

## Appendix K

### State Law Definitions of Child Abuse<sup>1</sup>

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#### Multi-State Overview – Child Abuse Definitions

This document summarizes the common themes in state definitions of child abuse. We developed the list below to help courts identify when other state have statutory language similar to their state statute. When state statutes are similar, case law in one jurisdiction can provide persuasive authority interpreting the statute that may be useful to state courts in a wide range of family court proceedings. The information contained in this document will also be helpful to state court judges issuing findings that immigrant children need as a prerequisite to filing for Special Immigrant Juvenile Status (SIJS). Any state law definition of child abuse can apply in any state court proceeding for purposes of the court applying state law to issue the required SIJS findings.

The first section of this document highlights the common themes in state laws defining child abuse and lists that which states adopt define which actions or failures to act as constituting child abuse under state law. The last section of this document contains a list by state of each of the child abuse definitions under state law.

#### *Child Abuse Prevention and Treatment Act (CAPTA)*

- Child Abuse Prevention and Treatment Act (CAPTA) defines child abuse as: “[a]ny recent act or failure to act on the part of a parent or caretaker, which results in death, serious physical or emotional harm, sexual abuse, or exploitation, or an act or failure to act which presents an imminent risk of serious harm.” This includes “employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or [t]he rape, and in cases of caretaker or interfamilial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children.”

#### *Justice for Victims of Trafficking Act of 2015*

- Justice for Victims of Trafficking Act of 2015 adds that children identified as victims of sex trafficking or severe forms of trafficking in persons shall be considered victims of child abuse (and neglect).

#### Types of Abuse:

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<sup>2</sup> Reports are labeled with the date of last update. If you reach a conclusion that conflicts with the material herein, you can contribute to our knowledge by sending an email to [info@niwap.org](mailto:info@niwap.org).

- **Physical abuse:** any non-accidental physical injury to the child
  - Striking, kicking, burning, biting, or any action that results in a physical impairment of the child: Arkansas, D.C., Minnesota, Pennsylvania, Washington
  - Causing bruising, bleeding, failure to thrive, bone fractures, subdural hematoma, and other injuries that are inconsistent with the explanations given for them: Colorado, Connecticut, Hawaii, Idaho, Massachusetts, Montana, Nevada, New Mexico, Texas, Wisconsin, Wyoming
  - Labor trafficking, involuntary servitude, and/or trafficking of minors: Hawaii, Illinois, North Carolina
  
- **Neglect:** failure of a parent or other person with responsibility for the child to provide needed food, clothing, shelter, medical care, or supervision to the degree that the child's health, safety, and well-being are threatened with harm
  - Failure to educate the child as required by law: Colorado, Indiana, Kentucky, New Jersey, South Carolina, South Dakota
  - Failure to provide any special medical treatment or mental health care needed by the child (medical neglect): Alaska, California, Colorado, D.C., Hawaii, Indiana, Iowa, Kentucky, New Jersey, Oregon, Rhode Island, South Dakota
  - A few states include the withholding of medical treatment or nutrition from disabled infants with life-threatening conditions
  
- **Sexual abuse/ exploitation:**
  - Allowing the child to engage in prostitution: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Idaho, Indiana, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Oklahoma, Oregon, Rhode Island, Tennessee, Texas, Vermont, Washington, Wisconsin
  - Allowing the child to engage in the production of child pornography: Alabama, California, Colorado, Georgia, Hawaii, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Oklahoma, Rhode Island, Texas, Utah, Vermont, Washington
  - Twenty-one states include human trafficking, sex trafficking, and/or trafficking of children for sexual purposes: Arkansas, Colorado, Florida, Hawaii, Idaho, Illinois, Indiana, Kansas, Louisiana, Maine, Maryland, Minnesota, Missouri, North Carolina, Pennsylvania, South Carolina, Texas, Vermont, Virginia, Wisconsin
  
- **Emotional abuse:** injury to the psychological capacity or emotional stability of the child as evidenced by an observable or substantial change in behavior, emotional response, or cognition, OR injury as evidenced by anxiety depression, withdrawal, or aggressive behavior
  
- **Parental Substance Abuse:**

- Prenatal exposure of a child to harm due to the mother’s use of an illegal drug or other substance: Colorado, Indiana, Massachusetts, South Dakota, Wisconsin
  - Manufacture or storing of a controlled substance in the presence of a child or on the premises occupied by a child: Arizona, Colorado, Iowa, Ohio, Oregon, South Dakota, Virginia, Wisconsin
  - Selling, distributing, or giving drugs or alcohol to a child: Arkansas, Florida, Hawaii, Iowa, Illinois, Minnesota, Oregon, Texas
  - Use of a controlled substance by a caregiver that impairs the caregiver’s ability to adequately care for the child: California, Kentucky, Rhode Island, Texas
- **Abandonment:** when the parent’s identity or whereabouts are unknown, the child has been left by the in circumstances in which the child suffers serious harm, or the parent has failed to maintain contact with the child or to provide reasonable support for a specified period of time.
    - Abandonment included in definition of child abuse: Florida, Indiana, Kentucky, Maine, Minnesota, Montana, New Jersey, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Wyoming
- **Domestic violence:**
    - States in which child abuse is not included in domestic violence definition: Iowa, Kansas, Maine, Montana, Nebraska, New Jersey,<sup>3</sup> New York,<sup>4</sup> Oregon, South Carolina, Washington, Wisconsin, Wyoming

<b>Jurisdiction</b>	<b>Factors a court will consider:</b>
Alabama	<p><b>Physical Abuse</b> – Ala. Code § 26-14-1(1)-(3)</p> <ul style="list-style-type: none"> <li>● Harm or threatened harm to the health or welfare of the child through non-accidental physical injury</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> - Ala. Code § 26-14-1(1)-(3)</p> <ul style="list-style-type: none"> <li>● Employing, using, persuading, inducing, enticing, or coercing to engage in or have child assist another person to engage in sexually explicit conduct</li> <li>● Any simulation of sexual conduct for purpose of producing a visual depiction of the conduct</li> <li>● Rape, molestation, prostitution, or other form of sexual exploitation</li> <li>● Incest</li> </ul> <p><b>Emotional Abuse</b> - Ala. Code § 26-14-1(1)-(3)</p> <ul style="list-style-type: none"> <li>● Non-accidental mental injury</li> </ul>
Alabama	<ul style="list-style-type: none"> <li>● Non-accidental mental injury</li> </ul>

<sup>3</sup> Domestic violence is not child abuse in New Jersey unless the child is an emancipated minor and the perpetrator is or was at any time a member of the household.

<sup>4</sup> “Victim of domestic violence” in New York includes a parent whose child is a victim of a crime committed by a family or household member.

	<p><b>Domestic Violence as Child Abuse</b><sup>5</sup> – Ala. Code § 13A-6-139.1</p>
Alaska	<p><b>Physical Abuse</b> – Alaska Stat. §47.17.290</p> <ul style="list-style-type: none"> <li>• Physical injury or maltreatment that threatens or harms child’s health or welfare</li> <li>• Maltreatment: act or omission that results in reasonable cause to suspect that a child may be in need of aid</li> </ul> <p><b>Neglect included in abuse statute</b> – Alaska Stat. §47.17.290</p> <ul style="list-style-type: none"> <li>• Failing to provide necessary food, care, clothing, shelter, or medical attention</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> - Alaska Stat. §§ 47.17.290, 11.66.110</p> <ul style="list-style-type: none"> <li>• Allowing, permitting, or encouraging child to engage in prostitution, or actual or simulated activities of a sexual nature that are prohibited by criminal statute</li> <li>• Inducing or causing a person to engage in prostitution through the use of force</li> <li>• As other than a patron of a prostitute, inducing or causing a person under age 20 to engage in prostitution</li> </ul> <p><b>Emotional Abuse</b> - Alaska Stat. §47.17.290</p> <ul style="list-style-type: none"> <li>• Causing serious injury to child as evidenced by observable and substantial impairment in the child’s ability to function in a developmentally appropriate manner and the existence of that impairment is supported by the opinion of a qualified expert witness</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Alaska Stat. §18.66.990</p>
Arizona	<p><b>Physical Abuse</b> – Ariz. Rev. Stat. Ann. § 8-201</p> <ul style="list-style-type: none"> <li>• Inflicting or allowing physical injury, impairment of bodily function, or disfigurement</li> <li>• Physical injury resulting from allowing a child in a structure/ vehicle where dangerous chemicals or equipment are used for purpose of manufacturing a dangerous drug</li> <li>• Unreasonable confinement</li> <li>• Serious physical injury that creates reasonable risk of death, causes serious/ permanent disfigurement, physical pain, impairment of health, loss or protracted impairment of organs/ limbs, or is the result of sexual conduct with a child</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Ariz. Rev. Stat. Ann. § 8-201</p> <ul style="list-style-type: none"> <li>• Inflicting or allowing sexual abuse</li> </ul>
Arizona	

<sup>5</sup> Almost every state includes domestic violence as a form of child abuse. See *Appendix K: State Law Definitions of Child Abuse*, in NAT’L IMMIGRANT WOMEN’S ADVOCACY PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A NATIONAL GUIDE TO BEST PRACTICES FOR JUDGES AND COURTS 1-33 (2017), <http://niwaplibrary.wcl.american.edu/pubs/appendix-k-state-law-definitions-of-child-abuse-chart/>

	<ul style="list-style-type: none"> <li>• Sexual conduct with a minor, sexual assault, molestation, commercial sexual exploitation, sexual exploitation, incest, child prostitution</li> <li>• Neglect: deliberate exposure to sexual conduct, sexual contact, intercourse, bestiality, or explicit sexual materials <ul style="list-style-type: none"> <li>○ Sexual contact, oral sexual contact, sexual intercourse, or bestiality committed with reckless disregard as to whether the child is present</li> </ul> </li> </ul> <p><b>Emotional Abuse</b> – Ariz. Rev. Stat. Ann. § 8-201</p> <ul style="list-style-type: none"> <li>• Inflicting or allowing a person to cause serious emotional damage to child</li> <li>• Evidenced by severe anxiety, depression, withdrawal, aggressive behavior</li> <li>• Emotional damage diagnosed by a doctor or psychologist</li> <li>• Serious emotional injury that seriously impairs mental faculties, causes emotional or social dysfunction, or is the result of sexual abuse</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Ariz. Rev. Stat. Ann. § 13-3601</p>
Arkansas	<p><b>Physical Abuse</b> – Ark. Code Ann. §12-18-103</p> <ul style="list-style-type: none"> <li>• Extreme or repeated cruelty, realistic and serious threats of death or impairment, any non-accidental injury</li> <li>• Throwing, kicking, burning, biting, cutting, striking, shaking, tying up, binding limbs together, interfering with breathing, allowing to consume a poisonous substance or chemical, exposing to a dangerous chemical, subjecting to Munchausen syndrome</li> <li>• Striking a child under 7 (even without physical injury) or shaking a child under 4 (even without physical injury)</li> <li>• Pinching, biting, striking a child in the genital area</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Ark. Code Ann. §§ 12-18-103, 12-18-1201</p> <ul style="list-style-type: none"> <li>• Statutory rape, forcing to watch sexual activity, attempted sexual contact, solicitation of sexual contact, forcing or allowing exposure to sexual activity, voyeurism, encouraging participation in prostitution, sex trafficking</li> </ul> <p><b>Emotional Abuse</b> – Ark. Code Ann. §12-18-103</p> <ul style="list-style-type: none"> <li>• Acts or omissions that result in injury to child's intellectual, emotional, or psychological development, as evidenced by observable and substantial impairment of child's ability to function within normal range of performance and behavior</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Ark. Code Ann. § 9-15-103(a)</p>
California	<p><b>Physical Abuse</b> – Cal. Welf. &amp; Inst. Code § 300</p> <ul style="list-style-type: none"> <li>• Serious physical harm inflicted non-accidentally</li> <li>• Any single act that causes physical trauma of sufficient severity that, left untreated, would cause permanent disfigurement, disability, or death</li> </ul>

California	<ul style="list-style-type: none"> <li>• Any single act of sexual abuse that causes significant bleeding, bruising, or swelling</li> <li>• More than one act of abuse that causes any bleeding, bruising, swelling, bone fracture, or unconsciousness</li> <li>• Willful, prolonged failure to provide adequate food</li> </ul> <p><b>Neglect included in abuse statute</b> – Cal. Welf. &amp; Inst. Code § 300</p> <ul style="list-style-type: none"> <li>• Physical harm or illness caused by failure to adequately supervise or protect, willful or negligent failure to adequately supervise or protect from a custodian, willful or negligent failure to provide with food/ clothing/ shelter/ medical treatment</li> <li>• Inability to provide regular care for child due to parent’s mental illness, disability, or substance abuse<sup>6</sup></li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Cal. Welf. &amp; Inst. Code § 300; Cal. Penal Code §11165.1</p> <ul style="list-style-type: none"> <li>• Sexual assault: rape, incest, sodomy, lewd or lascivious acts upon the child, molestation</li> <li>• Sexual exploitation: depicting minor engaged in obscene acts, distributing child pornography, employing child to perform obscene acts, permitting or encouraging child to engage in prostitution or other sex acts or to pose nude, depicting child in or knowingly distributing depictions of children in sexual acts</li> </ul> <p><b>Emotional Abuse</b> – Cal. Welf. &amp; Inst. Code § 300</p> <ul style="list-style-type: none"> <li>• Engaging in conduct or failing to provide appropriate care that results in serious emotional damage, as evidenced by severe anxiety, depression, withdrawal, or aggressive behavior</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Cal. Penal Code § 11165.6</p>
Colorado	<p><b>Physical Abuse</b> – Colo. Rev. Stat. Ann. § 19-1-103</p> <ul style="list-style-type: none"> <li>• Act or omission that threatens health or welfare of child</li> <li>• Skin bruising, bleeding, malnutrition, failure to thrive, burns, fractures, subdural hematoma, soft tissue swelling, or death when the condition is not justifiably explained and circumstances indicate that the condition might have been non-accidental</li> <li>• Manufacturing a controlled substance in presence or residence of child</li> <li>• Prenatal drug abuse of an schedule I or II drug</li> </ul> <p><b>Neglect included in abuse statute</b> – Colo. Rev. Stat. Ann. §§ 19-1-103, 19-3-102</p>
Colorado	

<sup>6</sup> California addresses abuse by factors that make a person a “dependent child of the court,” so it is unclear by the wording in the statute whether this factor always constitutes neglect, or simply makes a child dependent on the court without a neglect finding

	<ul style="list-style-type: none"> <li>• Failing to provide adequate food, shelter, clothing, medical care, education, or supervision</li> <li>• Allowing child to be subjected to mistreatment and failing to prevent abuse from recurring</li> <li>• Failing to provide safe living environment</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Colo. Rev. Stat. Ann. §§ 19-1-103, 16-22-102</p> <ul style="list-style-type: none"> <li>• Act or omission in which child is subjected to unlawful sexual behavior</li> <li>• Sexual assault, unlawful sexual contact, enticement, incest, human trafficking, sexual exploitation, procurement of child for exploitation, indecent exposure, soliciting/ pimping/ keeping child for prostitution, promoting obscenity, internet luring, internet sexual exploitation</li> </ul> <p><b>Emotional Abuse</b> – Colo. Rev. Stat. Ann. § 19-1-103</p> <ul style="list-style-type: none"> <li>• Identifiable and substantial impairment or a substantial risk of impairment of child’s intellectual or psychological functioning or development</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Colo. Rev. Stat. Ann. § 18-6-800.3</p> <ul style="list-style-type: none"> <li>• Domestic violence can include any crime against a child when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the perpetrator is involved in an intimate relationship</li> </ul>
Connecticut	<p><b>Physical Abuse</b> – Conn. Gen. Stat. Ann. § 46b-120</p> <ul style="list-style-type: none"> <li>• Infliction of physical injury by non-accidental means</li> <li>• Injuries that are at variance with the explanations given for them</li> <li>• Other abuse: Malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment, or cruel punishment</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Conn. Gen. Stat. Ann. § 46b-120</p> <ul style="list-style-type: none"> <li>• Included in general abuse definition</li> </ul> <p><b>Emotional Abuse</b> – Conn. Gen. Stat. Ann. § 46b-120</p> <ul style="list-style-type: none"> <li>• Emotional maltreatment included in general abuse definition</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Conn. Gen. Stat. Ann. § 17b-112a</p> <ul style="list-style-type: none"> <li>• Victim of domestic violence means a person who has been abused or subjected to extreme cruelty by various forms of physical injury, sexual abuse, mental abuse, and neglect</li> </ul>
Delaware	<p><b>Physical Abuse</b> – Del. Code Ann. tit. 16, § 902; tit. 10, § 901</p> <ul style="list-style-type: none"> <li>• Physical injury through unjustified force, torture, exploitation, maltreatment/ mistreatment</li> </ul>

Delaware	<p><b>Sexual Abuse/ Exploitation</b> – Del. Code Ann. tit. 16, § 902; tit. 10, § 901</p> <ul style="list-style-type: none"> <li>• Any sex offense</li> <li>• Sexual contact (anus, breast, buttocks, genitalia), sexual intercourse (with mouth, anus, or genitalia), sexual penetration</li> </ul> <p><b>Emotional Abuse</b> – Del. Code Ann. tit. 10, § 901</p> <ul style="list-style-type: none"> <li>• Threats to inflict undue physical or emotional harm</li> <li>• Chronic or recurring incidents of ridiculing, demeaning, making derogatory remarks, or cursing</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Del. Code Ann. tit. 13, §703A</p>
District of Columbia	<p><b>Physical Abuse</b> – D.C. Code Ann. § 16-2301</p> <ul style="list-style-type: none"> <li>• Infliction of physical injury: bodily harm greater than transient pain or minor temporary marks</li> <li>• Burning, biting, cutting, striking, shaking, kicking, throwing, interfering with breathing, threatening with a dangerous weapon, using a weapon on child, non-accidental injury to child under 18 months</li> </ul> <p><b>Neglect included in abuse statute</b> – D.C. Code Ann. § 16-2301</p> <ul style="list-style-type: none"> <li>• Failure to provide adequate food, clothing, shelter, medical care (includes medical neglect)</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – D.C. Code Ann. § 16-2301</p> <ul style="list-style-type: none"> <li>• Engaging in or attempting to engage in sexual act or sexual contact with child, causing child to engage in sexually explicit conduct, exposing to sexually explicit conduct including: sexual act, sexual contact, bestiality, masturbation, or lascivious exhibition of genitals/ anus/ pubic area</li> </ul> <p><b>Emotional Abuse</b> – D.C. Code Ann. § 16-2301</p> <ul style="list-style-type: none"> <li>• Mental injury: harm to psychological/ intellectual functioning, exhibited by severe anxiety, depression, withdrawal, or outwardly aggressive behavior, or a combination of those behaviors (demonstrated by change in behavior/ emotional response/ cognition)</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – D.C. Code Ann. § 4-551</p>
Florida	<p><b>Physical Abuse</b> – Fla. Stat. Ann. § 39.01</p> <ul style="list-style-type: none"> <li>• Willful or threatened act (or omission) that results in physical injury or harm that causes or is likely to cause physical injury</li> <li>• Injury that causes death, permanent or temporary disfigurement, or impairment of any body part</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Fla. Stat. Ann. § 39.01</p>

Florida

- Juvenile sexual abuse: any behavior that occurs without consent or equality, or by coercion, including but not limited to obscene phone calls, exhibitionism, voyeurism, showing or taking lewd photos, frottage, fondling, digital penetration, rape, fellatio, sodomy, other sexually aggressive acts
- Sexual abuse of a child: any penetration of vagina or anus, any sexual contact between genitals or anus of one person and mouth of another, any intrusion into the genitals or anus (including with an object) for a nonmedical purpose, intentionally touching genitals or intimate parts, intentional masturbation in child's presence, intentional exposure of genitals or sexual acts in front of child for purpose of sexual arousal, sexual exploitation, soliciting or engaging child in prostitution, sexual performance, human trafficking

**Emotional Abuse** – Fla. Stat. Ann. § 39.01

- Mental injury: injury to the intellectual or psychological capacity of child as evidenced by a discernibly and substantial impairment in ability to function with in normal range of performance and behavior

**Harm included in abuse statute** – Fla. Stat. Ann. § 39.01

Includes, but is not limited to:

- Willful acts that produce specific serious injuries
- Purposely giving child poison, alcohol, drugs, or other substances that substantially affect child's behavior, motor coordination, or judgment or that result in sickness or internal injury
- Leaving child without adult supervision or arrangement appropriate for child's age or mental/ physical condition
- Using inappropriate or excessively harsh discipline that is likely to result in physical/ mental/ emotional injury
- Committing or allowing sexual battery
- Allowing, encouraging, or forcing sexual exploitation
- Abandonment
- Neglect
- Exposing child to a controlled substance or alcohol
- Using mechanical devices, unreasonable restraints, or extended periods of isolation to control child
- Engaging in violent behavior that demonstrates a wanton disregard for presence of child and could reasonably result in serious injury to child
- Negligently failing to protect child from physical, mental, or sexual injury caused by another
- Allowing child's sibling to die as a result of abuse, abandonment, or neglect
- Making child unavailable for purpose of impeding or avoiding a protective investigation unless the court determines that the parent was fleeing from a situation involving domestic violence

**Domestic Violence as Child Abuse** – Fla. Stat. Ann. § 741.28

Georgia	<p><b>Physical Abuse</b> – Ga. Code Ann. § 19-7-5</p> <ul style="list-style-type: none"> <li>• Non-accidental physical injury or death</li> </ul> <p><b>Neglect included in abuse statute</b> – Ga. Code Ann. § 19-7-5</p> <ul style="list-style-type: none"> <li>• Neglect, exploitation, endangerment</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Ga. Code Ann. § 19-7-5</p> <ul style="list-style-type: none"> <li>• Sexual abuse: Employing, using, persuading, inducing, enticing, or coercing child into sexual intercourse, bestiality, masturbation, lewd exhibition of genitals, flagellation/ torture on a person who is nude, binding or physically restraining someone who is nude, sexual stimulation, defecation/urination for sexual stimulation, penetration of the vagina/rectum by an object</li> <li>• Sexual exploitation: allowing, permitting, encouraging, or requiring child to engage in prostitution or sexually explicit conduct for the purpose of producing any medium depicting such conduct</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Ga. Code Ann. § 19-13-1</p> <ul style="list-style-type: none"> <li>• Family violence includes child abuse</li> </ul>
Hawaii	<p><b>Physical Abuse</b> – Haw. Rev. Stat. Ann. § 350-1</p> <ul style="list-style-type: none"> <li>• Causing bruising, bleeding, any skin injury causing substantial bleeding, malnutrition, failure to thrive, burns, poisoning, bone fractures, subdural hematoma, swelling, extreme pain, extreme distress gross degradation, or death</li> <li>• Providing dangerous drugs without a prescription</li> <li>• Labor trafficking</li> </ul> <p><b>Neglect included in abuse statute</b> – Haw. Rev. Stat. Ann. § 350-1</p> <ul style="list-style-type: none"> <li>• Failing to provide adequate food, clothing, shelter, psychological care, physical care, medical care, or supervision</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Haw. Rev. Stat. Ann. § 350-1</p> <ul style="list-style-type: none"> <li>• Sexual conduct or contact, sexual assault, molestation, fondling, incest, prostitution, pornographic depiction, other sexual exploitation</li> <li>• Sex trafficking</li> </ul> <p><b>Emotional Abuse</b> – Haw. Rev. Stat. Ann. § 350-1</p> <ul style="list-style-type: none"> <li>• Injury to psychological capacity as evidenced by an observable and substantial impairment in ability to function</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Haw. Rev. Stat. Ann. § 321-471</p>

Idaho	<p><b>Physical Abuse</b> – Idaho Code Ann. § 16-1602</p> <ul style="list-style-type: none"> <li>• Act or omission causing skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, soft tissue swelling, failure to thrive or death, and such condition or death is not justifiably explained</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Idaho Code Ann. § 16-1602</p> <ul style="list-style-type: none"> <li>• Sexual conduct or contact, sexual assault, molestation, fondling, incest, prostitution, pornographic depiction, other sexual exploitation</li> <li>• Sex trafficking</li> </ul> <p><b>Emotional Abuse</b> – Idaho Code Ann. § 16-1602</p> <ul style="list-style-type: none"> <li>• Substantial impairment in the intellectual or psychological ability of a child to function within a normal range of performance/ behavior</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Idaho Code Ann. § 39-6303</p>
Illinois	<p><b>Physical Abuse</b> – 325 Ill. Comp. Stat. Ann. 5/3</p> <ul style="list-style-type: none"> <li>• Allowing infliction or substantial risk of physical injury by non-accidental means that causes death, disfigurement, impairment of physical health, or loss/ impairment of bodily function</li> <li>• Torture, excessive corporal punishment, female genital mutilation, giving child a controlled substance, involuntary servitude/ trafficking</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – 325 Ill. Comp. Stat. Ann. 5/3</p> <ul style="list-style-type: none"> <li>• Committing or allowing to be committed any sex offense (including female genital mutilation and human trafficking)</li> </ul> <p><b>Emotional Abuse</b> – 325 Ill. Comp. Stat. Ann. 5/3</p> <ul style="list-style-type: none"> <li>• Impairment or substantial risk of impairment to child’s emotional health</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – 750 Ill. Comp. Stat. Ann. 60/103</p>
Indiana <sup>7</sup>	<p><b>Physical Abuse</b> – Ind. Code Ann. § 31-34-1-2</p> <ul style="list-style-type: none"> <li>• Act or omission that results in injury that seriously endangers physical health</li> </ul> <p><b>Neglect included in abuse statute</b> – Ind. Code Ann. §§ 31-34-1-1, 31-34-1-9, 31-34-1-10, 31-34-1-11</p> <ul style="list-style-type: none"> <li>• Failure to provide child with necessary food, shelter, clothing, medical care, education, or supervision</li> <li>• Causing child to be born with Fetal Alcohol Syndrome</li> <li>• Causing or aggravating any abnormal physical or psychological development through alcohol or substance abuse during pregnancy</li> </ul>

<sup>7</sup> All abuse in the Indiana statutes is defined by what makes a child “in need of services.”

<p>Indiana</p>	<p><b>Sexual Abuse/ Exploitation</b> – Ind. Code Ann. §§ 31-34-1-3, 31-34-1-4, 31-34-1-3.5, 31-9-2-133.1</p> <ul style="list-style-type: none"> <li>• Rape, molestation, exploitation, child pornography, seduction, sexual misconduct, indecent exposure, prostitution, incest, human/ sexual trafficking</li> </ul> <p><b>Emotional Abuse</b> – Ind. Code Ann. § 31-34-1-2</p> <ul style="list-style-type: none"> <li>• Act or omission that seriously endangers mental health</li> </ul> <p><b>Abandonment included in abuse statute</b> – Ind. Code Ann. § 31-34-1-2, 31.9.2.0.5</p> <ul style="list-style-type: none"> <li>• Knowingly or intentionally leaving child in an environment that endangers child’s life or health</li> <li>• Knowingly and intentionally leaving child and an emergency medical services provider without intent to return, when the child is over 30 days old</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Ind. Code Ann. §§ 34-6-2-34.5, 35-31.5-2-128</p>
<p>Iowa</p>	<p><b>Physical Abuse</b> – Iowa Code Ann. § 232.68</p> <ul style="list-style-type: none"> <li>• Any non-accidental physical injury or injury that is at variance with the history given of it</li> </ul> <p><b>Neglect included in abuse statute</b> – Iowa Code Ann. § 232.68</p> <ul style="list-style-type: none"> <li>• Failure to provide adequate food, shelter, clothing, medical, or mental health treatment, supervision, or other care necessary for health and welfare</li> <li>• Presence of an illegal drug in child’s body as a direct and foreseeable consequence of acts or omissions of caretaker</li> <li>• Manufacturing or possessing a dangerous substance in presence of the child</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Iowa Code Ann. § 232.68</p> <ul style="list-style-type: none"> <li>• Committing a sexual offense with or to child</li> <li>• Bestiality in child’s presence</li> <li>• Knowingly allowing a sex offender control/ custody/ unsupervised access to child</li> <li>• Knowingly allowing child access to obscene material</li> <li>• Recruiting/ harboring/ transporting/ providing/ obtaining/ patronizing/ soliciting child for purpose of commercial sexual activity</li> </ul> <p><b>Emotional Abuse</b> – Iowa Code Ann. § 232.68</p> <ul style="list-style-type: none"> <li>• Any mental injury to intellectual/ psychological capacity, evidenced by observable and substantial impairment in ability to function within child’s normal range of performance/ behavior as the result of acts or omissions of parent, if impairment is diagnosed by a qualified mental health professional</li> </ul>

Iowa	<p><b>Domestic Violence as Child Abuse</b> – Iowa Code Ann. § 236.2</p> <ul style="list-style-type: none"> <li>• Domestic violence does not constitute child abuse in Iowa</li> </ul>
Kansas	<p><b>Physical Abuse</b> – Kan. Stat. Ann. § 38-2202</p> <ul style="list-style-type: none"> <li>• Infliction of physical harm or causing deterioration of child, including maltreatment or exploitation to the extent that child’s health or well-being is endangered</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Kan. Stat. Ann. § 38-2202</p> <ul style="list-style-type: none"> <li>• Any contact in which child is being used for sexual stimulation of the perpetrator/child/another person</li> <li>• Includes allowing, permitting, or encouraging a child to sell sexual relations, engage in commercial exploitation, be depicted in pornographic material, or engage in aggravated human trafficking</li> </ul> <p><b>Emotional Abuse</b> – Kan. Stat. Ann. § 38-2202</p> <ul style="list-style-type: none"> <li>• Inflicting mental or emotional harm or causing deterioration of child, including maltreatment or exploitation to the extent that child’s health or emotional well-being is endangered</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Kan. Stat. Ann. § 21-5414</p> <ul style="list-style-type: none"> <li>• Domestic battery applies to children and stepchildren above the age of 18 years</li> <li>•</li> </ul>
Kentucky	<p><b>Physical Abuse</b> – Ky. Rev. Stat. Ann. § 600.020</p> <ul style="list-style-type: none"> <li>• Physical injury: substantial physical pain or any impairment of physical condition</li> <li>• Inflicting or allowing infliction of physical injury, creating risk of physical injury by non-accidental means</li> </ul> <p><b>Neglect included in abuse statute</b> – Ky. Rev. Stat. Ann. § 600.020</p> <ul style="list-style-type: none"> <li>• Engaging in conduct that renders parent incapable of caring for immediate and ongoing needs of child, including parental incapacity due to alcohol/ drug abuse</li> <li>• Continuously/ repeatedly failing to provide essential parental care and protection</li> <li>• Failing to provide child with adequate care, supervision, food, clothing, shelter, education, medical care</li> <li>• Failing to make sufficient progress toward identified goals set forth by court order to allow for safe return of child from foster care</li> </ul>

Kentucky	<p><b>Sexual Abuse/ Exploitation</b> – Ky. Rev. Stat. Ann. § 600.020</p> <ul style="list-style-type: none"> <li>• Sexual abuse: includes any contracts/interactions using, allowing, permitting, or encouraging use of child for purposes of sexual stimulation of the perpetrator/ another person</li> <li>• Sexual exploitation: includes allowing/permitting/encouraging child to engage in prostitution or an act of obscene or pornographic photographing/ filming/ depiction</li> <li>• Allowing sexual abuse or risk of sexual abuse, exploitation, or prostitution</li> </ul> <p><b>Emotional Abuse</b> – Ky. Rev. Stat. Ann. § 600.020</p> <ul style="list-style-type: none"> <li>• Emotional injury: injury to mental/psychological capacity or emotional stability of child, evidenced by substantial and observable impairment in child's ability to function within a normal range of performance and behavior with due regard to age, development, culture, and environment as testified to by a qualified mental health professional</li> <li>• Inflicting or allowing emotional injury, creating risk of emotional injury by non-accidental means</li> </ul> <p><b>Abandonment included in abuse statute</b> – Ky. Rev. Stat. Ann. § 600.020</p> <ul style="list-style-type: none"> <li>• Included in the definition of “abused or neglected child”</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Ky. Rev. Stat. Ann. § 403.720</p>
Louisiana	<p><b>Physical Abuse</b> – La. Child. Code Ann. art. 603</p> <ul style="list-style-type: none"> <li>• Allowing infliction of physical injury on the child</li> <li>• Allowing overworking or exploitation of child</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – La. Child. Code Ann. art. 603</p> <ul style="list-style-type: none"> <li>• Commercial sexual exploitation</li> <li>• Involving child in a sexual act</li> <li>• Aiding or tolerating another person to involve child in any sexual act, pornographic display, or criminal sexual activity</li> <li>• Coerced abortion: use of force, intimidation, threat of force, threat of deprivation of food or shelter, in order to compel female child to undergo an abortion against her will</li> </ul> <p><b>Emotional Abuse</b> – La. Child. Code Ann. art. 603</p> <ul style="list-style-type: none"> <li>• Allowing infliction of mental injury on child</li> </ul> <p><b>Crimes against a child</b> – La. Child. Code Ann. art. 603</p> <ul style="list-style-type: none"> <li>• Homicide, battery, assault, rape, sexual battery, kidnapping, criminal neglect, criminal abandonment, carnal knowledge, indecent behavior, pornography, molestation, crime against nature, cruelty, contributing to delinquency/</li> </ul>

Louisiana	<p>dependency, selling a minor child, human trafficking, trafficking for sexual purposes</p> <p><b>Domestic Violence as Child Abuse</b> – La. Rev. Stat. Ann. § 14:35.3</p>
Maine	<p><b>Physical Abuse</b> – Me. Rev. Stat. Ann. tit. 22, § 4002</p> <ul style="list-style-type: none"> <li>• Threatening child’s health or welfare by physical injury or impairment</li> <li>• Serious injury: serious physical or mental impairment</li> </ul> <p><b>Neglect included in abuse statute</b> – Me. Rev. Stat. Ann. tit. 22, § 4002</p> <ul style="list-style-type: none"> <li>• Threatening child’s health or welfare by deprivation of essential needs, failing to protect from other abuse, failing to ensure child’s compliance with school attendance</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Me. Rev. Stat. Ann. tit. 22, § 4002</p> <ul style="list-style-type: none"> <li>• Threatening child’s health or welfare by sexual abuse or exploitation</li> <li>• Criminal sexual exploitation: intentionally/ knowingly involves child in sexually explicit conduct, while knowing or intending that the conduct will be photographed</li> <li>• Criminal aggravated sex trafficking: promoting prostitution, sex trafficking, patronizing child prostitute</li> </ul> <p><b>Emotional Abuse</b> – Me. Rev. Stat. Ann. tit. 22, § 4002</p> <ul style="list-style-type: none"> <li>• Threatening child’s health or welfare by mental or emotional injury or impairment</li> <li>• Serious harm: serious mental or emotional injury or impairment that is likely to cause serious mental, behavioral or personality disorder, including severe anxiety, depression or withdrawal, untoward aggressive behavior, seriously delayed development or similar serious dysfunctional behavior</li> </ul> <p><b>Abandonment included in abuse statute</b> – Me. Rev. Stat. Ann. tit. 22, § 4002</p> <ul style="list-style-type: none"> <li>• Any conduct showing intent to forego parental duties or relinquish parental claims, as evidenced by failure to communicate or maintain regular visitation with child for at least 6 months, failure to participate in any plan to reunite with child, deserting child, failure to respond to notice of child protective proceedings, any other conduct showing intent to abandon</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Me. Rev. Stat. Ann. tit. 7-A, § 207-A; Me. Rev. Stat. Ann. tit. 19-A, § 4002(4)</p> <ul style="list-style-type: none"> <li>• Domestic violence does not constitute child abuse in Maine</li> </ul>

Maryland	<p><b>Physical Abuse</b> – Md. Code Ann., Fam. Law §5-701</p> <ul style="list-style-type: none"> <li>Physical injury of child under circumstances that indicate child’s health or welfare is harmed or at substantial risk of being harmed</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Md. Code Ann., Fam. Law §5-701</p> <ul style="list-style-type: none"> <li>Sexual molestation or exploitation: allowing or encouraging child to engage in pornography or similar activity, prostitution, incest, rape, sexual offenses, sodomy, unnatural or perverted sexual practices</li> <li>Sex trafficking: recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting child for purpose of commercial sex act</li> </ul> <p><b>Emotional Abuse</b> – Md. Code Ann., Fam. Law §5-701</p> <ul style="list-style-type: none"> <li>Mental injury of child under circumstances that indicate child’s health or welfare is harmed or at substantial risk of being harmed</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Md. Code Ann., Fam. Law § 4-501(b)(2)</p>
Massachusetts	<p><b>Physical Abuse</b> – 110 Mass. Code Regs. 2.00</p> <ul style="list-style-type: none"> <li>Non-accidental act that causes or creates substantial risk of physical injury</li> <li>Death, bone fracture, subdural hematoma, burns, impairment of any organ, any other nontrivial injury, soft tissue swelling, skin bruising (depending on circumstances), addiction to drug at birth, failure to thrive</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> –110 Mass. Code Regs. 2.00</p> <ul style="list-style-type: none"> <li>Non-accidental act that constitutes a sexual offense or any sexual contact between parent and child</li> </ul> <p><b>Emotional Abuse</b> – 110 Mass. Code Regs. 2.00</p> <ul style="list-style-type: none"> <li>Non-accidental act that causes or creates substantial risk of emotional injury</li> <li>Emotional injury: impairment to or disorder of intellectual or psychological capacity of child as evidenced by observable and substantial reduction in child’s ability to function within normal range of performance and behavior</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Mass. Gen. Laws Ann. ch. 209A, § 1</p>
Michigan	<p><b>Physical Abuse</b> – Mich. Comp. Laws Ann. § 722.622</p> <ul style="list-style-type: none"> <li>Harm or threatened harm to health or welfare through non-accidental physical injury or maltreatment</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Mich. Comp. Laws Ann. § 722.622</p> <ul style="list-style-type: none"> <li>Harm or threatened harm to health or welfare through sexual abuse, sexual exploitation, or maltreatment</li> <li>Sexual abuse: engaging in sexual contact or penetration</li> </ul>

	<ul style="list-style-type: none"> <li>• Sexual exploitation: allowing, permitting, or encouraging child to engage in prostitution or visually depicting child engaged in a sexual act</li> </ul> <p><b>Emotional Abuse</b> – Mich. Comp. Laws Ann. § 722.622</p> <ul style="list-style-type: none"> <li>• Harm or threatened harm to health or welfare through non-accidental mental injury or maltreatment</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Mich. Comp. Laws Ann. § 400.1501</p>
Minnesota	<p><b>Physical Abuse</b> – Minn. Stat. Ann. § 626.556</p> <ul style="list-style-type: none"> <li>• Any physical injury, mental injury, or threatened injury, inflicted by non-accidental means, that cannot reasonably be explained by child's history of injuries, any aversive or deprivation procedures, or regulated interventions</li> <li>• Includes throwing, kicking, burning, biting, cutting, striking, shaking child (under 3 years), actions that result in non-accidental injury (to child under 18 months), unreasonable interference with breathing, threatening with a weapon, striking child (under 1 year) on the face or head, striking child (between 1 and 4 years) on the face or head which results in injury, purposely giving child poison or controlled substance, unreasonable physical confinement/ restraint</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Minn. Stat. Ann. § 626.556</p> <ul style="list-style-type: none"> <li>• Subjecting child to criminal sexual conduct, including prostitution, sex trafficking, or threatened sexual abuse</li> </ul> <p><b>Emotional Abuse</b> – Minn. Stat. Ann. § 626.556</p> <ul style="list-style-type: none"> <li>• Mental injury included under definition of physical abuse</li> </ul> <p><b>Substantial Child Endangerment included in abuse statute</b> – Minn. Stat. Ann. § 626.556</p> <ul style="list-style-type: none"> <li>• Egregious harm, abandonment, neglect that substantially endangers child's physical or mental health, murder, manslaughter, assault, solicitation/ inducement/ promotion of prostitution, criminal sexual conduct, solicitation to engage in sexual conduct, malicious punishment, neglect/ endangerment, use in a sexual performance, acts that would result in termination of parental rights</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Minn. Stat. Ann. §260C.007</p>
Mississippi	<p><b>Physical Abuse</b> – Miss. Code Ann. § 43-21-105</p> <ul style="list-style-type: none"> <li>• Causing or allowing non-accidental physical injury or maltreatment (not including reasonable physical discipline such as spanking)</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Miss. Code Ann. § 43-21-105</p> <ul style="list-style-type: none"> <li>• Causing or allowing sexual abuse, sexual exploitation, or sexual maltreatment</li> <li>• Sexual abuse: obscene or pornographic photographing, filming or depiction children for commercial purposes, rape, molestation, incest, prostitution or</li> </ul>
Mississippi	

	<p>other such forms of sexual exploitation under circumstances indicating the child's health/ welfare is harmed or threatened</p> <p><b>Emotional Abuse</b> – Miss. Code Ann. § 43-21-105</p> <ul style="list-style-type: none"> <li>• Causing or allowing emotional abuse, mental injury, or maltreatment</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Miss. Code Ann. §97-3-7</p>
Missouri	<p><b>Physical Abuse</b> – Mo. Ann. Stat. § 210.110</p> <ul style="list-style-type: none"> <li>• Any physical injury inflicted by non-accidental means (except reasonable spanking)</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Mo. Ann. Stat. § 210.110</p> <ul style="list-style-type: none"> <li>• Sexual abuse inflicted by non-accidental means</li> <li>• Sex trafficking</li> </ul> <p><b>Emotional Abuse</b> – Mo. Ann. Stat. § 210.110</p> <ul style="list-style-type: none"> <li>• Emotional abuse inflicted by non-accidental means</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Mo. Ann. Stat. § 455.010</p>
Montana	<p><b>Physical Abuse</b> – Mont. Code Ann. § 41-3-102</p> <ul style="list-style-type: none"> <li>• Intentional act or omission/ gross negligence resulting in substantial skin bruising, internal bleeding, substantial injury to skin, subdural hematoma, burns, bone fractures, extreme pain, permanent or temporary disfigurement, impairment of any bodily organ/ function, or death</li> </ul> <p><b>Neglect included in abuse statute</b> – Mont. Code Ann. § 41-3-102</p> <ul style="list-style-type: none"> <li>• Included in definition of “child abuse or neglect”</li> <li>• Includes exposing child to criminal distribution or production of dangerous drugs</li> <li>• Physical neglect: failure to provide basic necessities such as nutrition, shelter, clothing, cleanliness, and general supervision; exposing or allowing child to be exposed to unreasonable physical or psychological risk</li> <li>• Psychological abuse or neglect: severe maltreatment through acts or omissions that injure the child’s emotional, intellectual, or psychological capacity to function</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Mont. Code Ann. § 41-3-102</p> <ul style="list-style-type: none"> <li>• Sexual abuse: sexual assault, sexual intercourse without consent, indecent exposure, sexual abuse, ritual abuse, incest</li> <li>• Sexual exploitation: allowing, permitting, or encouraging child to engage in prostitution or sexual abuse of children</li> </ul>
Montana	

	<p><b>Emotional Abuse</b> – Mont. Code Ann. § 41-3-102</p> <ul style="list-style-type: none"> <li>• Psychological abuse or neglect: severe maltreatment through acts or omissions that injure child’s emotional, intellectual, or psychological capacity to function</li> </ul> <p><b>Abandonment included in abuse statute</b> – Mont. Code Ann. § 41-3-102</p> <ul style="list-style-type: none"> <li>• Included in the definition of “child abuse or neglect”</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Mont. Code Ann. § 45-5-206</p> <ul style="list-style-type: none"> <li>• Family member assault is a form of child abuse</li> <li>•</li> </ul>
Nebraska	<p><b>Physical Abuse</b> – Neb. Rev. Stat. Ann. § 28-710</p> <ul style="list-style-type: none"> <li>• Knowingly, intentionally, or negligently causing or permitting child to be placed in a situation that endangers life or physical health, or to be cruelly confined or punished</li> </ul> <p><b>Neglect included in abuse statute</b> – Neb. Rev. Stat. Ann. § 28-710</p> <ul style="list-style-type: none"> <li>• Knowingly, intentionally, or negligently causing or permitting child to be deprived of necessary food, clothing, shelter or care</li> <li>• Knowingly, intentionally, or negligently causing or permitting child to be left unattended in a motor vehicle when the child is 6 years or younger</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Neb. Rev. Stat. Ann. § 28-710</p> <ul style="list-style-type: none"> <li>• Sexual abuse</li> <li>• Sexual exploitation: allowing, encouraging, or forcing child to solicit for or engage in prostitution, debauchery, public indecency, or obscene/ pornographic visual depictions</li> </ul> <p><b>Emotional Abuse</b> – Neb. Rev. Stat. Ann. § 28-710</p> <ul style="list-style-type: none"> <li>• Knowingly, intentionally, or negligently causing or permitting child to be placed in a situation that endangers mental health</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Neb. Rev. Stat. Ann. § 28-323</p> <ul style="list-style-type: none"> <li>• Domestic violence does not constitute child abuse in Nebraska</li> </ul>
Nevada  Nevada	<p><b>Physical Abuse</b> – Nev. Rev. Stat. Ann. §§ 432B.020, 432B.090</p> <ul style="list-style-type: none"> <li>• Non-accidental physical injury</li> <li>• Physical injury includes: sprain, dislocation, damage to cartilage, fracture of bone or skull, intracranial hemorrhage/ injury to another internal organ, burn, scalding, cut, laceration, puncture, bite, permanent or temporary disfigurement, permanent or temporary loss/ impairment of a body part/ organ</li> </ul>





	<p><b>Emotional Abuse</b> – N.M. Stat. Ann. § 32A-4-2</p> <ul style="list-style-type: none"> <li>• Emotional and psychological abuse are included in general definition of “abused child”</li> <li>• <b>Domestic Violence as Child Abuse</b> – N.M. Stat. Ann. § 40-13-2</li> </ul>
New York	<p><b>Physical Abuse</b> – N.Y. Soc. Serv. Law § 371</p> <ul style="list-style-type: none"> <li>• Inflicting or allowing infliction (or creating risk) of physical injury by non-accidental means, which causes substantial risk of death, serious or protracted disfigurement, protracted impairment of physical health, or protracted loss or impairment of function of a bodily organ</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – N.Y. Soc. Serv. Law § 371</p> <ul style="list-style-type: none"> <li>• Committing or allowing sexual abuse</li> </ul> <p><b>Emotional Abuse</b></p> <ul style="list-style-type: none"> <li>• Emotional abuse is included under New York’s definition of neglect</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – N.Y. Soc. Serv. Law § 459-a</p> <ul style="list-style-type: none"> <li>• “Victim of domestic violence” includes a parent whose child is a victim of a crime committed by a family or household member</li> </ul>
North Carolina	<p><b>Physical Abuse</b> – N.C. Gen. Stat. Ann. § 7B-101</p> <ul style="list-style-type: none"> <li>• Inflicting or creating substantial risk of serious physical injury by non-accidental means</li> <li>• Using or allowing use of cruel or grossly inappropriate procedures, or cruel or grossly inappropriate devices to modify behavior</li> <li>• Committing or allowing human trafficking or involuntary servitude</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – N.C. Gen. Stat. Ann. § 7B-101</p> <ul style="list-style-type: none"> <li>• Committing, permitting, or encouraging rape, statutory rape, forcible sex offenses, unlawful sale/ surrender/ purchase of a minor, crime against nature, incest, preparation of obscene depictions, violation of obscenity laws, dissemination of obscene material to child, displaying material harmful to a child, sexual exploitation, promoting prostitution, taking indecent liberties</li> <li>• Committing or allowing sexual servitude</li> </ul> <p><b>Emotional Abuse</b> – N.C. Gen. Stat. Ann. § 7B-101</p> <ul style="list-style-type: none"> <li>• Creating or allowing serious emotional damage, as evidenced by child’s severe anxiety, depression, withdrawal, or aggressive behavior</li> </ul>
North Carolina	<p><b>Domestic Violence as Child Abuse</b> – N.C. Gen. Stat. Ann. §50B-1</p>

North Dakota	<p><b>Physical Abuse</b> – N.D. Cent. Code Ann. § 14-09-22</p> <ul style="list-style-type: none"> <li>• Willfully inflicting or allowing infliction of bodily injury, substantial bodily injury, or serious bodily injury</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – N.D. Cent. Code Ann. § 50-25.1-02</p> <ul style="list-style-type: none"> <li>• Sexual abuse: includes gross sexual imposition, continuous sexual abuse, sexual imposition, corruption or solicitation of minors, luring minors by computer or other electronic means, sexual assault, incest, deviate sexual act, indecent exposure, surreptitious intrusion, or sexual exploitation (sexual performances with children)</li> </ul> <p><b>Emotional Abuse</b> – N.D. Cent. Code Ann. § 14-09-22</p> <ul style="list-style-type: none"> <li>• Willfully inflicting or allowing infliction of mental injury</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – N.D. Cent. Code Ann. § 14-07.1-01</p>
Ohio	<p><b>Physical Abuse</b> – Ohio Rev. Code Ann. §§ 2151.031, 2919.22</p> <ul style="list-style-type: none"> <li>• Creating a substantial risk to health or safety by violating a duty of care, protection, or support</li> <li>• Abuse, torture, cruel abuse, excessive corporal punishment or other physical discipline, cruel physical restraint for a prolonged period, excessive restraint that creates a substantial risk of serious physical harm</li> </ul> <p><b>Neglect included in abuse statute</b> – Ohio Rev. Code Ann. §§ 2151.031, 2919.22</p> <ul style="list-style-type: none"> <li>• Knowingly allowing child to be on the same property within 100 feet of the manufacturing of dangerous substances</li> <li>• Driving under the influence with child in the vehicle</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Ohio Rev. Code Ann. §§ 2151.031, 2919.22</p> <ul style="list-style-type: none"> <li>• Sexual activity that would constitute an offense, whether or not there is a conviction</li> <li>• Encouraging, using, or allowing child to participate in any performance the offender knows or reasonably should know is obscene or sexually oriented</li> </ul> <p><b>Emotional Abuse</b> – Ohio Rev. Code Ann. §§ 2151.031, 2919.22</p> <ul style="list-style-type: none"> <li>• Repeated administration of unwarranted discipline that creates a substantial risk of impairment or retardation of child’s mental health or development</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Ohio Rev. Code Ann. § 2919.25</p>
Oklahoma	<p><b>Physical Abuse</b> – Okla. Stat. Ann. tit. 10A, § 1-1-105</p> <ul style="list-style-type: none"> <li>• Harm or threatened harm to health, safety, or welfare of child</li> </ul>
Oklahoma	<ul style="list-style-type: none"> <li>• Any real or threatened non-accidental physical injury or damage to the body</li> </ul>

	<p><b>Sexual Abuse/ Exploitation</b> – Okla. Stat. Ann. tit. 10A, § 1-1-105</p> <ul style="list-style-type: none"> <li>• Sexual abuse: includes rape, incest, lewd or indecent acts/ proposals made to child</li> <li>• Sexual exploitation: includes allowing, permitting, encouraging, or forcing child to engage in prostitution, or the lewd, obscene, or pornographic visual depiction of child in those acts</li> </ul> <p><b>Emotional Abuse</b> – Okla. Stat. Ann. tit. 10A, § 1-1-105</p> <ul style="list-style-type: none"> <li>• Harm or threatened harm to health, safety, or welfare of child</li> <li>• Any real or threatened non-accidental mental injury</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Okla. Stat. Ann. tit. 21, §644(c)</p>
Oregon	<p><b>Physical Abuse</b> – Or. Rev. Stat. Ann. § 419B.005</p> <ul style="list-style-type: none"> <li>• Any assault, any non-accidental physical injury</li> <li>• Threatened harm that subjects child to substantial risk of harm to health or welfare</li> <li>• Buying or selling a child</li> </ul> <p><b>Neglect included in abuse statute</b> <sup>8</sup> – Or. Rev. Stat. Ann. § 419B.005</p> <ul style="list-style-type: none"> <li>• Failure to provide adequate food, clothing, shelter, or medical care that is likely to endanger child’s health or welfare</li> <li>• Permitting child on premises where methamphetamines are being manufactured</li> <li>• Unlawfully exposing child to a controlled substance</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Or. Rev. Stat. Ann. § 419B.005</p> <ul style="list-style-type: none"> <li>• Rape, sodomy, unlawful sexual penetration, incest</li> <li>• Sexual abuse</li> <li>• Sexual exploitation: contributing to sexual delinquency; allowing, encouraging, or using child to engage in sexual conduct for performance purposes; allowing, encouraging, or hiring child to engage in prostitution or commercial sex acts</li> </ul> <p><b>Emotional Abuse</b> – Or. Rev. Stat. Ann. § 419B.005</p> <ul style="list-style-type: none"> <li>• Any mental injury, including only observable and substantial impairment of child’s mental or psychological ability to function, caused by cruelty to the child</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Or. Rev. Stat. Ann. § 659A.270</p> <ul style="list-style-type: none"> <li>• Domestic violence does not constitute child abuse in Oregon</li> </ul>
Pennsylvania	<p><b>Physical Abuse</b> – 23 Pa. Cons. Stat. § 6303</p>

<sup>8</sup> Although these acts are not specifically labeled as “neglect” in the statute, they appear in other state statutes as neglect and have therefore been categorized under the “neglect” portion of the Oregon abuse statute

	<ul style="list-style-type: none"> <li>• Causing or creating reasonable likelihood of bodily injury through act or omission</li> <li>• Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease that results in a potentially harmful medical evaluation or treatment to the child</li> <li>• Kicking, biting, throwing, burning, stabbing, cutting child in a manner that endangers the child, unreasonably restraining or confining child, forcefully shaking child (under 1 year old), forcefully slapping or striking child (under 1 year old), interfering with breathing</li> </ul> <p><b>Neglect included in abuse statute – 23 Pa. Cons. Stat. § 6303</b></p> <ul style="list-style-type: none"> <li>• Causing serious physical neglect</li> <li>• Causing child to be present near the operation of a methamphetamine laboratory</li> <li>• Leaving child unsupervised with a sex offender, sexually violent predator, or sexually violent delinquent child</li> <li>• Causing death of child through act or omission</li> </ul> <p><b>Sexual Abuse/ Exploitation – 23 Pa. Cons. Stat. § 6303</b></p> <ul style="list-style-type: none"> <li>• Causing or creating likelihood of sexual abuse or exploitation through act or omission</li> <li>• Engaging child in a severe form of trafficking or sex trafficking</li> </ul> <p><b>Emotional Abuse – 23 Pa. Cons. Stat. § 6303</b></p> <ul style="list-style-type: none"> <li>• Causing or substantially contributing to serious mental injury through act or omission</li> </ul> <p><b>Domestic Violence as Child Abuse – 23 Pa. Cons. Stat. § 6102</b></p>
Rhode Island	<p><b>Physical Abuse – 40 R.I. Gen. Laws Ann. §40-11-2</b></p> <ul style="list-style-type: none"> <li>• Harming or threatening to harm physical health or welfare by inflicting, allowing, or creating substantial risk of physical injury or excessive corporal punishment</li> </ul> <p><b>Neglect included in abuse statute – 40 R.I. Gen. Laws Ann. §40-11-2</b></p> <ul style="list-style-type: none"> <li>• Failing to supply child with adequate food, clothing, shelter, or medical care</li> <li>• Failing to provide child with minimum degree of care/ supervision through unwillingness or inability to do so because of social problems, mental incompetency, drug use, or other</li> </ul>
Rhode Island	<p><b>Sexual Abuse/ Exploitation – 40 R.I. Gen. Laws Ann. §40-11-2</b></p>



	<ul style="list-style-type: none"> <li>• Included in the definition of “child abuse or neglect”</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – S.C. Code Ann. § 16-25-10</p> <ul style="list-style-type: none"> <li>• Domestic violence does not constitute child abuse in South Carolina</li> </ul>
South Dakota	<p><b>Physical Abuse</b> – S.D. Codified Laws § 26-8A-2</p> <ul style="list-style-type: none"> <li>• Subjecting child to maltreatment or abuse</li> <li>• Threatening child with substantial harm</li> </ul> <p><b>Neglect included in abuse statute</b> – S.D. Codified Laws § 26-8A-2</p> <ul style="list-style-type: none"> <li>• Failing to provide proper care through acts or omissions</li> <li>• Creating an environment that is injurious to child’s welfare</li> <li>• Failing to provide necessary subsistence, supervision, education, medical care, or any other care necessary for child’s health, guidance, or well-being</li> <li>• Prenatal exposure to alcohol or illegal drugs</li> <li>• Knowingly exposing child to manufacture, use, or distribution of methamphetamines or other illegal drugs</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – S.D. Codified Laws § 26-8A-2</p> <ul style="list-style-type: none"> <li>• Sexual abuse, sexual molestation, sexual exploitation</li> </ul> <p><b>Emotional Abuse</b> – S.D. Codified Laws § 26-8A-2</p> <ul style="list-style-type: none"> <li>• Emotional harm or mental injury that injures child’s intellectual or psychological capacity, as evidenced by an observable and substantial impairment to child’s ability to function within normal range of performance and behavior</li> </ul> <p><b>Abandonment included in abuse statute</b> – S.D. Codified Laws § 26-8A-2</p> <ul style="list-style-type: none"> <li>• Included in definition of “abused or neglected child”</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – S.D. Codified Laws § 25-10-1</p>
Tennessee <sup>9</sup>	<p><b>Physical Abuse</b> – Tenn. Code Ann. § 37-1-102</p> <ul style="list-style-type: none"> <li>• Knowingly exposing child to, or failing to protect child from, abuse that is likely to cause serious bodily injury or death</li> <li>• Knowing use of force that is likely to cause serious bodily injury or death</li> <li>• Specific brutality, abuse or neglect towards child that in the opinion of qualified experts has caused or will reasonably be expected to produce severe psychosis, severe neurotic disorder, severe depression, severe developmental delay or intellectual disability, or severe impairment of child's ability to function, and knowing failure to protect child from such conduct</li> </ul>
Tennessee	

<sup>9</sup> Tennessee statute only defines “severe child abuse” and does not distinguish it from general or more moderate child abuse

	<ul style="list-style-type: none"> <li>• Knowingly allowing child to be present within a structure where methamphetamines are being created</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Tenn. Code Ann. §§ 37-1-102, 37-1-602</p> <ul style="list-style-type: none"> <li>• Any act involving sexual abuse, molestation, fondling, or carnal knowledge, including: aggravated rape, aggravated sexual battery, assault with intent to rape, begetting child on wife’s sister<sup>10</sup>, crimes against nature, incest, promotion of performance including sexual conduct, rape, sexual battery, use of minor for obscene purposes</li> <li>• Any penetration of vagina or anus by penis of another, any contact between genitals or anus of one person and mouth of another, any intrusion by one person into the genitals or anus of another (including by use of any object), intentional touching of genitals, breasts, groin, inner thighs, or buttocks</li> <li>• Intentional exposure of genitals in child’s presence for purposes of sexual arousal, any sexual act intentionally perpetrated in child’s presence for sexual purposes, sexual exploitation, allowing/ encouraging/ forcing child to engage in prostitution or other sexual activity</li> </ul> <p><b>Emotional Abuse</b> – Tenn. Code Ann. §§ 37-1-102, 37-1-602</p> <ul style="list-style-type: none"> <li>• Specific brutality, abuse or neglect towards a child that in the opinion of qualified experts has caused or will reasonably be expected to produce severe psychosis, severe neurotic disorder, severe depression, severe developmental delay or intellectual disability, or severe impairment of child's ability to function, and knowing failure to protect child from such conduct</li> <li>• Mental injury: injury to intellectual or psychological capacity of child as evidenced by discernible and substantial impairment in child's ability to function within normal range of performance/ behavior</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Tenn. Code Ann. § 39-13-111</p>
Texas	<p><b>Physical Abuse</b> – Tex. Fam. Code Ann. § 261.001</p> <ul style="list-style-type: none"> <li>• Physical injury that results in substantial harm or genuine threat of substantial harm, including an injury that is at variance with the history or explanation given for it</li> <li>• Failing to make reasonable effort to prevent act by another person that results in physical injury that substantially harms child</li> <li>• Using a controlled substance in a manner that results in physical injury to child</li> <li>• Causing, expressly permitting, or encouraging child to use a controlled substance</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Tex. Fam. Code Ann. § 261.001</p>
Texas	

<sup>10</sup> This is no longer a crime under Tennessee law, but the act still constitutes child abuse

	<ul style="list-style-type: none"> <li>• Sexual conduct, including continuous sexual abuse, indecency with a child, sexual assault, and aggravated sexual assault</li> <li>• Failure to make reasonable effort to prevent sexual conduct</li> <li>• Compelling or encouraging child to engage in sexual conduct, including trafficking in persons, prostitution, or compelling prostitution</li> <li>• Causing, permitting, encouraging, engaging in, or allowing depiction of child when the resulting depiction is obscene or pornographic</li> <li>• Causing, permitting, or encouraging child to engage in sexual performance</li> <li>• Knowingly causing, permitting, encouraging, engaging in, or allowing child to be trafficked, or failing to make reasonable effort to prevent child from being trafficked</li> <li>• Forcing or coercing child to enter into marriage</li> </ul> <p><b>Emotional Abuse</b> – Tex. Fam. Code Ann. § 261.001</p> <ul style="list-style-type: none"> <li>• Causing or permitting mental or emotional injury that results in observable and material impairment in child’s growth, development, or psychological functioning</li> <li>• Using a controlled substance in a manner that results in mental or emotional injury to child</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Tex. Fam. Code Ann. § 71.003</p>
Utah	<p><b>Physical Abuse</b> – Utah Code Ann. § 78A-6-105</p> <ul style="list-style-type: none"> <li>• One parent intentionally, knowingly, or recklessly causing the death of child’s other parent</li> <li>• Causing physical injury or damage</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Utah Code Ann. § 78A-6-105</p> <ul style="list-style-type: none"> <li>• Sexual abuse: act or attempted act of sexual intercourse, sodomy, incest, or molestation, engaging in any conduct that would constitute a sex offense, child bigamy, incest, lewdness, sexual battery, lewdness involving a child, voyeurism</li> <li>• Sexual exploitation: knowingly employing, using, persuading, inducing, enticing, or coercing child to pose nude, engage in sexual or simulated sexual contact for purpose of creating a depiction; distributing, displaying, or selling material depicting child in the nude or engaged in actual or simulated sexual conduct</li> </ul> <p><b>Emotional Abuse</b> – Utah Code Ann. § 78A-6-105</p> <ul style="list-style-type: none"> <li>• Causing emotional damage that results in serious impairment to child’s growth, development, behavior, or psychological functioning</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Utah Code Ann. §77-36-1</p>
Utah	

	<ul style="list-style-type: none"> <li>• Domestic violence includes child abuse against a cohabitant<sup>11</sup></li> </ul>
Vermont	<p><b>Physical Abuse</b> – Vt. Stat. Ann. tit. 33, § 4912</p> <ul style="list-style-type: none"> <li>• Physical injury: death, permanent or temporary disfigurement/ impairment of any bodily organ or function by non-accidental means</li> <li>• Serious physical injury: injury that creates substantial risk of death, loss/ impairment of function of body part, substantial impairment of health, or substantial disfigurement; strangulation by intentionally impeding normal breathing or circulation through pressure to throat or neck/ by blocking the nose or mouth</li> </ul> <p><b>Neglect included in abuse statute</b> – Vt. Stat. Ann. tit. 33, § 4912</p> <ul style="list-style-type: none"> <li>• Failing to provide child with adequate food, clothing, shelter, or health care</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Vt. Stat. Ann. tit. 33, § 4912</p> <ul style="list-style-type: none"> <li>• Sexual molestation or exploitation, including incest, prostitution, rape, sodomy, lewd and lascivious conduct, aiding/ counseling/ procuring child to participate in depiction of pornography, viewing/ possessing. Transmitting child pornography, human trafficking, sexual assault, voyeurism, luring child, obscenity</li> </ul> <p><b>Emotional Abuse</b> – Vt. Stat. Ann. tit. 33, § 4912</p> <ul style="list-style-type: none"> <li>• Emotional maltreatment: pattern of malicious behavior that results in impaired psychological growth and development</li> </ul> <p><b>Abandonment included in abuse statute</b> – Vt. Stat. Ann. tit. 33, § 4912</p> <ul style="list-style-type: none"> <li>• Included in the definition of “abused or neglected child”</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Vt. Stat. Ann. tit. 15, § 1101</p>
Virginia	<p><b>Physical Abuse</b> – Va. Code Ann. § 63.2-100</p> <ul style="list-style-type: none"> <li>• Creating, inflicting, allowing, or threatening to inflict non-accidental physical injury</li> <li>• Creating substantial risk of death, disfigurement, or impairment of bodily function, including during the manufacture or sale of unlawful substances</li> </ul> <p><b>Neglect included in abuse statute</b> – Va. Code Ann. § 63.2-100</p> <ul style="list-style-type: none"> <li>• Failing to provide care necessary for health</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Va. Code Ann. § 63.2-100</p> <ul style="list-style-type: none"> <li>• Committing or allowing acts of sexual exploitation, or any illegal sexual act</li> </ul>
Virginia	<ul style="list-style-type: none"> <li>• Committing or allowing acts of sexual exploitation, or any illegal sexual act</li> </ul>

<sup>11</sup> Utah Code Ann. § 76-5-109.1 describes the crime of committing domestic violence in the presence of a child

	<ul style="list-style-type: none"> <li>• Creating a substantial risk of physical or mental injury by knowingly leaving child alone with a sex offender</li> <li>• Sex trafficking</li> </ul> <p><b>Emotional Abuse</b> – Va. Code Ann. § 63.2-100</p> <ul style="list-style-type: none"> <li>• Creating, inflicting, allowing, or threatening to inflict non-accidental mental injury</li> <li>• Creating substantial risk of impairment of mental function</li> </ul> <p><b>Abandonment included in abuse statute</b> – Va. Code Ann. § 63.2-100</p> <ul style="list-style-type: none"> <li>• Included in the definition of “abused or neglected child”</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Va. Code Ann. § 16.1-228</p>
Washington	<p><b>Physical Abuse</b> – Wash. Rev. Code Ann. §§ 26.44.020, 26.44.030, 9A.16.100</p> <ul style="list-style-type: none"> <li>• Injury that causes harm to child’s health, welfare, or safety</li> <li>• Unreasonable force: throwing, kicking, burning, cutting, striking, shaking (child under 3 years old), interfering with breathing, threatening with a deadly weapon, any other act that is likely to cause and does cause harm greater than transient pain or minor temporary marks</li> <li>• Severe abuse: any single act of abuse that causes physical trauma that could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Wash. Rev. Code Ann. § 26.44.020</p> <ul style="list-style-type: none"> <li>• Sexual exploitation: allowing, permitting, or encouraging child to engage in prostitution or pornographic depictions</li> </ul> <p><b>Emotional Abuse</b></p> <ul style="list-style-type: none"> <li>• Emotional abuse is not mentioned in the statute</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Wash. Rev. Code Ann. § 26.50.010</p> <ul style="list-style-type: none"> <li>• Domestic violence does not constitute child abuse in Washington</li> </ul>
West Virginia  West Virginia	<p><b>Physical Abuse</b> – W. Va. Code Ann. § 49-1-201</p> <ul style="list-style-type: none"> <li>• Knowingly or intentionally inflicting, attempting, or allowing physical injury, including excessive corporal punishment</li> <li>• Domestic violence</li> <li>• Selling child</li> </ul>

	<ul style="list-style-type: none"> <li>• Serious physical abuse: bodily injury which creates a substantial risk of death, causes serious or prolonged disfigurement, prolonged impairment of health, or prolonged loss/ impairment of function of a bodily organ</li> </ul> <p><b>Sexual Abuse/ Exploitation – W. Va. Code Ann. § 49-1-201</b></p> <ul style="list-style-type: none"> <li>• Selling child</li> <li>• Child conceived of sexual assault<sup>12</sup></li> <li>• Engaging in, attempting to engage in, or knowingly procuring someone to engage in sexual intercourse, sexual intrusion, sexual contact or conduct, regardless of whether child suffered any apparent physical injury or mental or emotional injury as a result of that conduct</li> <li>• Displaying genitals to child for purpose of sexual arousal or to alarm child</li> <li>• Sexual exploitation: persuading, inducing, enticing or coercing child to engage in sexually explicit conduct, display his or her sex organs for the sexual gratification of another, or display his or her sex organs under circumstances in which the parent knows the display is likely to be observed by others who would be affronted or alarmed</li> </ul> <p><b>Emotional Abuse – W. Va. Code Ann. § 49-1-201</b></p> <ul style="list-style-type: none"> <li>• Knowingly or intentionally inflicting, attempting, or allowing mental or emotional injury</li> </ul> <p><b>Domestic Violence as Child Abuse – W. Va. Code Ann. § 48-27-204</b></p>
Wisconsin	<p><b>Physical Abuse – Wis. Stat. Ann. § 48.02</b></p> <ul style="list-style-type: none"> <li>• Non-accidental physical injury</li> <li>• Serious physical harm to unborn child</li> <li>• Alcohol and substance abuse during pregnancy that creates risk of serious physical harm to child</li> <li>• Manufacturing methamphetamines when child is in the home, in the child’s home, or under circumstances where reasonable person should know the child would witness the manufacture</li> <li>• Lacerations, bone fractures, burns, internal injuries, severe or frequent bruising, great bodily harm</li> </ul> <p><b>Sexual Abuse/ Exploitation – Wis. Stat. Ann. § 48.02</b></p> <ul style="list-style-type: none"> <li>• Sexual intercourse or sexual contact, sexual assault, sexual exploitation, trafficking, prostitution, causing child to view or listen to sexual activity, exposing genitals/ pubic area/ intimate parts</li> </ul> <p><b>Emotional Abuse – Wis. Stat. Ann. § 48.02</b></p>

<sup>12</sup> Although a child conceived through sexual assault is considered an abused child, the victim parent is not considered an abusive parent, just the perpetrator

Wisconsin	<ul style="list-style-type: none"> <li>• Failing to obtain necessary treatment or take steps to ameliorate symptoms of emotional damage</li> <li>• Emotional damage: harm to psychological or intellectual functioning, evidenced by severe anxiety, depression, withdrawal, outward aggressive behavior, or substantial and observable change in behavior, emotional response, or cognition</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Wis. Stat. Ann. § 968.075</p> <ul style="list-style-type: none"> <li>• Domestic violence does not constitute child abuse in Wisconsin</li> </ul>
Wyoming	<p><b>Physical Abuse</b> – Wyo. Stat. Ann. § 14-3-202</p> <ul style="list-style-type: none"> <li>• Inflicting or causing physical injury, harm, or imminent danger to physical health or welfare by non-accidental means; excessive or unreasonable corporal punishment</li> <li>• Physical injury: includes disfigurement, impairment of any bodily organ, skin bruising if greater in magnitude than minor bruising associated with reasonable corporal punishment, bleeding, burns, bone fractures, subdural hematoma, substantial malnutrition</li> </ul> <p><b>Neglect included in abuse statute</b> – Wyo. Stat. Ann. § 14-3-202</p> <ul style="list-style-type: none"> <li>• Malnutrition or substantial risk thereof by reason of intentional or unintentional neglect</li> </ul> <p><b>Sexual Abuse/ Exploitation</b> – Wyo. Stat. Ann. § 14-3-202</p> <ul style="list-style-type: none"> <li>• Committing or allowing sexual offense</li> </ul> <p><b>Emotional Abuse</b> – Wyo. Stat. Ann. § 14-3-202</p> <ul style="list-style-type: none"> <li>• Mental injury: injury to psychological capacity/ emotional stability, as evidenced by observable or substantial impairment in ability to function within normal range of performance and behavior</li> </ul> <p><b>Abandonment included in abuse statute</b> – Wyo. Stat. Ann. § 14-3-202</p> <ul style="list-style-type: none"> <li>• Included in definition of abuse</li> </ul> <p><b>Domestic Violence as Child Abuse</b> – Wyo. Stat. Ann. § 35-21-102</p> <ul style="list-style-type: none"> <li>• Domestic violence does not constitute child abuse in Wyoming</li> </ul>