

# Abuse and Neglect



## Abuse

*Abuse* is the misuse of power to harm or coerce another.

- Abuse seldom occurs as an isolated, one-time-only incident.
- People tend to repeat and often increase abuse as it becomes habitual.
- People of all ages may be subject to abuse.

Abuse is often subdivided into three types: psychological/emotional, physical, and sexual.

### **Psychological/Emotional Abuse**

*Psychological/emotional abuse* is violence that stops short of physical assault. Emotional abuse may be words—threats, frequent mocking or scorn, rejection, insults—or demeaning actions. Some examples of psychological or emotional abuse are

- Taunting and name-calling:  
"You're so stupid!"
- Terrorizing or intimidation:  
"If you try to leave, the

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Devil will get you!”

- Humiliation:
  - Withholding clothing or other human necessities
  - Requiring public confessions
  - Administering public tirades
- Ignoring or isolating a person: “No one will speak to you.”
- Actions such as
  - Hurting a pet animal
  - Destroying your belongings
  - Behaving violently around you—e.g., throwing things, or smashing a fist into the wall
- Forcing you to watch someone else being abused
- Forcing you to abuse or help abuse someone else

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## Threats

A kind of psychological abuse, threats are common components of all kinds of abuse.

The abuser may use threats

- to force the victim to obey:  
“If you don’t whip this evil kid, he’ll get twice as many from me!”
- to enforce secrecy: “If you tell anyone about this, better take good care of

your dog!”

- to intimidate with his “magical” powers: “So-and-so left the group, and three weeks later he died in a car ‘accident!’”

It’s not unusual for abusers to coerce their victims into illegal or embarrassing behavior, and then pressure them into other behaviors:

- by threatening exposure: “If you don’t tell me what I want to know, the police will hear about your hiring illegal immigrants.”
- or other punishment: “You’ve confessed to doubting, so you’ll have to show your loyalty by giving up (some cherished possession).”

Psychological or emotional abuse may stand alone, but often it precedes, or accompanies physical or sexual abuse. An abusive relationship may begin with psychological or emotional abuse and progress to physical or sexual abuse.

### **Physical Abuse**

*Physical abuse* is the use of force to harm, punish, or coerce. It includes non-accidental physical injury, regardless of whether or not the injurer intended to hurt the injured person. Physical

punishments, like light spanking with an open hand across the bottom, that do not result in injury, are not generally considered abuse. Some examples of physical abuse are

- Hitting with a fist or object
- Beating
- Whipping
- Cutting
- Burning
- Purposely withholding or preventing access to food, shelter, or sanitation (e.g., toilet)
- Tying someone up
- Locking someone up (e.g., in a closet or trunk)

Physical abuse may leave physical marks. If someone acts in a timely manner, victims of physical abuse might have evidence, such as medical records or photographs, that is convincing and may help the abused person to get protection.

### **Sexual Abuse**

*Sexual abuse* is the use of another person for the sexual pleasure of the abuser. Examples of sexual abuse are

- Forced sexual activity, including intercourse
- Being forced to have your sexual organs and/or activities observed by other

people

- Being forced to observe the sexual organs and/or activities of others
- Unwanted sexual touching; being touched by other people or being forced to touch others
- Sexual activity of adults with or observed by children
- Sexual activity of older children with children four or more years younger
- Sexual activity involving very young children
- Exploitation through prostitution or production of pornographic materials

“Force” does not need to be physical.

Force can include fear of displeasing an authority or of not fitting in with group or cultural expectations.

Sexual abuse may be difficult to prove; the abuser may be careful to leave no marks, and the acts often are without witnesses. Discomfort with talking about the often humiliating details of an experience of sexual abuse—plus the difficulty of producing evidence or witnesses—often discourages victims from reporting such abuse. Still, immediate medical care and a report to the police may help prevent further abuse.

To get help with issues of sexual abuse, you can also contact the [National Sexual Assault Hotline](#) 1.800.656.hope (4673). The Rape, Abuse & Incest National Network provides victims of sexual assault with free, confidential services around the clock.

### Effects of Abuse

*Psychological and emotional abuse* may leave deep, sometimes lasting scars. Victims may come to believe they actually are "stupid," they are about to be snatched up by the Devil, it really was their fault the kitten died, and so forth. These negative ideas about themselves may affect how the victims think and act for years, even after they realize that the ideas are not true. Effects of psychological and emotional abuse might take the form of

- Self-doubt, lack of confidence
- Low self-esteem, feeling worthless and unworthy of respect
- Feeling incapable or incompetent
- [Dependency](#), the inability to function without guidance by others

Current research suggests that the harm done by psychological or emotional abuse is deeper and longer lasting than the damage done by physical abuse, yet this

type of abuse is harder to prove or use in legal actions.

*Physical abuse* may cause loss of vision, loss of hearing, brain damage or broken bones, permanent impairment, and sometimes, even death, as well as psychological and emotional damage, such as deeply entrenched, but unconscious, anger or depression.

*Sexual abuse* may cause physical injury or transmit disease. Sexually abused females may have to cope with unwanted pregnancies. Sexual abuse can also cause serious emotional and psychological damage ranging from avoidance of all intimacy to the belief that one's only value is as a sexual object.

### **Abusers**

Current research offers several reasons why people become abusers:

- An abuser may have been abused as a child; she may think that insults and physical violence are legitimate methods of control.
- Angry and frustrated people or people who have difficulty managing their own feelings and behavior may take out their

frustration on whomever is handy and cannot or will not strike back (as in yelling at one's spouse or children after being yelled at by one's employer).

- People who feel they have little control over their lives may use abuse as a way to experience a sense of power and control.
- Some people are true sociopaths who have no sense of empathy or remorse and may even enjoy hurting others.
- People may be—however reluctantly—obeying the orders of a superior. It has been scientifically shown that when ordered to do so by an authority figure, people will do things they would not do on their own.
- People may even contort their own values to convince themselves that what they are doing is necessary and right. In his book *The Nazi Doctors*, eminent psychiatrist Dr. Robert Lifton explores how medical doctors—sworn to “do no harm”—came to order executions of mentally disabled patients and



concentration camp

inmates.

Abusers often justify their misbehavior, claiming that the abuse is for the victim's own good, or that the victim deserved or "asked for it":

- "I'm doing this to help you learn right from wrong."
- "This is the way to elevate yourself to the next level of holiness."
- "If you're really loyal, you'll do [or suffer] this."
- "You leave me no choice but to punish you."

### **Those who abused someone because of coercion or indoctrination**

Those who abused someone because of coercion or indoctrination while they were in a cult or high-demand group may face complicated emotional issues after they leave.

- If you joined as an adult, you may feel bewilderment about the mindset that led you to do those things, as well as guilt and remorse.
- If you were born and raised in the group, and were taught from infancy that those behaviors were moral and correct, you may still feel very sorry and ashamed of

your role in them.

- You might find yourself feeling the urge to behave abusively again (e.g., when you're under severe stress).
- if you as a parent abused your children or allowed them to be abused at the group's command, you may have many difficult feelings to bear and challenges to work through.
- Remember that coercing or manipulating someone into mistreating another person is abusive. If you were controlled in this way, you were a victim, as well as an instrument, of abuse.

Working through these issues with a competent mental health professional should help, but may also expose you to some risks if you live in a state in which mental health professionals are required to inform authorities of past, as well as present, suspicions of child abuse. Be sure you understand what rules of confidentiality apply so you can make an informed decision about what you want to tell a counselor.

### **Victims of Abuse**

Victims are people who have no choice (or who believe they have no choice) about being mistreated by someone they perceive as having authority or power over them, including the power to force them to participate in the abuse of

others.

All human beings have a built-in urge to find causes for things that happen to them, and to feel they have some control in their lives; so victims of abuse may think they did something to cause the abuse. "Yes, I was clumsy. I shouldn't have spilled the coffee" is an example of this kind of thinking. No matter what the abuser claims as justification for his abusive behavior—even if the victim actually did accidentally harm the abuser, there is no excuse for mistreating people in one's power.

The true cause for the abuser's behavior lies within the abuser. Deliberately hurting another says more about the abuser's tendency to violence than the victim's offense.



## **Neglect**

*Neglect* is the failure to provide, for reasons other than poverty, for the basic needs of someone dependent on you. Victims of neglect are those who are dependent on others for critical needs, such as children or ill, disabled, or elderly adults. Neglect is usually an ongoing, long-term experience, rather than a one-time episode.

To some degree, the local community determines definitions of neglect. Some

states, for instance, have laws about the earliest age at which a child may be left alone, or what weight a child must reach to ride in a car without a car seat. Other states have different—or no—laws on these topics.

Following are four generally recognized categories of neglect.

### **Physical Neglect**

- Physical neglect, includes abandonment—leaving a dependent person in circumstances that may be dangerous, or failing to make contact with or provide an appropriate or adequate level of support for the person for a given period of time
- Failure to provide food, adequate clothing, or other necessities, for reasons other than poverty
- Expulsion of a child from the home or refusal to accept a returning runaway child
- Inadequate supervision; for instance, leaving a 12-year-old in charge of several toddlers
- Use of drugs or alcohol, or other activity by a caregiver that impairs the caregiver's ability to care for the dependent

### **Educational Neglect**

Educational neglect includes

- Failure to provide for a child's education
- Allowing a child to stay home from school unnecessarily
- Failure to seek appropriate special education services if needed

### **Emotional Neglect**

Emotional neglect includes

- Marked lack of consideration for a dependent's need for attention, particularly in infants and young children; for instance, ignoring a crying baby for hours; or never looking at, or talking to a baby
- Failure or refusal to seek needed psychological care for a dependent
- Selling, distributing, or giving illegal drugs or alcohol to a child

### **Medical Neglect**

Medical neglect, includes

- Failure to seek necessary medical or dental treatment
- Failure to seek necessary mental health treatment

### **Effects of Neglect**

Neglect may cause serious physical damage, or even death. And, of course, neglect exposes the unprotected victim to abuse.

Physically neglected children or adults

- may be drastically underweight;

- may suffer from malnutrition-caused disease;
- may be inadequately clothed, or dirty;
- may be unable to say who or where their primary caretakers are.

This kind of observable or “objective “ evidence of neglect is most likely to lead to direct assistance for these victims, such as professional assistance to meet their needs, or possibly their being removed by authorities to a safer environment.

Emotionally neglected infants may develop a condition called “failure to thrive.” These infants are underweight, grow very slowly, and do not meet standard developmental milestones such as sitting up, walking, and talking. If infants are cared for by changing staffs of different people, with no consistent caregivers, or left to cry for hours by themselves, they may fear connecting with others, or may not learn how to connect with others.

As they grow older, emotionally neglected children may

- act out angrily, or
- deliberately disobey
- be withdrawn
- be uncomfortable with or refuse to respond to affection
- go to the other extreme, seeking

attention from everyone, and becoming inappropriately affectionate with strangers.

Adults who suffered childhood neglect may feel an overwhelming need to be in control.

Elderly, chronically ill, or disabled adults may be “warehoused” in impersonal, institutional settings, or left on their own for lengthy periods without human contact. Although they are fed, clothed, and clean, their functioning may deteriorate, and they may suffer mental impairment or depression.

Neglect may be as harmful as, or more harmful than, abuse. Researchers have found that people who were neglected as children may lack competency in important life skills; this lack of competency may include

- Inability to make decisions
- Inability to play or enjoy simple pleasures
- Impulsive behavior
- Irresponsibility
- Communications problems
- Relationship difficulties
- Lowered intellectual ability
- Extremely low self-esteem
- Inability to accept their own accomplishments

## **Neglecters**

Primary caretakers, those responsible for the dependent person, may be neglectful because of

- ignorance of the dependent's needs, especially if they themselves were deprived as children;
- serious personal problems like stress, illness, or addiction;
- placing higher priority on other activities (in high-demand groups, these activities might be meetings, fund-raising, etc.);
- obeying directions of an authority figure who has ruled, for instance, that a child should eat only chocolate, or not be taught to read;
- dislike of, impatience with, or deliberate intent to harm the victim; or
- a combination of these or other causes.



## Protecting Yourself

You can help protect yourself from abuse in various ways. It's important to be aware of potentially dangerous situations and the signs of abuse, and also to know the basics about harassment and bullying.

### Recognizing and Avoiding Indicators of Danger

*Recognizing and avoiding indicators of*



*danger* is the first line of defense against abuse. Here are some suggestions to help you recognize and remove yourself from potentially dangerous situations and abusive relationships.

### **Useful precautions:**

- Be alert with strangers, especially very friendly strangers. Don't accept drinks, rides, or offers to see you home from anyone you don't know well.
- Be wary of giving "second chances" to people who have once misbehaved seriously, no matter how sincerely they promise they have changed. They can demonstrate that change to someone else.
- Don't get drunk in public places, and don't enter the home or car of someone who is drunk. People under the influence of [alcohol](#) have impaired judgment and may do things they normally wouldn't do.
- Be cautious about giving personal information such as your name, address, phone number, or place of work to someone you don't know well enough to trust. [Protecting your identity](#) in social settings is important.

### **Pressure tactics**

Pressure tactics are manipulations designed to get you to do something you'd rather not do. These strategies may be precursors of physical and sexual abuse. Here are a few common tactics, and some possible responses:

- "Everybody does this—what's your problem?"

Possible response: **"I guess I'm different and I don't need to explain to you why."**

- "How will you know unless you try this?"

Possible response: **"I don't need to try jumping off a bridge to know that it's a bad idea to jump off a bridge."**

- "This is the only way you'll get promoted!"

Possible response: **"Then I guess I won't get promoted."**

- "You're the only person who can help me!"

Possible response: **"Actually, you're the only person who can help you--by accepting reality."**

- "You said you'd do anything to help. Didn't you mean it?"

Possible response: **"I guess I didn't, because I certainly don't intend to do this."**

- "Don't you trust me?"

*Possible response: "If you have to ask, you already know the answer."*

### **Abuse disguised as "accident" or "fun"**

Abuse disguised as "accident" or "fun" is another danger signal:

- The hug so tight it hurts
- The tickling that doesn't stop on request
- The worm disguised as spaghetti, or the spaghetti disguised as a worm
- The sudden, unexpected blow in the ribs or grab at the throat

All such actions call for a clear statement from the recipient who doesn't like this treatment: **"Maybe you don't mean to be unpleasant, but [this behavior] makes me very uncomfortable. Don't do it again."**

If the behavior or comparable behavior recurs, it's time to distance yourself. The section titled [Saying No](#) has additional suggestions about how to warn people off.

### **Harassment, Workplace Harassment or Bullying**

*Harassment* is ongoing hostile treatment

intended to annoy, intimidate, humiliate, or harm a person. One annoying phone call does not constitute harassment, but calling someone every hour for days does. Stalking someone, or bombarding a person with attentions known to be unwanted are examples of harassment.

If someone is harassing you, make it clear that his attentions are unwelcome. To document the harassment, keep a written record of the hostile behavior, listing the time, place, and type of occurrence. You also might want to get advice from the police or an attorney.

#### *Workplace harassment or bullying.*

Workplace harassment is illegal in the United States, and employers are responsible for protecting workers from being harassed. You can find some useful information about [workplace harassment here](#). Bullying—hostile behavior that doesn't fall within the legal definition of harassment—in the workplace is not outright illegal, but sensible employers will take steps to put a stop to it.

If you are harassed at work, keep records of the hostile behaviors, and any evidence, such as threatening or abusive notes, or defaced or damaged belongings. Your human resources officer, your supervisor, or both should be able to put a stop to it.

## Immediate Danger

If you think you are in immediate danger, you need to get away from the probable abuser as quickly as possible. You can worry later about having misjudged someone, or being embarrassed or inconvenienced.

- If you are indoors with someone who is threatening you, get outside and look for people who might help, whether they are police or simply passers-by.
- If you are outside, stay outside until you find a place where there are people who can call the police or otherwise help you. After dark, look for an open gas station, or a hotel or motel where there are lights and people.
- If you're parking your car and see something suspicious, or if someone is following your car, do not get out of the car. Drive to the nearest open establishment and call the police.
- If you have a cell phone with you, you can use it in any of these situations to call 911 for help; but you may not always want to wait for someone to show up.



## Helping Others

You may suspect or even know that someone needs help dealing with a situation of abuse or neglect.

Understanding a few essentials about what to do and what not to do in such a situation will better equip you to help.

### **When Someone Asks You for Help**

If someone tells you that he is being abused or asks for help, one of the most important things you can do is believe that the information is true. If you express disbelief or skepticism, the victim might decide that that no one will believe him, so there is no point seeking help.

- Explain to the victim that abusers can be found in all walks of life, all races, religions, places, and relationships. Acknowledging that the victim had no way of predicting or anticipating her situation – if true -- is helpful. (If it is not true— if, for instance, she had returned to a previously abusive situation, try to avoid saying you “told her so.”)
- Victims might appreciate a simple acknowledgement that you understand their reluctance to discuss their abuse if they have hesitated to disclose it. The victim may have met with disbelief or dismissal in a previous attempt to get help or may be unsure that what he is experiencing is abuse. Even well-meaning questions, such as “You say this has been going on for years—why didn’t you do

anything about it?", may discourage someone who has spent years figuring out what is wrong and what to do about it.

*Supportive actions* include

- Showing patience, even if you are frustrated by the victim's indecision or hesitation to take actions.
- Offering constructive comments and responses; for instance,

**"Thank you for trusting me with this information. I'm sorry this has happened to you."** Or  
**"Let me know how I can help."**

It's best to *get professional help as soon as possible*, despite all the difficulties outlined below. Investigating or trying on your own to confirm the abuse might expose the victim to worse abuse by alerting the abuser to the attempt to get help. Or serious harm might be done to the victim before you can take steps to prevent it.

### **If the suspected victim is a child**

If the suspected victim is a child, contact the local Child Protective Service or the local police.

- Although most states have a toll-free hotline to report suspected abuse or neglect, these lines work only within the state. To find the

number for your state, google

“Report child abuse,” plus the name of your state.

- If you are calling from another state, you can make a long-distance call to the agency’s regular number. (Find the number either through an online telephone directory or by searching the state’s Web site.)
- You might also try the Childhelp National Abuse Hotline at 1-800-422-4253 (1-800-4A CHILD).

If the child is with you, keep him until you have made the report, explained the situation, and done what you can to ensure the child’s safety.

- If there is physical evidence, such as filth, cuts, or bruises, or if the child appears starved or dazed, immediately seek emergency medical care.
- Follow the instructions of the person or agency you made the report to. Document everything—who you talked to, the case number if a report is taken, and write down any instructions you received.
- If you are a parent of the child, you are responsible for protecting the child; in most states, you can physically remove the child from the source of danger, even if the source of danger is the other



parent.

### **If the suspected victim is an adult**

If the suspected victim is an adult, you or the victim can contact a hotline for information and advice:

- The [National Domestic Violence Hotline](#) is available 24 hours a day, seven days a week. The toll-free phone number is 1-800-799-7233. You will talk to an experienced listener who can provide information and help you think through your situation.
- The [Domestic Abuse Helpline for Men and Women](#) specializes in helping men who are the victims of domestic abuse, but it will take calls from anyone. The 24-hour, 7-day a week toll-free helpline is 1-888-743-5754. This organization is located in Maine, but its representatives may be able to refer you to shelters or social service agencies across the country.
- Most metropolitan areas have [emergency shelters](#) and [domestic violence shelters](#) where adults can stay when they are escaping abusive situations.

### **If the suspected victim is a disabled or elderly adult**

If the suspected victim is a disabled or elderly adult, the Administration on Aging runs a toll-free information line at 1-800-677-1116 during weekday business hours, where you can get the number of the appropriate state agency. Or you can check the [National Center on Elder Abuse list online](#). As with a child, if there is physical evidence of abuse, or if the adult seems starved or filthy, try to get immediate medical attention. Because elderly people may have brain impairments unrelated to maltreatment, authorities may not credit an elderly person's statements without objective evidence of abuse or neglect.

### **When You Think Someone Needs Help**

If you know or suspect that someone is being abused or neglected, you may want to take the initiative and suggest that he get help.

- Be careful in your attempts.
- It's usually best to speak directly to the suspected victim, rather than a third person who might spread your suspicions to others, which could endanger the suspected victim.
- Address the possible victim in general terms that simply express concern: **"I'm sorry you've had all those falls—I'm wondering if there's some underlying health problem that's causing them?"**

- Accept denial without argument.

Abuse and neglect victims have many reasons for keeping their problems to themselves.

- Victims of abuse may not know (especially if they are children) or acknowledge that they are being abused.
- If they do know, they may lie about cuts or bruises (they fell, or their own clumsiness caused the knife to slip) because of pride, fear, guilt, shame, or misplaced loyalty to the abuser.
- Disabled or elderly adults may also be confused about the situation, or too fearful of the abuser to confide in you.
- Abused spouses may actually resent your opinion that it is abuse, or feel that they can handle the situation.
- Both children and adults may hesitate to shame, embarrass, or incriminate the abuser.
- Victims may feel that they deserved the abuse, and therefore it is OK.

Your expressed concern may start a new train of thought, and the knowledge that someone is concerned may be more helpful to the victim than you realize.

If you repeatedly confront someone you think is being victimized, the response may be

- a blunt denial
- a demand that you do nothing about the situation
- distancing themselves from you

These responses place you in a difficult position:

- If you report your suspicions anyway, you will lose the person's trust.
- If you go along with her wish that you do nothing, she remains at risk.

### **Ways to Help**

Adult victims of abuse (including people who have been raised in cults or high-demand groups) may need many kinds of help when they leave abusive settings:

- Victims may lack money, friends, or a safe place to go.
- Parents may have children they want to take with them. Or they may make the painful decision to leave the children behind.
- Victims may be constantly watched, or their whereabouts otherwise monitored.
- Victims may fear that the abuser will track them down and kidnap or kill them if they leave.
- Once they have left, victims face

the many problems of shaping a new life: finding housing, a job, and acculturating to a different world may be among them.

## Practical

You may be able to help adults by

- storing clothes and other possessions they will need if they leave;
- helping them set up a [post office box](#) or [bank account](#);
- helping obtain needed [documents](#);
- helping them learn about [safe places to stay](#);
- getting information for them about [custody](#), divorce, and other legal issues in their state.

Here is some useful [information about resources for victims](#).

## Emotional

It may take a long time for someone to make the decision to leave, and to plan how to do it. Support a victim by

- showing patience with her indecision;
- encouraging steps toward independence;
- respecting decisions when they are made; and
- pointing out/reinforcing the victim's

strengths in the face of a very difficult situation.

This kind of support is helpful to people who often have chosen to leave family, friends, and familiar places for the uncertainty of a new life, often in a strange culture.

### **Educational**

People coming into a strange culture, or one they have been away from for many years, may lack understanding of how the culture works.

- They may need information about topics ranging from legal and health issues to what to wear to a job interview.
- They may not know how to cash a salary check or buy a movie ticket.

They need a friend they can turn to who help with problems like these without feeling shamed or silly because they don't know this basic information.

### **Actions to Avoid**

*It is unwise to confront the suspected abuser or neglecter directly.* Unless you actually have the power to stop the abuse—for instance, if you are strong enough to intervene physically when you see a child being beaten, and you can get him to safety—you run a substantial risk of making things worse.

- Even if the abuser promises not to do it again, there is no way to enforce the promise.
- The abuser may cut off your access to the victim.
- If you did not actually witness the abuse or neglect, the abuser may punish the victim for revealing the abuse.

*Nor is it wise to intervene indirectly, by speaking to a person close to either the victim or the abuser. Unless you know the person very well indeed, you risk*

- disclosure of your knowledge and concern to the suspected abuser;
- misrepresentation of what you said; and
- the end of the connection that enabled you to get what information you have.

This kind of action might be helpful only if the person you confide in

- is likely to believe you and
- can protect the victim; or
- is someone you can trust not to spread the information to yet another person without first consulting you.

### **Helping Children and Teenagers**

Helping children and teenagers is complicated. Most states have laws designed to

- preserve family connections;
- protect the rights of parents to raise their children as they see fit; and
- prevent the removal of young people by noncustodial adults.

In general, states consider anyone under the age of 18 a “minor,” and taking in or otherwise “harboring” an unaccompanied minor may expose you to legal charges.

If you are considering helping a minor who has left her or his parents, carefully check the procedures your state has in place for such situations. You can find information about this and other legal issues at [Teenagers on Their Own](#).



### **Abuse, Neglect, the Government, and the Legal System**

There are laws designed to protect victims of abuse and neglect. This section is intended to help you learn about the laws and to use them effectively, as well as to prepare you for the difficulties and frustrations that might occur.

The federal government sets minimum guidelines defining abuse and neglect of children, and each state has its own set of detailed guidelines, based on the federal guidelines. Here are national guidelines about child abuse and neglect, as well as links to [specific state](#)



## [guidelines.](#)

The National Center on Elder Abuse (NCEA) concerns itself with abuse and neglect of elderly or disabled adults. As with child abuse and neglect, the federal government sets minimum guidelines, with each state basing its own laws on those guidelines. The [NCEA home page](#) includes links to detailed information for each state.

### **Maltreatment Investigations**

Although the system is imperfect and does not always remedy the abuse, the chances of getting help for victims is greater if there is an investigation than if there is none. The government's first step after it receives a report of suspected abuse or neglect is to conduct an investigation. The promptness, thoroughness, competence, and outcome of an investigation depends on:

- The availability of well-trained investigators
  - There are some highly competent investigators in every state, but there are also shortages of investigators and, in many states, investigators may be overworked or may lack necessary training, supervision, and support.

- These factors may result in investigations that are inadequate or not timely, or they may result in hasty, ill-considered recommendations.
- Sometimes investigations are closed because they are not completed within set time limits.
  
- The type and quality of the evidence
  - Investigations involving members of cults and high-demand groups may be particularly difficult.
  - Members may lie to protect each other or the leader, or view an investigation as an attack on the group as a whole.
  - Children who might speak out about such experiences as beatings or starvation may fear that the court might send them home, and then they will suffer for their honesty.
  - Similarly, elderly or disabled adults might fear their caregivers' anger.

If there is not enough physical evidence or documentation, the law may not intervene because the case will not hold up in court. This can be frustrating to

those who believe that harm was done, but have no evidence to support their belief.

If the investigating agency finds evidence of neglect or abuse, it has various options. It can

- provide trained specialists to relieve troubled caregivers; for instance, sending a trained health aide to help bathe or feed an ill person;
- arrange for parents to learn parenting skills;
- put families in touch with needed services the family might not know about.

Usually, agency workers then follow the case for several months to ensure that the problems have been adequately addressed.

In cases where the investigator determines that someone—usually a child or children—is in imminent danger, the agency can remove the person from the home and place her in an emergency shelter or foster home. The agency must present its evidence to a judge, who makes a decision about what to do. You can find more information about this proceeding in [Underage Youth and the Court System](#).

The principle that an accused person is

innocent until proven guilty applies in cases of abuse and neglect. As a practical matter, the greater the privacy in which the abuse took place, the more difficult it can be to prove what happened.

- Did the teenage girl carelessly step backward during an argument with her parents and therefore fall down a flight of stairs? Or did her father deliberately push her down the stairs?
- Did the elderly parent really fall trying to get out of bed by himself, or was he bruised when the caregiver beat him?
- States are required to take every possible action that will support keeping children with their parents, absent “clear and present danger” to the children.
- Friends and other family members might, out of misguided loyalty or naïve acceptance of a commitment that “it won’t happen again,” assist in a cover-up, or ignore the court’s order to supervise all contacts between child and parent.

Adults who appeal to the courts for protection may face many of the same problems, although their credibility is often rated higher than that of children. However, the court’s ability to protect abused adults is limited.

- Unless an abuser has been

convicted and sent to jail, the court must usually rely on a restraint or protective order, which simply tells the abuser to stay away from the victim.

- These orders are of limited duration and must be renewed regularly.
- Restraints and protective orders are difficult to enforce and may not discourage the abuser from seeking to confront or “punish” the victim.

Despite these shortcomings, it still makes sense to report suspected abuse or neglect because

- There is a real chance the authorities will help.
- Even if the maltreatment is not proven, the abuser or neglecter may modify his behavior as a result of the government scrutiny.
- The victim(s) might benefit from knowing his situation was taken seriously and someone tried to help.

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