

When Child Sexual Abuse Is a Danger

Introduction

Is all Child Sexual Abuse (CSA) a threat to child safety? Is CSA ever a present danger? Is CSA always an impending danger?

Many state safety models include a safety threat stating child sexual abuse exists and affects a child's safety. Other safety models do not contain a threat with specific language about CSA but assess the behavior associated with the CSA. For instance, some safety models consider the caregiver being out of control representative of a person whose sexual behavior is impulsive and out of control.

Some people believe that if CSA is confirmed that there really is no need for a safety assessment, and that actions can be taken because the child is considered to be unsafe. It is true that CSA is different than other forms of maltreatment with respect to CPS intervention at large and safety intervention specifically.

So this month, we will consider these questions and the uniqueness of sexual abuse situations as danger.

First Things First

The first thing we need to do—and this may feel like mental gymnastics—is to establish a position for you to think about, understand, and hopefully come to accept if you do not already. ***The existence of maltreatment does not equal unsafe.*** You cannot conclude that a child is unsafe solely based on maltreatment. The reason this is so is that maltreatment comes in various forms, qualities, degrees, intensity and can be classified from minor maltreatment to extreme maltreatment. Even within such a classification, we know that there are all kinds of family complexities and issues that result in differences within the

categories. For instance, all minor maltreatment is not the same since the individual differences among families are so different. So, CSA does not equal unsafe in and of itself. That is why safety assessment must consider all aspects of the CSA—or any other maltreatment—and the family context in which it occurs in order to conclude that a threat to child safety exists.

Substantiation of maltreatment does not equal unsafe either, but that's a subject for a different article. We are just throwing that in for you to ponder too.

Taboo

Right out of the gate, we need to acknowledge that unlike other forms of maltreatment, sexual interaction between an adult and child is a taboo in our society. This taboo is very strong. It is not a stretch to say that any sexually related content or activity occurring around or associated with a child's presence is considered sexual abuse by many. It probably is not unfair to say that minimal discrimination likely occurs within the general population about what truly is child sexual abuse. We know, of course, that CSA is perceived differently than other forms of maltreatment. For instance, while certainly not acceptable, physical abuse does not carry the same sort of prohibition or total intolerance that CSA does. This is so probably because historically our society has allowed parents and other adult caregivers to hit children. Physical discipline fits within the continuum of hitting children and is still accepted by many people and promoted by others.

The point is that the level of tolerance is different with respect to CSA compared to physical abuse or neglect. It is as if a little physical abuse or a little neglect can be tolerated, but absolutely no CSA in any form (or for that matter other kinds of sexually related influences on children) can be tolerated.

The reason this is important to mention is that you are faced with the reality that the community standard for CSA is different than other maltreatment

situations because of morale values and societal taboo. This creates a unique challenge for safety decision making.

The challenge is to perform effective safety assessment when the prevailing attitude within communities is that all CSA is the same, and that CSA is automatically a threat to a child's safety. As a public servant, you are an agent for the community and therefore take into account community values and expectations. However, as a professional, you balance those values and expectations with the professional values, expectations and standards that form effective safety decision making and intervention. Here are some examples of how you balance and reconcile an amorphous perception of CSA as a threat to child safety with an informed, discriminating examination of CSA as a threat to child safety:

- Seek to fully understand what is happening in the family.
- Identify and qualify exactly what form the CSA is taking in relation to the statutory definition, dynamics and functioning within the family, and specific behavior occurring between and among family members.
- Specify in exact terms how the CSA and associated behavior, intent, attitude, perceptions, emotions, motives and situations are a direct threat to a child's safety which includes fully explaining what is occurring, when it is occurring, where it is occurring, and what other activities or influences are associated with it.
- When qualifying the CSA as a threat to child safety, know and describe the behavior, emotion, attitude, perception, motive, intent and/or situation that is/are characteristics of the threat in specific ways—ways that qualify as evidence using the preponderance standard.

- Apply the safety threshold criteria to assure that the CSA and associated influences and behaviors being evaluated as a threat meet such an analysis and qualification.

In general, what we are saying is that we all appreciate that CSA is perceived in our society in different ways than other forms of maltreatment. We acknowledge that CSA by most people is viewed as all the same. We recognize that all CSA is not the same. So, the job of safety assessment is to analyze and discriminate in diligent ways to draw judgments that consider the unique occurrence of behavior within a family that can be concluded to be dangerous.

All CSA Is Not the Same

Like other forms of maltreatment, child sexual abuse occurs in many different kinds of family situations. Additionally, that which is concluded to be CSA comes in different forms. We can conclude that not all physical abuse and physical neglect are the same, and we can conclude that not all sexual abuse is the same. Some of what makes CSA different is associated with the nature of the problem and how far it has progressed. There is a tendency to lump all sexual related activity within a family into the category of sexual abuse.

It can be helpful to think about acts of omission and acts of commission when attempting to discriminate in terms of whether sexual activity occurring in a home is inappropriate for a child to be exposed to versus that there are specific intentions to involve a child in sexual activity. Acts of omission include adult behavior and adult situations that exist within the home, but there is not specific intention for these to be directed at or involve a child. In effect, these kinds of acts of omission represent something closer to negligence and lack of supervision. Acts of commission are purposeful behaviors to involve the child in sexual activity in some way. An obvious aspect of this purposeful behavior is adult sexual gratification. Acts of omission and commission are different, but both suggest the need for intervention.

Let's consider some forms of CSA that are reported to CPS and assessed in order to further emphasize the different ways CSA may be occurring within a family:

- ✘ An adult exposes himself to a child.
- ✘ A child is exposed to pornography.
- ✘ A child is made to watch an adult masturbate.
- ✘ A child is exposed to adult sexual behavior.
- ✘ An adult takes pictures of a partially clothed or naked child or a child in sexual poses.
- ✘ An adult takes pictures or videos of a child having sex with another child, with other children, with an adult, or with adults.
- ✘ An adult inappropriately touches a clothed, partially clothed or naked child.
- ✘ An adult has a child masturbate himself and/or the adult.
- ✘ An adult performs oral sex on a child.
- ✘ An adult causes the child to perform oral sex on the adult.
- ✘ An adult has intercourse with a child.
- ✘ An adult performs perverted sexual acts on a child.
- ✘ An adult combines sexual abuse with physical abuse on a child.

These examples demonstrate variation in how serious, extreme, repulsive, or severe the CSA acts can be. Depending on other case information, you might conclude that an adult exposing himself to a child is not a danger to the child. Alternatively, without any other information, you would conclude that an adult having sex with a child is a danger to the child. There are other dynamics that must be understood too in order to correctly assess CSA in relation to safety.

CSA must be considered with respect to *progression* which includes at onset, a developing occurrence or an established pattern. Progression is also concerned with the evolving of acts and behavior that become increasingly extreme. Progression is a dynamic of CSA that is to be expected and therefore should have

a bearing on how one judges safety. For instance, the question of impending danger in a case where the adult exposes himself to a child should be influenced by the possibility of progression (among other things). CSA must be considered with respect to *frequency of occurrence* as in one time only, periodically, in association with particular events or circumstances, frequently, or pervasively (as in somehow enmeshed within the family's life style). CSA must be considered with respect to the *relationship of the adult to the child and the implications of that relationship to trust, power, intimidation and child vulnerability. Access and opportunity are critical judgments that must occur.*

What we are saying here is that diligence to understand in detail the nature and extent of the CSA within a family context is crucial to effectively judging safety and therefore deciding about safety intervention. While the lay community (and some professionals too) tend to view all forms of CSA as the same, you as a CPS professional recognize that all forms are not the same. So you seek to understand the uniqueness of the CSA happening in any particular family with respect to extent, duration, pervasiveness, consistency, nature, dynamics, relationships, effects, and surrounding circumstances.

CSA as Present Danger

Not all CSA exists as a present danger. That may seem distasteful to some who believe that if CSA is suspected or exists that a child is in immediate danger, and immediate safety intervention is indicated. So, let's clarify here based on safety concepts that underpin safety intervention.

The definition for present danger is an immediate, significant and clearly observable family condition occurring in the present tense, already endangering or threatening to endanger a child. It is important to understand that the primary criterion that qualifies present danger is what is happening that endangers a child is happening now; it is currently **in process** of actively endangering a child.

As we emphasize “happening now,” you are encouraged to not take that too literally, particularly in reference to CSA. In other words, a sexually abused child may be in present danger, but that doesn’t mean that at the time of the CPS report or, say, when you show up to commence the initial contact that an adult is having sex with the child. So, the emphasis we want to give here is to process. The danger is active and in process.

To reiterate—for CSA to be a present danger it must be presently in process; it must be active. Consider this case situation:

On a Monday morning, a 9-year-old girl reports to the school nurse complaining of stomach pain and being very emotionally upset. While talking with the nurse, the girl discloses that her mother’s boyfriend has intercourse with her when her mother is at work in the evening. Her mother works at a truck stop café from 4:00 p.m. to midnight Tuesdays through Saturdays. The girl says that the sexual abuse started around her birthday which was two months ago. She says that the sex abuse usually happens once a week, and that it happened the past Saturday night. She has not told her mother because the mother’s boyfriend has threatened to kill her dog or worse.

The child is not literally being sexually abused by the boyfriend at the time of disclosure. But she is living day to day in a process of being sexually abused. This child is in present danger. The CSA is active and occurring now within a process that exists in the home between Tuesday and Saturday each week.

Now, let’s reconsider the criterion “*presently in process and active*” as we look at this case situation:

Patricia, the friend of the 9-year-old girl Nicki, tells her mom that Nicki told her that Nicki’s mom’s boyfriend, Tom, had sexual

intercourse with her around her birthday which was two months ago. Tom was drunk at the time. He told Nicki that he'd kill her dog if she told her mom. Nicki told Patricia that she is afraid of Tom and avoids him as best she can. Nicki told her mother she doesn't want to be alone with Tom. Nicki's mom thinks Nicki just doesn't like Tom and is always encouraging her to be nicer to Tom and to join in to do things with him. Nicki says Tom always acts really nice and sweet to her, but Nicki thinks it is because he might try to have sex with her again, and she doesn't trust him.

This child is not in present danger. The sexual abuse occurred two months ago and, for whatever reason, Tom has not approached Nicki again. There is nothing in the scenario to indicate that it is active—in the process of happening. There is no indication that the child will be sexually abused tonight or even this week. We do know, however, that things are surely far more complex than this scenario reveals, and we are reminded of the dynamic of progression. This scenario is more consistent with impending danger.

CSA as Impending Danger

While there may be exceptions, it is a safe judgment to conclude that impending danger exists in all CSA where the offending adult is still in the picture with access to the child. Even though the CSA is not active or in process as we saw in the present danger scenario above, the dynamics of CSA are such that a state of danger exists even when the CSA was at the onset and not extreme or heinous. The dynamics we refer to are such things as progression of acts and behavior, compelling sexual impulses, and grooming a child to participate in sexual behavior with the adult.

When a child is in impending danger, she lives in a state of danger. The danger is not active, but it is reasonable to anticipate that the danger can become active at any time. The danger associated with CSA may not exist at a particular

moment (like in present danger), but a state of danger exists. With respect to impending danger, when you learn enough about a family, you can conclude that the CSA will become active, and you can expect severe harm as a reasonable eventuality. Even with the limited information about Nicki's situation, we can conclude that she is in impending danger.

Applying the Safety Threshold

In order for CSA to be impending danger, all five standards of the safety threshold criteria must apply or be met.

- *Out of control* refers to family conditions that can directly affect a child and are unrestrained; unmanaged; without limits or monitoring; not subject to influence, manipulation or internal power; are out of the family's control.

Adults who have sex with children are out of control; they do not control their sexual impulses. In fact, they typically scheme in order to fulfill their sexual impulses. Their psychological and sexual development are flawed which also relates to this criterion of out of control.

- *Severity* is consistent with anticipated harm that can result in pain, serious injury, disablement, grave/debilitating physical health conditions, acute/grievous suffering, terror, impairment, death.

CSA seriously damages a child developmentally and emotionally. Victims of CSA are terrorized often overtly but always covertly. The intimidation is usually direct and extreme. Children who are sexually exploited or experiencing various forms of sexual acts suffer day by day, hour by hour. Some CSA is physically damaging, including physical injury and sexually transmitted diseases.

- *Vulnerability* refers to a child who is dependent on others for protection.

All children are potentially vulnerable to CSA. Age, size, robustness and so on are not good indicators about vulnerability with respect to CSA. Power, control, intimidation, grooming, direct threats are some examples of the kind of adult behavior that reduce the ability of a child to self-protect or seek protection even among teenagers.

- *Imminence* refers to a belief that threats to child safety are likely to become active without delay, a certainty about occurrence within the immediate to near future.

The sexual behavior and sexual relationships of adults who sexually abuse children are distorted and perverted. In many instances, these adults are pedophiles. Recurrence of such behavior is highly predictable. The sexual impulses of these people are so compelling and their inhibitions are so limited that the certainty of CSA recurring is high. Additionally, the fact of progression as a dynamic in such cases helps us to realize that CSA of a less serious nature is likely if not for certain to progress to a more serious form.

- *Specific* means a family condition that exists as an impending danger is observable and can be specifically described or explained; the danger is real; can be seen; can be reported; is evidenced in explicit, unambiguous ways.

This criterion can be a little harder to apply if it is unclear whether CSA actually occurred. However, if you believe CSA did occur and is likely to occur again, you identify specific facts that cause you to reach that judgment.

These facts can include:

- Descriptions of events and occurrences.
- Admissions.
- Observations by others.
- Physical, emotional and behavioral indicators of CSA present in the child.
- Family dynamics that are indicative of CSA.
- Opportunity and access.
- Other behaviors associated with the CSA (such as substance use).
- The absence of responsible adults to protect (which really refers to whether a non sexually abusing caregiver will and can protect).

Who Knows?

We'll close this article with this question. When assessing whether CSA exists as impending danger, it is crucial to reconcile who knows about the CSA. A part of the question of who knows is: What action did the person take as a result of knowing? The reason this is crucial is in cases where non abusive caregivers take swift and profound action to remove or counter the threat to safety, then impending danger doesn't exist and the child is safe. This demonstration of protectiveness is consistent with the definition for safety—the absence of threats to safety *or sufficient caregiver protective capacity to assure a child is protected.* So when considering whether CSA represents an impending danger, it is always necessary to calculate in the quality and effectiveness of caregiver protective capacities and to observe them in action and having protective results.