

EXPANDED COURSE OUTLINE  
REGULAR BASIC COURSE  
**LEARNING DOMAIN 9**  
CRIMES AGAINST CHILDREN

I. LEARNING NEED

To effectively carry out their responsibilities for the protection of children as some of the most vulnerable members of society, peace officers need knowledge of the crimes that may be committed against children. The ability to arrest and successfully prosecute depends on the development of probable cause. Peace officers must know the elements required to prove these crimes and to correctly categorize them as misdemeanors or felonies.

LEARNING OBJECTIVES

- A. Recognize the crime elements required to arrest for:
  - 1. Child harm, injury, or endangerment
  - 2. Physical abuse of a child
  - 3. Lewd or lascivious acts with a child
  - 4. Annoying or molesting children
  - 5. Possession of child pornography
  - 6. Unlawful sexual intercourse
  
- B. Recognize the crime classification as a misdemeanor or felony
  - 1. Child harm or endangerment- Misdemeanor or felony depending upon the circumstances
  - 2. Physical abuse of a child-Felony
  - 3. Lewd or lascivious acts with children-felony
  - 4. Annoying or molesting children-Misd but can be a felony under specific subsections of 647.6 P.C
  - 5. Possession of child pornography-Misdemeanor. If previously convicted of the same could be a felony
  - 6. Unlawful sexual intercourse- Depends on the age difference of the victim and the suspect. 3 years or less is a misdemeanor, over 3 years is a felony.

II. LEARNING NEED

The California Penal Code mandates that certain professional occupations follow specific requirements for reporting suspected child abuse cases to the proper authority. Failure to do so is a crime.

LEARNING OBJECTIVES

- A. Identify by category the professional occupations required to report suspected child abuse
  - 1. Child care custodians (including police officers and teachers)
  - 2. Health practitioners (medical and non-medical)
  - 3. Employees of child protective agencies
  - 4. Child visitation monitors
  - 5. Firefighters
  - 6. Clergy

7. Animal control officers
  8. Humane society officers
  9. Commercial film processors
- B. Recognize the specific law enforcement reporting requirements
    1. Must conduct a protective agency as soon as possible
    2. Protective agency-a county welfare department, Department of Social Services, Department of Child Services, or a police/sheriff's office.
    3. Does not include school security or a security department
  - C. Recognize the required documentation when investigating crimes against children
    1. Name and age of child
    2. Name of reporter
    3. Location of child
    4. Nature
  - D. Recognize a peace officer's responsibility for maintaining the confidentiality of the reporting party
    1. Penal code section 1167 ensures that the identity of the person reporting a suspected child abuse incident shall remain confidential (this includes the reporters employer)
    2. Only certain agencies and law enforcement divisions will have access to the reporter's identity.
    3. Encourages reporting and protects the reporting party from any publicity.

### III. LEARNING NEED

Peace officers have the authority to make a warrantless entry into a home whenever they reasonably believe a minor is in immediate danger of being physically abused, neglected or sexually exploited.

#### LEARNING OBJECTIVES

- A. Recognize the legal basis for entry without a warrant to protect a minor
  1. Exigent circumstances
  2. Neglected
  3. Sexually exploited
- B. Recognize the exigent circumstances that could lead an officer to reasonably believe that there is an immediate threat to a minor
  1. Immediate danger of physical abuse
  2. Neglected
  3. Sexually exploited

### IV. LEARNING NEED

Ensuring the safety of a child victim is a peace officer's primary responsibility when responding to a case of suspected child abuse. To do this effectively, officers must be able to recognize indicators of abuse, conduct a preliminary investigation into abuse, and take the appropriate action.

#### LEARNING OBJECTIVES

- A. Recall the statutory definition of child abuse
  1. Physical injury

2. Inflicted other than by accident
  3. By any person
  4. Includes child neglect and sexual abuse
- B. Discuss physical and behavioral indicators of:
1. Physical child abuse
  2. Physical neglect of a child
  3. Mental Suffering
  4. Sexual child abuse
- C. Demonstrate effective officer actions for conducting an interview with a child victim of abuse
1. Control the interview environment/conditions
  2. Build rapport
  3. Use appropriate communications techniques
  4. Gather information
  5. Conclude the interview –explain what will happen next, don't make promises

#### V. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 2.
- B. The POST Constructed Comprehensive RBC Test 3.

#### VI. REQUIRED LEARNING ACTIVITIES

- A. The student shall participate in a learning activity involving the preliminary investigation of either child abuse, child neglect, or child sexual exploitation. At a minimum, the activity must address the student's ability to conduct an investigation to include:
1. Establishing elements of the crime
  2. Protecting the child's safety
  3. Identifying the suspect
  4. Locating witnesses
  5. Recovering physical evidence, photographs and statements
  6. Demonstrating a knowledge of child abuse reporting procedures
  7. Demonstrating a knowledge of the contents in a child abuse report
  8. Effectively interviewing a child who may have been a victim of child abuse or sexual assault to include:
    - a. Gaining the child's confidence
    - b. Remaining neutral in the interview
    - c. Speaking to the child in a level the child understands
  9. Taking the child into protective custody if at risk of serious physical harm

Description	Hours
POST Minimum Required Hours	<u>4</u>
Agency Specific Hours	<u>1</u>
Total Instructional Hours	<u>5</u>