



**Louisiana State Laws Regarding Abuse, Endangerment, and Neglect**

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<p><b>Child Abuse</b></p>	<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> <li>•</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/dependency, selling a minor child, human trafficking, trafficking for sexual purposes</li> </ul>
	<p><b>Domestic Violence as Child Abuse</b> – La. Rev. Stat. Ann. § 14:35.3 See below</p>
<p><b>Abandonment</b></p>	<p><b>UCCJEA – La. Rev. Stat. Ann. § 13:1802</b> “abandoned” means left without provision for reasonable and necessary care or supervision;</p> <p><b>TPR - La. Child. Code Ann. § art.1015</b></p> <ul style="list-style-type: none"> <li>• Abandonment of the child by placing him in the physical custody of a nonparent, or the department, or by otherwise leaving him under circumstances demonstrating an intention to permanently avoid parental responsibility by any of the following: <ul style="list-style-type: none"> <li>• For a period of at least four months as of the time of the hearing, despite a diligent search, the whereabouts of the child’s parent continue to be unknown.</li> <li>• As of the time the petition is filed, the parent has failed to provide significant contributions to the child’s care and support for any</li> </ul> </li> </ul>



	<p>period of six consecutive months.</p> <ul style="list-style-type: none"> <li>• As of the time the petition is filed, the parent has failed to maintain significant contact with the child by visiting him or communicating with him for any period of six consecutive months.</li> </ul> <p><b>Criminal abandonment - La. Rev. Stat. Ann. § 14:79.1</b></p> <ul style="list-style-type: none"> <li>• Intentional physical abandonment of a minor child under the age of ten years, unattended and to his own care</li> <li>• Did not intend to return to the minor child or provide for adult supervision of the minor child.</li> </ul>
<p><b>Child Neglect</b></p>	<p><b>Louisiana Children's Code- La. Child. Code. Ann. art. 603</b></p> <ul style="list-style-type: none"> <li>• “Neglect” means the refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness, or condition of the child, as a result of which the child's physical, mental, or emotional health and safety is substantially threatened or impaired.</li> <li>• Neglect includes prenatal neglect.</li> <li>• Consistent with Article 606(B), the inability of a parent or caretaker to provide for a child due to inadequate financial resources shall not, for that reason alone, be considered neglect. Whenever, in lieu of medical care, a child is being provided treatment in accordance with the tenets of a well-recognized religious method of healing which has a reasonable, proven record of success, the child shall not, for that reason alone, be considered to be neglected or maltreated. However, nothing herein shall prohibit the court from ordering medical services for the child when there is substantial risk of harm to the child's health or welfare.</li> </ul>
<p><b>Domestic Violence Including Child Abuse and Child Neglect</b></p>	<p><b>Parent-Child Relationship Covered By The Domestic Violence Statute?</b> Yes</p> <hr/> <p><b>Text Defining Relationships Covered By State Domestic Violence Statutes</b></p> <hr/> <p><b>Protection from Family Violence- Domestic Abuse Assistance- La. Stat. Ann. § 46:2132</b></p>



	<p>(4) “Family members” means spouses, former spouses, parents and children, stepparents, stepchildren, foster parents, and foster children. “Household members” means any person presently or formerly living in the same residence with the defendant and who is involved or has been involved in a sexual or intimate relationship with the defendant and who is seeking protection under this Part. “Dating partner” means any person protected from violence under R.S. 46:2151 who is seeking protection under this Part. If a parent or grandparent is being abused by an adult child, adult foster child, or adult grandchild, the provisions of this Part shall apply to any proceeding brought in district court.</p> <p><b>Criminal Code- Domestic abuse battery- La. Stat. Ann. § 14:35.3</b></p> <p>(5) “Household member” means any person presently or formerly living in the same residence with the offender and who is involved or has been involved in a sexual or intimate relationship with the offender, or any child presently or formerly living in the same residence with the offender, or any child of the offender regardless of where the child resides.</p>
	<p><b>Text of Statute Covering Acts That Constitute Child Abuse</b></p> <p><b>Protection from Family Violence- Domestic Abuse Assistance- La. Stat. Ann. § 46:2132</b></p> <p>(3) “Domestic abuse” includes but is not limited to physical or sexual abuse and any offense against the person, physical or non-physical, as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one family member, household member, or dating partner against another. “Domestic abuse” also includes abuse of adults as defined in R.S. 15:1503 when committed by an adult child or adult grandchild.</p> <p><b>Criminal Code- Domestic abuse battery- La. Stat. Ann. § 14:35.3</b></p> <p>A. Domestic abuse battery is the intentional use of force or violence committed by one household member upon the person of another household member without the consent of the victim.</p>
	<p><b>Domestic Violence Protection Order Statutes</b></p> <p><b>Protection from Family Violence- Domestic Abuse Assistance- La. Stat. Ann. § 46:2136</b></p> <p>A. The court may grant any protective order or approve any consent agreement to bring about a cessation of domestic abuse as defined in R.S. 46:2132, or the threat or danger thereof, to a party, any minor children, or any person alleged to be incompetent...</p>



<p><b>Child Desertion</b></p>	<p><b>Child desertion - La. Rev. Stat. § 14:93.2.1</b></p> <ul style="list-style-type: none"> <li>• Child desertion is the intentional or criminally negligent exposure of a child under the age of ten years, by a person who has the care, custody, or control of the child, to a hazard or danger against which the child cannot reasonably be expected to protect himself, or the desertion or abandonment of such child, knowing or having reason to believe that the child could be exposed to such hazard or danger.</li> </ul>
<p><b>Best Interests of the Child</b></p>	<p><b>Categories determining “Best interests” for custody determinations</b></p> <ul style="list-style-type: none"> <li>• Child’s family relationships</li> <li>• Child’s needs</li> <li>• Child’s wishes</li> <li>• Continuity and stability of child</li> <li>• Parental cooperation and conflict</li> <li>• Parental Fitness</li> <li>• Substance abuse and mental illness</li> </ul>