

Definitions of the Types of Child Abuse

In Pennsylvania, for an act (or failure to act) to count as abuse/neglect, it must be committed **intentionally** OR **knowingly** OR **recklessly** (i.e., at least one of these).

Under Pennsylvania law, “**recent**” abuse/neglect means that it is thought to have occurred within the past two years. However, some kinds of child abuse, such as sexual abuse, must be reported even if it occurred more than 2 years ago.

Bodily Injury

Causing bodily injury or creating reasonable likelihood of bodily injury to a child through any recent act or failure to act. A bodily injury is an injury that impairs a child’s physical condition or causes substantial pain.

Sexual Abuse or Exploitation

- A. The employment, use, persuasion, inducement, enticement or coercion of a child to **engage in or assist another person to engage in sexually explicit conduct** including, but not limited to:
1. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in an individual
 2. Participating in sexually explicit conversation in-person or by electronic means for the purpose of sexual stimulation or gratification of any individual
 3. Actual or simulated sexual activity or nudity for the purpose of sexual simulation or gratification of any individual
 4. Actual or simulated sexual activity for the purpose of producing visual depiction of sexually explicit conduct (which includes photographing, videotaping, computer depicting or filming).

NOTE: Excluded from (A) is consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within four years of the child’s age.

Definitions of the Types of Child Abuse (cont.)

B. Any of the following offenses against a child:

- **Rape**
- **Statutory sexual assault**
- **Involuntary deviate sexual intercourse**
- **Sexual assault**
- **Institutional sexual assault**
- **Aggravated indecent assault**
- **Indecent assault**
- **Indecent exposure**
- **Incest**
- **Prostitution**
- **Sexual Abuse**
- **Unlawful contact with a minor**
- **Sexual exploitation**

C. Creating a likelihood of sexual abuse or exploitation for a child through any recent act or failure to act.

Serious Mental Injury

Cause or substantially contributing to serious mental injury. Serious mental injury is a psychological condition, as diagnosed by a physician or licensed psychologist, that renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic, or in reasonable fear for his/her life or safety, or seriously interferes with the child's ability to accomplish age-appropriate developmental and social tasks.

Neglect

Any of the following committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

- a. Repeated, prolonged, or egregious failure to supervise a child in a manner that is appropriate given the child's age, development and abilities.
- b. Failure to provide a child with adequate essentials of life, including medical care.

Definitions of the Types of Child Abuse (cont.)

Per Se

Certain acts, in and of themselves, are considered child abuse, regardless of injury. “Per se” child abuse in Pennsylvania includes:

- a. Engaging in any of the following recent acts that endangers a child: kicking, biting, throwing, burning, stabbing or cutting a child
- b. Unreasonably restraining or confining a child (when the method, location and duration of the confinement is considered)
- c. Forcefully shaking a child under the age of one
- d. Forcefully slapping or striking a child under the age of one
- e. Interfering with the breathing of a child (e.g., placing duct tape over a child’s mouth, putting a sock in the child’s mouth)
- f. Causing a child to be present at a location where methamphetamine is being manufactured and law enforcement have begun an investigation
- g. Leaving a child unsupervised with an individual (outside of the child’s parent) who has been convicted or adjudicated delinquent of a sexual offense requiring registration

Causing Death

Causing the death of a child through any act or failure to act