

NEW YORK STATE DEFINITIONS OF CHILD ABUSE AND MALTREATMENT

What to Report!

ABUSE:

Child less than 18 years of age

Parent or Person Legally responsible
inflicts or allows to be inflicted
or
creates or allows substantial risk
of a serious injury
or
Commits or allows to be committed a
sexual offense

MALTREATMENT(NEGLECT):

Child less than 18 years of age
whose physical, mental, or emotional
condition is impaired or in imminent
danger of impairment, because the
Parent or Person legally responsible
failed to provide adequately for the
normal physical, mental, or emotional
growth and development

- Food clothing, shelter, education,
medical, dental, optometrical, or
surgical care.
- Does not properly supervise the child
- Uses excessive corporal punishment
- loses self control by taking drugs
abandons the child

Must not be due to accidental or organic
means, and must be attributable to the
inability or the unwillingness to provide
even when offered assistance.

SEXUAL ABUSE

Engaging a child in sexual
activities:

- Exhibitionism
- Fondling
- Engaging in or promoting
pornography
- Oral, genital and anal
sexual contact

A child is a minor, legally
incapable of understanding the
implications of entering into
sexual activity and is incapable of
granting consent. Parents cannot
consent for their child. Sexual
abuse is a crime!

EMOTIONAL NEGLECT:

Child less than 18 years of age
whose Parents or the Person legally
responsible for their care creates
or allows to be created a state of
substantially diminished psycho-
logical or intellectual functioning

- failure to thrive
- loss of control of aggression
- development of self-destructive
impulses
- impairment of thinking ability
- acting out - incorrigibility
- ungovernability or habitual
truancy

or

The child in residential care whose
caretakers: administrators, staff
and/or volunteers impairs or places
in imminent danger of impairment by

- Administering a drug not ordered
by a physician, nurse
practitioner or physician's
assistant
- does not provide adequate food,
clothing, shelter, education, or
medical care; uses improper
isolation or restraint; does not
provide adequate supervision or
inflicts physical harm.

WHAT TO INCLUDE

1. Telephone Report:

(1-800-635-1522-Mandated Reporters)

- the names and addresses of the child and his/her parents or other person responsible for his/her care;
- the child's age, gender, and race;
- the nature and extent of the child's injuries, abuse or maltreatment, including any evidence of prior injuries, abuse, or maltreatment to the child or his/her siblings;
- the name of the person or persons responsible for causing the injury, abuse, or maltreatment;
- family composition;
- the source of the report;
- the person making the report and where s/he can be reached;
- the actions taken by the reporting source, including the taking of photographs or X-rays, removal or keeping of the child, or notifying the medical examiner or coroner; and
- any additional information which may be helpful.

Note: The lack of complete information does not prohibit a person from reporting.