

CHILD ABUSE AND NEGLECT
CRIJ 4338.01
CRIJ 4338.02
Fall 2017

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CRIJ 4338.01 meets Tuesday and Thursday from 2:00 p.m. to 3:20 p.m. in A181
CRIJ 4338.02 meets Tuesday and Thursday from 9:30 a.m. to 10:50 a.m. in Room A209

Electronic Library Reserve Password: unkind

TEXTS:

Dave Pelzer. *A Child Called It: One Child's Courage to Survive*. Dimensions: New York, 1995.

Carlton Stowers. *To the Last Breath*. New York: St. Martin's Press, 1998.

Eve Krupinski and Dana Weikel. *Death From Child Abuse . . . and No One Heard*. GRAND Publishing, Inc., Gulfport, FL. (6th Edition) 2011.

Note: This is a new edition and replaces all previous editions.

If the bookstore does not have a copy you can contact www.deathfromchildabuse.org or telephone 727-327-9039 and inquire about personally ordering or downloading a copy of the 2011 edition. Amazon.com was checked and there appears to be a Kindle edition.

The Boston Globe. Betrayal. *The Crisis in the Catholic Church*. Back Bay Books, 2003. ISBN: 978-0316776752

NOTE: There are two printings of the same book. The original book had a maroon cover. The reprinted addition has a gold cover with photo of men sitting at desks. They are same book—except the page numbering is about 3 pages different. Either book is just fine.

Note: The professor submits the required texts or books for each course several months in advance. The professor has no control over how many copies the bookstore order. If there is an insufficient number of books at the bookstore students are responsible for obtaining their own copies. You may personally ask a bookstore to order a copy. Some students use Amazon.com or a similar source. Sometimes students can find used copies on the internet.

Professor's goals for this course.

The professor initiated this course in 1994. He initiated the Victimology course in 1982 and the Family Violence course in 1988. This is one of a three-part series that he offers. The Family Violence course focuses primarily on adult violence. The Victimology course covers victims in general; however, it does not specifically cover victims of adult family violence or victims of child abuse. The professor has conducted research and published on the subject of child abuse and neglect since the 1970s and has been a strong advocate for helping to alleviate the suffering caused by child abuse and neglect. The professor currently serves on the Child Safety Review Committee of the Texas Department of Family and Protective Services—Child Protective Services. The committee meets quarterly and reviews cases of children who have been murdered or died of criminal neglect and have been associated with Child Protective Services. He served for many years on the state of Texas Child Fatality Review Team. The team met quarterly, at the Department of Health, and reviewed all child fatality deaths in Texas. The State Child Fatality Review Team was created by the Texas Legislature and is mandated to make a report to Governor, Lt. Governor, and Chair of the House of Representatives for every regular legislative session. Beginning in 1982 the professor served as an advisor for the Houston Chapter of the Parents of Murdered Children.

This semester the Professor's specific goals for this course are:

1. To develop an awareness and understanding of the bifurcated role of the criminal and civil processes in addressing and ameliorating child abuse and neglect.
2. To develop an understanding of the roles and requirements of law enforcement, Child Protective Services, professionals, and citizens regarding child abuse and neglect.
3. To develop a comprehensive understanding of the salient criminal and civil laws as they apply to child abuse and neglect.
4. To develop an awareness of signs and indicators that should lead one to dig deeper, ask questions, and pursue situations that might be the result of child abuse or neglect.
5. To provide a foundation for students who may enter professional careers that place them in a position to address and/or investigate suspected cases of child abuse and neglect.
6. To develop knowledge of key concepts and terminology related to child abuse and neglect.
7. To develop an awareness of what one is required to do, and how to act, if someone suspects a child might be the victim of child abuse or neglect.
8. To develop an awareness of the key issues confronting professionals in the area of child abuse and neglect.
9. To acquire an understanding of the modus operandi of pedophiles and child molesters.

10. To make students aware of programs available to assist in the prevention of child abuse and neglect, as well as programs designed to protect children. This includes an awareness of preventative procedures.

11. Most importantly—to save the life of at least one child, to save at least one child from serious physical and/or emotional injury, and to reduce the suffering children experience from child abuse and neglect.

EXAMS: Note that the **FINAL EXAMS** are scheduled as follows.

Sec.01. Tuesday Dec. 5, 3:30 p.m. to 5:00 p.m.

Sec. 02 Thursday Dec. 7, 9:30 a.m. to 11:30 a.m..

Makeup Exams. **ALL** makeup examinations will be given on a date and at a time mutually agreeable to the professor and the student. Unless there are exceptional circumstances makeup exams must be taken within one week following the date scheduled for the exam. The student must present the professor with a **completed copy of the form on attached to the syllabus** explaining why the exam was missed. The professor will inform the student if the explanation is not satisfactory. If the explanation is unsatisfactory the student will not be allowed to make up the exam. **Missed exams count as an absence.** All makeup exams for chapters in the book Betrayal must be made up before the next chapter exam.

NOTE: Examination dates may change due to unexpected circumstances—not having completed the lectures necessary for the exam material, weather, illness, availability of a guest speaker etc. Students will be notified in advance. The material to be covered on each exam is provided below. However, this, too may be subject to change due to unexpected circumstances.

Three standard examinations will be given. They will not be comprehensive. Exam I will include material covered through February 15, 2017 (unless informed otherwise). Exam II will include material covered from February 23, 2017 through March 30, 2017 (unless informed otherwise). The Exam III is not comprehensive and will cover material from April 6, 2017 through December 4, 2017 (unless informed otherwise).

Three book exams will be given. See dates below.

Four exams covering Intro/Chapter 1, Chapter 2, Chapter 3, and Chapter 4 of Betrayal will be given.

September 7. Exam over the book *To the Last Breath*. The exam will begin at the time scheduled for class to start and will last 20 minutes. Following there will be a discussion of the book. (8% of course grade).

September 26. Exam I. Unless informed otherwise, the exam will include material covered from August 24 through September 21. (20% of the course grade)

October 3. Exam over the book *Death From Child Abuse*. The exam will begin at the time scheduled for class to start and will last 20 minutes. Following the exam, there be a discussion of the book. (8% of course grade). The exam covers Part I of the book. Part

October 19. Exam over the book *A Child Called It*. The exam will begin at the time scheduled for class to start and will last 20 minutes. Following the exam there will be a discussion the book. (8% of course grade).

October 24. Exam II. Unless informed otherwise, the exam will include material covered September 28 through October 19 (20% of course grade)

November 2. Betrayal. Intro and Chapter 1. Father Geoghan. (4%)

November 9. Betrayal. Chapter 2. Cover-Up (4%)

November 14. Betrayal. Chapter 3. The Predators. (4%)

November 28. Betrayal. Chapter 4. The Victims. (4%)

Exam III (20% of course grade). Scheduled at time for Final Exam. Unless informed otherwise the exam will cover material from October 26 through November 30 (last class day)

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GRADING:

(Note: Grades are weighted.)

Exam I 20%

Exam II 20%

Exam III 20%

To the Last Breath 8%

Death From Child Abuse 8%

A Child Called It 8%

Betrayal 16% total. Each chapter exam counts for 4% of the total course grade.

There are no provisions for earning extra credit for the course.

GRADES: Grades are calculated exactly as follows based on the weighted averages. There will be no rounding of grades. There are no opportunities to earn extra credit.

A 90 to 100

B 80 to less than 90 (i.e., 89.999)

C 70 to less than 80 (i.e., 79.999)

D 60 to less than 70 (i.e., 69.999)

F Less than 60

ATTENDANCE: Students are allowed four absences, excused or unexcused. .Not taking an exam at the scheduled date and time counts as an absence. Each absence in excess of four will reduce the final course grade average by 3 points per absence. There are no “excused” absences—only absences. Illness, inclement weather, vehicle problems, family illnesses, job interviews, traffic accidents/delays, and so forth are not excused absences—they are absences. There are three exceptions—an official university sponsored event, or required military event, may be excused. The professor will need a letter in writing from the appropriate university sponsor. The other is absence for a sanctioned religious holiday. See procedures for this below. **There is no need to inform the professor if you are absent due to illness or other reasons as these still count as absences. However, you may do so a record will be made in case of a catastrophic illness, serious auto injuries, or very exceptional circumstances. ANY STUDENT WITH MORE THAN EIGHT (8) ABSENCES, EXCUSED OR UNEXCUSED, WILL RECEIVE A COURSE GRADE OF F.** Arriving after the lecture has begun and the roll has been taken/signed will count as an absence. Departing before class has ended, unless prearranged with the instructor, will count as an absence. Signing the roll for another student or having another students sign the roll for you is, by definition, cheating. **A student is responsible for making certain that he or she signed the roll.** If you did not have a chance to sign the roll during class then be certain to inform the professor immediately after class. The professor cannot take your word later in the semester that you were present on a specific date. Failure to be present for an examination counts as an absence. Your total number of absences will be posted from time to time on Blackboard—but only up until that date. Because of the short class time and the large number of students a roll sheet will start from the front and the back. Students need to sign only one of the roll sheets.

LAST DAY TO DROP CLASS WITH A GRADE OF Q: Check the registrar’s schedule for this semester.

CLASS PREPARATION: There is no text for the class. From time to time students may be provided with additional material to read. Supplemental reading material to assist students will be provided on Blackboard or Library Reserve. As of this time, all supplemental material should be available on Blackboard.

CLASSROOM DECORUM: As much as I regret having to add this note to the syllabus times seem to have changed. I am going to ensure that the classroom provides a

meaningful learning environment for each and every student who is interested in learning. Therefore, these are basic rules that will be enforced.

1. Use of cell phones for any reason once the professor starts to call the roll will result in the student being automatically dismissed from the class. The student will have to meet with the department chair before I will consider allowing the student back into the classroom. Any reason includes texting. Turn all cell phones off during class. In the past students dismissed from class have not been allowed to return and complete the semester.
2. Casual talking in class for any reason once the professor starts to call/take the roll will result in the student being automatically dismissed from the class. The student will have to meet with the department chair before I will consider allowing the student back into the classroom. If I determine that it is egregious I will not allow the student back into the classroom for the semester. I do understand that you may miss a point be made during the lecture and need to ask another student—but please be careful. It is much better and wiser to ask the professor if you missed something during the lecture. If students around you are talking tell me and I will act immediately. Do not let other students disturb you.
3. Reading material in the classroom other than material directly related to the class for any reason once the professor starts to call/take the roll will result in the student being automatically dismissed from the class. The student will have to meet with the department chair before I will consider allowing the student back into the classroom.
4. Any behavior or actions that interfere with the learning environment, including repeatedly arriving late for class, will result in the student being automatically dismissed from the class. Eating in the classroom is not allowed by university policy and will be strictly enforced. You must also take your material and drinks with you when you leave the classroom.

See the SHSU policy on cell phones in the classroom attached at the end of the syllabus. In this class use of a cell phone during an exam will result in a grade of F for the course.

USE OF LAPTOPS OR SIMILAR DEVICES IN CLASS: Students may use laptops or similar devices during class to take notes—if approved in advance by professor. See request sheet at end of syllabus.

PURPOSE/OBJECTIVES: The purpose of this course is to provide present and future criminal justice professionals with an overview of the subject of child abuse and neglect, to enhance awareness and recognition of the subject, and to assist in their professional careers when investigating the subject.

ACADEMIC HONESTY: The faculty has been asked to draw students attention to Section 5.3 of “Guidelines: Sam Houston State University,” regarding academic honesty. These guidelines will apply to this class. The class policy will be that students found to be cheating, including plagiarism, will receive a grade of F in the course.

Professors in the College of Criminal Justice have been requested to add the following statement. “The Faculty of the College of Criminal Justice expects students to conduct their academic work with integrity and honesty. Acts of academic dishonesty will not be tolerated and can result in the failure of a course and dismissal from the University. Academic honesty includes, but is not limited to, cheating on a test, plagiarism, collusion-the unauthorized collaboration with another person in preparing work offered for credit, the abuse of resource materials, and misrepresentation of credentials or accomplishments as a member of the college. The University’s policy on academic honesty and appeal procedures can be found in the manual entitled *Student Guidelines*, distributed by Division of Student Services. (Reference Section 5.3 of the SHSU Student Guidelines.)

OFFICE HOURS: Tuesday and Thursday. 9:00 a.m. to 9:30 a.m., 11:00 a.m.to 12:30 p.m., 3:30 p.m. to 4:30 p.m. Occasionally, the professor may be required to attend meetings or undertake other obligations during the time scheduled for office hours. It is strongly recommended that students contact the professor and make certain that the professor will be in the office during office hours. The professor is always open to making appointments at times other than the posted office hours in order to accommodate students. The professor’s home telephone number is (936) 295-6274 and students should not hesitate to contact the professor at home at any time he cannot be reached at the office. The best email to use for contacting the professor for making an appointment is rteske@suddenlink.net.

DISABLED STUDENT POLICY: The university administration has requested that the following statement be added to the syllabus. The university requires that students be provided with the following statement. “Students with a disability that affects their academic performance are expected to arrange a conference with the professor in order that appropriate strategies can be considered to ensure that participation and achievement opportunities are not impaired. The physically impaired may contact the Director of the Counseling Center as chair of the Committee for Continuing Assistance for Disabled Students by telephone (ext. 1720).”

SERVICES FOR DISABLED STUDENTS: The university’s information on services available for disabled students may be found at the following internet address.
<http://www.shsu.edu/dept/academic-affairs/documents/aps/students/811006.pdf>

STUDENT ABSENCES ON RELIGIOUS HOLY DAY POLICY: Section 51.91 (b) of the Texas Education Code requires that an institution of higher education excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is

excused within a reasonable time after the absence. University policy 861001 provided the procedures to be followed by the student and instructor. A student desiring to absent himself/herself from a scheduled class in order to observe a religious holy day(s) shall present to each instructor involved a written statement concerning the religious holy day(s). This request must be made in the first fifteen days of the semester or the first seven days of a summer semester session in which the absences(s) will occur. The instructor will complete a form notifying the student of a reasonable time frame in which the missed assignment and/or examinations are to be completed.

<http://www.shsu.edu/dept/academic-affairs/documents/aps/students/861001.pdf>

STUDY GUIDES AND SUPPLEMENTAL READING MATERIAL

The professor will place lecture guides outline on Blackboard to assist students

Students will also be provided with a guide to supplemental material—legal resources and articles. The articles will be placed on Blackboard. The password for library electronic material, if needed, is *unkind*.

Two copies of the PowerPoint lectures are bound and may be checked out for two hours are the main library desk

If you have any difficulty using Electronic Reserve, including the procedure for locating legal cases, please ask someone at the library reference desk to provide you with assistance.

COURSE OUTLINE:

Note: the professor may add lecture topics not listed and, in some instances, not all topics listed may be covered. The order in which the topics are covered may also change from time-to-time.

1. Lecture. In the best interest of the child. August 24, 29, 31
(see lecture guide on Blackboard)

C. Henry Kempe et al. "The Battered-Child Syndrome." *Journal of the American Medical Association*. Vol. 181, No. 1, July 7, 1962, pp.105-113. (Please on library's Electronic Reserve for this course.)
(see lecture guide on Blackboard)

Cates v. State, 748 S.W.2d 9 (Tex. App. Dallas 1987).

William Curtis Cates, Appellant v. The State of Texas
Appellee (note: Court of Criminal Appeals of Texas) 776 S.W. 2d 170; 1989 Tex.
Crim. App.

2. The Role of Child Protective Services September 5
(see DFPS regarding Gates case and memo outline on Blackboard)

There will be no study guide for the following case and memorandum. Although the professor will provide a general overview of the case and memorandum students will need to read them and prepare for the examination. Remember that you may use the case and Memorandum during the examination. Pay special attention to (1) the court's key conclusions and (2) the examples provided in the Memorandum.

Case on Blackboard

In the United States Court of Appeals for the Fifth Circuit, No. 06-20763,
filed July 28, 2008.

Gary W. Gates, Jr.; Melissa Gates, Individually and as next friends to Sarah Gates, Derodrick Gates, Travis Gates, Raquel Gates, Cynthis Gates, Cassandra Gates, Timothy Gates, Alexis Gates, and Marcus Gates; Gary Wilton Gates; George Gates; Scott Gates
Plaintiffs-Appellants

v.

Texas Department of Protective and Regulatory Services, Childrens Protective Services; Thomas Chapmond; Jerry Polaset; Amy Odin; Sandra Russell; Lisa Matthews; Lautta Miller; Erika Davis; Sherrece Haywood; Laura Ramirez; Fort Bend County; Milton Wriht; Sam Millsap; Arthur Chapman; Carlos Carrillo; Virginia Schaefer; Ken Lee; Lloyd Rowland, Sergeant; James Carlson, Detective; Spilman, Detective.
Defendants-Appellees

Memorandum: Texas Department of Family and Protective Services. (from Carey Cockerell), 12 pages.

3. An overview of legal issues and definitions regarding child abuse and neglect.
Sept. 12, 14, 19

Selected material from the Texas Penal Code

Enter Texas Penal Code in your search engine. Penal Code should come up. Click on this and you can select the relevant codes. Or, enter the following:
www.capitol.state.tx.us/statutes/petoc.html

Download (print) the following statutes from the Penal Code.
9.61; 9.62; 9.63 (discipline by parents, teachers, guardians)

All statutes in Chapter 21 recommended. Specifically:

- 21.11 Indecency with a child
- 21.01 Definitions
- 21.11 Indecency with a child
- 21.011 Sexual assault (of a child)
- 21.15 Improper photography or visual recording
- 22.021 Aggravated sexual assault
- 22.04 Injury to a child...
- 22.01(1)(b)(2)(B) Strangulation and suffocation
- 22.10 Leaving a child in an automobile
- 22.041 Abandonment
- 43.01 Definitions
- 43.25 Sexual performance by a child
- 43.26 Possession or promotion of child pornography
- 43.251 Promotion of child pornography
- 43.22 Obscene display or distribution

Legal cases. The seven cases listed below are all located on Blackboard.

Ashcroft, Attorney General, et al. v. Free Speech Coalition et al. 535 U.S. 224.

A key case that will be lectured on in-depth. Having the case in hand during the lecture will be a strong asset for the student. Placed on library's Electronic Reserve for this course.

New York v. Ferber, 458 U. S. 747 (1982).

An important case to bring to class for the lecture.

NOTE: The professor has been away all summer. He is going to the library and research case law and see if any relevant Texas cases are available on this subject. If so, one or two cases may be added to the reading list.

United States of American v. Gary E. Peel. United States Court of Appeals for the Seventh Circuit. Case No. 07-3933. Decided February 12, 2010.

Note: Students will be expected to read and study this case on their own. The professor does not anticipate lecturing on this case. Look for the key to the ruling on why this was child pornography. What did the defendant argue?

Miller v. California, 413 U. S. 15 (1973)

This case is not referred to in-depth; however, it is the key case citing standards for obscene material. The professor **does not recommend** that you make a copy of this case. **Do not copy unless you want to read it for personal enlightenment.**

United States of America v. Stephen A. Knox

United States Court of Appeals for the Third District. Cited as 32 F. 3d 733 (1994). Placed on library's Electronic Reserve for this course. Very important case discussed as part of the lecture. Students will need to read this case for factual information when preparing for the exam. Although the professor will lecture on key points from the case students will be responsible for the actual factual information.

Richard C. Garay, Appellant v. The State of Texas, Appellee.
Court of Appeals, Fourth District, San Antonio. Cited as 954.W.2d 59; 1997 Tex. App.

Joseph Webb, Appellant, v. The State of Texas, Defendant..
Nos. 2-02-279-CR, 2-02-280-CR. May 29, 2003. Citation pending.

4. Reporting requirements. Sept. 21

Selected material from the Texas Family Code
Enter Texas Family Code in your search engine. Family Code should come up.
Click on this and you can select the relevant codes. Or, enter the following:
www.capitol.state.tx.us/statutes/fatoc.html
Download (print) the following statutes from the Family Code.
Article 261 from 261.001 through 262.301. Requirements for reporting suspected cases of child abuse or neglect.
262.110 Taking possession of child in emergency with intent to return home
262.302 Accepting possession of certain abandoned children

5. Outcry: the hearsay exception and its implications. Sept. 28, Oct. 5
(see lecture guide on Blackboard)

Selected material from the Code of Criminal Procedure
Enter Texas Code of Criminal Procedure in your search engine. Code of Criminal Procedure should come up. Go to Art. 38.072, Hearsay statement of child abuse victims.

Legal cases. The following legal cases are used as a foundation for the lecture.
Several additional cases "may" be added by the professor. All of the cases cited are on the library's Electronic Reserve for this course.

NOTE: The Professor is reviewing the latest cases on this subject and very likely one or more cases will be added for students to read. You will be notified in class and by email if cases are added.

Villanon v. State 791 S.W.2d 130 (Tex. Cr. App. 1990)
Heckathorne v. State 697 SW2d 8 (Tex. App. 14 Dist. 1985).
Vera v. State 709 S.W.2d 681 (Tex. App. San Antonio, 1986).

TWO ADDITIONAL CASES MAY BE ADDED WITH STUDY GUIDES
PROFESSOR WILL PREPARE THESE AS SOON AS POSSIBLE AND NOTIFY
STUDENTS

6. Children as witnesses (This lecture material is incorporated into the lecture on Hearsay.)
Oct. 10
7. Lecture: Interviewing children/the use of dolls. Terminology Oct. 10
(This lecture material is incorporated into the lecture on Hearsay.)
8. Introduction to physical abuse. (see lecture guides on Blackboard for each topic.
 - a. trigger mechanisms Oct. 12
 - b. soft-tissue injuries Oct. 17
 - c. burns Oct. 26
 - d. fractures (if time permits)
 - e. head and brain injuries (if time permits)
9. Introduction to sexual abuse and pedophilia and Child Pornography Oct. 31, Nov. 2
10. Shaken-Baby Syndrome (see lecture guide and related material—typology item and concussions item--on Blackboard) Nov.7
11. Munchausen By Proxy (see lecture guide on Blackboard. Nov 9
12. Sudden Infant Death Syndrome/Crib Death Nov. 14
13. Drowning (see lecture guide on Blackboard. Nov. 16
14. Incest Nov. 31
Up to four chapters from the book *Father-Daughter Incest* by Judith Lewis Herman.
This lecture may be moved to earlier in the semester. Will be incorporated as part of Exam III.
15. Special in-depth lecture topics: Nov. 28
Strangulation

Fetal Alcohol Syndrome
Other special in-depth lecture topics

16 Prevention of child abuse and neglect.

Sam Houston State University
Academic Policy Statement 100728
Use of Telephones and Text Messagers in
Academic Classrooms and Facilities

Page 1 of 2

July 28, 2010

**USE OF TELEPHONES AND TEXT MESSAGERS IN ACADEMIC CLASSROOMS
AND FACILITIES**

Telephones and similar devices have become increasingly a part of everyday life. In the academic classroom, however, during class these devices can be a serious distraction and during tests they can be a serious problem. The technology is constantly changing and evolving. So, the present policy does not specify particular devices or device types. Rather, the policy applies to any device that performs the function of a telephone or text messenger.

1.0 Each course syllabus must contain a policy statement as to the disposition of telephones and text messagers (1) in the classroom, (2) during testing periods, and (3) for emergency considerations.

2.0 The use by students of electronic devices that perform the function of a telephone or text messenger during class-time may be prohibited if deemed disruptive by the instructor to the conduct of the class. Arrangements for handling potential emergency situations may be granted at the discretion of the instructor. Failure to comply with the instructor's policy could result in expulsion from the classroom or with multiple offenses, failure of the course.

3.0 Any use of a telephone or text messenger or any device that performs these functions during a test period is prohibited. These devices should not be present during a test or should be stored securely in such a way that they cannot be seen or used by the student. Even the visible presence of such a device during the test period will result in a zero for that test. Use of these devices during a test is considered de facto evidence of cheating and could result in a charge of academic dishonesty (see student code of conduct

<http://www.shsu.edu/students/guide/StudentGuidelines2010-2012.pdf#page=29>).

4.0 EFFECTIVE DATE

This policy becomes effective spring 2010.

APPROVED: /signed/

Dana L. Gibson, President

DATE: 11/4/10

REQUEST TO MAKE UP AN EXAMINATION

For courses offered by Professor Raymond Teske, Jr.

I (print name) _____

missed an examination in (name of course/section)

on (date _____).

I request to be excused for missing this exam for the following reason:

_____.

If excused, the professor and I agree that the examination will be made up on

_____ (date) at _____ time

_____ (place.

Student's signature and date

Professor's signature and date (approved/not approved)