions to access more helpful information by accessing the Internet Web site at [www.hopeforchildrenfoundation.org](http://www.hopeforchildrenfoundation.org) through your personal computer or at a computer located at your local library.***

One should not feel embarrassed if they have not used a computer before. The computer Internet service at your local library is free. The following information should help one feel more comfortable when using a computer for the first time at a local library. You usually have to apply for a library card, which is usually free. A temporary card can usually be issued immediately. You may need to use the newly assigned number listed on your library card or use an Internet user card to access the computer. Ask a Librarian to help you get started should you feel you need help. Librarians are there to give help and assistance to the general public and they are usually glad to be of service to the general public. Go to a computer or sign up for a specific time to reserve the use of a computer. Once reserved, begin the following: Step 1. Use the mouse to place the ARROW symbol on the blue e found usually at the bottom of your computer screen and click the button one time on the left side of the mouse - you may hear a click sound. Step 2. At least two pop-up symbols will appear on the monitor screen, two of the symbols are about Internet policy, feel free to read them by using the mouse, place the ARROW on the symbol and click the left button on the mouse; when finished reading the policies, find the block marked with an x in the upper right corner of the screen – if two different blocks marked with an x appear one underneath the other, use the mouse again, place the ARROW symbol on the x that is the lowest and only click one time on the x. This will remove the policies and return the screen to the policy symbols. Follow the same process to remove the policy symbols by placing the ARROW on the lower of the two blocks marked by an x , click the left button one time on the mouse. This should remove the symbols from the screen. Step 3. This screen remaining should allow you to access the Hope For Children Foundation Web site. A box will appear on this page for you to type in our Web site address. Type the following in the box: [www.hopeforchildrenfoundation.org](http://www.hopeforchildrenfoundation.org) (Please double check for any mistakes and correct them-please no capital letters and no spaces between the letters) Next, please push the Enter key on the keyboard or place the ARROW symbol on the Go symbol next to the box where you just typed and click the button on the left side of the mouse one time. Step 4. This should take you to our Web site. To find out more information place the ARROW symbol on any of the Links along the left side of the Web site, then click the left button on the mouse one time to navigate to the available information you desire. For example: The Victim Services link on the left side of the site will help you access Victim Service referrals near your area by placing the ARROW symbol on Victim Services, click the left button on the mouse one time, other information will appear on the screen, then place your zip code into the box, click on enter and contact information for several victim service providers nearest you will appear on the screen. Please write all of them down enabling you to contact them.

## **I. RECOGNIZING AND RESPONDING TO CHILD ABUSE**

We live in a confusing society, with hypocritical views of sex and sexuality. Many of us see images of sexual objectification on our television and movie screens, yet we are squeamish about age appropriate sex education in our schools. We are uncomfortable talking about sex, but we are willing to have it sold to us through songs, magazines and advertisements. Our children are not explicitly taught the differences between healthy and unhealthy demonstrations of sexuality and the relationships and consequences that could be harmful.

***Human sexuality for females and males is a sensory act:*** Though some experts disagree, the primary sexual sense for females is thought to be touch, but hearing and therefore verbalizing are also important. The primary sexual sense for males is often regarded as sight meaning that viewing pictures, television and/or movies are sexually arousing to males. 70 percent of sex drive is fantasy-stimulated in the brain while 20 percent is a physical response to stimulation (“physiological”) and the remaining 10 percent emanates from biological urges. In sum, sexual activity represents a psychological and physical behavior. Nevertheless, it can produce healthy or unhealthy results. Sexually transmitted diseases, STDs, can be the result of unhealthy sexual activity.

***Every day,*** 8,000 teenagers contract a STD (sexually transmitted disease) – about three million teenagers per year! Of the approximately 15.3 million new cases of STDs that occur annually in the United States, one in four of the victims is younger than twenty. Sexually transmitted infections accounted for five of the ten most common reportable infectious diseases in this country in 1999 (the most recent year in which data was available): chlamydia (#1), gonorrhea (#2), AIDS (#3), hepatitis B (#9), and syphilis (#10). The Centers for Disease Control (CDC) does not collect data on other common sexually transmitted diseases, such as herpes and human papillomavirus (HPV). HPV is the most prevalent viral STD – having been shown to be present in as many as 60 percent of the sexually active population that has more than one sex partner. HPV causes over 90 percent of cancer and precancer of the cervix and is associated with cancer of the penis and prostate. Once you get one of the STDs caused by a virus, you can have it for life, and STDs, like HPV, can be spread by intimate touching (not just by sexual intercourse) – and can be contracted with the first contact. Sexual abstinence until marriage and fidelity after marriage clearly reduce your risk for these dangerous forms of preventable – but often untreatable – infections. The bottom line is that the only “safe sex” physically, emotionally, and spiritually is to wait until marriage – and increasingly our young people are hearing and heeding this message.

Some individuals develop deviant sexual interest in children, which is clearly unhealthy for the child victim and the perpetrator. Most develop healthy sexual behavior without victimizing children or other adults. It is absolutely important to protect the health and life of a child including their innocence. This can easily be achieved by making the right choices. Together we can effect the decrease in crimes of sexual assault and domestic violence against children and adults by making the right choices.

Domestic violence and sexual assault are worldwide tragedies of staggering proportions. Countless families have been, and continue to be, devastated by its ravages. Yet, there is reason to be hopeful. People everywhere are standing up to say, “Sexual assault and battering is not right, it is not acceptable, and it is not a private family matter.” Police, legislators, judges, and prosecutors give official voice to society’s disapproval. Social workers, teachers, medical professionals, and mental health experts also condemn the once secret abuse that has inflicted irreparable damage in so many families. The same grassroots organizers who first brought to light the widespread devastation wrought by such violence, many survivors of violence themselves, continue their dedicated work to protect victims, punish and/or treat abusers, and prevent further destruction.

Perhaps the most heartening fact is that all these people, along with others who care, are coming together to combine their talents and coordinate their efforts to end domestic violence – and progress is being made. Not only is change apparent in the growing variety and effectiveness of services available to law enforcement, abusers and victims caught in the cycle of violence, but a change in public attitudes is increasingly clear. Fewer ask, “Why doesn’t she just leave?” and instead inquire “How do we stop this?” Working collaboratively with many different groups, educating the public, and changing offender behavior will help prevent domestic abuse and the sexual abuse of children.

Neither is a disease, but both result in injury. The myriad negative health outcomes and the numbers of people affected by these problems demonstrate that we are dealing with an epidemic. Contrary to popular opinion, public health is not just about responding to illnesses like AIDS, it is about promoting health and curbing the ill effects of individual and social behavior which can lead to a wider poor health outcome among communities. We must recognize that the sexual abuse of children and domestic violence are a preventable public health problems. Abuse affects the victim, the abuser, the family and the community surrounding them. These are not isolated incidents; they have a physical, emotional and systemic ripple effect. Like stones dropped in water, sexual abuse and domestic violence spread multiple ills through the community from the epicenter of affected parents, children and intimate partners.

Everyone must be involved in stopping abuse for the sake of our families and communities. A prevention plan will be most successful with the collaboration of many individuals including survivors, medical professionals, law enforcement, educators, clergy, childcare providers, concerned donors, victim advocacy groups, and reformed abusers. Individuals must be empowered within their own towns, families, churches, community centers, businesses and schools to make effective changes. Abuse is perpetuated by inaction.

In the past, a cultural conspiracy of silence has shielded child sexual abuse and domestic violence from public view. Breaching the wall created by silence requires us to talk about sexual relationships. For many, this means breaking social and cultural taboos and crossing into frightening, unfamiliar territory. This prevention course seeks to provide help for all those who would prevent victimization of children and adults.

**Physical Warning Signs of Child Sexual Abuse** – Does a child you know have: Unexplained bruises, redness, or bleeding of the child’s genitals, anus, or mouth? Pain at the genitals, anus, or mouth? Genital sores or milky fluids in the genital area? If you answered yes to any of these the child should be taken to the doctor. A doctor can help understand what may be happening and can test for sexually transmitted diseases.

**Signs, Symptoms & Behavioral Warning Signs a Child May Have Been Sexually and/or Physically Abused**

– Be aware of the physical signs of child abuse and neglect, changes in the child’s relationships with peers and other behavior changes. Remember that if something does not seem right to a child, it usually is not right and the situation merits getting to the root of the problem. Listen to children, believe them; they usually do not lie about child abuse. Should a child tell you certain things that would lead you to believe the child is the victim of sexual abuse, believe the child. Let the child know that they did the right thing by telling you and that you are going to try to help them. Make sure the child understands that they are not in trouble for telling the truth. Always respect the privacy of the child and only discuss the situation with those who have a need to know such as the authorities. Some of the following behavioral signs can show up at other stressful times in a child’s life such as divorce, the death of a family member, friend or pet, or when there are problems in school, as well as when abuse is involved. Any one sign doesn’t mean the child was abused, but several of them mean that you should begin asking questions. The following symptoms are age related to children: **Preschool through Second Grade** – Helplessness and passivity; sexual acting out and/or acting out acts of aggression; generalized fear; cognitive confusion (e.g., do not understand that the danger is over); difficulty identifying what is bothering them; lack of verbalization, repetitive nonverbal traumatic play, unvoiced questions; attributing magical qualities to traumatic reminders; sleep disturbances (night terrors and nightmares; fear of going to sleep; fear of being alone, especially at night); anxious attachment (clinging, not wanting to be away from parent, worrying about when parent is coming back, etc.); regressive symptoms (thumb sucking, regressive speech); anxieties related to incomplete understanding about death; fantasies of “fixing up” the dead; expectations that a dead person will return, e.g., an assailant. **Third through Fifth Grade** – Preoccupation with their own actions during the event; issues of responsibility and guilt; specific fears, triggered by traumatic reminders or by being alone; retelling and replaying of the event (traumatic play); cognitive distortions and obsessive detailing; fear of being overwhelmed by their feelings (of crying, of being angry); impaired concentration and learning; sleep disturbances (bad dreams, fear of sleeping alone.); concerns about their own and others’ safety, e.g., worry about siblings; altered and inconsistent behavior, (e.g., unusually aggressive or reckless behavior, inhibitions). **Adolescents – Sixth Grade and Up** – Detachment, shame and guilt (similar to an adult response); self-consciousness about their fears, sense of vulnerability, and other emotional responses; fear of being labeled abnormal; post-traumatic acting out e.g., drug use, delinquent behavior, sexual acting out; life threatening re-enactment; self-destructive or accident-prone behavior; abrupt shifts in interpersonal relationship-such as a joyful response followed by an abusive response to another person when an abusive response was not justified; desires and plans to take revenge; radical changes in life attitudes, which influence identity formation; premature entrance into adulthood (e.g. leaving school or getting married); reluctance to leave home; complaints about their on body; close monitoring of parent’s responses and recovery; hesitation to disturb parent with own anxieties; concern for other victims and their families; feeling disturbed, confused and frightened by their grief responses; fear of ghosts. Do you notice some of the above behaviors in children you know well? If so make the official report and do what ever is possible to help them.

**An Adult Female Living with the Abuser** – Abusive behaviors manifest themselves when a family partner begins to maintain power or control in his or her relationships. Batterers of female partners employ different categories of abusive behaviors: *Economic Abuse*: Trying to keep the abused partner from getting or keeping a job; Making the abused partner ask for money, giving her an allowance, or taking her money. *Sexual Abuse*: Making the abused partner do sexual things against her will; Physically attacking the sexual parts of the abused partner’s body; Treating the abused partner like a sex object. *Using the Children*: Making the abused partner feel guilty about the children; Using the

children to deliver messages; Using visitation as a way to harass the abused partner. *Threats*: Making or carrying out threats to do something to hurt the abused partner. Threatening to take the children, commit suicide, or report the abused partner to child welfare. *Using Male Privilege*: Treating the abused partner like a servant; Making all the decisions; Acting like the “king of the castle.” *Intimidation*: Making the abused partner fearful by using looks, actions, gestures, a loud voice, or by smashing things or destroying the abused partner’s property. *Isolation*: Controlling what the abused partner does, whom she sees and talks to, or where she goes. *Emotional Abuse*: Putting the abused partner down or making her feel bad about herself; Calling the abused partner names; Making the abused partner think she is crazy; Playing mind games.

**Problems Associated with Long Term Exposure to Perpetrators of Abuse**: We must begin to consider the social cost of the short comings of our legal system, not only in terms of the well-being of abused and neglected children, but also in terms of the long term effect of child abuse on our community. The child who survives an abusive environment is all too often the future runaway, drug addict, or child abuser preying on the next generation of innocent citizens. Advocacy for children’s rights must not be left to a social service agency that maintains the repressive and scientifically unproven view that it is more harmful to the child to remove him or her from the family than to leave the child in the abusive home. This policy is a throwback to the notion that child abuse is a “family problem,” not a crime, and should be handled by the family. Likewise, protection of the civil rights of children should not be left to a detached family court judiciary and their appointees. Too often professionals do not identify domestic violence in the lives of female clients and are uncertain about remedial strategies even if abuse is identified. Other professionals seek to penalize and blame battered women for failing to protect their children. The inadequacy of these attitudes and approaches endangers and isolates mothers and often interrupts the potential for strong alliance between mothers and children in the pursuit of safety. Professional initiatives to empower women so that they can seek lives free of violence and achieve the legal authority to protect their children and themselves from recurrent violence are preferred. Early intervention by professionals can avert the risks posed to children and their mothers and can assist women in establishing stable and secure households independent of battering men. Prevention efforts may offer children the best hope for violence-free and loving families.

**Children forced to Live with Their Alleged Abuser(s)** – It is unusual for children to fabricate stories of sexual abuse. Children often fail to report sexual abuse or even retract true allegations under perpetrator coercion especially when a victim(s) is forced to live with the abuser(s). This usually occurs when a judge fails to protect a child. Occasionally when a judge does not protect a child, ignorance or the lack of child abuse knowledge maybe the cause, resulting in failure to believe the child and/or the child’s protector. Children who are forced by the courts to live with their abusers usually learn abusive behaviors as they are forced to endure various levels of abuse daily. They are taught by the abusers on a daily basis to emotionally abuse and possibly physically abuse their adult protectors or even emotionally or physically abuse other children who may have participated in protection efforts of the victim. Out of fear of the perpetrator, survival methods cause the victim to deny the truth of their victimization and condemn all actions of their protector and may possibly state publicly the protector is not truthful. The entire world of a victim is turned upside down when forced to live with their perpetrators who victimize them.

Both animals and people have been studied by placing them in environments where they were trapped without the possibility of escape, and then subjected to random, unpredictable torment. In one experiment, dogs were locked in cages where they received occasional shocks from the floor. At first, as would be expected, they tried to escape. Eventually, however, they completely stopped searching to find a way out and instead developed coping skills to try and minimize the discomfort. These activities included things that would otherwise be considered unhealthy or bizarre, such as lying in their own bowel movement for insulation from the shocks and curling into uncomfortable positions on the area of the floor where the shocks were the weakest. Eventually, the coping mechanisms completely replaced the escape responses. Even when the doors were opened so the dogs had an immediate means of escape, they did not leave the cages, but they kept using the coping responses. They had to be retrained to initiate the normal escape response. Once they did, the coping behaviors disappeared.

This response by animals plays a big part in the way human beings respond to similar situations. Constant degradation and uncertainty in the face of ever-increasing violence are bound to distort the way a person views the world. A child appears to have a way out of a situation – a car in the driveway and unlocked door – but who has been “trained” to believe that he/she does not have choices, is more likely to try to cope than to escape. A child learns to predict the effect of his/her behavior, so he/she must develop new coping skills. People experience great anxiety in situations where they do not know what is expected of them or what will happen from one moment to the next. Therefore, a child is likely to do what will give him/her the most predictability within a known situation and to avoid

things that can take him/her into the unknown. The control skills used by an abuser have been found by researchers to strongly resemble the brainwashing techniques practiced by concentration camp soldiers and prisoner of war guards. They include many of the behaviors identified by Amnesty International as psychological torture, including isolation, monopolization of perception induced exhaustion and debility, threats, occasional indulgence in demonstrations of complete power, degradation and humiliation and enforcing trivial demands.

Of course, most batterers have no formal awareness of the techniques they are using, yet they know how to use isolation, torture, and violence to destroy the will and spirit of another human being. Victims of this kind of relentless torment understandably live in a constant state of terror, which also contributes to learned helplessness or the inability to predict consequences of behavior. Victims do not believe that any action they take will be effective in stopping the violence, and their fear becomes so all-encompassing it crowds out other reactions, such as anger, that would be natural based upon the circumstances. The fear is not irrational; it is based on repeated abuse, and a very real fear for their very lives. At the same time, the child is terrified of abandonment and other consequences and willing to do anything to accommodate their abuser. It is common for abused children to believe that their abusers are capable of coming after them and finding them no matter where they may go.

**Children, Women or Men Who Recant Sexual or Physical Abuse** – A physically violent or sexual attack on a child or adult may only occur one time. The threat of such an act instills fear that allows the abuser to take control of the victim's life and circumstances. However, regular use of other abusive behaviors by a perpetrator(s), when reinforced by one or more acts of physical violence, makes up a larger system of abuse. They are less easily identified, yet firmly establish a pattern of maintaining control over the relationship. A perpetrator usually masters the ability to control and maintain power over the victim through coercion, threats, intimidation, emotional abuse, isolation, economic abuse, minimizing – denying & blaming, using children in a variety of ways, and by exerting male privilege, and influencing the falsification of written mental evaluations of the “child's protector” in attempt to brainwash and force the child victim to believe that the “child's protector” is crazy and the “protector of the child” forced the child to fabricate allegations of abuse in attempts to prevent the perpetrator of abuse from being held legally accountable for the child's victimization.

**Financial, Emotional & Physical Control of the Child Victim** – When these elements are present, many victims choose coping behavior to survive by doing whatever the perpetrator requests of them. By the victim choosing to accommodate the perpetrator, many victims have saved their lives. Once elements of financial, emotional and physical control are present, it is very difficult for a victim to escape the control of a perpetrator although it is possible. Great danger for the victim exists because over a period of years, certain behavior is adopted by the victim that may reduce the chances of the victim being released from the control of his/her perpetrator.

*On the Road to Better Parenting* This section is being developed

**II. WHO SEXUALLY ABUSES CHILDREN?** Underlying character problems are common denominators found in those who sexually abuse children such as low self-esteem, alcohol/substance abuse, low-frustration tolerance, chronic family/interpersonal difficulties, and/or a narcissistic/inadequate personality. Sexual abusers are likely to be people we know, and could even be people we care about. It would be easy to figure out who the sexual abusers are if they were like the ones we see on TV – those strangers in trench coats hanging around the edges of playgrounds or the “monsters” who kill and mutilate children. But they're hardly ever like that. In 90% percent of child sexual abuse cases, the child knows and trusts the person who commits the abuse. Most sexual abusers – the ones we know about and the ones we don't – are fathers, mothers, stepparents, grandparents, and other family members (uncles, aunts, and cousins). They're neighbors, babysitters, ministers, teachers, coaches, or anyone else who has close contact with our children.

We can't tell who they are by the way they look. What they have in common is that they thought about sex with children and then they acted on those thoughts by sexually abusing a child. We understand that child sexual abuse is happening too often throughout the country. That means that adults and teenagers who have sexually abused a child live in the same neighborhoods, shop in the same stores, and use the same laundromats we do. We may know them personally as part of our family or extended family, or in our circle of friends and neighbors. But we may not know about their sexual activities around kids. It's hard to face the fact that someone we know and even like might be a sexual abuser. But because it's true, we all need to know what to look for and how to protect our families and our children.

Some people are physically attracted to children. Some of them never act on their feelings. Abusers do. Some people may have sex with other adults, but may sexually approach children when they are under a lot of stress, like losing a job or getting a divorce. Some sexual abusers were victims of abuse or neglect as children. It's not an excuse, just a fact. But many victims of sexual abuse live their lives without ever becoming sexual perpetrators themselves. Some people sexually abuse children so they can feel the power and control they don't feel in their relationships with

other adults. These are just some of the reasons why someone may choose to sexually abuse a child. None of these reasons excuse or justify sex between an adult and a child. No matter what the reason for the abuse, the effects on children are severe and can last a lifetime.

***Why Do We Need To Know About Those Who Sexually Abuse Children?*** We need to know about people who sexually abuse others because those who sexually abuse children are around us in American homes and communities. We've only begun to see how much child abuse there is and how much it hurts children. Our lawmakers have tried to control this "silent epidemic" by making sure that the sex abusers we know about have to register with the police and by telling people about the convicted sex abusers in their neighborhoods. This may help in some situations. But most sexual abusers (84%) are never reported. So the police and the courts can't tell you about these sex abusers because they don't know who the abusers are.

***Crime Prevention Resources*** – Develop a safety action plan for your family. Abusers count on us to be confused, to keep quiet, and not to call for help. Since most abusers are never caught, it is important to talk to your children and family now about sexual safety in your home, other's homes, at school, day care and in the community. It is just as important to teach ourselves what we need to know in order to keep our children and communities safe. Here are some things that you and your family can do to prevent the sexual abuse of your children. Teach children the difference between OK touch and touch that is not OK. For younger children, teach more concrete rules such as "talk with me if anyone, family, friend, or anyone else touches your private parts." Also teach them that it is not OK to try to touch or control someone else's body. Teach children the proper names of body parts. Just as you teach your children that a nose is a nose, they need to know what to call their genitals. This knowledge gives children correct language for understanding their bodies, for asking questions that need to be asked, and for telling about sexual abuse if needed. Teach children that secrets about touching are not OK. If someone touches their body and asks them to keep it a secret, they need to tell you about what happened. If others do not respect their wishes or do not respond to them saying "no" to an activity or a touch, teach them to talk with you about these situations. Show in your own life how to say "no." Teach your children that their "no" will be respected, whether it's in playing or tickling or hugging and kissing.

If your child does not want to give Grandpa a kiss, let the child shake hands instead. Set and respect family boundaries. All members of the family have rights to privacy in dressing, bathing, sleeping, and other personal activities. If anyone does not respect these rights, an adult should clearly tell them the family rules. Adults must watch for signs of abuse because many children, especially young ones, are not able to protect themselves sexually. Speak up when you see "warning sign" behaviors and talk with the adult in the situation about what is making you uncomfortable. They may need help to stop these behaviors. Report anything you know or suspect is sexual abuse. Without help, the abuse will not stop. Practice talking with both the adults and children in your life about their difficult issues to get them in the habit of talking with you. Show them that you will listen to anything they have to say, even if they talk about something embarrassing or something they've done wrong. Set up a family action plan that is easy to remember. Make sure that as adults, you know how to challenge each other when you see risky behaviors. List whom to talk with and who to call to report sexual abuse. Teach the children about what to do and who to talk with if they are sexually threatened or molested by someone. List for yourself whom to call for advice, information, and help. Resources are available at the back of this manual. Even if you do not have children of your own, get information about how to report and how to get help for the person abusing. If you know that a child has been sexually abused, be sure to get help for the child quickly, so the harm can be healed. Abusers count on our silence to give them access to sexually abuse children. We can help prevent abuse to children. We can help prevent or stop the sexual abuse of children by learning simple action steps. If you believe that a child has been sexually abused, you need to report it. You can call your local police department or your state child protective services office. You can also bring the child directly to a therapist or a doctor, both of whom are required to report the abuse. Children are terrific. They should be happy, maintain their innocence and remain free from abuse of any kind. They can remind us of what is best about ourselves. When they've been sexually abused, that happiness is dimmed, sometimes for life. With your help, more children will get to grow up full of hope, joy, love and life.

***Can People Who Sexually Abuse Children Stop It?*** – Most abusers can change but in order to stop, people who sexually abuse children must want to change and must be able to get specialized treatment. Adults, adolescents, and children with sexual behavior problems can change their abusing behavior. Many can learn to live healthy, productive lives in which they no longer harm innocent children. Someone you love may be acting in a way that worries or confuses you. These behaviors may be a way for this person to ask for help. Many people with sexual behavior problems wish that someone had asked them what was going on or had told them where to call before they abused a child. The following sexual behavioral problems are signs to look for in adults that may have tendencies to sexually abuse children.

Do you know someone who: Talks again and again about the sexual activities of children or teens? Masturbates a lot or takes breaks from other activities to go masturbate? Talks about sexual fantasies with children and is not clear about what's okay with children? Was abused as a child and won't deal with it? Encourages silence and secrets in a child? Looks at child pornography? Asks adult partners to dress or act like a child or teen during sexual activity? Often has a "special" child friend, maybe a different one from year to year? Spends most spare time on activities involving children or teens, not adults? Makes fun of a child's body parts, calls a child sexual names such as "stud", "whore", or "slut"? Downloads pornography off the Internet and is not willing to show if children are involved? If you do not know how to talk with this friend, family member or acquaintance or you need other support, contact the toll free help line listed on the back page.

**Treatment Helps** – Many people who abuse will learn to control themselves around children if they are offered specialized treatment. When people with sexual behavior problems have the support and "tough love" of their friends and families, they are more likely to complete their treatment programs and live productive, abuse-free lives. Again, when we confront these behaviors at the earliest stages, especially with children and teens, they are most likely to change and not abuse again.

**Preventing Teen Pregnancy (This section is being developed.)**

**III. SEXUAL ABUSE BY SOME OF THE CLERGY – Child Abuse – It's Never Acceptable!** Clergy is intended to include some of those ministers, pastors, priests, chaplain, rabbi, bishop, deacon, parson, preacher who sexually abuse children and/or adults. Clearly, most men and women within these groups do not sexually abuse children or adults. **Texas is one of the few states in the recent past that did not require the clergy to report sexual abuse of children or adults to legal authorities.** This has changed but unfortunately, this law on its own will attract the "sociopathic sex offender" who chooses the ministry because he/she knows it will give him/her access to vulnerable victims for his perverse sexual pleasure. This type of offender appears to be found more often in youth ministries. This may be due to the fact that youth ministers are not always required to undergo the extensive academic training and internship of the regular clergy. Most perpetrators of clergy abuse did not enter the ministry intending to violate their sacred trust and position. Instead, they succumbed to an interaction of factors related to the imbalance of power, the structural and emotional issues inherent in ministry, and their own personal characteristics and moral qualities. However, spiritual and emotional damage to victims does not correlate with clergy intentions. Whether a clergy came into ministry because it offered opportunities to abuse vulnerable people or came with noble intentions but "fell" into abuse, the implications for victims are devastating and long lasting.

**Trust?** Many parallels exist in contributing factors and resultant issues for victims of sexual abuse by trusted clergy and trusted members of the family. Similar fortresses of denial surround the problems of sexual abuse in churches, Christian homes and non-Christian homes. The operational structure of most congregations still resembles patriarchal families where positions of leadership, authority, and decision-making tend to be held by men. Women tend to fill positions of childcare, nurture, and service. Like parents, clergy are often privy to intimate knowledge about members of the church. And like children with parents, members of the church assume they can trust the clergy not to misuse or violate their trust and vulnerability. Tragically, just as in the biological family, power and trust are sometimes abused and betrayed in the clergy. Many find it unthinkable that someone called into a position of spiritual leadership would be capable of abusing members of the church.

A more significant factor making it appear clergy abuse is increasing is willingness of victims to talk. For many generations victims had no forum in which to share their pain. They had no models of victims who had successfully gone to their churches with accounts of clergy abuse and been believed. Instead they blamed themselves and suffered alone, in silence, and the rest of us never knew. Now more and more victims are finding the support and courage to tell their stories. The imbalance of power between men, women and children has become wrongfully eroticized in our culture. Some persons find male power and women/children powerlessness sexually arousing. In general, some men are sexually attracted to females and children who are younger, smaller, and less powerful than they are. Male clergy have a great imbalance of power over their congregations, which are often predominantly women and children; therefore, the stage is set for a sexually inappropriate expression of this power differential. Some clergy often feel undertrained, overworked, and unappreciated.

These experiences can add to a sense of personal ineffectiveness and low self-esteem, which are characteristics found in many individuals who sexually abuse children and adults. A high percentage of clergy come from dysfunctional childhood homes. Choosing the clergy profession may be an unconscious attempt to gain understanding and relief from personal pain. What is wanted is the care and love denied in childhood. But instead of facing personal need and learning how to ask for care, these people become professional caretakers of others. Studies of clergy reflect this trend. Characteristics of adult children who came from

emotionally unhealthy homes include the tendency toward workaholism and insensitivity to personal emotional needs. Such qualities may influence a pastor to become over-extended emotionally and physically. They may make him susceptible to high stress and burnout. Inappropriate sexual acting out has been identified as one way of relieving stress and trying to inject new energy into a life headed for burnout. Nevertheless, inappropriate sexual activity is not acceptable.

**IV. CRIMES OF VIOLENCE-** Perpetrators often have rigid ideas about authority, have a strong need for control in relationships, and use the language of violence for survival. In a healthy situation, problems are left at work and he/she goes home. Conversely, the perpetrator uses his/her techniques primarily at home. They often successfully hide them from the rest of the world, by intimidating their prey to the point the victim fears sharing their situation with others, for help. Call 911 for emergencies

To address the problem and develop approaches responsive to some members of these groups, we must understand the complexities of the culture. The impact of six elements need to be examined concerning the culture on intimate relationships: isolation, need for control, entitlement, loyalty, rugged individualism and authoritarian spillover. Not surprisingly, some perpetrators commit domestic violence frequently.

**Isolation:** Isolation is common but can be destructive in one's life. To avoid additional conflict, one may simply withdraw; the reluctance to socialize outside his/her profession contributes to isolation. Coupled with violence against an intimate partner, the isolation encouraged by some serves to promote abuse within families by keeping the problem "in the closet." Perpetrators learn the coping mechanisms of denial, minimization, and suppression of feelings. In order to function in crises or emotionally overwhelming situations, they will embrace feelings of fear, anger, rage, and revulsion ultimately controlling their emotions, often denying the very existence of any failure at all.

**Need for Control as a Learned Behavior:** Humans learn aggressive behavior from the family of origin, a theory for which some evidence and strong association according to researchers exists. Anyone who comes from strict and abusive families can easily carry on a tradition of imitating such behaviors. A history of violence, in the home or in other areas of life, comprises the single most important factor in assessing a current and future risk of violent behavior. Violence in the home or other areas of life reveals desensitization to violence, in general. In addition, violence directed against a partner can appear as an attempt to displace anger meant for an authority figure, such as a supervisor. Some members feel depressed, suicidal, and powerless in their personal lives. Many times they have diminished skills to cope with normal life issues and reduced abilities to trust family or established resources. When these factors inherent in our culture come together with the overall job stress, a toxic combination results. In order to strike a balance in the lives of these people, they must learn to recognize situational appropriate behavior. The first step in preventing domestic violence involves increasing awareness of the institutional tendency toward violent behavior and to devise ways of helping those vulnerable to committing crimes of domestic violence and limit the use of force and violence in appropriate situations. Help & resources see Web site: [www.hopeforchildrenfoundation.org](http://www.hopeforchildrenfoundation.org)

**Addictions – Including Substance Abuse** This section is being developed.

**V. SEXUAL AND VIOLENT ASSAULT: *Sexual Assault*** – This includes: forcing someone to have sex when she/he does not want to, forcing someone to engage in sexual acts she/he does not like or finds unpleasant, frightening or violent; forcing someone to have sex with others or watch others perform sexual acts; criticism of sexual performance; sadism; anything that makes her/him feel demeaned or violated. This form of abuse may also include forcing women into reproductive decisions that are contrary to her wishes; or forcing her to have sex without protection against disease or pregnancy. Any sexual activity with a child is a crime. Sexual abuse is rarely spur of the moment. It is usually thought out by the offender(s). Most sex offenders are heterosexual men who appear to have "normal" relationships with adults, including sexual relationships that involve consent or agreement with another adult. Sex is a part of the crime, but reasons have more to do with the act. Child molesters may commit the crime in part because they feel powerful and in control, feel badly about themselves and their lives were abused and neglected as a child, or feel more comfortable with children. None of these reasons make the act acceptable; it is a crime and should be punished. A typical molester will abuse between 30 and 60 children before he is arrested, and as many as 380 during his lifetime. About 57% percent of child molesters were molested themselves as children; this cycle of abuse repeats itself and expands. This cycle costs our society approximately \$30,000 a year to incarcerate each molester, and doesn't include court costs, police and legal fees, medical treatment for the abused child, or other necessities. According to the Department of Justice, there are about four million active child molesters in the U.S. U.S. Department of Justice statistics state that one out of every three girls and one out of every four boys will be sexually violated one or more times before the age of 18. Child sexual

molestation occurs in all income and racial groups, from infancy to the elderly. The majority (88%) of molesters are known to their victims. A parent may never know that his or her child is a victim. Children may not outgrow the traumatic effects of molestation. One of every six Texas children is at risk of abuse/neglect/domestic violence.

**Domestic Violence** - An abuse committed against an adult or fully emancipated minor who...a spouse, former spouse, cohabitant, former cohabitant, or a person with whom the suspect has had a child or has or had a dating or engagement relationship. It involves the systematic use of force, threats, and intimidation by one partner upon another in order for the dominating partner to have control over the victim. Domestic violence occurs in all cultures, races, religious groups, and socioeconomic levels. No man or woman has the right to beat their spouse or child. Those that do are committing a heinous act. Physical violence involves hitting, kicking, burning, punching, choking, shoving, beating, throwing things, locking out, restraining, and other acts designed to injure, hurt, endanger or cause physical pain. This system of abuse many times includes emotional abuse described as: Consistently doing things to shame, insult, ridicule, embarrass, demean, belittle, or mentally hurt another person. This may include calling a person names such as fat, lazy, stupid, bitch, silly, ugly, failure; telling someone she/he can't do anything right, is worthless, is an unfit mother, is undeserving, is unwanted. It also includes withholding money, affection, or attention; forbidding someone to work, handle money, see friends or family, make decisions, socialize, keep property; flaunting infidelity, engaging in destructive acts, forcing someone to do things she does not want to do, manipulation, hurting or threatening children or pets; threatening to abandon; threatening to take children away. It may also include refusing to help someone who is sick or hurt; ridiculing her most valued beliefs, religion, race heritage, or class; insulting her family or friends.

Three phases usually exist concerning domestic violence between a man and woman. First, tension builds. The man becomes more critical and irritable. The woman may go out of her way to keep peace and attempt to pacify him. She avoids anything she thinks may set him off. Meanwhile he gradually becomes more abusive by slapping, and/or verbal abuse and increased control techniques. The woman allows this abuse hoping to keep the abuse from escalating. This behavior by the woman tends to legitimize his belief that he is all-powerful and has the right to be abusive. She continues trying to stabilize the environment and the people around him, and her isolation increases as she tries to keep things calm. This uncomfortable stage may last a period of a few days to a few years. Many women feel that the psychological anguish of this stage is the worst. Then comes the second stage the violent outburst with acute battering. Often the man will fly into a savage destructive rampage, a total loss of control without an apparent reason, or a stated reason that seems petty or is irrational. Men irrational like this usually turns on anyone that intervenes. This is one reason why police are reluctant to answer domestic violence calls and another good reason for good police training concerning such violent crimes. After the brutality comes the third phase, the apology. He may beg for forgiveness and swear that it will never happen again. He may go out of his way to be loving, kind, helpful, and tranquil. He may often state he will change, bring his wife gifts, and shower her with attention and romantic gestures. This phase explains why many women stay with their abuser. A woman may "believe" the man and think this is his real character. She sees what appears to be an ideal loving partnership. Her dreams are temporarily fulfilled and she wants to believe it can work. Many women begin to feel they are the only source of the abuser's emotional support and feel responsible for his well being. This phase maybe the most psychologically victimizing; it perpetuates the illusion of interdependence – he depends on her for forgiveness, she depends on the "real" man coming back. As the cycle repeats itself, denial plays an increasingly important role. The woman may believe that this will be the last time and that he will change. But unless something does change like intervention outside the home, the cycle will start again, and the abuse will almost surely become more severe. These relationships rarely change for the better on their own. Behavioral scientists have long known that one of the best ways to change behavior is through intermittent reinforcement – occasional unpredictable rewards. A batterer that intersperses abuse with loving acts, courtship, and gifts is unwittingly using one of the most powerful techniques for convincing the woman to stay with him. Behavior that is intermittently reinforced is often the hardest to stop.

Abuse is usually kept a secret within families; the silence should be broken. According to FBI statistics, 1,530 women were killed in 1993 by their male partners. Many of them lived apart from their victims when the murders occurred. According to the National Committee to Prevent Child Abuse, three million new reports of child neglect or abuse were made in 1993-one report every 10 seconds. Black women suffer from the highest rates of domestic violence, at a rate of 35% higher than that of white females, and about 22 times that of women of other races.

Some children try to interrupt the violence. One study revealed that children made 10% of 911 calls reporting domestic violence incidents. Another study found that, during incidents of domestic violence against their mothers, 21% of children, at least occasionally, "called someone else for help," while 52%, yelled from another room, and 23% became physically involved in the incident. There are frequent reports of children physically positioning themselves between the

batterer and victim, including accounts of children who have stepped in front loaded guns aimed at their mothers. Children may attack the abuser, in an effort to protect their mother, such as a three-year-old who started hitting his father while his father was assaulting his mother, crying “No, Daddy, No,” or older children who go as far as to kill the abusive parent. In addition, there is a high rate of co-occurrence of domestic violence and physical abuse of children. Reports suggest that incidents of domestic violence and child abuse are sometimes linked temporally, with a mother’s attempt to protect an abused child leading to her own injuries, with a child’s attempt to protect her/his mother leading to the child’s injuries, or with the abuser lashing out at several family members simultaneously. In one study, 20% of domestic violence victims indicated that “the perpetrator of abuse focused his anger targeted on the child at the onset of the violent incident.” One mother reported how her abuser assaulted her and her two children in the same incident: “He got down and started kicking me...He grabbed Amy by the neck and broke Bobby’s arm.” This supports the need for anger management and behavior modification instruction for fathers and for any man who is interested in having children.

The recent national Incidence Survey III conducted by the Department of Health and Human Services found that fully 72% of all reports received by CPS (2,160,000 reports of child abuse or neglect) were never investigated by CPS, CPS records from 1993 show that nearly half of all children who were confirmed as abused or neglected did not receive any follow-up assistance from CPS. Of those cases reported, an estimated 1,299 children died from abuse or neglect, 42% of the children who died had been previously reported to CPS as being in danger, and 90% of those children were age 5 or younger. These preventable child deaths were not merely the result of incompetence or excessive caseloads, but rather the direct and predictable consequence of a social service delivery system that places a higher priority on preservation of the family unit and rehabilitation of the offender than on protection of the child. Only in cases of child abuse is a victim forced by the state to live in the same home with his or her abuser. And, only in cases of child abuse is a person denied the right to be safe in his or her own home. Children are denied access to justice and equal protection under the law in Texas. This should not be acceptable. Children who grow up in violent homes are: 6 times more likely to commit suicide – 24 times more likely to commit sexual assaults – 74 times more likely to commit crimes against the person – 50 times more likely to abuse alcohol or drugs. Child abuse and neglect is the leading cause of juvenile delinquency; abuse or neglect increases the chance of arrest as a juvenile by 53%; as an adult by 38%.

**Stalking** – Conduct used to maintain contact with, or exercise power and control over, another individual. Stalking is a crime. Anyone can be a victim of stalking. People who engage in stalking behavior can be a former intimate partner, stranger, or acquaintance. You are being stalked if someone is: (a) repeatedly following or spying on you; (b) repeatedly calling your home and/or work; (c) repeatedly sending unwanted e-mails, letters, faxes; (d) leaving unwanted gifts or items for you; (e) vandalizing or damaging your property; (f) threatening you or someone close to you; (g) repeatedly showing up for no legitimate purpose at places where you are. Do not negotiate with your stalker. Tell the stalker to leave you alone once and only once. **FACTS:** 1 in 12 women are stalked at some point in their life; 80% of those stalked are assaulted; a women is 3 times more likely to be stalked than raped; each year an estimated one million women and 370,000 men are stalked in the United States; more than 13% of college women indicate that they have been stalked; 59% of female victims are stalked by current or former intimate partners. **SUGGESTIONS** to eventually help prosecute those who stalk: Keep a log of incidents including the date, time, what happened, and the names of any witnesses. Even if you decide not to pursue prosecution now, you may change your mind in the future, and it will be helpful to have documentation of every incident. Save any packages, letters, messages, or gifts from the stalker. Get a post office box from a private company and use it for all correspondence. For those places that will not accept a post office box, change “P.O. Box” to “Apartment.” Use an answering machine to screen calls. Save all voicemail messages from the stalker, or record them to a tape recorder and save the tapes. Acquaint yourself with 24-hour stores and other populated areas in your neighborhood. If someone is following you, go to one of these places rather than your home, and call the police. Inform security at your place of employment that you are being stalked. Inform people you know that you are being stalked so that the stalker cannot get information about you from them. If you have a picture of your stalker, give one to people you know at the places you frequent. The National Council on Stalking advises that a stalker should be considered dangerous if he has a previous criminal record or history of mental instability; if acts of vandalism or destruction have been committed; if he is unable to control his temper; if there has been physical contact between the stalker and the victim; if he lives in isolation; if he has a substance abuse problem; if he has been in a domestic violence relationship; if he has or is familiar with using guns; if threats have been made to the victim; or if the stalker has felt humiliated by the victim. 80% of all restraining orders obtained against stalkers are violated.

**Cyberstalking Safety Planning** – The Internet is another avenue where threats and intimidation by an abusive person can become dangerous. Instruct children to never, ever give your personal information or their real names, address, or phone numbers online without your permission. Select gender-neutral username for your e-mail address or

chat. Keep primary email address private. Use your primary email address only for people you know and trust. Get a free email account and use that for all your other online activity. Be very cautious about putting any pictures of yourself or your children only anywhere, or allowing anyone else (relatives, schools, dance academies, sports associations) to publish any photos. Some stalkers become obsessed with any image. A random email address or screen name is simply much less attractive to most obsessive personalities than a photograph. See Web site for more details.

**Predisposing and Facilitating Factors** - Cultural values and beliefs that inhibit disclosure by women include: (a) women should be strong – this leads to denial of vulnerability; (b) women are responsible for themselves and others – this leads to self-blame, self-sacrifice, and shame; (c) women are responsible for keeping the family together – this leads to remaining in a violent situation to avoid “destroying the family”; (d) women “don’t tell their business” and/or religious beliefs or fear of rejection from the church when exposing women and/or children in abusive relationships – this leads to secrecy or denial of abuse. Community attitudes that inhibit disclosure and intervention include: (a) definitions of abuse – beliefs that pushing and shoving aren’t serious and that verbal and emotional abuse don’t count; (b) distrust of institutions – concerns related to police response, legal system involvement, and agency attitudes; (c) loyalty to the community and family – beliefs that “we work out our own problems”; and (d) religious views – beliefs that God will take care of the situation; or that marriage is “till death do us part.”

Reasons that children won’t tell include: (a) Threats by the perpetrator; (b) fear of shame from parents, peers and possibly the community; (c) if a family member is the perpetrator; (d) inappropriate responses by parents to disclosure of the abuse; (e) parents over reacting or failing to react to the knowledge; (f) children who have been abused will test their parents for a response before sharing information about abusive sexual experiences; and (g) if the perpetrator is a “family hero” such as a pastor, youth or children’s minister or associate worker, teacher, coach, or an individual who has helped out the family either financially or emotionally.

**Protective Orders** - If you have a restraining order, make several copies, and carry a copy with you at all times. Today, all fifty states have enacted legislation providing for protective orders, which are the most available remedies for domestic violence victims. To be effective, such orders must be easily accessible, be consistently enforced and provide detailed relief. Victim advocates are an effective method of assisting the victims and the court, screening for any ongoing violence, and making sure children in the home are safe. They often prohibit the abuser from any personal or telephone contact with the victim, remove him from the residence, prohibit him from going to the victim’s place of work or children’s school, award temporary child custody, and address other matters. Law enforcement officers also help the victim carry out orders of the protective order for the benefit of the victim’s safety.

**Enforcement** – If the order is violated, arrest is mandatory. The abuser may be charged with violating the order or held in contempt of court, either of which can mean a fine and jail. Refer to the Chapter on the Texas Penal Code for more information.

**VI. COMMUNICATION AS A PREVENTIVE MEASURE – Positive Communication** One of our mightiest human possessions is the word used in communication. Words have the power to build, to last and create, as well as tear down and destroy. We think with words, we organize our world with words, we communicate with words, we inform with words, and we build relationships with words. Our worlds are very much limited by the words we use. Sometimes we become so caught up with words that we forget that they are just symbols for things, and we begin to see them as a substitute for the things they are meant to represent. Many words we know were learned before we were six or seven years old, too early to fully analyze or understand all of them. If significant people in our young lives felt strong hate toward a particular person or thing, the words they taught us concerning these things became a part of our attitude as well. Soon we found that we were talking and responding negatively to them. Of course, this couldn’t be helped. Nevertheless, it was in this way that we learned what to hate or fear or avoid.

Just as we acquired the words for goodness, hope, optimism, joy and love, we learned also to attach negative symbols and discovered early the power of directing them where we pleased. We found that words could hurt. Perhaps one of the great human tragedies is that few of us even stop to ask whether the words we think with and which cause us to feel so strongly are ours or simply echoes which continue to reverberate in our minds. If we stopped to redefine these words, we might discover that many of them are no longer relevant to the present. Words we learned as children may have prevented us from truly experiencing and understanding other persons or things as they really are. For many of us these words continue to serve in their capacity to reject, exclude and judge. Unless we are careful, they become traps, which lead us to apathy, hate and loneliness. We must not allow words to control us. They are our tools to grow, not to limit or destroy our lives. Destructive words can destroy how someone feels about them self. We refer to this as “self-concept”.

Most of us have mixed feelings about ourselves. We fluctuate between periods of relative contentment and times of self-dissatisfaction. Sometimes we like ourselves; sometimes we don't. When we feel right about ourselves, we are happy, confident, relaxed, and alert. When we don't, we become pressured, anxious, irritable, or "down." If an individual seems out of touch with himself, emotionally lost or too easily upset, the seeds for emotional dysfunction have been sown. And if this individual shows disregard or disrespect or maybe even contempt for himself, many more serious problems usually develop such as acts of domestic violence and/or sexual assault. Of course, sometimes people hide their low self-esteem by acting puffed up, boasting, denying mistakes or faults, and presenting a flawless image. Our attitude toward our self, our self-concept or self-image is one of the most important things we possess. Our self-concept is the source of our personal happiness or lack of it, which is communicated in all we do. It establishes the boundaries of our accomplishment and defines the limits of our fulfillment. If we think little of ourselves, we either accomplish little or drive ourselves unmercifully to disprove our negative self-evaluation. If we think positively about ourselves, we are free to achieve our true potential.

Research indicates that people with a positive self-concept are more at peace with themselves and those about them. Consequently, they are more creative, confident, and socially active than people with a low self-concept. Did you know that marital problems, worry, jealousy, outbursts of temper, overeating, "workaholism," discouragement and the inability to relax and enjoy vacations are all manifestations of a lack of self acceptance? In fact, these are just a few of the many symptoms that demonstrate the lack of a truly positive attitude.

**Life Saving Tools** - Let's look at some of these areas where our self-acceptance (or lack of it) makes its presence known. **Overcome Depression** – Our society is experiencing an epidemic of depression. When one is depressed, it is communicated through our words, actions, tone of voice, the way we dress, hygiene, touching or failing to touch our friends and those we love and communicated through body language to all of our relationships. In spite of our affluence, millions of Americans are laboring under a heavy load of discouragement and depression. At its root, depression is a lack of self-acceptance. When we get down, discouraged and depressed, we are really engaging in a process of self-rejection. We have judged ourselves or our performance and found it lacking. We have decided that we aren't worth loving. Although depression is a complex emotion involving feelings of guilt and hidden resentment, it is based on a lack of self-love or self-esteem. When we really like ourselves, we don't fall victim to self-hatred and self-rejection. It is perfectly natural to love yourself. **Learn to Handle Anger** – You may know someone who has a terrible temper, loses their cool quickly and seldom says a good word about anyone, critical, superior, and often holds a grudge. A problem of self-acceptance exists and that person does not like him/herself. The slightest problem upsets the entire system and they certainly are not secure enough to relax and take it easy. Gossip, outbursts of temper, criticism, and holding a grudge are all forms of anger and stem from a lack of self-acceptance. If we are at peace with ourselves, we find it easy to like others and value them as persons and that is communicated to those around. We can be open, honest, and accepting. But if we inwardly dislike ourselves, we are apt to turn our criticism outward. We find faults in others to ward off our own self-criticism. As long as we are finding fault with others, we temporarily hide our dislike for ourselves. **Resolve Your Jealousy** – Jealousy is another symptom of a lack of self-acceptance. If one can not accept and trust another's love because we lack a basic sense of self-acceptance, one should get counseling before the relationship is destroyed. If one of the partners is intentionally making the other partner jealous, then serious integrity and character issues exist that should also be addressed through counseling immediately. **Giving Up Your Guilt** – Deeply embedded in our personality is another process that rises up to challenge our positive attitudes of self-acceptance. This process, the voice of conscience and the emotion we know as guilt, steps in to undermine our positive evaluation just when we begin to feel better about ourselves. Guilt, the source of most of our negative self-evaluation, is the biggest barrier to self-esteem, and it keeps us in fear of punishment or rejection. In fact, if it weren't for guilt, we would have few problems with self-esteem. Guilt is triggered whenever our attitudes or actions fall below our expectations. Guilt must be reckoned with and addressed or it can eat away at one's self-concept and literally destroy a person. **Neurotics and Sociopaths** – When these people decide to abuse others, extremely dangerous circumstances are created due to the fact that they learn early in life how to manipulate and/or trick people. If they are a substance abuser, the abuse is complicated and could include sexual, physical and emotional abuse not to just one person but to many. Most of the time they behave publicly in such a manner that acquaintances may think the person is very nice while in reality this person could be sexually and/or physically abusing children and/or adults. Nearly everybody has heard the term *neurotic*, but most people don't know what it means. It's actually quite simple: A neurosis consists of anxiety and various behaviors designed to avoid dealing directly with the problems causing the anxiety. Virtually every neurosis starts like this: A person feels basically inadequate at his center or self-concept, so he feels threatened by ordinary, everyday problems. The response is to avoid these problems rather than face them and work through them. The defense mechanisms that are used to avoid the

problems become significant problems themselves. Many Americans suffer from some kind of neurosis, with differing degrees of severity. The form can vary a lot, but the potentially devastating effects on a marriage are enormous. If a person is regularly depressed, full of anxiety, irrationally fearful or excessively concerned about their body, they may be suffering from one of these neuroses. **Sociopaths** - At the heart of these disorders is what is called “inadequate socialization.” People with these disorders fail to have an effective, integrated conscience, feeling little or no guilt, remorse or anxiety. While neurotics suffer from an overactive conscience and thereby experience too much guilt and shame, sociopaths feel too little, frequently doing whatever they want with minimal concern about how their behavior may impact others. Persons who chronically cheat and lie usually suffer from two primary deficits. First, their self-conception is not very well constructed. They don’t have much ability to make good decisions, to delay gratification in their own long-term interests, and thus they are impulse-ridden, controlled by their impulses. Second, they are seriously under-socialized; that is, they have almost no regard for the rights of others. It’s like the rules of living have never registered in their brains. They operate as if they are above the law that it simply doesn’t apply to them. But they often put up an effective “front” to impress and gain the confidence of others. They usually have a smooth line. They can be downright charming, likeable, funny and entertaining. But if you let them get close to you, they will take what they want and give little in return. It is a tragic fact that character disorders are on the increase in our society. For instance, it is estimated that there are five million Americans who have just one of these character disorders, antisocial personality disturbance. These people regularly violate the rights of others. They typically lie, cheat and resist authority at every turn. They are more often male than female. All kinds of people have these qualities, unscrupulous businessmen, lawyers who cheat and lie, television evangelists who selfishly go after the money of older and less-advantaged persons, corrupt politicians, and, of course, drug pushers, prostitutes and others who regularly violate all the rules. Sometimes they are ordinary folks, who seem normal in every way. But behind their average-looking exterior lies a deceitful, conniving mind. **How Do I Spot a Sociopath?** – First, you look for a lack of conscience. Do they feel any genuine guilt when they do wrong, any remorse for the hurt they have delivered? If not, they have a serious problem. Then you look for impulsive behavior. In other words, do they have the ability to make good decisions that take into consideration your best interest, as well as their own? Or do they simply do whatever they feel like doing whenever they feel like doing it? In addition, look for lying, cheating, taking advantage of others and placing blame on someone else for their own wrongdoing. Also, beware of big talk about high standards of morality and phony remorsefulness when they’re caught in some misconduct. When you identify these problems, don’t think they’ll go away or get better on their own. If you struggle with some of these problems yourself, seek professional counseling. If you know of someone who exhibits these behaviors, suggest they seek help. Remember, one communicates in many ways; be observant, pay attention and be on your guard to protect yourself and those you love from those who are vulnerable to abuse.

*The Importance of a Healthy Relationship between a Child, Mother and Father* This section is being developed.

## VII. PSYCHOLOGICAL CONSEQUENCES OF VICTIMIZATION

**Individuals** who are the victims of criminal acts frequently suffer from chronic psychological symptoms as a result of their experiences. Individuals who have been victimized in childhood are particularly vulnerable to severe, chronic and sometimes debilitating psychological symptoms that interfere with their ability to function in various areas of their lives.

**Children** - The crime **children** are most often victims of, is sexual abuse. Although we warn our children of “stranger danger,” the sad truth is that children are more likely to be victimized by family members or acquaintances than they are by strangers. The child victim may experience significant psychological effects of such crime including depression, anxiety, insomnia, nightmares, eating disorders, phobias, dissociation, obsessive-compulsive disorder, and posttraumatic stress disorder, as well as psychosomatic symptoms such as headaches and gastrointestinal pain. Frequently, children who are abused are not identified as victims during childhood. Children may be too frightened to report their abuse, particularly if the perpetrator is a family member. The child may have been silenced, either with threats of violence or by appealing to the child’s loyalty or affection. The experience of victimization is frequently amplified by the sense of betrayal that accompanies it, particularly when the perpetrator is a family member or other trusted adult. The child grows to adulthood with confused ideas regarding personal boundaries and what constitutes a healthy relationship. Because of a history of abuse, many individuals are vulnerable to revictimization. They may lack the capacity to distinguish safe from unsafe persons, environments, and situations. Their vulnerability may actually attract predators.

**Women** are more likely than men to act out in self-destructive ways. This self-destructiveness can take many forms including: sexual promiscuity, unprotected sex, choosing abusive partners or remaining in abusive situations, self-medicating with alcohol, illicit and prescription drugs, self-mutilation, extreme weight gain or loss, and/or suicide attempts. On the other hand, women are more likely to seek psychological treatment than men. Women who have experienced abuse in childhood often exhibit symptoms such as with depression, anxiety disorders, phobias, obsessive-compulsive disorder, borderline personality disorder, posttraumatic stress disorder, dissociative identity disorder and dissociative disorder not otherwise specified. These conditions are generally chronic and in some cases, can be debilitating. Individuals may become overwhelmed and disabled by these conditions to the extent that they are unemployable or underemployed. The resulting poverty exacerbates their conditions by limiting their access to competent therapists, appropriate medications, and safe living conditions.

**Men** - Male abuse victims may be more likely to become abusive themselves, engage in destructive behaviors directed toward others, self-medicate with alcohol and illicit drugs, and engage in criminal activity. They may be diagnosed with antisocial personality or paranoia. Research has found that the male and female prison inmate population reflects a very high percentage of inmates who report histories of child abuse victimization. However, men are more likely to be imprisoned for committing violent crimes whereas women are more likely to have been imprisoned for prostitution and drug charges.

## **VIII. SURVIVING THE SYSTEM**

**What Victims Can Do** - Notice to Adult Victims of Family Violence. It is a crime for any person to cause you any physical injury or harm even if that person is a member or former member of your family or household. You may report family violence to a law enforcement officer by calling your local police or sheriff's department. (You should seek protection immediately call 911 if time allows, contact the nearest family shelter, rape crisis center, domestic violence agency or women's or children's advocacy group who will be familiar with law enforcement that will be most helpful. Once violence has occurred it is extremely important for the victim to take important protective measures. Victim must consider safety first by planning ahead in case of future violence or assault. Find a safe place to go if a violent incident or assault occurs. If an argument begins in the kitchen, quickly leave that room to avoid utensils that could be used as weapons. Bathrooms or closets can be a problem as well because they do not have an escape route. Make a list in advance of names, phone numbers and addresses of helpful people to contact. Memorize this list if possible. Prepare a bag with cash, important documents, phone numbers, clothing and other personal items in the event that violence occurs and the victim must leave the abuser. Keep this bag safely hidden outside the home but in an easily accessible place. However, protect your life first even if it means leaving the bag behind. Contact area shelters, law enforcement, other friends or family or the closest neighbor that will help you. Please log onto our Web Site for more information concerning victim services in your area; click on Victim Services, then type your zip code in the next available box. Write the information down for the victim services nearest your area.

**From Victim to Survivor-Surviving Abuse!** As soon as it is physically and emotionally possible, it is very important that a victim reach out to others who are hurting and offer help. If it is too difficult to help those victims that deal with similar circumstances, then seek out some way of helping others through a hospital, church or organization where needs can be met. It is only right to help others when we can. Victims who choose to help others have often found their own healing process progressing more quickly. Victims should remove themselves from isolation as soon as possible.

**Breaking the Silence of Abuse** is no easy task. The abuse of children frequently goes undetected. Children may not report abuse because they fear their abusers or because they fear the consequences of reporting. Children who report intrafamilial abuse are often removed from their home. Even if the findings are supported by evidence, other family members may oppose prosecution because of the negative social and economic impact on the family, particularly if the abuser is the family's major breadwinner. Even when abuse is reported, the report may not be believed or appropriately investigated by law enforcement or social welfare resources. Child victims often tell us that their abusers predict disbelief to discourage reporting abuse to others. Sometimes this is because the abuser is a respected member of the community or has a position of authority. Almost any adult is more powerful to a child, when abuse by an adult is involved the imagination of a child is magnified. Some abusers deceive the child victim into believing that the abuse contains supernatural or fantastic elements which will protect the abuser if the abuse is exposed. Other abusers may reward the child for silence, imply the secret denotes a special relationship with the child that must be protected. Children who are unable to cope with the enormity of the abuse and its consequences may not remember it on a

conscience level. On the other hand, caution is appropriate when dealing with “recovered memories,” which may or may not be accurate

**Backlash Preparedness** - The law is written to protect children and adults but sometimes the “law” fails to protect them. Abuse provokes a variety of responses in different people. Some are instinctively protective of victims while others feel skeptical or want to distance themselves from victims perhaps because of their own shame, self-interests or past experiences. Consequently, anyone who reports abuse should prepare for the possible backlash of the legal system. Difficult as it is to believe, children are sometimes returned to the abuser due to ignorance, bias or corruption. We encourage reporting of abuse in every instance and the law requires it in a number of circumstances. But, a complainant that reports abuse should be prepared to relentlessly pursue justice despite any setbacks encountered and in full knowledge the road ahead maybe long, painful, difficult, frustrating, expensive and even destructive. The complainant could be the victim of multiple actions of wrong doing by the offender and its accomplices to deter the complainant from seeking justice. The process of protecting a victim can be nothing less than heartbreaking when the system fails a victim, despite extreme emotional investment. There are complications that terribly frustrate those in these trenches. Therefore, victims and their protectors must be prepared for the emotional torture that could be experienced should the system fail to protect the victim.

**Making Peace with the Process - Anger & Rejection** It is only normal to be angry when one is victimized or rejected. The feelings of anger and rejection must be controlled and fueled into positive directions or these feelings can be deadly, fueling the cycle of abuse. Visit the HFCF Web site for more information that should help with anger modification and behavior management. **Loss of Family Support & Support Structure** Some family members may not offer support for various reasons. Sometimes a family member may side with the alleged perpetrator of the crime. Many times when this happens a family member is possibly in denial of abuse they experienced by another perpetrator. Victims suffer more emotionally when a victim does not have the support from their family but one can survive without it. **Forgiveness** This section is being developed.

*How Can CPS Take Legal Custody of a Child?* This section is being developed.

**“U.S. ADVISORY BD. ON CHILD ABUSE & NEGLECT, U.S. DEP’T OF HEALTH & HUMAN SERVS., CHILD ABUSE AND NEGLECT: CRITICAL FIRST STEPS IN RESPONSE TO A NATIONAL EMERGENCY vii (1990) (emphasis in original), available from the Superintendent of Documents, U.S. Government Printing Office. Among the Advisory Board’s conclusions were the “child abuse and neglect in the United States now represents a national emergency,” in part because “in spite of the nation’s avowed aim of protecting its children, each year hundreds of thousands of them are still being starved and abandoned, burned and severely beaten, raped and sodomized, berated and belittled.”**

One source points out that approximately thirty to fifty percent of the children who die from maltreatment by parents each year had been “previously reported to child protection agencies,” reminding us that reports of child maltreatment are meaningless if not followed by an effective response.

*How Can a Parent Regain Legal Custody of a Child from CPS?* This section is being developed.

**IX. HEALTHY ATMOSPHERES – Help & Resources for Potential Perpetrators** 80% percent of abusers grew up in violent homes. Many men and women need to emotionally heal and nurture their own growth in life to find meaning in their life again. People need to see the home as a place of love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and forgiveness. Excessive force, abusive language or furious expression of hidden rage, usually resulting in destructive activity or violence in the home must stop. Rehabilitation can occur and end domestic violence. Taking steps to end domestic violence begin with understanding several things that follow: (1) Life has meaning under all circumstances, even in the most miserable; (2) Human beings have a need to feel significant, a motivation for living; (3) Human beings have freedom to find significance – in what he/she does, what he/she experiences, or at least in the stand he/she takes in the face of a situation of unchangeable suffering. Perhaps we can only find significance in three ways: (1) by creating a work or doing a deed; (2) by experiencing something or encountering someone; (3) by the attitude we take toward unavoidable suffering. The ultimate goal in all of these remains one of affirming the dignity and freedom of man/woman and his/her responsibility in whatever situation he/she finds. When things go wrong in one’s family relationship, a work promotion bypassed, a budget never met by not having enough funds, a family partner having an extramarital affair, the unfortunate one begins to question the real meaning of life. The value system to which one clung begins crumbling or fading. Frustration, anger, depression, and rage begin to settle in...the victimization of family

members or others could occur. Successful behavior modification is possible when seeking counseling when the following are present: (a) Genuineness and sincerity must be present by the counselor and the one(s) seeking counseling; (b) Unconditional positive regard for the person seeking counseling; (c) Sensitive empathic understanding of the person seeking counseling. When someone seeking help or counseling becomes aware someone will listen with empathy, the condition of therapy exists and rehabilitation is possible with a continual process of the stages of renewal. Life has meaning under all situations, no matter how bleak. Finding hope, significance and meaning remains the surest way to overcome doubt, despair, and a sense of emptiness.

**Offender and/or Batterer Accountability** – Offenders or Batterers must be held accountable for perpetrating the abuse and for stopping their abusive behavior. Research indicates that some perpetrators of domestic violence might be motivated to change their conduct if they realized their children were being hurt. Every family violence offender should be ordered to be involved in programs and activities specifically designed to reduce future violence that have a history of success in reducing crimes of domestic violence such as: alcohol and drug treatment evaluation if necessary; formal supervision and monitoring of compliance with substantial penalties for repeat violations; diversion into treatment only after an admission of responsibility and in extraordinary cases; maximum supervision by probation departments; and specific standards for batterer's treatment and education programs. Many victims of domestic violence just want the violence to stop, and may not want to leave their abusive partner. The battered woman does not want the batterer in jail. She wants him out working. She doesn't want him to hit her anymore or emotionally abuse her.

More effective batterer programs are needed in Texas. As of January 2002, there were 31 state-funded Battering Intervention and Prevention Programs (BIPPs). They include programs that encourage batterer accountability through a minimum of 36 hours of education addressing the dynamics of power and control, attitude and belief changes, alternatives to violence and coercion, anger management, appropriate communication and the effects and domestic violence on partners and children. The programs are directed to maintain and promote victim safety as their highest goal.

One comprehensive research study of four battering intervention systems (two of which were in Texas) found that 69 percent of the women partners of program participants "felt better off" thirty months after program intake, and 83 percent indicated that they felt "very safe" at the 30 month follow up. The re-arrest statistics support this report. We as a society must find ways to reach out to men. The importance of this is demonstrated in the fact that 85 percent of all intimate partner violence incidents are committed by men against women. Men need to work with other men to stop the abuse, be held accountable and be obliged to attend rehabilitation programs if they have offended. Men could do much to change the "good old boy's" culture by confronting other men everywhere and at any time regarding violence or abuse toward women or children. For batterer/offender services in your area, please log on to our Web site and click on the Behavior Services, choose the next Link that is appropriate for you, then insert your zip code for referrals near you. Write the information down and contact the closest batterer and/or offender services in your area. You may need additional help, please seek the help you require.

**A Healthy Home** – There is a kind of inner security in healthy people. They are not always thinking that their worth as a person is on the line, that they have to be "right" in order to be acceptable and valuable. This kind of security is believed to come from good parenting in which unconditional love is given and received at a deep level. When you get loved like this, an inner security naturally develops. A healthy person also has an enormous respect for the truth. The truth may be hard to discern sometimes, but the healthy person tries to get as close to it as possible, because he knows truth will contribute to deeper meaning, better relationships and a more satisfying life. Healthy people also understand that the way to the truth involves collecting all the information, allowing all the data to be known. This is why they listen so carefully and want to know what you think. They don't worry about whether your opinion is different from their own. Their security isn't threatened by being different. Then they weigh the information they have collected. They place "values" on different parts of the information through the use of careful, although usually unconscious, internal processes that are deeply influenced by well-established moral codes, a value system that informs all decision making. Finally, healthy people are genuine. They stand in the middle of all the information they have collected, and they come to a decision on a position that is the closest approximation to the truth. With courage and total commitment, they state that position as honestly as they know how and they live in accordance with it until they change in light of some new information. Still, they aren't arrogant, assuming their position and the truth are exactly the same. They don't make you feel you are wrong if you disagree with them. They have a deep humility that seems to emanate from their recognition that they are very fallible, that while they need to come to the best position possible, they also recognize your right to do the same. A lot of studies indicate that the healthiest people are those who experienced healthy childhoods. If we receive a good combination of deep love and careful instruction from nurturing parents, we will inevitably become

healthy ourselves. But what happens if our parents were anything but healthy? How can we unlearn all the unhealthy ways we picked up from them?

These are four suggestions about becoming healthy: (1) Find a source that offers unconditional love, the kind of love you needed when you were a child. Admittedly, good sources for this kind of love are hard to come by. Maybe you can find one in a close friend or relative. Perhaps a good source would be a psychotherapist. Healthy churches offer unconditional love, wherever you find this kind of love, it is worth everything you have. (2) Learn to love yourself. It is not enough that someone else loves you, even if that someone is God. You have to accept the fact that you are lovable. When you do, you'll discover you don't have to fabricate a self in order to please someone else and earn his or her love. You can just be the genuine you. (3) Find someone who will regularly encourage, inspire, listen to and challenge you. We all need close friends, it is hard, maybe impossible, for us to understand our emotions and know exactly what we're feeling and thinking deep within ourselves. We need someone to help us sort through our thoughts and feelings, and help us confront our problems. (4) Cultivate relationships with people who will help you take a stand, be genuine and feel secure in your positions. We all need people who will stay with us, cheer us on, bolster our shaky confidence and reinforce our courage. An ongoing support system helps us stay on track, even when we feel like falling back into unhealthy patterns.

This is what it takes to get us healthy. We need to be "re-parented" in a kind, loving and thoughtful way by genuinely healthy people. Often these persons are friends or family members, but sometimes people need the assistance and guidance of a well-trained and caring psychotherapist, psychiatrist or psychologist.

Spend time with those you love and that love you as you remain in a monogamous marriage if married. Much joy can be found by turning the television off and spending quality time together. Walking, bike riding, various games, and reading to one another are excellent sources of sharing quality and uplifting time together.

**X. Violence in the Workplace** This section is being developed.

**XI. Ways to Better Serve Victims - Protection Through the Texas Attorney General's Office** - The Texas Victims' Compensation Act creates a fund and establishes statutory eligibility guidelines for the provision of certain benefits to crime victims. The Office of the Attorney General administers the fund. This fund is dedicated to assisting victims of crime. To be eligible for consideration for compensation, the following general requirements must be met: residency, reporting the crime, filing for compensation, cooperation. The money in the fund comes from court costs generated by criminal convictions. To have an application mailed to you or for more information call Crime Victims' Compensation Division at (512) 936-1200 or toll-free at (800) 983-9933; or log onto the Web site at <http://www.oag.state.tx.us>, then click on Crime Victim Services then click on Crime Victims Compensation. After the application is filled out, make a copy for your files and mail the original to: Office of the Attorney General, Crime Victims' Compensation Division, PO Box 12548, and Austin, TX 78711-2548 If you are a victim of a violent crime then you may be eligible for benefits.

**Crime Victim Services Update** - What crimes are covered in Texas under Crime Victims' Compensation Division of the Office of the Attorney General? Sexual assault, kidnapping, aggravated robbery, assault, homicide, and other violent crimes in which the victim is injured and suffers physical or emotional harm or death, including family violence offenses. Only these motor vehicle related crimes are covered: failure to stop and render aid, driving while intoxicated, manslaughter, criminally negligent homicide, aggravated assault, and intoxication manslaughter. Some restrictions apply so please request the Office of the Attorney General to mail you the complete written material about Crime Victims' Compensation. The Crime Victims' Compensation Fund is regarded as "the payer of last resort" since it is a secondary source that pays for certain out-of-pocket expenses related to the crime that the victim has no other way to pay. Other sources that have to pay first include: HMO/health insurance, disability insurance, workers' compensation benefits, social security, Medicare or Medicaid. The following include a checklist of resources for victims of domestic violence: medical expenses, counseling for the victim and victim's family, lost wages, childcare and relocation. A victim of a federal crime should contact the nearest United States Attorneys Office and speak to the Coordinator of Victim Services for federal resources available to a victim qualifying under federal guidelines. You may call toll-free 1-800-627-6872 or 1-877-712-9279 or visit the Internet Web site at <http://www.ojp.usdoj.gov/ovc/> and click on Help For Victims or OVC Resource Center

**Child Abuse Prevention and Treatment Act (CAPTA) 42 United States Constitution 5101, 5102, 5103**  
In 1974, the federal government took a leadership position with the Child Abuse Prevention and Treatment Act (CAPTA), the first in a series of legislative efforts to encourage states to adopt various statutory provisions in order to qualify for federal child protection funds. The model promoted by CAPTA was that of a coordinated national response to

the problem of child maltreatment, implemented through state protective services agencies and criminal justice authorities. CAPTA also provided mechanisms for the collection of child maltreatment data nationwide. Sadly, modern child protection agencies are, to some extent, “driven” by their mandate to investigate reported cases, with the result that “investigation often seems to occur for its own sake, without any realistic hope of meaningful treatment to prevent the recurrence of maltreatment or to ameliorate its effects, even if the report of suspected maltreatment is validated.” In addition, the U.S. Advisory Board on Child Abuse and Neglect observed that child protection policy in the United States is “largely unplanned; it has consisted primarily of ad hoc responses to crises.” In 1990, the Board asserted that “the system the nation has devised to respond to child abuse and neglect is failing.” Much of the federal money that Texas receives for the care of abused and neglected children is authorized by Title IV of the Social Security Act and by the Child Abuse Prevention and Treatment Act, 42 U.S.C 5101, et. seq. The federal Child Abuse Prevention and Treatment Act, (CAPTA) regulate the Texas child protection system, like the child protection systems of the 46 states, which receive federal child welfare funds. One should be aware of the following funding mandates due to the fact that if CPS, other state officials including a judge fails to follow them, the “violator” is in violation of federal funding and should be held accountable for such acts of failing to protect an abused child. CAPTA requires, that each state seeking federal funding: (a) have in effect a child abuse and neglect law which shall include provisions for immunity for person reporting instances of child abuse and neglect (42 U.S.C. 5103(b)(2)(A)); (b) provide for the reporting of known and suspected instances of child abuse and neglect (42 U.S.C. 5102(b)(2)(B)); (c) provide that when such a report is received an investigation shall be initiated promptly to substantiate the accuracy of the report (42 U.S.C. 5103(b)(2)(c)); (d) provide that upon a finding of abuse or neglect ,immediate steps are taken to protect the health and welfare of the child (42 U.S.C. 5103(b)(2)(c)); (e) demonstrate that there are throughout the State, in connecting with reporting and enforcement provision of law, administrative procedures, trained personnel, training procedures, facilities and such related multidisciplinary programs and services as necessary to assure that the State will deal effectively with child abuse and neglect cases, (42 U.S.C. 5103(b)(2)(1)); (f) provide for the cooperation of law enforcement officials, courts of competent jurisdiction, and appropriate state agencies providing human services, (42 U.S.C. 5103(b)(2)(F)); and (g) provide for the appointment of a guardian ad litem for the child in any judicial proceedings involving an abused or neglected child, (42 U.S. C. 5103(b)(2)(G)) Compliance of these regulations are mandatory by the state of Texas.

**Violence Against Women ACT (VAWA) Internet Web site log on:** <http://www.ojp.usdoj.gov/vawa/> **or for the Violence Against Women Office access:** <http://www.ojp.usdoj.gov/vawo/> - VAWA includes provisions to improve responses to domestic violence by the federal court system, law enforcement, and criminal justice; increase the number of prevention, counseling, and intervention programs; and protect battered immigrant women from deportation. **Summary of VAWA** – VAWA is a result of an epidemic of violence against women and their children in the country to establish laws that can be enforced against batterers to evidence that violent actions are not acceptable and come with criminal consequences. VAWA acknowledges certain Interstate travel as federal crimes: **Interstate travel** to cross a state line: With intent to injure another and injures; By another which is forced and injures; With intent to stalk; with intent to violate protection order; by another which is forced and injuries in violation of order; Interstate Domestic Violence, Stalking and Protective Order offenses (Sections 2262, 2262A and 2262): Statute: maximum 5 years to life, depending on seriousness of bodily injury. Guidelines: approx. 2+ years (if physical injury, possibly much higher). **Possession/transfer of firearm** after conviction/restraining order: Penalties Firearm Offenses: Statute: maximum 10 years Imprisonment Guidelines: approx. 2+ years Full faith and credit **VAWA requires states to recognize and enforce protective orders from other states 18 U.S. C. 2265** Self-Petitioning for Battered Immigrant Spouses and Children, **8 U.S.C. 1154** provisions giving some immigrant women control over their immigration status. **VAWA also created laws protecting battered women by prohibiting possession of firearms by batterers convicted of domestic violence; provide exemptions for battered women from the strict time limits and work requirements in the welfare law, and ensure that an abuser’s income is not considered a resource for a woman who needs legal services.**

VAWA prohibits interstate travel with intent to commit domestic violence = CRIME = *INTERSTATE DOMESTIC VIOLENCE* - Violator travels with intent to injure, and then actually injures an “intimate partner.” It is a federal crime to cross a state line with intent to injure, harass or intimidate an “intimate partner”, and then intentionally commit a crime of violence which causes bodily injury to the intimate partner. 18 U.S.C. 2261(a)(1). Case Example: 1998: Man convicted for car jacking a car in North Carolina, traveling to Virginia, blasting his way into his ex-girlfriend’s house, chasing her outside, and shooting and killing her. Man sentenced to death.

**INTERSTATE DOMESTIC VIOLENCE:** Violator Causes Other to Travel – Forces or coerces victim to travel, then injures the victim. It is a federal crime to cause “intimate partner” to cross a state line by force, coercion,

duress or fraud, and in the course or as a result of that conduct, intentionally cause bodily injury to the intimate partner. 18 U.S.C. 2261(a)(2) Case example: Causing Another to Travel to Commit Violence: 1998: Man used gun to kidnap ex-girlfriend, and take her from N. Carolina to Virginia and back. During ordeal, victim was handcuffed, tied-up, raped, and finally released after agreeing to move back in with him. Man sentenced to 228 months imprisonment.

**INTERSTATE STALKING:** Travel with intent to stalk, and place victim in fear of death or serious injury. It is a federal crime to cross a state line with the intent to injure or harass another person, and in the course of, or as result of such travel, place that person (or member of that person's immediate family) in reasonable fear of death or serious bodily injury. 18 U.S.C. 2261A

**INTERSTATE VIOLATION OF PROTECTIVE ORDER:** Violator travels with intent to violate protective order, then actually violates the order. It is a federal crime to cross a state line with the intent to engage in conduct that violates a protective order, and then engages in such conduct. 18 U.S. C. 2262(a)(1) Case example: Man dated victim for 2 1/2 weeks. When she broke off relationship, he began pattern of harassing behavior. She obtained protection order in Massachusetts. After victim moved to N.Y., man followed her and continued harassment. Man sentenced to 37 months imprisonment. **INTERSTATE VIOLATION OF PROTECTIVE ORDER: CAUSES ANOTHER TO TRAVEL** Forces victim to travel, then violates a protective order by injuring victim. It is a federal crime to cause an "intimate partner" to cross a state line by force, coercion, duress or fraud, and in the course or as a result of that conduct, intentionally injures intimate partner in violation of a protective order. 18 U.S. C. 2262(a)(2) Case example: Man separated from wife, assaulted her, forcibly took her from Indian country, raped her, and then returned her to Indian country. Man sentenced to 262 months imprisonment.

VAWA prohibits the possession or transfer of a firearm under certain circumstances = CRIME = **INTERSTATE VIOLATION OF FIREARM OFFENSES** (people subject to protective orders and people convicted of domestic violence misdemeanors); All VAWA offenses are felonies.

**TEXAS LAWS: EXCERPTS FROM THE TEXAS FAMILY CODE & THE PENAL CODE** - Concerning Child Abuse - **CHILD ABUSE AND NEGLECT IS A CRIME - Texas Family Code 71.004.** "Family violence" means: (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself; or (2) abuse, as that term is defined by Sections 261.001 (1)(C), (E), and (G) by a member of a family or household toward a child of the family or household. Every day, thousands of children become victims of violence or sexual assault. Most of these offenses occur not by the hands of a stranger, but by trusted family members or acquaintances. Regardless of the relation, legal protection exists for the victims. Child abuse, in any form, is a crime. A child, defined as any individual less than 17 years of age, is susceptible to physical or emotional harm as a result of physical attacks, sexual assaults, and/or neglect. Any person that physically or emotionally harms a child by their action, or inaction, is in violation of the **Texas Family Code 261.001.**

**TEXAS FAMILY CODE 261.001. SUBTITLE E. PROTECTION OF THE CHILD, CHAPTER 261. INVESTIGATION OF REPORT OF CHILD ABUSE OR NEGLECT, SUBCHAPTER A. GENERAL PROVISIONS, 261.001 Definitions** in this Chapter: (1) "Abuse" includes the following acts or omissions by a 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; (F) failure to make a reasonable effort to prevent sexual conduct harmful to a child; (G) compelling or encouraging the 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 Section 43.21, 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 or 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. Please refer to the Texas Family

Code for additional laws governing the protection of children and for more definitions, specifically those surrounding the “Neglect” of a child. Most libraries should have a copy. The above stated laws are only a small portion that exist.

As adults, we have a legal responsibility to protect every child from harm. Because of this obligation, if any person suspects that a child is a victim of abuse or neglect, and fails to report the abuse or neglect to the appropriate authorities in a timely manner, is also guilty of a crime (Texas Family Code 261.101). Therefore, if you suspect that a child is being harmed physically or emotionally, the following steps must be taken: *Within 48 hours, report the suspected abuse to the Texas Department of Regulatory and Protective Services (TDPRS) or the local law enforcement agency. (Just because a report is made does not ensure protection for the child but the report must be made.) Provide information that is specific. Include the name of the child, date(s) and time(s) of the suspected abuse, the nature of the injuries and the relationship between the child and the alleged offender. If possible, be ready to provide information about the parents to the investigating agency. IT DOES NOT MEAN THAT THE ALLEGED VICTIM WILL BE PROTECTED BY THE SYSTEM JUST BECAUSE ONE REPORTS THE CRIME, BUT IT IS NECESSARY TO REPORT THE SUSPECTED OR VALIDATED CRIME.*

Lawmakers also took steps to protect any person, acting in good faith, that reports suspected abuse to the appropriate investigating agencies. Persons reporting abuse and neglect are immune from legal action in the event that the alleged abuse is unfounded. (Texas Family Code 261.XXX). **In SUBCHAPTER B. REPORT OF ABUSE OR NEGLECT; IMMUNITIES, 261.101. Persons Required to Report;** Time to Report; (a) a person having cause to believe that a child’s physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter. (b) If a professional has cause to believe that a child has been abused or neglected or may be abused or neglected or that a child is a victim of an offense under Section 21.11, Penal Code, the professional shall make a report not later than the 48<sup>th</sup> hour after the hour the professional first suspects that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. In this subsection, “professional” means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, daycare employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers. (c) The requirement to report under this section applies without exception to an individual whose personal communications may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, a mental health professional, and an employee of a clinic or health care facility that provides reproductive services. (d) Unless waived in writing by the person making the report, the identity of an individual making a report under this chapter is confidential and may be disclosed only: (1) as provided by Section 261.201; or (2) to a law enforcement officer for the purpose of conducting a criminal investigation of the report.

However, under the **Texas Family Code 261.107. False Report; Penalty**, individuals who maliciously and falsely accuse another person of child abuse or neglect are guilty of a crime and therefore subject to prosecution. Criminal penalties for conviction include jail time and/or fines. **“Texas Family Code 261.109. Failure to Report; Penalty** (a) *A person commits an offense if the person has cause to believe that a child’s physical or mental health or welfare has been or may be adversely affected by abuse or neglect and knowingly fails to report as provided in this chapter.* (b) *An offense under this section is a Class B misdemeanor.*” It is the obligation of each member of society to see to it that the needs of our children are met and to protect them from the harmful elements. When we fail to protect our children, then we are limiting the chances for their future as well as our own.

**Family Violence Laws within the Texas Penal Code** – In order for individuals to better protect themselves and effectively work with members of the criminal justice and civil system should victimization occur, it is very important to know what factors define and govern that system. Becoming familiar with the laws should enhance your protection. A rapidly-growing number of states have enacted statutes authorizing or mandating enhanced criminal penalties or sentencing “upgrades” for domestic violence perpetrators if their act is committed “in the presence of a child.” The Texas Penal Code empowers law enforcement and court personnel to investigate cases, to prosecute alleged offenders, and to sentence those found guilty of violating these laws. ***CLEARLY IT IS A CRIME TO PERFORM ANY KIND OF SEXUAL ACT IN FRONT of or IN THE PRESENCE OF A CHILD; IT IS ALSO A CRIME TO TOUCH A CHILD SEXUALLY OR INAPPROPRIATELY AS DESCRIBED BELOW:***

**Excerpts and Reference to the Texas Penal Code; Criminal Law Concerning Abuse to Children and Adults Chapter 12 – Punishments – SEC. 12.23 CLASS C MISDEMEANOR:** Punishment is a maximum fine of \$500. **SEC. 12.22 CLASS B MISDEMEANOR:** Punishment is a maximum of 180 days in jail and/or maximum \$2,000 fine. **SEC.**

**12.21 CLASS A MISDEMEANOR:** Punishment is a maximum of one year in jail and/or maximum \$4,000 fine. If previously convicted of a Class A misdemeanor (Sec. 12.43), Punishment is confinement in jail for 90 days up to one year, and/or a maximum fine of \$4,000. **SEC. 12.35 STATE JAIL FELONY:** Punishment is 180 days to a maximum of two years in a state jail and/or a maximum \$10,000 fine. **SEC. 12.34 THIRD DEGREE FELONY:** Punishment is confinement in a community correctional facility for maximum of one year, or confinement in a state prison for 2-10 years, and a potential maximum fine of \$10,000. **SEC. 12.33 SECOND DEGREE FELONY:** Punishment is confinement in a state prison for 2-20 years and a potential maximum fine of \$10,000. **SEC. 12.32 FIRST DEGREE FELONY:** Punishment is confinement in a state prison for 5-99 years, or for life, and a potential maximum fine of \$10,000. **SEC. 12.42. PENALTIES FOR REPEAT AND HABITUAL FELONY OFFENDERS:** A defendant convicted of sexual assault, aggravated sexual assault, aggravated kidnapping with intent to sexually abuse, or burglary with intent to commit a sex offense, shall be punished with life in prison if that defendant has one prior conviction for sexual performance by a child, child pornography, indecency with a child, sexual assault, aggravated sexual assault, prohibited sexual conduct, aggravated kidnapping with intent to sexually abuse, burglary with intent to commit a sex offense, or for any offense under the laws of another state with elements substantially similar to those listed here.

*We review only a small portion of the law within the Texas Penal Code, please continue your study outside this training manual.*

**TITLE 5: OFFENSES AGAINST THE PERSON CHAPTER 21. SEXUAL OFFENSES SEC. 21.01.**

**Definitions** – In this chapter: (1) “Deviate sexual intercourse” means: (A) any contact between any part of the genitals of one person and the mouth or anus of another person; or (B) the penetration of the genitals or the anus, breast, or any part of the genitals of another person with intent to arouse or gratify the sexual desire of any person. (3) “Sexual intercourse” means any penetration of the female sex organ by the male sex organ.

**SEC. 21.08. Indecent Exposure**

– (a) A person commits an offense if he exposes his anus or any part of his genitals with intent to arouse or gratify the sexual desire of any person, and he is reckless about whether another is present who will be offended or alarmed by his act. (b) An offense under this section is a Class B misdemeanor. **SEC. 21.11. Indecency With a Child** – (a) A person commits an offense if, with a child younger than 17 years and not his spouse, whether the child is of the same or opposite sex, he engages in sexual contact with the child; or (2) exposes his anus or any part of his genitals, knowing the child is present, with intent to arouse or gratify the sexual desire of any person. (b) It is an affirmative defense to prosecution under this section that the actor: (1) was not more than three years older than the victim and of the opposite sex; (2) did not use duress, force, or a threat against the victim at the time of the offense; and (3) at the time of the offense: (A) was not required under Chapter 62, Code of Criminal Procedure, as added by Chapter 668, Acts of the 75<sup>th</sup> Legislature, Regular Session, 1997, to register for life as a sex offender; or (B) was not a person who under Chapter 62 had a reportable conviction adjudication for an offense under this section. (c) An offense under Subsection (a)(1) is a felony of the second degree and an offense under Subsection (a)(2) is a felony of the third degree.

**CHAPTER 22. ASSAULTIVE OFFENSES SEC. 22.01. Assault**

– (a) A person commits an offense if the person: (1) intentionally, knowingly, or recklessly causes bodily injury to another, including the person’s spouse; (2) intentionally or knowingly threatens another with imminent bodily injury, including the person’s spouse; or (3) intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. (b) An offense under Subsection (a)(1) is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against: (1) a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant; or (2) a member of the defendant’s family or household, if it is shown on the trial of the offense that the defendant has been previously convicted of an offense against a member of the defendant’s family or household under this section. (c) An offense under Subsection (a)(2) or (3) is a Class C misdemeanor, except that an offense under Subsection (a)(3) is a Class A misdemeanor if the offense was committed against an elderly individual or disabled individual, as those terms are defined by Section 22.04. (d) For purposes of Subsection (b), the actor is presumed to have known the person assaulted was a public servant if the person was wearing a distinctive uniform or badge indicating the person’s employment as a public servant. (e) In this section: (1) “Family” has the meaning assigned by Section 71.003, Family Code. (2) “Household” has the meaning assigned by Section 71.005, Family Code. (f) For the purposes of this section, a defendant has been previously convicted of an offense against a member of the defendant’s family or a member of the defendant’s household under this section if the defendant was adjudged guilty of the offense or entered a plea of guilty or nolo contendere in return for a grant of deferred adjudication, regardless of whether the sentence for the offense was ever imposed or whether the sentence was probated and the defendant was subsequently discharged from community

supervision. **SEC. 22.011. Sexual Assault of Adults and Children** – (a) A person commits an offense if the person: (1) intentionally or knowingly: A person commits an offense if the person: (1) intentionally or knowingly: (A) causes the penetration of the anus or female sexual organ of another person by any means, without that person's consent; (B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or (C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or (2) intentionally or knowingly: (A) causes the penetration of the anus or female sexual organ of a child by any means; (B) causes the penetration of the mouth of a child by the sexual organ of the actor; (C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor. (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if: (1) the actor compels the other person to submit or participate by the use of physical force or violence; (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat; (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist; (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it; (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; (8) the actor is a public servant who coerces the other person to submit or participate; (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor; or (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergymen's professional character as spiritual adviser. (c) In this section: (1) "Child" means a person younger than 17 years of age who is not the spouse of the actor. (2) "Spouse" means a person who is legally married to another. (3) "Health care services provider" means: (A) a physician licensed under the Medical practice Act (Article 4495b, Vernon's Texas Civil Statutes); (B) a chiropractor licensed under Chapter 94, Acts of the 51<sup>st</sup> Legislature, Regular Session, 1949 (Article 4512b, Vernon's Texas Civil Statutes); (C) a licensed vocational nurse licensed under Chapter 118, Acts of the 52<sup>nd</sup> Legislature, 1951 (Article 4528c, Vernon's Texas Civil Statutes); (D) a physical therapist licensed under Chapter 836, Acts of the 62<sup>nd</sup> Legislature, Regular Session, 1971 (Article 4512e, Vernon's Texas Civil Statutes); (E) a physician assistant licensed under the Physician Assistant Licensing act (Article 4495b-1, Vernon's Texas Civil Statutes); or (F) a registered nurse or an advanced practice nurse licensed under Chapter 7, Title 71, Revised Statutes. (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a: (A) licensed social worker as defined by Section 50.001, Human Resources Code; (B) chemical dependency counselor as defined by Section 1, Chapter 635, Acts of the 72<sup>nd</sup> Legislature, Regular Session, 1991 (Article 4512o, Vernon's Texas Civil Statutes); (C) licensed professional counselor as defined by Section 2, Licensed Professional Counselor Act (Article 4512g-1, Vernon's Texas Civil Statutes); (D) licensed marriage and family therapist as defined by Section 2, Licensed Marriage and Family Therapist Act (Article 4512c-1, Vernon's Texas Civil Statutes); (E) member of the clergy; (F) psychologist offering psychological services as defined by Section 2, Psychologists' Licensing Act (Article 4512 c, Vernon's Texas Civil Statutes); or (G) special officer for mental health assignment certified under Section 415.037, Government Code. (d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party. (e) It is an affirmative defense to prosecution under Subsection (a)(2) that: (1) the actor was not more than three years older than the victim and at the time of the offense: (A) was not required under Chapter 62, Code of Criminal Procedure, as added by Chapter 668, Acts of the 75<sup>th</sup> legislature, Regular Session, 1997, to register for life as a sex offender; or (B) was not a person who under Chapter 62 had a reportable conviction or adjudication for an offense under this section: and (2) the victim was a child of 14 years of age or older. **SEC. 22.02. Aggravated Assault** – (a) A person commits an offense if the person commits assault as defined in Section 22.01 and the person: (1) causes serious bodily injury to another, including the person's spouse; or (2) uses or exhibits a deadly weapon during the commission of the assault. (b) An offense under this section is a felony of the second degree, except that the offense is a felony of the first degree if the offense is committed: (1) by a public servant

acting under color of the servant's office or employment; (2) against a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant; or (3) in retaliation against or on account of the service of another as a witness, prospective witness, informant, or person who has reported the occurrence of a crime. (c) The actor is presumed to have known the person assaulted was a public servant if the person was wearing a distinctive uniform or badge indicating the person's employment as a public servant. **SEC. 22.021. Aggravated Sexual Assault of Children or Adults** – (a) A person commits an offense: (1) if the person: (A) intentionally or knowingly: (i) causes the penetration of the anus or female sexual organ of another person by any means, without that person's consent; (ii) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or (iii) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or (B) intentionally or knowingly: (i) causes the penetration of the anus or female sexual organ of a child by any means; (ii) causes the penetration of the mouth of a child by the sexual organ of the actor; (iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (iv) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and (2) if: (A) the person: (i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode; (ii) by acts or words places the victim in fear that death, serious bodily injury, or kidnapping will be imminently inflicted on any person; (iii) by acts or words occurring in the presence of the presence of the victim threatens to cause the death, serious bodily injury, or kidnapping of any person; (iv) uses or exhibits a deadly weapon in the course of the same criminal episode; (v) acts in concert with another who engages in conduct described by Subdivision (1) directed toward the same victim and occurring during the course of the same criminal episode; or (vi) administers or provides flunitrazepam, otherwise known as rohypnol, or gamma hydroxybutyrate to the victim of the offense with the intent of facilitating the commission of the offense; (B) the victim is younger than 14 years of age; or (C) the victim is 65 years of age or older. (b) In this section, "child" has the meaning assigned that term by Section 22.011(c). (c) An aggravated sexual assault under this section is without the consent of the other person if the aggravated sexual assault occurs under the same circumstances listed in Section 22.011(b). (d) The defense provide by Section 22.011(d) applies to this section. (e) An offense under this section is a felony of the first degree. **SEC. 22.04. Injury to a Child, Elderly Individual, or Disabled Individual** – (a) A person commits an offense if he intentionally, knowingly, recklessly, or with criminal negligence, by act or intentionally, knowingly, or recklessly by omission, causes to a child, elderly individual, or disabled individual: (1) serious bodily injury; (2) serious mental deficiency, impairment, or injury; or (3) bodily injury. (b) An omission that causes a condition described by Subsections (a)(1) through (a)(3) is conduct constituting an offense under this section if: (1) the actor has a legal or statutory duty to act; or (2) the actor has assumed care, custody, or control of a child, elderly individual, or disabled individual. (c) In this section: (1) "Child" means a person 14 years of age or younger. (2) "Elderly individual" means a person 65 years of age or older. (3) "Disabled individual" means a person older than 14 years of age who by reason of age or physical or mental disease, defect, or injury is substantially unable to protect food, shelter, or medical care for himself. (d) The actor has assumed care, custody, or control if he has by act, words, or course of conduct acted so as to cause a reasonable person to conclude that he has accepted responsibility for protection, food, shelter, and medical care for a child, elderly individual, or disabled individual. (e) An offense under Subsection (a)(1) or (2) is a felony of the first degree when the conduct is committed intentionally or knowingly. When the conduct is engaged in recklessly it shall be a felony of the second degree. (f) An offense under Subsection (a)(3) is a felony of the third degree when the conduct is committed intentionally or knowingly. When the conduct is engaged in recklessly it shall be a state jail felony. (g) An offense under Subsection (a) when the person acts with criminal negligence shall be a state jail felony. (h) A person who is subject to prosecution under both this section and another section of this code may be prosecuted under either or both sections. Section 3.04 does not apply to criminal episodes prosecuted under both this section and another section of this code. If a criminal episode is prosecuted under both this section and another section of this code and sentences are assessed for convictions under both section, the sentences shall run concurrently. Additional laws to this section exist. Please refer to the Texas Penal Code for the remaining law concerning this section. **SEC. 22.041. Abandoning or Endangering Child** – (a) In this section, "abandon" means to leave a child in any place without providing reasonable and necessary care for the child, under circumstances under which no reasonable, similarly situated adult would leave a child of that age and ability. (b) A person commits an offense if, having custody, care, or control of a child younger than 15 years, he intentionally abandons the child in any place under circumstances that expose the child to an unreasonable risk of harm. (c) A person commits an offense if he intentionally, knowingly, recklessly, or with criminal negligence, by act or

omission, engages in conduct that places a child younger than 15 years in imminent danger of death, bodily injury, or physical or mental impairment. (d) Except as provided by Subsection (e), an offense under Subsection (b) is: (1) a state jail felony if the actor abandoned the child with intent to return for the child; or (2) a felony of the third degree if the actor abandoned the child without intent to return for the child. (e) An offense under Subsection (b) is a felony of the second degree if the actor abandons the child under circumstances that a reasonable person would believe would place the child in imminent danger of death, bodily injury, or physical or mental impairment. (f) An offense under Subsection (c) is a state jail felony. (g) It is a defense to prosecution under Subsection (c) that the act or omission enables the child to practice for or participate in an organized athletic event and that appropriate safety equipment and procedures are employed in the event. (h) It is an affirmative defense to prosecution under Subsection (b) that the actor voluntarily delivered the child to an emergency medical service provider under Section 262.301, Family Code. **SEC. 22.05.**

**Deadly Conduct** – (a) A person commits an offense if he recklessly engages in conduct that places another in imminent danger of serious bodily injury. (b) A person commits an offense if he knowingly discharges a firearm at or in the direction of: (1) one or more individuals; or (2) a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. (c) Recklessness and danger are presumed if the actor knowingly pointed a firearm at or in the direction of another whether or not the actor believed the firearm to be loaded. (d) For purposes of this section, “building,” “habitation,” and “vehicle” have the meanings assigned those terms by Section 30.01. (e) An offense under Subsection (a) is a Class A misdemeanor. An offense under Subsection (b) is a felony of the third degree.

**SEC. 22.07. Terroristic Threat** – (a) A person commits an offense if he threatens to commit any offense involving violence to any person or property with intent to: (1) cause a reaction of any type to his threat by an official or volunteer agency organized to deal with emergencies; (2) place any person in fear of imminent serious bodily injury; or (3) prevent or interrupt the occupation or use of a building; room; place of assembly; place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place; or (4) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service. (b) An offense under Subdivision (1) or (2) of Subsection (a) is a Class B misdemeanor. An offense under Subdivision (3) of Subsection (a) is a Class A misdemeanor. An offense under Subdivision (4) of Subsection (a) is a felony of the third degree. **SEC. 22.08. Aiding Suicide** – (a) A person commits an offense if, with intent to promote or assist the commission of suicide by another, he aids or attempts to aid the other to commit or attempt to commit suicide.

(b) An offense under this section is a Class C misdemeanor unless the actor’s conduct causes suicide or attempted suicide that results in serious bodily injury, in which event the offense is a state jail felony. **SEC. 22.10. Leaving a Child in a Vehicle** – (a) A person commits an offense if he intentionally or knowingly leaves a child in a motor vehicle for longer than five minutes, knowing that the child is: (1) younger than seven years of age; and (2) not attended by an individual in the vehicle who is 14 years of age or older. (b) An offense under this section is a Class C misdemeanor.

**TEXAS PENAL CODE: TITLE 6: OFFENSES AGAINST THE FAMILY CHAPTER 25. SEC. 25.02.**

**Prohibited Sexual Conduct** – (a) An individual commits an offense if he engages in sexual intercourse or deviate sexual intercourse with a person he knows to be, without regard to legitimacy: (1) his ancestor or descendant by blood or adoption; (2) his stepchild or stepparent, while the marriage creating that relationship exists; (3) his parent’s brother or sister of the whole or half blood; (4) his brother or sister of the whole or half blood or by adoption; or (5) the children of his brother or sister of the whole or half blood or by adoption. (b) For purposes of this section: (1) “Deviate sexual intercourse” means any contact between the genitals of one person and the mouth or anus of another person with intent to arouse or gratify the sexual desire of any person. (2) “Sexual intercourse” means any penetration of the female sex organ by the male sex organ. (3) An offense under this section is a felony of the third degree. **SEC. 25.05. Criminal Nonsupport** – (a) An individual commits an offense if he intentionally or knowingly fails to provide support for his child younger than 18 years of age, or for his child who is the subject of a court order requiring the individual to support the child. (b) For purposes of this section, “child” includes a child born out of wedlock whose paternity has either been acknowledged by the actor or has been established in a civil suit under the Family Code or the law of another state. (c) Under this section, a conviction may be had on the uncorroborated testimony of a party to the offense. (d) It is an affirmative defense to prosecution under this section that the actor could not provide support for his child. (e) The pendency of a prosecution under this section does not affect the power of a court to enter an order for child support under the Family Code. (f) An offense under this section is a state jail felony. **SEC. 25.07. Violation of Protective Order or Magistrate’s Order** – (a) A person commits an offense if, in violation of an order issued under Section 6.504 or Chapter 85, Family Code, under Article 17.292, code of Criminal Procedure, or by another jurisdiction as provided by Chapter 88, Family Code, the person knowingly or intentionally: (1) commits family violence or an act in furtherance of an offense under Section 42.072; (2) communicates: (A) directly with a protected individual or a member of the family or

household in a threatening or harassing manner; (B) a threat through any person to a protected individual or a member of the family or household; and (C) in any manner with the protected individual or a member of the family or household except through the person's attorney or a person appointed by the court, if the order prohibits any communication with a protected individual or a member of the family or household; or (3) goes to or near any of the following places as specifically described in the order: (A) the residence or place of employment or business of a protected individual or a member of the family or household; or (B) any child care facility, residence, or school where a child protected by the order normally resides or attends. (b) For the purposes of this section, "family violence," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code. (c) If conduct constituting an offense under this section also constitutes an offense under another section of this code, the actor may be prosecuted under either section or under both sections. (d) Reconciliatory actions or agreements made by persons affected by an order do not affect the validity of the order or the duty of a peace officer to enforce this section. (e) A peace officer investigating conduct that may constitute an offense under this section for a violation of an order may not arrest a person protected by that order for a violation of that order. (f) It is not a defense to prosecution under this section that certain information has been excluded, as provided by Section 85.007, Family Code, or Article 17.292, Code of Criminal Procedure, from an order to which this section applies. (g) An offense under this section is a Class A misdemeanor unless it is shown on the trial of the offense that the defendant has previously been convicted under this section two or more times or has violated the protective order by committing an assault or the offense of stalking, in which event the offense is a third degree felony. **SEC. 25.08. Sale or Purchase of Child** – (a) A person or Purchase of Child; (1) possesses a child younger than 18 years of age or has the custody, conservatorship, or guardianship of a child younger than 18 years of age, whether or not he has actual possession of the child, and he offers to accept, agrees to accept, or accepts a thing of value for the delivery of the child to another or for the possession of the child by another for purposes of adoption; or (2) offers to give, agrees to give, or gives a thing of value to another for acquiring or maintaining the possession of a child for the purpose of adoption. (b) It is an exception to the application of this section that the thing of value is: (1) a fee paid to a child-placing agency as authorized by law; (2) a fee paid to an attorney or physician for services rendered in the usual course of legal or medical practice; or (3) a reimbursement of legal or medical expenses incurred by a person for the benefit of the child. (c) An offense under this section is a felony of the third degree.

**TEXAS PENAL CODE: TITLE 6: OFFENSES AGAINST THE FAMILY CHAPTER 42 DISORDERLY CONDUCT AND RELATED OFFENSES SEC. 42.07. Harassment** – Provides that a person commits a Class B misdemeanor if the perpetrator, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, commits the following acts: - (1) initiates obscene communication, either by telephone or in writing. (Obscene is defined as containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function); (2) threatens, by telephone or in writing, to cause bodily injury to the victim, or to commit a felony against the victim, a member of the victim's family, or to the victim's property. ("Family" includes individuals related by consanguinity or affinity, as determined under, Section 71.003 of the Family Code, individuals who are former spouses of each other, individuals who are the biological parents of the same child, without regard to marriage, and a foster child and foster parent, whether or not those individuals reside together); (3) gives false report that someone suffered death or serious bodily injury, which is known by the conveyor to be false; (4) repeatedly rings another's phone or repeatedly makes anonymous telephone calls; (5) makes a telephone call and intentionally fails to hang up the connection; (6) knowingly permits his phone to be used by another person to commit an offense under this section. **SEC. 42.072 – Stalking** – A person commits stalking if the following elements are met: (1) On more than one occasion, pursuant to the same scheme or course of conduct, directed specifically at another person, the actor knowingly engages in conduct, including following the victim; (2) that the actor knows or reasonably believes the other person will regard as threatening bodily injury or death to the person or the person's family or household, or threatening damage to the person's property; (3) that causes the other person to fear one of the things listed above, and (4) that would cause a reasonable person to fear one of the things listed above. A first offense under this section is a Class A misdemeanor; subsequent offense is a third degree felony. Additional stalking laws follow this information please refer to the Texas Penal Code for additional information.

### **XIII. CONCLUSION**

As a victim, taking care of unfinished business is extremely important for one to experience healing, wholeness and to end a cycle of abuse. If you have been a victim, you may have experienced complete healing. Many of us would rather suppress the abuse we experienced. The abuse is never really suppressed, we are fooling ourselves by failing to deal with possible abuse issues. Forgiving our parents, one-self, other relatives, friends, acquaintances and strangers

begins by exploring patterns that perpetuate dysfunction and abuse. We hope this guide will help you to uncover a process of healing from family dysfunction, abuse secrets, family habits of abuse or habits of those that may have victimized you and to adequately deal with obstacles that have profoundly shaped your life both in positive and negative ways. We hope the information contained in this guide will help you in many ways but to especially prevent any future actions of abuse similar to what may have been perpetrated against you or someone you love. We are counting on you to be a part of the future statistics who enjoy LIVING AN ABUSE FREE LIFE – it is truly more than a hope or a dream. (This section is being developed and will contain additional information.)

#### **XIV. SUMMARY**

We appreciate your concern for the future of children and adults in Texas. We ask that you financially support your local Family Shelters, Rape Crisis Centers, Child Advocacy Centers, Women & Children Shelters, Emergency Rooms at hospitals and clinics, law enforcement departments and other agencies in your community that provide help to victims. After financially helping your local agencies first, Hope For Children Foundation would appreciate your donation to help continue its mission. Thank you so very much for participating in this project. Please retain this guide in your home or office for future reference to help provide safety information for your family, friends and community. Should you have questions please contact us via the Internet or call (214) 382-4673. Hope For Children Foundation prefers you to visit its Web site for additional help and support. Should you have an emergency please call 911. If you don't have a computer and if you are unable to visit your local library for additional information available on the Internet, then feel free to contact our office by phone or US mail. (This section is being developed and will contain additional information.)

A POST TEST and EVALUATION of the guide will be on the last page of the guide located just before the back cover. It will include information to access college credits.