Army Regulation 608-18

THE FAMILY ADVOCACY PROGRAM

Abuse & Maltreatment Terms

Child abuse
The physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child. It does not include discipline administered by a parent or legal guardian to his or her child provided it is reasonable in manner and moderate in degree and otherwise does not constitute cruelty. Ref: Memo, USD (MC&FP), Subject: Domestic Violence and Child Abuse Fatality Reviews, February 12, 2004, Attachment 1.

Child abuse/physical maltreatment
Physical harm, mistreatment, or injury of a child by a parent, guardian, foster parent, or caregiver, whether the caregiver is intrafamilial or extrafamilial, under circumstances indicating that the child’s welfare is harmed or threatened. Such acts by a sibling, other family member, or other person will be deemed to be abuse or maltreatment only when the individual is providing care under express or implied agreement with the parent, guardian, or foster parent. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9c(i).

Child emotional maltreatment
Acts or a pattern of acts, omissions or a pattern of omissions, or passive or passive-aggressive inattention to a child’s emotional needs resulting in an adverse affect upon the child’s psychological well-being. Maltreatment includes intentional berating, disparaging or other verbally abusive behavior toward the child, and violent acts that may not cause observable injury. An emotionally maltreated child manifests low self-esteem, chronic fear or anxiety, conduct disorders, affective disorders, or other cognitive or mental impairment. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9a.

Child neglect
A type of child abuse/maltreatment whereby a child is deprived of needed age-appropriate care by act or omission of the child’s parent, guardian, or caregiver, an employee of a residential facility; or a staff person providing out-of –home care under circumstances indicating that the child’s welfare is harmed or threatened. Child neglect includes abandonment, deprivation of necessities, educational neglect, lack of supervision, medical neglect, and/or nonorganic failure to thrive. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9b.

a. Abandonment. A type of child neglect in which the caregiver is absent and does not intend to return or is away from the home for an extended period without having arranged for an appropriate surrogate caregiver. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9b(1).
b. **Deprivation of necessities.** A type of neglect that includes the failure to provide age-appropriate nourishment, shelter, and clothing. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9b(2).

c. **Educational neglect.** A type of child neglect that includes knowingly allowing the child to have extended or frequent absences from school, neglecting to enroll the child in some type of home schooling or public or private education, or preventing the child from attending school for other than justified reasons. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9b(3).

d. **Lack of supervision.** A type of child neglect characterized by the absence or inattention of the parent, guardian, foster parent, or other caregiver that results in injury to the child, in the child being unable to care for himself or herself, or in injury or serious threat of injury to another person because the child's behavior was not properly monitored. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9b(4).

e. **Medical neglect.** A type of neglect in which a parent or guardian refuses or fails to provide appropriate medically indicated health care (medical, mental health, or dental) for the child although the parent is financially able to do so or was offered other means to do so. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9b(5).

f. **Nonorganic failure to thrive.** A type of child neglect that manifests itself in an infant’s or young child’s failure to adequately grow and develop when no organic basis for the deviation is found. Usually such children register below the third percentile in height and weight. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9b(6).

**Child physical maltreatment**
Acts such as grabbing, pushing, holding, slapping, choking, punching, kicking, sitting or standing upon, lifting and throwing, burning, immersing in hot liquids or pouring hot liquids upon, hitting with an object (such as a belt or electrical cord), and assaulting with a knife, firearm, or other weapon that caused or may cause bodily injuries. Such injuries include brain damage or skull fracture, subdural hemorrhage or hematoma, bone fracture, dislocations or sprains, internal injury, poisoning, burns or scalds, severe cuts, lacerations, bruises or welts. In infants and toddlers, abusive acts include shaking or twisting, which may cause brain damage, subdural hemorrhage, and hematoma. An injury does not have to be visible for physical maltreatment to be present. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9c.

**Child sexual maltreatment**
Sexual activity with a child for the purpose of sexual gratification of the alleged offender or some other individual. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9d(i).

a. **Exploitation.** A type of sexual maltreatment in which the victim is made to participate in the sexual gratification of another person without direct physical contact between them. Exploitation includes forcing or encouraging a child to do any of the following: to expose the child’s genitals or (if female) breasts, to look at another individual’s genitals or (if female)
breasts, to observe another’s masturbatory activities, to view pornographic photographs or read pornographic literature, to hear sexually explicit speech, or to participate in sexual activity with another person, such as in pornography or prostitution, in which the alleged offender does not have direct physical contact with the child. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9d(i).

b. Molestation. Fondling or stroking a child’s breast or genitals, oral sex, or attempted penetration of the child’s vagina or rectum. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9d(i)(2).

c. Rape/intercourse. Sexual intercourse between an alleged offender and a child that involves the penetration of the vagina or rectum, however slight, by means of physical force. The penetration may result from emotionally manipulating the child or by taking advantage of a child’s naïveté rather than physical force. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9d(i)(3).

d. Other sexual maltreatment. All other types of child sexual abuse or maltreatment not included in the definitions of exploitation, molestation, or rape/intercourse. Ref: Memo, ASD (FMP), Subject: Policy Changes for Submitting Child and Spouse Abuse Information, August 22, 1997, paragraph 9d(i)(4).

Domestic violence
An offense under the United States Code, the Uniform Code of Military Justice, or state law that involves the use, attempted use, or threatened use of force or violence against a person of the opposite sex, or a violation of a lawful order issued for the protection of a person of the opposite sex, who is (a) A current or former spouse; (b) A person with whom the abuser shares a child in common; or (c) A current or former intimate partner with whom the abuser shares or has shared a common domicile. Ref: Memo, USD (MC&FP), Subject: Domestic Violence and Child Abuse Fatality Reviews, February 12, 2004, Attachment 1.

Emotional or psychological harm
Involves impairment of emotional and psychological functioning.

a. Minor emotional harm is transient and limited in scope and impact. Examples include temporary changes in mood or temporary detriment to an individual’s self-esteem.

b. Significant emotional harm involves lasting impact that is limited in scope. Examples include prolonged depression, anxiety disorders, acute reactions to trauma or detriment to an individual’s self-esteem that effects his or her behavior.

c. Serious emotional harm involves lasting impact that is pervasive in scope and/or results in behaviors destructive to self and/or others. Examples include prolonged serious depression, lasting detriment to self-esteem, impaired capacity to form mature intimate relationships, unwillingness to take action on one’s own behalf in emotionally challenging situations, and severe destructive behaviors such as self-mutilation, attempted suicide, or attempted homicide.
**Extrafamilial abuse**
An individual unrelated by blood, law, or marriage and who may be an employee, an independent contractor, or a volunteer in a military-sanctioned or military-sponsored program that provides care for and supervision of a minor or special-needs person by agreement with the minor or individual’s parent, guardian, or foster parent. Such caregivers include military CYS personnel, military FCC providers including certified provider’s family member over the age of 12, and a teacher, school, or other DOD caregiver. This category includes those staff or volunteers in civilian schools located outside the military installation where the program, service or activity is military-sponsored or -sanctioned.

**Physical injury**
An injury to the skin, tissue, bone, or internal organs of the body.

- **Minor injury.** This injury does not compromise the welfare or life of the individual. Examples include minor cut(s) or bruise(s), scratch(es), first-degree burn(s), or an injury not requiring immediate medical attention.
- **Significant injury.** This injury may compromise the welfare but not the life of the injured. Examples include multiple cuts and/or other bruises or other injuries in various stages of healing, loss of consciousness, second-degree burn(s), or an injury requiring immediate medical attention or medical evaluation in a treatment facility within a short period of time.
- **Serious injury.** An injury that is life threatening or results in serious impairment. Examples include respiratory compromise, any third-degree burn, a limb fracture, skull fracture, gunshot wound, stab wound, injury to a pregnant spouse/partner that could affect the fetus, or an injury requiring immediate emergency services and possible hospitalization to prevent death or serious impairment.

**Primary aggressor**
In the instance of spouse maltreatment, the primary aggressor is the person who maintains the power and control in an abusive incident regardless of which party started the physical or verbal action, the party who continued the dispute, or the party who “provoked” the event. This eliminates the terms co-battering, mutual battering, or mutual spouse abuse in most cases.

**Spouse/partner maltreatment**
An incident or incidents that indicate an emerging pattern or risk of further victimization of the spouse/partner. Excluded are behaviors indicative of marital discord with the absence of abusive acts (for example, arguments or disagreements regarding child rearing, financial management, and so on). Spouse/partner maltreatment incident indicators may include one or more of the following:

- A pattern on intentional acts or berating, disparaging or other verbally abusive behavior that adversely affects the psychological well-being of the spouse or partner.
- Coercive control and/or threatening behavior including terrorizing behavior (for example, threats to children, pets, or property).
- A pattern of restricting or withholding economic resources for the purpose of controlling the spouse/partner.
- A pattern of intentional intimidation for the purpose of controlling the spouse/partner.
- Isolation of a partner from the family, friends, or social support resources.
f. Chronic intentional interference with cultural adaptation.

g. Physical assault(s) or threat(s) of physical violence with or without a weapon.

h. An act which by itself or in conjunction with other conduct constitutes stalking.

i. Sexual assault(s), threat(s) of sexual assault, or coercing a partner to engage in undesired sexual activity with alleged offender or other persons.

j. Obstructing a partner from receiving medical services.

k. International neglect by refusing or obstructing a mentally/physically incapacitated spouse from receiving appropriate social, mental, or medical services.

**Stalking**
Actions of a person performed in a repeatedly harassing manner, including but not limited to following another person in a manner to induce, in a reasonable person, fear of sexual battery, bodily injury, or death of that person or that person’s immediate family.

**Substantiated**
An incident has been assessed, with the determination by the CRC, where the preponderance of available information indicates that maltreatment did occur.

**Unsubstantiated – did not occur**
An incident that has been assessed, with the determination by the CRC, to be without merit or foundation. The available information that indicates that abuse or maltreatment did not occur is of greater weight or is more convincing clinically that the information that indicates that the abuse or maltreatment occurred.

**Unsubstantiated – unresolved**
An incident that has been assessed by the CRC and the information available is insufficient to support a determination of either substantiated or unsubstantiated – did not occur, and/or an incident that has been assessed where the preponderance of indicators determine low risk of reoccurrence and low severity and for which voluntary services are offered.