

SAN JOSE POLICE COMMUNICATIONS
Basic Dispatch Academy

LEARNING DOMAIN #108
CHILD ABUSE
Lesson Plan content
December 2019

Course Outline

Learning Objectives

Related Laws

Wound Recognition (accidental vs. non-accidental)

Resources and Referral

I. Learning Objectives

- A. Refresher on elements of physical child abuse, neglect and endangerment.
- B. Refresher on the mandatory reporting requirement.
- C. Help law enforcement personnel discern the characteristics of accidental vs. non-accidental injuries in children.

II Related Laws

A. 273a(a)(1) PC: Child Harm, Injury, Endangerment

- 1. Any person willfully causing or permitting any child to suffer, or inflicting unjustifiable physical pain or mental suffering, or having care or custody of any child and willfully causing or permitting that child to be placed in such a situation that their person or health is endangered.
- 2. General intent crime.

B. The Burn Formula

- 1. The degree of the burn is directly related to the following:
 - a. Temperature of the source
 - b. Time of exposure
 - c. Skin sensitivity
- 2. Temperature Chart

a. Infant Bath	91 °
b. Spa/Jacuzzi	103-105 °
c. 1 st Adult Pain	119 °
d. 2 nd ° burn – Adult 30 seconds	130 °
e. 2 nd ° burn – Adult 10 seconds	140 °
f. 2 nd ° burn – Adult 3-4 seconds	146 °
g. Coffee	160 °
h. Avg. Residential Water Heater	141 °

C. Classifying the Crime

- 1. 273a(a):
Circumstances or conditions are likely to produce GBI/Death-Felony
- 2. 273a(b):
Circumstances or conditions are other than those likely to produce GBI/Death-Misdemeanor

D. 273d PC – Physical Abuse of a Child

- 1. Any person who willfully inflicts upon any child any cruel, inhuman punishment, or corporal punishment or injury resulting in a traumatic

condition.

2. Felony Crime

E. Notes on Related Laws

1. The term “traumatic condition” is not defined in 273d PC. Traumatic condition is defined in Penal Code Section 273.5 PC, however, as any wound, or internal or external injury, whether of a minor or a serious nature caused by physical force.
2. Several cases, People VS. Ballard, Cal App 3d 311 and People VS. Burns (48) 88 Ca 2nd 867 support that the definition contained in Penal Code Section 273.5 also applies to PC 273d.
3. Cruel or Inhuman Punishment-shocks the moral conscience of the community.

III. Resources, Services and Facilities available to victims of child abuse.

A. 11166 PC: Reporting Requirement & Resources

1. Any employee of a Child Protective Agency;
2. Who has knowledge/reasonably suspects an incident of child abuse.
3. Shall report (i.e.: telephone) the suspected instance immediately to a Child Protective Agency.
4. And prepare a written report within 36 hours.
5. A Child Protective Agency means the Department of Social Services, CPS, or Police/Sheriff’s Dept.

B. 11172 (E) PC – Failure to Report Suspected Child Abuse

1. Any person who fails to report an instance of child abuse
2. Which he or she reasonably knows to exist, or should know to exist;
3. Is guilty of a Misdemeanor
4. 6 months in jail and/or a \$1000 fine
5. Civil Sanctions: General and Punitive

C. Placements

1. Shelter
2. Foster Care
3. Group homes
4. Legal guardian or Adoptions

D. Common Mistakes made by law enforcement personnel:

1. Failing to take the child into protective custody.
2. Failing to take the victim’s siblings into protective custody.
3. Not documenting the incident carefully.
4. Drawing opinions/conclusions in the crime report as to whether the injuries were accidental or not.
5. Not taking photographs of the victim’s injuries.
6. Not taking statements from parents/care givers.

IV. Wound Identification

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

[illegible]

[illegible]



V. Conclusion

- A. Be objective
- B. Be thorough
- C. Hug a kid today
- D. Family Violence Unit (408) 277-3700

VI. Hourly Requirement

Students shall be provided with a minimum of **2 hours** of instruction on Child Abuse.

POST Required Hours 2
Agency Specific
TOTAL Hours

VII. Revision date

October 15, 2010
March 23, 2016
December 2, 2019