| STATES WITH SPE | CIFIC FAILURE-TO-PROTECT ST | | | | | | | |
|-----------------|---|---|--|--|--|---|---|---|
| tate | Code number | Name of the law | The law | Class of crime | Maximum prison/jail sentence | Specific defense? | Source for the law | Source for the penalty |
| aska | Alaska Stat. § 11.51.100 | Endangering the welfare of a child in the first degree. | (a) A person commits the crime of endangering the welfare of a child in the first degree if, being a parent, guardian, or other person legally charged with the care of a child under 16 years of age, the person. (3) leaves the child with another person knowing that the person has previously physically mistreated or had sexual contact with any child, and the other person causes physical injury or engages in sexual contact with the child. | Class B felony if the child dies; Class C felony "if the child suffers sexual contact, sexual penetration, or serious physical injury." | Class B felony: up to 10 years. | | http://codes.lp.findlaw com/akstatutes/11/11 51/01./11.51.100. | |
| rizona | Ariz Doy Stat & 12 3622 | Child abuse | Under circumstances likely to produce death or serious physical injury, any person who causes a child or vulnerable adult to suffer physical injury or, having the care or custody of a child or vulnerable adult, who causes or permits the person or health of the child or vulnerable adult to be injured or who causes or permits a child or vulnerable adult to be injured or who causes or permits a child or vulnerable adult to be injured or who causes or permits a child or vulnerable adult to be injured or who cause or permits a child or vulnerable adult is endangered is guilty of an offense | knowingly; Class 3 felony if done recklessly; Class 4 felony if done with | Up to 24 years. | | http://www.azleg.state az.us/ars/13/03623.ht | |
| VIZONA | Ariz. Rev. Stat. § 13-3623 | Crilid abuse. | A person commits the offense of permitting abuse of a minor if being a parent, guardian, or | criminal negligence. Class B felony if the abuse caused serious injury or death, or consisted of sexual intercourse or deviate sexual activity; Class D felony if the abuse | Up to 24 years. | (b) It is a defense to a prosecution for the offense of permitting abuse of a minor if the parent, guardian, or person legally charged with the care or custody of the minor takes immediate steps to end the abuse of the minor, including prompt notification of a medical or law enforcement authority, upon first knowing or | f http://law.justia.com/c des/arkansas/2010/tit | o http://www.criminaldefensel |
| rkansas | Ark. Code Ann. § 5-27-221 | Permitting abuse of a minor. | person legally charged with the care or custody of a minor, he or she recklessly fails to take action to prevent the abuse of a minor. | caused physical injury, or consisted of sexual contact. | Class B felony: up to 20 years. | having good reason to know that abuse has | -5/subtitle-3/chapter- 27/subchapter-2/5-27 221 | |
| | | | Any person who, under circumstances or conditions likely to produce great bodily harm or death, willfully causes or permits any child to suffer, or inlificts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of that child to be injured, or willfully causes or permits that child to be placed in a situation where his or her person or health is endangered, shall be punished by imprisonment in a county iall not exceeding one year, or in the state prison for two, four, or six | | | | http://www.leginfo.ca. ov/cgi- bin/displaycode?secti n=pen&group=00001- 01000&file=270- | <u>g</u> |
| alifornia | Cal. Penal Code § 273a | | years. | Olera E falous (filos abilidades a los o | Up to six years. | | 273.75 | |
|)elaware | Del. Code § 1102 | Endangering the welfare of a child. | Being a parent, guardian or any other person who has assumed responsibility for the care or supervision of a child the person. a Intentionally, knowingly or recklessly acts in a manner likely to be injurious to the physical, mental or moral welfare of the child; or b. Intentionally, knowingly or recklessly does or fails to do any act, including failing to report a missing child, with the result that the child becomes a neglected or abused child. | Class E felony if the child dies; class G felony if the child suffers serious physical injury or becomes the victim of a sexual offense; class A misdemeanor in all other cases. | Class E felony: up to five years. | | | http://delcode.delaware.gov/ title117c042/index.shtml |
| | | | | Second degree felony if the child suffers "great bodily harm, permanent disability, or permanent disfigurement"; third degree felony if the child does not | 2 | | http://www.leg.state.fl us/statutes/index.cfm App_mode=Display_S atute&Search_String= &URL=0800- | 51 |
| lorida | Fla. Stat. § 827.03 | Neglect of a child. | (e) "Neglect of a child" means: 2. A caregiver's failure to make a reasonable effort to protect a child from abuse, neglect, or exploitation by another person. | disability, or permanent disfigurement. | Second degree felony: up to 15 years. | | 0899/0827/Sections/0 27.03.html | 8 http://www.dc.state.fl.us/pub /sg_annual/0001/intro.html |
| -lawaii | Hawaii Rev. Stat. § 709-903.5 | Endangering the welfare of a minor in the first degree. | (1) Except as provided in subsection (2), a person commits the offense of endangering the welfare of a minor in the first degree if, having care or custody of a minor, the person: (a) intentionally or knowingly allows another person to inflict serious or substantial bodily injury on the minor: | | Up to five years. | (2) It shall be a defense to prosecution under sections 703-903.5(1) and 709-904(1) if, at the time the person allowed another to inflict serious or substantial bodily injury on a minor, the person reasonably believed the person would incur serious or substantial bodily injury in acting to prevent the infliction of serious or substantial bodily injury in acting to prevent infliction of serious or substantial bodily injury on the minor. | http://www.capitol.hav aii.gov/hrscurrent/Vol 4_Ch0701- 0853/HRS0709/HRS 0709-0903_0005.htm | http://low.justia.com/codes/h |
| daho | | Injury to children. | (1) Any person who, under circumstances or conditions likely to produce great bodily harm or death, willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of such child to be injured, or willfully causes or permits such child to be placed in such situation that its person or health is endangered, is punishable by imprisonmen in the country jail not exceeding one (1) year, or in the state prison for not less than one (1) year nor more than ten (10) years. | ı | Up to 10 years. | | http://legislature.idahc gov/idstat/Title18/T18 H15SECT18-1501.htr | i. |
| linois | 720 III. Comp. Stat. 150/5.1; 720 III. Comp. Stat. 5/12C-5 | Permitting sexual abuse of a child Endangering the life or health of a child. | A person responsible for a child's welfare commits the offense of permitting sexual abuse of a child if he or she has actual knowledge of and permits an act of sexual abuse upon the child, or permits the child to engage in prostitution as defined in Section 11-14 of the Criminal Code of 1961 5/12C-5: (a) A person commits endangering the life or health of a child when he or she knowingly; (1) causes or permits the life or health of a child under the age of 18 to be endangered; or (2) causes or permits a child to be placed in circumstances that endanger the child's life or health. | 150/5.1: Class 1 felony, 5/12C-5: Misdemeanor unless it is a "proximate cause of the death of the child," in which case it is a class 3 felony. | Class 1 felony: Up to 15 years. Class 3 felony: Up to 10 years. | | http://codes.lp.findlaw com/ilstatutes/720/15/ 5.1#sthash.tGmw74J W.dpuf; http://www.ilga.gov/leslation/ilcs/documents 072000050K12C- 5.htm | oi |
| owa | lowa Code § 726.6 | Child endangerment. | A person who is the parent, guardian, or person having custody or control over a child or a minor under the age of eighteen with a mental or physical disability, or a person who is a member of the household in which a child or such a minor resides, commits child endangerment when the person does any of the following: e. Knowingly permits the continuing physical or sexual abuse of a child or minor. | Class B felony if it results in death; class C felony if it results in serious bodily injury; class D felony if it results in bodily injury | if there are three or more acts | However, it is an affirmative defense to this subsection if the person had a reasonable apprehension that any action to stop the continuing abuse would result in substantial bodily harm to the person or the child or minor. | http://coolice.legis.iow .gov/cool- ice/default.asp?categ ry=billinfo&service=io acode&ga=83&input= 26.6 | a http://coolice.legis.iowa.gov/ b Cool- w ICE/default.asp?category=b illinfo&service=IowaCode&g a=83&input=902 |
| (entucky | Ky. Rev. Stat. Ann. § 508.100 | Criminal abuse in the first degree. | (1) A person is guilty of criminal abuse in the first degree when he intentionally abuses another person or permits another person of whom he has actual custody to be abused and thereby: (a) Causes serious physical injury; or (b) Places him in a situation that may cause him serious physical injury; or (c) Causes torture, cruel confinement or cruel punishment; | Class C felony | Up to 10 years. | | http://www.lrc.ky.gov/atutes/statute.aspx?ic | st = http://www.lrc.ky.gov/Statut es/statute.aspx?id=39556 |
| laine | Me. Rev. Stat. tit. 17-A, § 554 | Endangering the | Being a parent, foster parent, guardian or other person responsible for the long-term general care and welfare of a child under 16, recklessky fails to take reasonable measures to protect the child from the risk of further bodily injury after knowing. (1) That the child had, in fact, sustained serious bodily injury or bodily injury under circumstances posing a substantial risk of serious bodily injury, and (2) That such bodily injury was, in fact, caused by the unlawful use or physical force by another person; | f Class C crime. | Up to 5 years. | | http://www.mainelegis ature.org/legis/statute /17-asec554.html | 1 5 |
| assachusetts | | Assault and battery upon a child. | Whoever, having care and custody of a child, wantonly or recklessly permits bodily injury to such child or wantonly or recklessly permits another to commit an assault and battery upon such child, which assault and battery causes bodily injury, shall be punished by imprisonment for not more than two and one-half years in the house of correction. | State of Gillion | Up to 2.5 years. | | https://malegislature.gov/Laws/GeneralLaws PartIV/Titlet/Chapter2 5/Section13j | 5/ |
| | | Neglect or endangerment of a | (2) A parent, legal guardian, or caretaker who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than 53,000, or both | | | It is a defense to a prosecution under subdivision 1, paragraph (a), clause (2), or paragraph (b), that at the time of the neglect or endangement there was a reasonable apprehension in the mind of the defendant that acting to stop or prevent the neglect or endangement would result in substantial bodily harm to the defendant or the child in retallation. | | |
| linnesota | Minn. Stat. § 609.378 | child. | (c) A parent, legal guardian or other person who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child and may be sentenced to imprisonment for not more than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars | • | Up to 1 year. | harm to the defendant or the child in retaliation. | http://law.justia.com/cdes/mississippi/2010/ | 0 |
| ississippi | Miss. Code Ann. § 97-5-39 | Neglect of a child. Abuse, neglect or endangerment of a child. | (\$10,000.00), or both. 2. A person who is responsible for the safety or welfare of a child and who permits or allows that child to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglec or to be placed in a situation where the child may suffer physical pain or mental suffering as | If the child is under 14 and it results in sexual absue or exploitation, category A felony; in all other cases, category B | Up to 10 years. Category A felony: Life with the possibility for parole after a minimum of 10 years; category | | http://statutes.laws.com/nevada/title- 15/chapter-200/abuse and-neglect-of- | |
| Nevada | Nev. Rev. Stat. § 200.508 | | the result of abuse or neglect. D. Abuse of a child consists of a person knowingly, intentionally or negligently, and without justifiable cause, causing or permitting a child to be: (1) placed in a situation that may endanger the child's life or health; (2) tortured, cruelly confined or cruelly punished; or (3) exposed to the inclemency of the weather. | felony. First degree felony if done negligently | First degree felony: 18 years, or if the child dies, up to life in | | children/200-508 http://statutes.laws.com/new- mexico/chapter- 30/article-6/section-30 | http://law.justia.com/codes/new-mexico/2006/nmrc/jd_31-18-15-1529.html |

| | | | (a4) A parent or any other person providing care to or supervision of a child less than 16 years of age whose willful act or grossly negligent omission in the care of the child shows a reckless disregard for human life is guilty of a Class E felony if the act or omission results in serious | | | | | |
|------------------------------|--|--|---|--|---|--|--|--|
| | | | bodily injury to the child. (46) A parent or any other person providing care to or supervision of a child less than 16 years of age whose wilful act or grossly negligent omission in the care of the child shows a reckless disregard for human life is quilty of a Class G felony the act or omission results in serious. | Class E felony if it results in serious bodily injury; class G felony if it results | Class E felony: up to 31 months for a first offense. Up to 63 | | on/Statutes/HTML/ByS ection/Chapter 14/GS | http://www.nccourts.org/Cou nts/CRS/Councils/spac/Doc uments/felonycharitx_12_01 |
| North Carolina North Dakota | N.C. Gen. Stat. § 14-318.4 N.D. Cent. Code § 14-09-22 | Child abuse a felony. Abuse or neglect of a child. | physical injury to the child. | in serious physical injury. Class B felony "if the victim suffers permanent loss or impairment of the function of a bodily member or organ," though if the child is under 6 years old and suffers such impairment, it's a class A felony. Otherwise, class C felony, or class B felony if the child is under 6 years old. | months if it is not a first offense Class A felony: up to 20 years in prison. | | _14-318.4.html | _09min_max_sentences.pdf |
| | | | (A) No parent, guardian, custodian, or person having custody of a child under eighteen years of age or of a mentally or physically handicapped child under twenty-one years of age shall cause serious physical harm to the child, or the death of the child, as a proximate result of permitting the child to be abused, to be fortured, to be administered corporal punishment or other physical disciplinary measure or to be physically restrained in a crule manner or for a con- | If it causes death, it's a first-degree felony; if it causes serious physical harn, it's a third-degree felony. | First degree felony: up to 11 | (B) It is an affirmative defense to a charge under this section that the defendant did not have readily available a means to prevent the harm to the child or the death of the child and that the defendant took | | http://codes.ohio.gov/orc/29 29.14 |
| Oklahoma | Okia. Stat. tit. 21 § 843.5; Okia. Stat. tit. 21 § 70.17; Okia. Stat. tit. 21 § 70.17; | Enabling child abuse; Murder in the first degree; child endangerment by permitting child abuse | prolonged period. 21-84.3.5 E. Any parent or other person who shall willfully or maliciously engage in enabling child abuse shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jai not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor in the converse of the conve | | years. | timely and reasonable steps to summon aid. 852 1: However, it is an affirmative defense to this paragraph if the person had a reasonable apprehension that any action to stop the physical or sexual abuse or deny permission for the child to be in the vehicle with an intoxicated person would result in substantial bodily harm to the person or the Aboli ham to the Aboli ham to the person or the Aboli ham to the person of the Aboli ham to the person of the Aboli ham to the Aboli ham to the Aboli ham to the Aboli ham to the person of the Aboli ham to the Aboli | http://www.oscn.net/applications/oscn/Deliver Document.asp?CiteID =455672 =455672 http://www.oscn.net/ap Document.asp?CiteID =68297 http://www.oscn.net/applications/oscn/Deliver Document.asp?CiteID Document.asp?CiteID | |
| South Carolina | S.C. Code Ann. § 16-3-85; S.C. Code Ann. § 63-95; S.C. Code An, § 63-5-70 | Homicide by child abuse; Infliction or allowing infliction of | 16-385: (A) A person is guilty of homicide by child abuse if the person: (1) causes the death of a child under the age of eleven while committing child abuse or neglect, and the death occurs under circumstances manifesting an extreme indifference to human life; or (2) knowingly aids and abets another person to commit child abuse or neglect, and the child abuse or neglect results in the death of a child under the age of eleven. (B) For purposes of this section, the following definitions apply; (1) "child abuse or neglect" means an act or omission by any person which causes harm to the child's physical health or welfare; (6-3-95; (B) It is unlawful for a child's perant or guardina, person with whom the child's welfare as defined in Section 63-7-20 knowingly to allow another person to inflict great bodily injury upon a child. A person who violates this subsection is guilty of a felony and, upon conviction, must be imprisoned not more than five years. 63-570; (A) It is unlawful for a person who has charge or custody of a child, or the child sile of the child sil | | 16-3-85: up to life in prison under section (A)(1): up to section (A)(2) up to 20 years: 16-3-95: up to five years in prison. 6-3-5-70: up to 10 years. | | http://www.scstatehous e-gov/code/r16c003.ph | |
| South Dakota | S.D. Codified Laws § 26-10- | Permitting physical or sexual abuse of child a felony. | s It is a Class 6 felony for any parent, guardian, or custodian to knowingly permit physical or sexual abuse of a child. | Class 6 felony. | Up to two years in prison. | It is an affirmative defense, to be proven by clear and convincing evidence, to prosecution under this section if, at the time of the offense, there was a reasonable belief that acting to stop or to prevent the abuse would result in substantial bodily harm to the defendant or the child in retaliation. | http://legis.sd.gov/Stat | http://legis.sd.gov/statutes/D isplayStatute.aspx?Statute= 22-6-181/voe=Statute |
| Tennessee | Tenn. Code Ann. § 39-15-401 Tenn. Code Ann. § 39-15-402 Tenn. Code Ann. § 39-15-102 | Child abuse and child neglect or ment: endangerment: Aggravated child abuse in eglect in a child in eglect | 39-15-401: (b) Any person who knowingly abuses or neglects a child under eighteen (18) years of age, so as to adversely affect the child's health and welfare, commits a class A misdemeanor; provided, that, if the abused or neglected child is eight (8) years of age or less, the penalty is a Class E felony, (c) (1) A parent or custodian of a child eight (8) years of age or less, commits child endangerment who knowingly exposes such child to or knowingly fails to protect such child from abuse or neglect resulting in physical injury to the child; (2) A 1) The act of abuse, neglect or endangerment results in serious bodily injury to the child; (2) A 1 deadly weapon, dangerous instrumentally, controlled substance or controlled substance analogue is used to accomplish the act of abuse, neglect or endangerment; (3) The act of abuse, neglect or endangerment was especially hemious, attoclous or crue, or involved the infliction of borture to the victim; or (4) The act of abuse, neglect or endangerment was especially hemious, attoclous or crue, or involved the infliction of borture to the victim; or (4) The act of abuse, neglect or endangerment results from manufacture of melhamphetamine as described in § 39-17-435. (b) A violation of this section is a Class B felony; provided, however, that, if the abused, neglected or endangered child is eight (8) years of age or less, or is vulnerable because the victim is mentally defective, | 39-15-402: Class A felony for aggravated neglect or endangerment if child is 8 years old or younger, or is wulnerable. Otherwise, class B felony for accravated neglect or | | | https://web.lexisnexis.com/research/retireve/_ mstrs960059012/rese 634ce4663915cde43d 00cum=233 .mtsr== ULLX_Stantioc=218wc | |
| Texas | Texas Penal Code § 22.04 | Injury to a child, elderly individual, or disabled individual, | (a) A person commits an offense if he intentionally, knowingly, recklessly, or with criminal nepligence, by act or intentionally, knowingly, or recklessly by omission, causes to a child, elderly individual or disabled individual: (1) serious bodily injury, (2) serious mental deficiency, impairment, or injury, or (3) bodily injury, (b) An omission that causes a condition described by Subsection (á)(1), (2), or (3) or (3) to (3) to (3) to (3) to (3) to (4) to (| If it causes serious bodily injury or serious mental deficiency, impairment, or injury. First degree felony if it's done knowingly or intentionally; second degree felony if it's done recklessly. If i causes bodily injury: third degree felony if done intentionally or knowingly. | | (i) It is an affirmative defense to prosecution under this section: (1) that the act or omission was based on treatment in accordance with the tents and practices of a recognized religious method of healing with a generally accepted record of efficacy;(2) for a person charged with an act of omission causing to a condition described by Subsection (a)(1), (2), or (3) that; (A) there is no evidence that, on the date prior to the offense charged, the defendant was aware of an incident of Injury to the child, deletry individual, or disabled individual and failed to report the incident; and (5) the person (1) was a vettom of family and (6) the person (1) was a vettom of samily code, committed by a person who is also charged with an offense against the child, elderly individual, or disabled individual under this section on any other section of this title; (ii) did not cause a condition described by Subsection (a)(1), (2), or (3), and the condition of the stitle; (ii) did not cause a condition described by Subsection (a)(1), (2), or (3) must be a state of the condition | http://www.statutes.legi | http://www.statutes.legis.sta 6c.tx.us/Docs/PE/htm/PE.12 |

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| | | Child abuse — Child | (2) Any person who inflicts upon a child serious physical injury or, having the care or custody of such child, causes or permits another to inflict serious physical injury upon a child is guilty or | If it causes serious physical injury: Second degree felony if done intentionally or knowingly; third degree felony if done recklessly; class A misdemeanor if done with criminal if nedioence. Misdemeanor if it causes | Second degree felony: up to 15 | http://le.utah.gov/-cod https://www.utcourts.gov/ho |
| Utah | Utah Code § 76-5-109 | abandonment. | an offense A. Any parent, guardian, or other person responsible for the care of a child under the age of 11 who by willful act or omission or refusal to provide any necessary care for the child's health | physical injury. | years. | 010900.htm p |
| Viscinia | Va Cada Ana S 49 2 274 4 | Abuse and applicat of a | causes or permits serious injury to the life or health of such child shall be guilty of a Class 4 felony. B. 1. Any parent, guardian, or other person responsible for the care of a child under the age of 18 whose willful act or omission in the care of such child was so gross, wanton and | Class 4 felony under paragraph A. | Class 4 felency up to 10 years | https://leg1.state.va.us/ cgi- bin/legp504.exe?000+ cod+18.2-371.1 od/18.2-10.HTM |
| Virginia | | | ciúpable as to show a reckless disregard for human life shall be guilty of a Class 6 felony. 61-8D-1; 07 Neglect" means the unreasonable failure by a parent, guardian or custodian of a minor child to exercise a minimum degree of care to assure the minor child's physical safety of health. 61-8D-22; (a) If any parent, guardian or custodian shall maicliously and infentionally cause the death of a child under his or her care, custody or control by his or her failure or refusal to supply such child with necessary food, clothing, shelter or medical care, then such parent, guardian or custodian shall be guilty of murder in the first degree. 61-8D-2a; (b) If any parent, guardian or custodian shall knowingly allow any other person to maliciously and intentionally inflict upon a child under the care, custody or control of such parent, guardian or custodian splan, illness or any impairment of physical condition by other than accidental means, which thereby causes the death of such child, then such other person parent, guardian or custodian neglects a child and by such neglect cause the child serious bodily injury, as serious bodily injury is defined in section one, article eight-to of this chapter, then the parent, guardian or custodian is guilty of a felony and, upon conviction thereof, shall be fined not less than 3500 nor more than 193,000 dollars or imprisoned in a state correctional facility for not less than one normore than the years, or both, \$61-8D-4a. Child neglect resutting in death; criminal penalties, (a) If any parent, guardian or custodian shall neglect a child under this or her care, custody or control and by such neglect cause the death of said | | Class 4 felony: up to 10 years. Under 61-8D-2: life in prison. Under 61-8D-2a: up to 40 years; under 61-8D-4a: up to 15 years; under 61-8D-4a: up to | http://www.legis.state. wv.us/wcode/Chapfer http://www.legis.state.wv.us/ Entire.chmr-chap=etsa.wvcode/ChapferEntire.chm/ |
| West Virginia Wisconsin | W. Va. Code § 61-8D | Child abuse. Physical abuse of a child. | child, then such parent, guardian or custodian shall be guilty of a felony. (a) A person responsible for the child's welfare is guilty of a Class F felony if that person has knowledge that another person intends to cause, is causing or has intentionally or recklessly caused great bodily harm to the child and is physically and emotionally capable of taking action which will prevent the bodily harm from occurring or being repeated, falls to take that action and the failure to act exposes the child to an unreasonable risk of great bodily harm by the other person or facilitates the great bodily harm to the child that is caused by the other person or person. (b) A person responsible for the child's welfare is guilty of a Class H felony if that person has knowledge that another person intends to cause, is causing or has intentionally or recklessly caused bodily harm to the child and is physically and emotionally capable of taking action which will prevent the bodily harm from occurring or being repeated, falls to take that action and all failure to act resposes the child to an unreasonable risk of body harm by the other person or facilitates the bodyl harm to the child that is caused by the other person. | | Class F felony: up to 12.5 years; class H felony: up to 6 years | http://docs.legis.wiscon.http://docs.legis.wisconsin.g.sm.gov/statutes/statute_ov/statutes/statutes/03/91/03 |
| STATES WITH MO | RE GENERAL LAWS: | | | | | |
| | | Endangering the | A man or woman commits the crime of endangering the welfare of a child when: (2) He or she, as a parent, guardian or other person legality charged with the care or custody of a child less than 18 years of age, fails to exercise reasonable diligence in the control of such child to | | | http://codes.lp.findlaw.com/alcode/13A/13/13 A-13- b#stnash.klkoDUv3.dp ma-misdemeanor-crimes- |
| Alabama | Ala. Code § 13A-13-6 | Endangering the welfare of a child. | prevent him or her from becoming a "dependent child" or a "delinquent child," as defined in Section 12-15-1. | Class A misdemeanor. | One year. | uf ma-misdemeanor-crimes- class-and-sentences.htm |
| Colorado | Colo. Rev. Stat. § 18-6-401 | Child abuse. | A person commits child abuse if such person causes an injury to a child's life or health, or permits a child to be unreasonably placed in a situation that poses a threat of injury to the child's life or health, or engages in a continued pattern of conduct that results in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries that ultimately results in the death of a child or serious bodily injury to | Class 4 felony if the person acts with crimian langligence and the child suffers serious bodily injury; class 3 felony if the person acts knowingly or recklessly and the child suffers serious bodily injury, or if the person acts with criminal negligence and the child dies; class 2 felony if the person acts knowingly or recklessly and the child dies. | Class 2 felony: up to 24 years. | http://www.lpdirect.net/ casbrors18-6-401.html |
| | | Injury or risk of injury to or impairing morals of, | (a) Any person who (1) wilfully or unlawfully causes or permits any child under the age of , sixteen years to be placed in such a situation that the life or limb of such child is endangered, the health of such child is likely to be injured or the morals of such child are likely to be jured or the morals of such child are likely to be | | | http://www.cga.ct.gov/ 2011/pub/chap939.htm http://www.cslib.org/finespe |
| Connecticut | Conn. Gen. Stat. § 53-21 | children. Cruelty to children in | impaired, or does any act likely to impair the health or morals of any such child. A person commits the crime of cruelty to children in the first degree if that person intentionally, knowingly, or recklessly tortures, beats, or otherwise willfully maltreats a child under 18 years of age or engages in conduct which creates a graver list of bodily injury to a child, and thereby | | Up to 10 years. | #Sec53-21.htm nalt.htm |
| District of Columbia | D.C. Code § 22-1101 | the first degree. | causes bodily injury. 16-5-70: (c) Any person commits the offense of cruelty to children in the second degree when | | Up to 15 years. | |
| Georgia | Ga. Code Ann. § 16-5-70; Ga Code Ann. § 16-12-1 | Cruelty to children in the second degree. Contributing to the deprivation of a minor. | such person with criminal negligence causes a child under the age of 18 cruel or excessive physical or mental pain. 16-12-1 (b) A person commits the offense of contributing to the delinquency, unruliness, or deprivation of a minor when such person: (3) Willfully commits an act or acts or willfully falls to act when such act or omission would cause a minor to be found to be a deprived child as such is defined in Code Section 15-11-2, relating to juvenile proceedings | | 16-5-70: up to 10 years; 16-12- 1: up to 5 years if it is a first offense and the offense resulted in serious injury or death. | http://law.onecle.com/g eorgia/16/16-5- 70.html; http://law.onecle.com/g eorgia/16/16-12-1.html |
| Indiana | Ind. Code § 35-46-1-4 | Neglect of a dependent | (a) A person having the care of a dependent, whether assumed voluntarily or because of a legal obligation, who knowingly or intentionally: (1) places the dependent lin a situation that Lendangers the dependents life or health; | Class A felony if the child dies and the perpetrator is over 18 and the child is under 14; class B felony if it results in serious bodily injury; class C felony if it results in bodily injury; otherwise, class D felony | Class A felony: up to 50 years. | http://www.in.gov/legisl attvenc/2010/title35/ar4 http://www.in.gov/legislative/ 6/ch1.html |
| Kansas | Kan. Stat. Ann. § 21-5601 | Endangering a child; aggravated endangering a child. | (a) Endangering a child is knowingly and unreasonably causing or permitting a child under the age of 15 years to be placed in a situation in which the child's life, body or health may be endangered, (b) Aggravated endangerend, a child is: (1) Recklessly causing or permitting a child under the age of 18 years to be placed in a situation in which the child's life, body or health is endangered; | Severity level 9 felony if aggravated. | Probation | http://www.kslegislatur e.org/mb2013 "14/statu tero21" 000" 0000 ena ptero22" 056 0000 ar ficie/021" 056" 0001" s ecton/021_U56_U001_V V |
| Louisiana | La. Rev. Stat. § 14:93; La. Rev. Stat. 14:92 | Cruelty to juveniles; contributing to the delinquency of juveniles. | 14:93: A. Cruelty to juveniles is: (1) The intentional or criminally negligent mistreatment or neglect by anyone seventeen years of age or older of any child under the age of seventeen whereby unjustifiable pain or suffering is caused to said child. Lack of knowledge of the child age shall not be a defense. "I-49:2 A. Contributing to the delinquency of juveniles is the intentional enticing, aiding, soliciting, or permitting, by anyone over the age of seventeen, of any child under the age of seventeen, and no exception shall be made for a child who may be emancipated by marriage or otherwise, to: (2) Associate with any vicious or disreputable persons, or frequent places where the same may be found. | S | 14:93: Up to 10 years; 14:92: six months. | http://legis.la.gov/lss/ls s.asp?doc=78723; http://legis.la.gov/lss/ls s.asp?doc=78719 |
| | Md. Code, Com. Law § 3- | | (5) (i) "Neglect" means the intentional failure to provide necessary assistance and resources for the obvisical needs or mental health of a minor that creates a substantial risk of harm to the | | | http://mgaleg.maryland gov/webmga/mmStant esr text aspx/zarticle=gc fssection=5- 602.Taext=htmlk8.essi on=2014RSktlab=subi |
| Maryland | 602.1 | Endangering the welfare of a child in the | minor's physical health or a substantial risk of mental injury to the minor. 568.045: 1. A person commits the crime of endangering the welfare of a child in the first degree if: (1) The person knowingly acts in a manner that creates a substantial risk to the life, body, or health of a child less than seventeen years oft; 568.060: (4) Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of | Misdemeanor. o For both 568.045 and 568.060: class C | Up to 5 years. | http://www.moga.mo.g ov/statutes/c500- 599/c560000045.htm; http://www.moga.mo.gov/st |
| Missouri | Mo. Rev. Stat. § 568.045; Mo. Rev. Stat § 568.060 | first degree; abuse or neglect of a child. | of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result. (1) A parent, guardian, or other person supervising the welfare of a child less than 18 years of commits the offense of endangering the welfare of children if the parent, guardian, or other | felony on the first offense. For 568.060, if the child dies, it is a class A felony. | Class A felony: up to life in | ov/statutes/c500- 599/5680000060.htm |
| Montana | Mont. Code Ann. § 45-5-622 | Endangering welfare of children. | person knowingly endangers the child's welfare by violating a duty of care, protection, or support. | | Up to six months in jail. | http://leg.mt.gov/bills/m ca/45/5/45-5-622.htm |

| Nebraska | Neb. Rev. Stat. § 28-707 | Child abuse. | (1) A person commits child abuse if he or she knowingly, intentionally, or negligently causes o permits a minor child to be: (a) Placed in a situation that endangers his or her life or physical omental health. | Class IB felony if the offense is committed knowingly and intentionally and results in the death of such child; Class II felony if the offense is committed knowingly and intentionally and results in serious bodily injury as defined in such section; Class III felony if the offense is committed negligently and results in the death of such child; Class IIIA felony if the offense is committed negligently and results in serious bodily injury. | Class IB felony: up to life in prison | http://nebraskalegislat re.gov/laws/statutes.p p?statute=28-707 | u http://nebraskalegislature.go www.statures.php?statute ≈28-105 |
|---------------|--|---|--|---|---|---|--|
| New Hampshire | N.H. Rev. Stat. Ann. § 639:3 | Endangering welfare of | I. A person is guilty of endangering the welfare of a child or incompetent if he knowingly endangers the welfare of a child under 18 years of age or of an incompetent person by purposely violating a duty of care, protection or support he owes to such child or incompetent, or by inducing such child or incompetent to engage in conduct that endangers his health or safety. | Misdemeanor. | Less than one year. | http://www.gencourt.si ate.nh.us/rsa/html/LXI 639/639-3.htm | http://www.nh.gov/safety/div // isions/hearings/prosecution/ fags.html |
| New York | N.Y. Penal Code § 260.10 | Endangering the welfare of a child. | sarety. A person is guilty of endangering the welfare of a child when: 1. He or she knowingly acts in a manner likely to be injurious to the physical, mental or moral welfare of a child less than seventeen years old or directs or authorizes such child to engage in an occupation involving a substantial risk of danger to his or her life or health; or 2. Being a parent, guardian or other person legally charged with the care or custody of a child less than eighteen years old, et or she falls or refuses to exercise reasonable diligence in the control of such child to prevent him or her from becoming an "abused child," a "neglected child," a "function definger" or "person in need of supervision," as those terms are defined in articles ten, three and seven of the family court act. | Class A misdemeanor. | Up to one year in jail. | http://law.onecle.com/ | |
| Oregon | Or. Rev. Stat. § 163.200 | Criminal mistreatment in the second degree. | 163.200: 1) A person commits the crime of criminal mistreatment in the second degree if, with criminal negligence and (a) in violation of a legal duty to provide care for another person, the person withholds necessary and adequate food, physical care or medical attention from that person. | Class A misdemeanor. | Up to 1 year. | | http://www.oregonlaws.org/ ors/161.605; http://www.oregonlaws.org/ ors/161.615 |
| Pennsylvania | 13 Pa. Cons. Stat. § 4304 | Endangering welfare of children. | (1) A parent, guardian or other person supervising the welfare of a child under 18 years of | A first-degree misdemeanor, unless "there is a course of conduct," which | Third-degree felony: Up to seven years; first-degree misdemeanor: up to five years. | http://www.legis.state. | http://www.legis.state.pa.us/ ctdocs/legis/L/rconsCheck.c pfm?txt1ype=HTM&ttl=30&di v=0&chpt=9&sctn=23&subs |
| Rhode Island | R.I. Gen. Laws § 11-9-5 | Cruelty to or neglect of a child. | (a) Every person having the custody or control of any child under the age of eighteen (18) years who shall abandon that child, or who shall treat the child with gross or habitual cruelly, or who shall wrongfully cause or permit that child to be an habitual sufferer for want of food coldning, proper care, or oversight, or who shall use or permit the use of that child for any wanton, cruel, or improper purpose, or who shall compel, cause, or permit that child to do any wanton or wongful act, or who shall cause or permit the home of that child to be the resort of lewd, drunken, wanton, or dissolute persons, or who by reason of neglect, cruelty, drunkenness, or depravity, shall render the home of that child la place in which it is unfit for that child to live, or who shall neglect or refuse to pay the reasonable charges for the support of that child, whenever the child is shall be placed by him or her in the custody of, or be assigned by any court to, any individual, association, or corporation, shall be guilty of a felony and shall for every such offense be imprisoned for not less than one year nor more than the (3) years. | t | Up to three years. | http://webserver.rilin.s ater.rus/Statutes/ntter 1711-9/11-9-5-HTM | |
| Vermont | Vt. Stat. Ann. § 1304 | Cruelty to children under 10 by one over 16. | A person over the age of 16 years, having the custody, charge or care of a child under 10 years of age, who wilfully assaults, ill treats, neglects or abandons or exposes such child, or causes or procures such child to be assaulted, ill-treated, neglected, abandoned or exposed, in a manner to cause such child unnecessary suffering, or to endanger his or her health, shall be imprisoned not more than two years or fined not more than 5500.00, or both. | | Up to 2 years. | http://www.leg.state.vl us/statutes/fullsection. cfm?Title=13&Chapte =025&Section=01304 | - |
| Washington | Wash. Rev. Code § 9A.42.02 Wash. Rev. Code § 9A.42.03 | Criminal mistreatment in the first degree; irinial mistreatment ir the second degree. | IA 42 020: (1) A parent of a child, the person entrusted with the physical custody of a child or dependent person, a person who has assumed the responsibility to provide to a dependent person the basic necessities of life, or a person employed to provide to the child or dependent person the basic necessities of life, is quilty of criminal mistreament in the first degree if he or she recklessly, as defined in RCW 9A.08.010, causes great bodly harm to a child or dependent person by withholding any of the basic necessities of life. 9A.42.030. (1) A parent of a child, the person entrusted with the physical custody of a child or dependent person, a child, the person entrusted with the physical custody of a child or dependent person he basic necessities of life, or a person employed to provide to the child or dependent person the basic necessities of life is guilty of criminal mistreatment in the second degree if he or she recklessly as defined in RCW 9A.08.101, either (a) creates an imminent and substantial risk of death or great bodily harm, or (b) causes substantial bodily harm by withholding any of the basic necessities of life. | | Class B felony: up to 10 years. Class C felony: up to 5 years. | http://app.leg.wa.gov/r cw/default.aspx?cite=i A.42.020; http://app.leg.wa.gov/r cw/default.aspx?cite=i A.42.030 | http://app.leg.wa.gov/RCW/ default.aspx?cite=9A.20.02 1 |
| Wyoming | Wyo. Stat. § 6-4-403 | Abandoning or endangering children. | (a) No parent, guardian or custodian of a child shall: (i) Abandon the child without just cause; or (ii) Knowingly or with criminal negligence cause, permit or contribute to the endangering of the child's life or health by violating a duty of care, protection or support. | First offense: misdemeanor; second offense: felony. | First offense: up to 1 year. Second offense: up to 5 years. | http://legisweb.state.w | y.us/statutes/titles/Title6/T6CH4AR4.htm |