

# *Our Children*

*Child Sexual Abuse: A Resource Guide to help children, parents, and professionals*

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the Power... know how  
to use it**



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*Prepared by  
You Have the Power...Know How To Use It, Inc.®  
Nashville, Tennessee*

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## **Message from the President of You Have the Power**

*Dear Reader,*

*You Have the Power...Know How to Use It, Inc., is a not-for-profit agency founded in 1993 in Nashville, Tennessee. Dedicated to raising awareness about crime and justice issues, our goal is to make positive change happen through community involvement and collaboration with other agencies.*

*With the help of many volunteers, we have presented public forums on issues such as personal safety, domestic violence, teen violence, child sexual abuse, Tennessee's sex offender registry, elder abuse, and homicide. In addition, we have also created a library of video documentaries and other educational materials.*

*This book addresses the issue of child sexual abuse and has been written with the victim and the victim's family in mind. The aim is not only to help the community better understand the circumstances and aftermath of sexual abuse and the tactics used by abusers, but also to raise awareness of helpful and healing community resources. For the victim and/or the family who must deal with the courts, this guide also provides information about coping with law enforcement and the criminal justice system.*

*If you wish further information about other educational materials we offer, you may contact us at You Have the Power, 2814 Twelfth Avenue South, Nashville, TN 37204, phone (615) 292-7027, fax (615)292-4088, or web site (yhftp.org).*

*Sincerely,*



*Andrea Conte  
President  
You Have the Power*

## *What is child sexual abuse?*

Child sexual abuse involves forcing, tricking, bribing, threatening, manipulating or pressuring a child into sexual awareness or activity. The abuse often begins gradually and increases over time. Abuse occurs when a person forces a child to have any form of sexual contact or makes a child perform sexual acts. Child sexual abuse may involve touching private parts (clothed or unclothed), penetration, forced sexual acts between children, or making the child view, read or participate in pornography for the sexual gratification of an adult. Non-physical abuse may also take the form of an adult exposing himself, exposing the child, or talk of a sexual nature that is inappropriate for the child's age. Sexual victimization of children may occur within the family (incest) or outside the family.

A pedophile is a *preferential* child molester, an adult with a definite sexual preference for children. Preferential child molesters typically strive to have access to children by virtue of occupation (e.g., school bus driver, day care worker, etc.) or recreation, (e.g., coaching athletics, youth group volunteer, etc.). Pedophiles typically have multiple victims and often collect child pornography.

A *situational* child molester may not have a true sexual preference for children, but may engage in sex with children because of child availability, their own inadequacy, or other reasons.

Whether the molester prefers children or takes advantage of an available child, child sexual abuse is a serious crime.

## *How does an abuser “set up” a child?*

Sexual abuse happens to children of *all* ages and *both* sexes.

While both adult men and women may sexually abuse children, child sexual abuse is committed predominantly by men. In most cases, the offenders are members of the child’s family, family friends or other trusted adults in positions of authority. A child sex offender may take the following steps to set children up for an abusive act:

- ***Abusers seek out an approachable child.*** Abusers usually pick children who are easy to get to – for example, a relative, a friend, or neighbor. They may also seek quiet, easy-going, or timid children, or children who have emotional needs for friendship and attention. The popularity of the Internet poses a unique danger to children, as abusers may seek out children and become an on-line buddy. On-line chats on the Internet allow the abuser to befriend a child and become a confidante, often without the knowledge of the child’s parent.
- ***Abusers establish trust and friendship with the child and often with the parent.*** Abusers may spend time playing with the child, volunteer to baby sit, take them to movies, the mall, on weekend trips, or buy them presents. When a parent trusts another adult, it is easier for a child to trust. The abuser’s goal is to become the child’s buddy.
- ***Abusers break down the child’s resistance to touch.*** Abusers may find ways to touch children a lot. They may play games involving physical contact, like wrestling or tickling or having the child sit in his lap. Children are often confused when the touch becomes sexual.
- ***Abusers find ways to isolate a child.*** Abusers find excuses to be alone with children. For example, they may baby sit, invite the child to sleep over, or take the child camping.
- ***Abusers may provide alcohol, drugs or tobacco*** to lower the child’s inhibitions and may also use this “secret” as leverage for a child’s silence.

## *How does an abuser “set up” a child? (cont’d)*

*“The offender learns what the child needs, what’s missing in the child’s life. For example, is the father missing? Is the child having problems in school? Is the child poor? The offender finds a way to meet those needs, such as taking the child places, being the father figure the child doesn’t have, establishing a social relationship with the victim and then slowly moving into a sexual relationship. The offender may do this by playing various games or show pornography to the child, all as a way for the offender to meet his own needs.”* **William Murphy, Ph.D., Dept. of Psychiatry & Clinical Psychology, University of Tennessee at Memphis.**

## *Can child sexual abuse be prevented?*

There are well-documented cases of strangers committing sex crimes against children, but the great majority of sexually abused children know their abusers, and the abuser is typically a person the child trusts. A child sexual abuser will go out of his way to put a child at ease, to be a “friend”, and can quickly become someone the child believes he or she knows and therefore trusts. Keep in mind that a child may reach a point of trust and comfort more rapidly than an adult.

We do not want to alarm children and make them fearful and suspicious of others, but there are some things you can teach your child about personal safety. Parents also need to remember it is important to talk with both their daughters and their sons. While girls are more often victims than boys, both can become targets of sex offenders.

*“We need to talk to children...As parents, we need to think of ourselves as primary prevention educators. And that does not mean one big talk...this information needs to be repeated over time”.*      **Cordelia Anderson, M.A.,  
Consultant and Lecturer on Preventing Sex Abuse**

- Your child should understand that he or she has a right to privacy and that others do not have the right to touch them in ways that make them uncomfortable or that they don't like. While very young children may not understand the term “private parts”, a simple instruction such as describing anything covered by their bathing suit is usually understandable. However, by identifying what the “private parts” are and giving children anatomically correct names for all parts of their body, we avoid giving them double messages, and we let them know there is nothing wrong with their bodies or talking about their bodies or body parts.

## *Can child sexual abuse be prevented? (cont'd)*

- Instruct your child to tell a trusted adult if someone acts sexually toward them – and to continue to tell until someone listens and believes them. Encourage them to ask questions if they are confused or not sure if something is okay or not. Children need to know that some touching, especially sexual touch, may be confusing.
- Children need to know that you believe them and trust them – and that you will protect them. Children need reassurance they won't get into trouble even if they willingly participated in the act.
- As a parent or caregiver, listen to your own intuition and instincts. Many times after abuse has occurred, adults will say they felt something wasn't quite right, but didn't act on their suspicions. For example, abusers may be unusually interested in spending time alone with children or they may touch the child in ways that push the boundaries of being playful. If you sense it is unusual, it probably is. Do not leave your child in the care of someone you do not completely trust, no matter how pressing your personal or professional schedule may seem.
- Know your children's friends, families, caregivers, youth group leaders, teachers, any person spending time alone with children.

*“Every single person in the community has to be aware that sex abuse happens, and in a lot of ways, we've become blasé about it...all of us need to stay very diligent about doing the education that is necessary, about reaching out to help others”.*     **Cordelia Anderson, M.A., Consultant and Lecturer on Preventing Sex Abuse, Sensibilities, Inc.**



## *Internet and on-line safety*

The Internet is a valuable tool in today's society and represents a wealth of information and interactive capability. Along with the positive aspects, there is also some risk of considerable misinformation or inappropriate material. Some filtering software may help screen out inappropriate sites, but may not screen out inappropriate chatting on-line.

Some individuals go on-line looking for vulnerable children and may offer attention, affection, kindness, sympathy, or gifts to a child in an attempt to win the child over. They may know the latest bands, singers, fads, TV shows and other interests of children. Because of on-line anonymity, an adult could pose as a young person in an effort to befriend lonely children.

Child sexual abusers are willing to invest the time needed to win the trust of a child and do whatever necessary to win the child's trust and affection. Even without a face-to-face meeting, on-line chat can take on sexual overtones or be frankly sexual. Some on-line abusers may immediately begin a sexually explicit conversation with a child, seek face-to-face meetings, or try to evaluate a child for future meetings or direct victimization. A clever abuser can make this happen so gradually that the relationship is out of control before the child realizes it. Computer-sex offenders can be any age, any gender.

The FBI offers these signs your child might be at risk on-line:\*

- Child spends large amounts of time on-line, especially at night.
- You find pornography on your child's computer.
- Child receives phone calls from men you don't know or is making calls to numbers you don't recognize.
- Child receives mail, gifts, packages from someone you don't know.
- Child turns the monitor off or quickly changes the screen when you come into the room.
- Child becomes withdrawn from the family.
- Child is using an on-line account belonging to someone else.

*\*For more detailed information, go to the FBI web site [www.fbi.gov/homepage.htm](http://www.fbi.gov/homepage.htm), select 'Kids & Youth', then click on 'Teachers & Parents' to view "A Parent's Guide to Internet Safety". The Guide is available in English and Spanish.*

## *Internet and on-line safety*

Some guidelines:

- Instruct your child to not give out personal information on-line such as first or last name, phone number, home address, names of parents, name or address of school or workplace, names or phone numbers of friends.
- Instruct your child to not post or send photos of themselves, their house, their room, their family, their friends, etc., to an on-line “friend” they do not know.
- Instruct your child to not phone someone he or she has met on-line. If the new on-line friend has caller-ID, the “friend” will get valuable information on where the child is and how to contact him or her.
- Remind your child an on-line “friend” may be convincingly posing as someone or something else. If the new on-line friend likes everything the child does and says, takes the position the child is always right, is unusually supportive and available, it is a time to be very cautious. If the on-line friend encourages the child to keep their chats a secret from parents, it is a waving red flag. Child sexual abusers quickly key in on conflicts, tensions, or inattention between child and parent, and will move in to fill that vacuum.
- Instruct your child to discontinue any on-line chat that makes them uncomfortable or has strong sexual overtones.
- If you suspect your child is chatting with a sexual predator on-line, talk openly with your child about the dangers of computer-sex offenders. Review what is on your child’s computer. Use caller ID to determine who is calling your child if the child is receiving calls from persons unknown to you. Block any incoming calls where the caller is not identified.
- Assure your child that even if he/she became involved with a computer-sex offender, ***the child is not at fault***. The child is the victim. The computer-sex offender bears the responsibility for his actions.

## *Why do children keep sexual abuse a secret?*

Children are trusting and dependent. Sexual abuse is overwhelming to children, especially when an adult is involved. Most children are taught to trust adults and to not question authority. Abusers know this and take advantage of these vulnerabilities in children.

*“We need to break the secret. We need to talk about what sexual abuse is, to name the problem. How offenders do what they do, the tricks, the manipulation of love. People have a much clearer sense of force. What’s harder to grasp is when someone misuses love.”* **Cordelia Anderson, M.A., Consultant & Lecturer on Preventing Sex Abuse**

- ***Abusers may blame the child.*** Abusers try to make the children feel responsible so the child will keep the secret. Abusers may use statements like “If you tell, people will think you are bad” or “If you tell our special secret, I will go to jail”.
- ***Abusers may threaten the child.*** The abuser may threaten the child or threaten bodily harm to the parent or caregiver, or say that the child will be taken from the home if they tell about the abuse.
- ***Some children may be too young to put what has happened into words.***
- ***Children may fear that no one will believe them.*** In most instances, children do not lie about sexual abuse. Even though a child cannot always avoid sexual abuse, children who are taught personal safety information are more likely to tell a parent or a teacher if abuse has occurred.

## *Why do children keep sexual abuse a secret? (cont'd)*

- ***Children may feel too ashamed or embarrassed to tell.*** Children may feel ashamed about being involved in the experience, or about their bodies' response to the abuse.
- ***Children may worry about getting into trouble or getting a loved one in trouble.*** The abuser may convince the child that she/he consented to the abuse. There may be confusion in the child's mind because they still love the abuser.
- ***Children often think they have told about the abuse,*** but their vocabulary, communication, or judgment skills are different from adults, and an adult 'may not get it'. For example, rather than telling exactly what happened, a child may instead say, "I don't like him (or her)" or "He (or she) makes me feel sad" – and by saying this to an adult, a child may truly believe he/she has told.
- ***Children may experience feelings of guilt*** for willingly participating in what they may later realize was inappropriate conduct.

*"I would just urge parents to be there for the kids. When you see adults who are overly friendly to children, be leery of that ...Let them know if somebody touches them they can come to you. I think it's more watching the kids, not the sex offenders. You don't know who the sex offenders are, but you can watch your children". Advice of a convicted sex offender*

*Silence allows sexual abuse to continue.  
Silence protects sex offenders.*

## *What are possible signs of child sexual abuse?*

A child who has been a victim of sexual abuse may not be able to talk openly about what happened, but a child could display other signs, such as:

- Persistent sexual play with other children, themselves, toys, or pets
- Sexual knowledge in language or behavior beyond what is normal for their age
- Unexplained pain, swelling, bleeding or irritation of the mouth, genital or anal area
- Crying, depression, anxiety
- Changes in sleep patterns
- Withdrawal from others
- Clinging to parents
- Change in school performance
- Avoidance of school/friends
- Lying
- Change in appetite
- Nightmares
- Anger & mood changes
- Fears and phobias
- Attention-seeking
- Fear or dislike of certain people or places
- Excessive bathing or poor hygiene
- Return to younger, more babyish behavior
- Running away
- Passive or overly pleasing behavior
- Delinquent acts
- Low self-esteem
- Self-destructive behavior
- Hostility or aggression
- Nausea/upset stomach
- Drug or alcohol problems
- Sexual activity or pregnancy at an early age

## *What are possible signs of child sexual abuse? (cont'd)*

- Suicide attempts
- Hints, indirect comments or statements about the abuse

*“Signs that sexual abuse occurred depend to a certain extent on the age and sex of the child. A younger child might have behaviors such as excessive masturbation. Older children may be sexually preoccupied or sexually aggressive towards other children, and boys tend to be more aggressive than girls. We must be careful to not assume that just because a child has shown signs of stress, that he or she has been sexually abused. The child might instead have witnessed domestic abuse or been physically abused. However, especially if a child is showing signs of sexual preoccupation, extreme stress, reporting nightmares of sexual material, is drawing sexually explicit pictures in school, then it is important to evaluate further. You don’t know if that child has been sexually abused if they’re showing these symptoms, but it is important to make sure the child is evaluated.”* Cheryl Lanktree, Ph.D., Director, Miller Children’s Abuse and Violence Intervention Center, Long Beach Memorial Medical Center, Long Beach, California.

## *What can I do if a child tells me about sexual abuse?*

A sexually abused child needs safety, love and support. Let them know it's okay to cry or be mad. Make sure the child understands it is not his or her fault. Don't coach or pressure a child to talk about things.

### *Some things you can say that will really help your child:*

- I believe you.
- I'm sorry that I didn't know.
- I know it's not your fault.
- I will take care of you.
- I am angry with the person who did this.
- I'm sad. You may see me cry. That's all right. I'm not mad at you. I will be able to take care of you.
- I am upset, but not with you.
- You did nothing wrong.

### *Some things you can do:*

- Report suspected abuse to the Police Department or the Department of Children's Services.
- Do not confront the person suspected of the abuse. Allow professional counselors or law enforcement personnel to handle this.
- Return to a normal routine as soon as possible.
- See that the child receives therapy. Trying to sweep the problem under the rug usually causes more problems, because it will not go away.
- Keep your child away from the person suspected of the abuse. This is to protect the child, you, and the person suspected of the abuse.
- Continue to use consistent discipline. This helps your child feel more secure.
- Allow your child to be angry with you. A child may feel anger at other adults around them who did not protect them.
- Your child may need an extra sense of security. Stay close, and assure your child you will keep her/him safe.
- Never coach or advise your child how to act or what to say to professional counselors or investigators. This could seriously damage the case.
- Teach your child the rules of personal safety. Tell them what to do if someone tries to touch them in an uncomfortable way.

## *What are the steps to an investigation of abuse?*

1. A suspicion of abuse is reported to the Police Department (Youth Services Division or 911 if it is an emergency) or to the Tennessee Department of Children's Services.<sup>1</sup> The Department of Children's Services has a 24-hour child abuse reporting line. *Please note it is a crime to knowingly fail to report child abuse or child sexual abuse.*
2. The child is interviewed by a specially trained child protective service worker, law enforcement officer or forensic interviewer. (A forensic interview is a fact-finding procedure to gather information about allegations made. The information is collected in a manner suitable to be used in a court of law.)
3. Medical exams are conducted, if necessary.
4. The Police Department and the Department of Children's Services will continue the investigation, which may include an interview with the alleged offender.
5. The Police Department, Department of Children's Services and the District Attorney's office will meet and decide how to proceed.
6. The case may be referred to Criminal Court or Juvenile Court, or some other plan may be made for managing the case.

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<sup>1</sup> Phone numbers are listed in the section "Who Can Help?", pages 28-30



## *What can I expect from the “system”?*

The system can be confusing and frightening to children and families. Part of this confusion occurs if Criminal Court and Juvenile Court are working on the same case at the same time.

**Criminal Court** is concerned with evidence that may prove the child was abused, with the illegal acts that occurred, and if proven guilty, what punishment the offender should receive. The stages of the Criminal Court process are:

1. Following investigation of the alleged abuse, the Office of the District Attorney determines if there is enough evidence to take the case to the Grand Jury.
2. The Grand Jury consists of 12 randomly selected citizens and one foreperson. The Grand Jury listens to the evidence and decides if there is probable cause the crime was committed by the person charged. If the Jury decides there is enough evidence, the Jury returns an indictment and the case proceeds to Criminal Court. If the Grand Jury decides there is insufficient evidence, the charges are dropped and the case will not go to Criminal Court.
3. In certain instances, particularly involving a stranger who abuses a child, the suspect may be arrested immediately by an arrest warrant. If that happens, there would be a preliminary hearing within 10 days in General Sessions Court. At that time the judge would determine if there is probable cause to send the case to the Grand Jury.
4. If an indictment is handed down by the Grand Jury, the case may not actually proceed to the trial stage. It may be resolved through a plea bargain. A plea bargain is an agreement between the prosecution, the defense, the judge, and the victim on the charges and a sentence.
5. If the case does not go to trial – either because there was insufficient evidence for the Grand Jury to return an indictment, or because a plea bargain was reached – remember that the child and family still need help in dealing with the after effects of the experience.

## *What can I expect from the “system”? (cont’d)*

**Juvenile Court** is concerned primarily with the protection and safety of the child and with issues such as custody, supervised visitation, and counseling. Juvenile Court plays a fundamental role in addressing the safety and permanency needs of children who experience serious harm and are at the greatest risk of future abuse and neglect. Guided by federal and state statutes, the Court is responsible for authorizing and overseeing many of the critical decisions and responsibilities of the Department of Children’s Services, Child Protection Agency, and the caseworker.

The Department of Children’s Services investigates all allegations of sexual abuse of children under 13 years old, and allegations of sexual abuse of children over 13 years old if the suspect is a caretaker, parent, relative, or someone living in the home. If a report of sexual abuse is made against a parent, step-parent, relative, boy friend, sibling, any other care giver, or any other person who has access to the child, a case worker from the Department of Children’s Services contacts the non-offending parent about a plan to protect the child. Of utmost importance is assuring the child is living in a safe place. The offending parent may be asked to leave the home, or the child may be removed from the parent’s custody. If the child must be removed, the case is brought to Juvenile Court.

### **Juvenile Court Process:**

1. A preliminary hearing will be held in Juvenile Court within 72 hours, and the parent(s) have the right to an attorney during this hearing. Juvenile Court assigns an attorney known as the ‘*guardian ad litem*’ for the child. The *guardian ad litem* protects the interests of the child in a legal proceeding. The Department of Children’s Services will also have an attorney present.
2. At the preliminary hearing, the judge decides if there is reasonable cause for removal and may:
  - Leave the child in Department of Children’s Services custody;
  - Return the child to the parent;
  - Place the child with a relative; or
  - Make another alternative plan, depending on the situation.

## *What can I expect from the “system”? (cont’d)*

### **Juvenile Court Process: (cont’d)**

3. If the child remains in the custody of the Department of Children’s Services or with a relative, the Department of Children’s Services develops a “permanency plan”. The Department may work with the non-offending parent to make the home safe for the child to be returned, provide supportive services to help the non-offending parent protect the child, and may also work with the offender if he/she lives in the home.
4. A judgment hearing is held, typically within three months. At that hearing, the judge hears the facts again and makes a decision on where the child will live. This may also be a settlement hearing with a protective custody order.
5. If the child still cannot be returned home, the Department of Children’s Services will continue to work with the family to find a way for the child to be safely returned home. As long as the child stays in the Department’s custody, the judge reviews the case every three months. Review continues on a regular basis until the judge decides to return the child home, or to terminate parental rights. The goal is to establish a permanent, safe home for the child, and if that is not an option with either parent, then termination of parental rights must be considered. *(Termination of parental rights is the legal ending of the rights of a parent(s). There are many reasons this could happen. For example, the parent(s) may have failed to provide proper care for a child, abandoned the child, or failed to cooperate with a proposed case plan designed to reunify parent and child.)*

## *What is a Child Advocacy Center?*

A Child Advocacy Center typically has a multidisciplinary team of medical and mental health personnel, child protective services, prosecutors, and law enforcement officers who work together to bring the investigation to a successful conclusion. The Center is a child-friendly place where child victims and families can receive needed services such as parent support groups, counseling, and crisis intervention. Trained personnel are available to work with families traumatized by child abuse and can also help bridge the gap between social services and the Criminal Justice System. Child Advocacy Centers have proven to be effective and successful in meeting needs of children & families who experienced sexual abuse.

## *What are the rights of child victims?*

Over the years, our society has acquired a sense of responsibility for the well being of children. Most adults believe all children, regardless of their individual circumstances, have a set of fundamental rights:

- protection from physical abuse;
- access to education;
- an environment that provides emotional support from caring adults;
- the right to be understood.

Child victims have the same legal rights as adult victims. To make sure our children's rights are being protected, Tennessee law does specify the manner in which a case of child sexual abuse is investigated and the way the interview process is conducted. This process is discussed in the section on "What are the Steps to an Investigation of Abuse?"

All crime victims, adults and children, have certain rights in Tennessee, as stated in the Victims Rights Amendment to the Tennessee State Constitution. You may obtain a copy of this Amendment from the Victim Witness Coordinator in the Office of the District Attorney. In summary, these rights are:

- 1. The right to confer with the prosecution.***
- 2. The right to be free from intimidation, harassment and abuse throughout the criminal justice system.***
- 3. The right to be present at all proceedings where the defendant has the right to be present.***
- 4. The right to be heard, when relevant, at all critical stages of the criminal justice process as defined by the General Assembly.***
- 5. The right to be informed of all proceedings, and of the release, transfer or escape of the accused or convicted person.***
- 6. The right to a speedy trial or disposition and a prompt and final conclusion of the case after the conviction or sentence.***
- 7. The right to restitution from the offender.***
- 8. The right to be informed of each of the rights established for victims.***

## *What are the rights of child victims?(cont'd)*

Certain terms in the enabling legislation for the Victims' Rights Amendment are defined:

- **Crime** refers to any offense the punishment for which is a Class A, B, C, D, or E felony, first degree murder, or assault.
- **Critical stages of the criminal justice process** are (1) bond hearings where the victim's testimony is relevant; (2) the defendant's sentencing hearing; (3) restitution hearings; and (4) parole hearings discussing the defendant's release.
- **Family member** refers to the victim's spouse, natural, adoptive, or step parent, natural or adopted child, grandparent, grandchild, or natural or adopted siblings. If a family member is a minor, he/she may be represented by a guardian where appropriate.
- **Victim** refers to the person against whom the crime was committed. If the victim is a minor, then the parent or legal guardian is included in this definition. If the victim is deceased or is physically or emotionally unable to exercise his or her rights, then victim refers to a family member or a person who resided with the victim. Victim does *not* include any person charged with, or alleged to have committed the crime, or who is charged with some form of criminal responsibility for commission of the crime.

Effective July 1, 2000, Tennessee law also granted crime victims the right to refuse to speak with, or otherwise communicate with, the defense team. That means that a victim does not have to talk to the defense team outside of the courtroom, if the victim chooses not to. If an investigator phones you, calls on you, or tries to communicate with you in any way in the weeks preceding a criminal trial, verify exactly whom the investigator represents. Because the person identifies himself or herself as an "investigator" does not necessarily mean they work for the Police Department or the District Attorney's Office. If the investigator works for, or represents, the Office of the Public Defender, a private defense attorney or trial attorney's office, for example, you and your child have the right to refuse to speak with the investigator or attorney about the case. Outside the courtroom, it is always a good rule of thumb to know exactly whom you are speaking with.

## *What if a child has to go to court?*

Going to court as an adult victim of crime is difficult. Going to court as a child victim can be utterly confusing and frightening. The child may fear seeing the abuser again, may be traumatized by the courtroom or by the questions the attorney or the judge may ask, or the child may not want to go to court at all.

Children need help getting ready for a courtroom experience. The child should be given an early look at the empty courtroom, to see where he/she will be sitting, where the judge, family members or support people will be sitting. The child should be given a chance to walk through the physical procedure of the court process. The Victim Witness Coordinator in the Office of the District Attorney typically arranges for this visit and helps the child and family.

The Victim Witness Coordinator may also have information about a court preparation group for Criminal Court. This group includes children and other non-offending parents who are preparing to go to trial. If a court preparation group is available, it is of the utmost importance that you attend. Preparation for court is important for both victims and non-offending parents. It may be very upsetting to see the defendant and to hear graphic testimony.

*In Criminal Court, keep in mind that the defense team is acting on behalf of the defendant and will do everything they can under the law to defend their client. BE PREPARED. Be mindful also that the victim does not have to talk with the defense attorney or any representative of the defense attorney except in the courtroom or when the District Attorney is present. The child's responsibility is to testify truthfully in court.*

If a parent or other close, trusted adult will be a witness in the case, they will not be allowed in the courtroom when the child is testifying. A child should always have a trusting, friendly face in the courtroom, so make sure the Victim Witness Coordinator, a best friend, or relative stays with your child at all times. A child should never feel he/she is alone while going through the courtroom experience.

## *What if a child has to go to court? (cont'd)*

When the case is completed, it is common to feel a sense of letdown. Celebrate when the courtroom procedure is over - whatever the outcome. The legal system has been with us for a long time, and will continue long after your experience with it has come to an end. It is only one step in the process, and although a conviction can be helpful, it is not essential to your child's recovery. Regardless of outcome, your child will know you do not tolerate abuse, you believe your child, and you will protect your child.

*The most important thing is to let the child know you are proud of him/her for being brave and telling the truth. You and your child did your best, worked hard, and did the right thing. You did your best to prevent further abuse and to hold the offender responsible for his actions.*

In the event you are dissatisfied with the outcome of the case, be cautious about expressing any disappointment in front of the child, as the child may feel responsible and feel you are displeased with him or her. If you feel letdown with the outcome, find a supportive friend to share your feelings with.

Some things you can say to your child:

“It doesn't matter what the court did. What matters is that you did the right thing. You told the truth.”

“You have been very brave, and I am so proud of you.”

“Just because the court said “not guilty”, doesn't mean they don't believe you. It's just they have to follow the court's rules.”



## *What should I say to others?*

The news media typically do not identify victims of sexual assault. The media is also not allowed to take photos or videotape of minors who testify in court. A parent or guardian may decide whom to tell – if anyone. Your child may feel responsible or embarrassed, and the effect on the child should be taken into account if a parent or guardian talks with others about the abuse. Immediate family or close family relatives may react with horror, distress, disgust, or disbelief. Some may act disinterested or question you for unnecessary details.

Sometimes a family member, friend, or teacher may be the first person to learn of the abuse. It is important to speak frankly with them about their discussing the abuse with others and the effect this may have on the child. Let your child have some choice about who is told and be prepared to discuss why you are telling others. It is important to talk with the child about who has been told and why certain people were told. Maintain your child's sense of privacy, without turning the event into a "dirty secret".

Some comments you can expect from others may include:

“What exactly did he do to your child?”

“Do you think she (he) is making this up?”

“Didn't you know it was happening?”

“What did you do to stop it?”

Remember that you don't owe anyone an explanation. A simple response such as, “It's been a difficult time for all of us – thank you for your concern”, may be a fitting answer. Remember, too, that most people have very little knowledge about sexual abuse and can say some very insensitive things.

Prepare your child to deal with curious, sympathetic or prying comments. If, for example, an adult tells the child, “I'm so sorry for what happened to you.” The child can simply say, “Thank you”. If the question is more direct, such as “What did he do to you?”, the child might say, “Thank you for asking, but I don't want to talk about that right now.” Cruel comments from other children are also possible. An appropriate response might be, “It could happen to anyone.”

## *What about treatment for sex offenders?*

While sex offenders may be given lengthy prison sentences, the reality is that most of them will be released back into the community when the sentence has been served, and some sex offenders may not serve jail or prison time at all. Because community safety is of the utmost importance, recent attention has been directed toward treatment as a way to reduce further victimization.

A sexual perpetrator is not likely to change behavior without external intervention, such as pressure from the judicial system. Criminal or Juvenile Court can order a sex offender to participate in treatment and supervised programs. An offender may be motivated to take part in treatment programs because of (1) concern about the consequences to themselves; (2) what the offending behavior has cost them in terms of loss of family love and support, reputation, job, etc., or (3) the impact of the crime on the victim.

It is important to remember that treatment for sex abuse is not a “cure”. The goal of treatment for sexual abuse perpetrators is to teach them how to identify, intervene, and control sexually abusive behaviors and methods they used in the past to entrap a victim. Treatment may include sex offense-specific treatment, therapy with specialized treatment staff, program monitoring and evaluation. At this point, there is no single study that proves treatment works or doesn’t work, but there is some evidence that indicates recidivism – or re-offense rate – is significantly reduced for offenders who take part in treatment programs.

*“Can we ever be sure that an offender is not going to re-offend? No. Can we predict who’s more likely to re-offend? Yes. The treatment of sex offenders is not done because offenders deserve something special – it is done to reduce further victimization. We try to treat the factors that relate to the offending - to get to the offenders’ denial, to get them to be honest about what they have done. Many offenders have a conscience, but they get around that conscience by telling themselves ‘it wasn’t that bad, I was just showing the child affection, the child wanted to do it, etc., etc., etc.’. We need prison-based programs and also community-based programs with strong probation and parole supervision integrated with the treatment providers. To just punish without doing something that’s actually going to reduce victimization doesn’t make any sense if your goal is to have fewer victims.”* **William Murphy, Ph.D., Dept. of Psychiatry & Clinical Psychology, University of Tennessee at Memphis.**

# Who can help?

## National

**National Center for Missing and Exploited Children**.....1-800-843-5678

Web address: [www.missingkids.com](http://www.missingkids.com)

## State of Tennessee

### **Tennessee Department of Children’s Services 24-hour child abuse reporting hotlines:**

Northeast Region Hotline (Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, & Washington Counties)..... 1-800-54ABUSE (1-800-542-2873)

Knox County (Knoxville).....(865) 594-6767

Hamilton County (Chattanooga).....(423) 266-0162

Bradley and Polk Counties (Cleveland & Benton).....(423) 478-0309

Davidson County (Nashville).....(615) 329-1911

Madison County (Jackson).....(901) 423-6499

Shelby County (Memphis).....(901) 543-7120

(Please note Department of Children’s Services offices are located in every county in Tennessee, but not all offices have a 24-hour hotline. Only the 24-hour hotlines are listed here. During normal working hours, you may wish to contact your local office. And always call your local law enforcement office for emergency situations.)

**Tennessee Chapter of Children’s Advocacy Centers**.....(615) 320-6500

**Tennessee Commission on Children & Youth**.....(615) 741-2633

Web address: [www.state.tn.us/tccy](http://www.state.tn.us/tccy)

### **Tennessee Sex Offender Registry Online (TN Bureau of Investigation)**

Web address: [www.tbi.state.tn.us](http://www.tbi.state.tn.us) (photos, names, addresses of known sex offenders since 1997)

## Child Advocacy Centers in Tennessee

Judicial District	CAC Name	Mailing Address	Office Phone	Fax
1	Children's Advocacy Center of the 1st Judicial District	201 E. Myrtle Ave., P.O. Box 827 Johnson City, TN 37605	(423) 926-6528	(423) 926-6983
2	Children's Advocacy Center of Sullivan County	150 Blountville Bypass Blountville, TN 37617	(423) 279-1222	(423) 323-0792
3	Child Advocacy Center of the 3rd Judicial District	P.O. Box 743, 200 Main St. Mosheim, TN 37818	(423) 422-4446	(423) 422-4499
4	Safe Harbor Child Advocacy Center	P.O. Box 4536 Sevierville, TN 37864	(865) 774-1777	(865) 774-8063
4	Newport Child Advocacy Center			
5	New Hope-Blount County Children's Advocacy Center	212 Cates Street Maryville, TN 37801	(865) 981-2000	(865) 981-5422
6	Childhelp Children's Center of East Tennessee	2505 Kingston Pike Knoxville, TN 37919	(865) 637-1753	(865) 544-7150

## Who can help?(cont'd)

Judicial District	CAC Name	Mailing Address	Office Phone	Fax
7	Child Advocacy Center of Anderson County, Inc	752 N. Main Street Clinton, TN 37716	(865) 463-2740	(865) 463-2744
8	Children's Center of the Cumberlands	P.O. Box 4314 Oneida, TN 37841	(423) 569-8900	(423) 569-8921
8	Union County Children's Center	120 Veteran St. Maynardville, TN 37807	(865) 992-7677	(423) 562-0751
8	Campbell County Children's Advocacy Center	203 Independence Lane LaFollette, TN 37766	(423) 562-4190	(423) 562-0751
8	Fentress County Children's Center	P.O. Box 1079 Jamestown, TN 38556	(931) 879-7290	(931) 879-4920
9	Kids First Child Advocacy Center of the 9th Judicial District	P.O. Box 928 Lenoir City, TN 37771	(865) 986-1505	(865) 986-1547
10	10th Judicial District Children's Advocacy Center The H.O.P.E. Center, Inc.	P.O. Box 1561 Athens, TN 37371	(423) 744-0599	(423) 744-8284
10	The H.O.P.E Center, Inc Cleveland CAC	2600 Executive Park Cleveland, TN 37312	(423) 790-5740	(423) 790-5742
11	Children's Advocacy Center of Hamilton County	419 North Market Street, Chattanooga, TN 37405	(423) 266-6918	(423) 265-0620
13	Upper Cumberland CAC of the 13th Judicial District	480 South Old Kentucky Rd Cookeville, TN 38501	(931) 854-0115	(931) 854-0551
14	Coffee County Children's Advocacy Center	104 North Spring Street Manchester, TN 37355	(931) 723-8888	(931) 723-8889
15	15th Judicial District CAC	Mailing PO Box 1225, Lebanon, TN 37088-1225 Physical : 228 West Main Street, Suite B, Lebanon, TN 37087	(615) 449-7975	(615) 449-7974
16	Child Advocacy Center of Rutherford County, Inc	1040 Samsonite Blvd. Murfreesboro, TN 37129	(615) 867-9000	(615) 867-9585
16	Cannon County Child Advocacy Center	214 West Water Street Woodbury, TN 37190	(615) 563-9915	(615) 563-9916
17	Junior's House, Inc. Child Advocacy Center of the 17th Judicial District	704 W. Maple St. Fayetteville, TN 37334	(931) 438-3233	(931) 438-0727
17	Satellite Center of Junior's House, Inc. Child Advocacy Center of the 17th Judicial District	906 2nd Avenue N. Lewisburg, TN 37091	931.359.0830	
18	Ashley's Place- Sumner Child Advocacy Center	315 W. Smith Street Gallatin, TN 37066	(615) 451-2169	(615) 452-6143
19	Montgomery County Child Advocacy Center	1030 Cumberland Heights Road, Clarksville, TN 37040	(931) 553-5140	(931) 553-5142
19	Robertson County Child Advocacy Center	101 5th Avenue West, Suite 200 Springfield, TN 37172	(615) 384-5885	(615) 384-2269

## Who can help?(cont'd)

Judicial District	CAC Name	Mailing Address	Office Phone	Fax
20	Nashville Children's Alliance	1264 Foster Avenue Nashville, TN 37210	(615) 327-9958	(615) 327-9896
21	Davis House Child Advocacy Center	101 Forrest Crossing Blvd, #106 Franklin, TN 37064	(615) 790-5900	(615) 599-5004
21	The Davis House Child Advocacy Center – Satellite Center	21 Smith Avenue Hohenwald, TN 38462	<a href="tel:9317960816">(931) 796-0816</a>	
22	Kid's Place--A Child Advocacy Center	614 West Point Rd., Lawrenceburg, TN 38464	(931) 766-2213	(931) 766-2715
23	Child Advocacy Center of the 23rd JD	P.O. Box 468 Charlotte, TN 37036	(615) 789-3035	(615) 789-3969
23	Child Advocacy Center of the 23 <sup>rd</sup> Judicial District- satellite office	124 South Main St Suite 201 Ashland City, TN 37015	<a href="tel:9313059101">(931) 305-9101</a>	
24	Carroll County Child Advocacy Center Exchange Club-Carl Perkins	341 Redden St. Huntingdon, TN 38344	(731) 986-5920	(731) 986-5930
	Henry County Child Advocacy Center Exchange Club-Carl Perkins	204 N. Brewer Street Paris, TN 38242	(731) 642-8455	
24	Decatur County Child Advocacy Center Exchange Club-Carl Perkins	<b>Satellite of Carroll Cnty</b> 125 Central Lane Parsons, TN 38363	(731) 847-4020	(731) 847-4020
25	Hardeman County Child Advocacy Center Exchange Club-Carl Perkins	<b>Satellite of Tipton Cnty</b> 149 Tennessee Street Bolivar, TN 38008	(731) 659-2373	(731) 659-2352
25	Tipton County Child Advocacy Center Exchange Club-Carl Perkins	707 S. Main Street Covington, TN 38019	(901) 476-1515	(901) 476-1583
25	McNairy County Child Advocacy Center Exchange Club-Carl Perkins	<b>Satellite of Tipton Cnty</b> 175 S. Third Street Selmer, TN 38375	(731) 646-3627	(731) 646-3628
25	Lauderdale Child Advocacy Center Exchange Club Carl Perkins Center	<b>Satellite of Tipton Cnty</b> 168 N. Main St. Ripley, TN 38063	(731) 635-7856	(731) 635-7858
25	Hardin County Child Advocacy Center Exchange Club-Carl Perkins	<b>Satellite of Carroll Cnty</b> 60 Brazelton Rd. # 6 Savannah, TN 38372	(731) 925-2252	(731) 925-2252
26	Henderson County Child Advocacy Center Exchange Club-Carl Perkins	P.O. Box 977 Lexington, TN 38351	(731) 967-0727	(731) 967-0719
26	Madison County Child Advocacy Center Exchange Club--Carl Perkins	182 Lexington Ave. Jackson, TN 38301	(731) 422-6464	(731) 422-1634

## Who can help?(cont'd)

Judicial District	CAC Name	Mailing Address	Office Phone	Fax
26	Chester County Child Advocacy Center Exchange Club-Carl Perkins	<b>Satellite of Henderson Cnty</b> 113 East Main Street Henderson, TN 38340	(731) 989-7222	(731)989-7292
27	Weakley County Child Advocacy Center Exchange Club-Carl Perkins	P.O. Box 552 111 Oxford St. Martin, TN 38237	(731) 587-0768	(731) 587-9051
28	Crockett County Child Advocacy Center Exchange Club-Carl Perkins	<b>satellite of Gibson County</b> 78 E. Park Alamo, TN 38001	(731) 696-2452	(731) 696-4426
28	Gibson County Child Advocacy Center Exchange Club-Carl Perkins	300 W. Eaton St. Trenton, TN 38382 <b>and:</b> 306 N 22nd Ave. Humbolt, TN 38343	(731) 855-4884 (731)784-7500	(731)855-4877 (731)784-7755
30	Memphis Child Advocacy Center	1085 Poplar Ave. Memphis, TN 38105	(901) 888-4336	(901) 888-4385
31	Children's Advocacy Center of the 31st Judicial District	P.O. Box 7287 McMinnville, TN 37111	(931) 507-2386	(931) 507-2387

### Nashville-Davidson County (area code 615)

Agape	781-3000
CASA (Court Appointed Special Advocate)	862-8031
Catholic Charities of Tennessee	352-3087
Crisis Intervention Center, Inc.	298-3359(office) 244-7444 (crisis line)
Domestic Violence Unit, Metro Police Department	880-3000
Centerstone, Inc. at Dede Wallace	460-4357
Centerstone, Inc. at Lloyd C.Elam Mental Health Center	460-4560
Exchange Club Family Center, Inc.	333-2644
Family and Children's Services	320-0591
Healthy Start-Metro Health Department	340-2250
Juvenile Court of Nashville/Davidson County	862-8000
Kids on the Block of Middle Tennessee	333-6356
Legal Aid Society	244-6610
Luton Mental Health Services	279-6700
Madison Domestic Violence Shelter	860-0003
Metro Police Department – Youth Services Division	862-7417
Nashville Child Advocacy Center	327-9958
Oasis Center, Inc	327-4455
Our Kids Clinic	862-4211
Prevent Child Abuse Tennessee	868-4468
Rape & Sexual Abuse Center of Middle Tennessee	256-8526 (24-hour crisis line)
Ujima House	242-9260 (24-hour crisis line)
Vanderbilt Mental Health Ctr (Child & Adolescent Psychiatry)	327-7009
Victim Intervention Program (Metro Police Dept.)	862-7773

Victim Witness Services (Office of District Attorney)  
You Have the Power  
YWCA Domestic Violence Crisis Line

862-5500  
292-7027  
297-8833 (24-hour crisis line)

## *Who can help?(cont'd)*

*Other phone numbers of personal or professional importance to you:*

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## *Terms you need to know (Glossary)*

**ACQUIT**...To find a defendant not guilty in a criminal trial.

**ACQUITTAL**...A verdict in a criminal case by a judge or jury that determines the defendant is not guilty.

**ADJUDICATE**...To hear and decide a case in a judicial proceeding.

**AFFIDAVIT OF NON-PROSECUTION**...A written statement made under oath by the victim or victims of a crime, stating they do not want to prosecute a case.

**APPEAL**...A judicial proceeding in which a higher court is asked to review the decision of a lower court to see if any mistakes were made by the trial judge.

**ARRAIGNMENT**...A judicial proceeding in which a person is formally accused of a crime.

**BAIL**...Money or property required by a judge to be paid or pledged to the court by the defendant or his representative to insure the defendant will appear for trial.

**BAIL BONDSMAN**...A person who makes a living by paying or pledging a bail in the amount the defendant must post with the court. The bail bondsman must have sufficient collateral to pay the bail if the defendant does not appear in court on the scheduled court date.



**BOARD OF PAROLES**...Seven persons appointed by the Governor of Tennessee to serve a term of six years. The Board is the decision-making body responsible for granting, declining, or revoking the parole status of convicted offenders. They oversee the supervision of parolees and implement the Governor's decision in clemency matters.

**CHILD ABUSE**...Any person who knowingly, other than by accidental means, treats a child under 18 in such a manner as to inflict injury has committed child abuse. Abuse may be physical, physical neglect, sexual or emotional.

**CHILD ABUSE, AGGRAVATED**...Any act of child abuse that includes any of the following: act of abuse results in serious bodily injury to the child, such as broken bones or brain damage; a deadly weapon is used.

**CHILD SEXUAL ABUSE**...the commission of any act involving sexual contact with a child less than 13 years of age. This includes any penetration of the vagina or anal opening, whether or not there is the emission of semen; any contact between the genitals or anal opening of one person and the mouth or tongue of another; intentional touching of the genitals or intimate parts or the clothing covering them; intentional exposure of perpetrator's genitals in the presence of a child, or any other sexual act intentionally perpetrated in the presence of a child, if the act is for the purpose of sexual arousal or gratification, aggression, degradation, or other similar purposes.

**CHILD ADVOCACY CENTER**...A child friendly facility where child victims and families can receive needed services such as parenting groups, counseling for children and crisis intervention. A center with trained professionals who work with families hurt by child abuse and who help bridge the gap between social services and the Criminal Justice System.

**CHILD NEGLECT...** Action, other than by accidental means, that adversely affects a child's health and welfare. Neglect differs from child abuse in that neglect is omission (not doing something) and child abuse is commission (deliberate, purposeful), and the end result is that a child is harmed.

**COMPLAINT...** A sworn statement charging a person with a criminal offense.

**CONCURRENT...** When an offender with more than one sentence is ordered to serve the sentences at the same time. For example, if an offender is given a 3-year sentence for one offense and a 6-year sentence for another offense, and is to serve them concurrently, the offender would serve the longer of the two sentences, or 6 years.

**CONSECUTIVE...** When an offender with more than one sentence is ordered to serve the sentences one after the other. For example, if an offender is given a 3-year sentence for one offense and a 6-year sentence for another offense, and is to serve them consecutively, the offender would serve a sentence of 9 years.

**CONTEMPT OF COURT...** A willful failure to obey a court order or the show of disrespect or unacceptable behavior in the presence of the court. The court has the power to punish a person found guilty of contempt.

**CONTINUANCE...** When a case is rescheduled to a future date.

**CONVICT...** Finding a defendant guilty of a criminal charge.

**CROSS EXAMINATION...** Refers to the questions that the prosecuting attorney and defense attorney ask of witnesses on the opposing side of the case.

**DEFENDANT...** The person charged with committing a crime.

***DEFENSE ATTORNEY***...The attorney representing the defendant. May be from the Public Defender's Office if the defendant cannot afford to hire a private attorney.

***DEFENSE INVESTIGATOR***...A person employed by the defense attorney to investigate the facts of a case.

***DIRECT EXAMINATION***...Refers to the questions the prosecuting attorney or the defense attorney directs to their own witnesses.

***DISMISSAL***...A decision by the judge to end the prosecution of a case without deciding the guilt or innocence of the defendant.

***DOCKET***...A schedule of cases awaiting court action on a given day, week, or month.

***DUE PROCESS***...A provision in the U.S. Constitution guaranteeing an accused person a fair and impartial trial.

***EARLY RELEASE***...A method of managing prison overcrowding, mandated by the Tennessee General Assembly in 1985. Offenders may be considered for release in advance of their normal parole date. Sex offenders and offenders convicted of murder or assault are not eligible for early release.

***EVIDENCE***...Any form of proof legally presented at a trial through witnesses, records, documents, etc.

***EXCLUSIONARY RULE***...A rule of law stating that evidence obtained in violation of the legal rights of an individual may not be introduced into evidence against that person at his/her trial.

***EXECUTIVE CLEMENCY***...An act of leniency or mercy by the Governor of the State of Tennessee which gives the inmate certain relief from the consequences of a criminal conviction. This power belongs exclusively to the Governor.

***EXPUNGEMENT***...First offenders are sometimes eligible for a type of probation, which, when successfully completed, has the effect of “erasing” the record of that particular criminal offense. The record is expunged, or erased from public access. However, law enforcement officials do have access to the information.

***FELONY***...More serious crimes as defined by the legislature. The sentence for a felony is one year or more.

***FORENSIC***...Belonging to, or used in the courts of justice; may also indicate the application of a particular subject to the law.

***GRAND JURY***...A group of 12 citizens and a foreperson who decide if there is probable cause to indict an individual accused of a crime. The Grand Jury does not determine guilt, but only decides if there appears to be evidence that the crime probably happened and there is probable cause the defendant committed the crime. The judge and the defense attorney are not present at the Grand Jury proceedings, and the proceedings are confidential.

***GUARDIAN AD LITEM***...A person appointed by Juvenile Court to protect the interests of a child in a legal proceeding.

***HEARSAY***...Evidence based on what the witness has heard someone say, but not personally experienced or observed.

***IMPEACHMENT OF A WITNESS***...An attack on the credibility or truthfulness of a witness' testimony.

***INCEST***...Engaging in sexual penetration with a person he or she knows to be the person's biological parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild, adoptive parent, adoptive child, or the person's biological, step-, or adoptive brother or sister.

***INDICTMENT***...A document which formally accuses a person of a crime. An indictment must state who committed the crime, what crime was committed, approximately when it was committed, and where it was committed.

***JURISDICTION***...The geographical area within which a court or criminal justice agency has authority. For example, Davidson County is the 20<sup>th</sup> Judicial District, and all judicial or criminal matters occurring in the county are under its jurisdiction.

***JUVENILE COURT***...A specialized court system designed to treat youthful offenders separately from adults. Juvenile Court also handles cases involving neglect and dependency and custody issues.

***LEADING QUESTION***...A question that suggests to the witness how to answer or suggests the answer desired. Such questions are prohibited on direct examination.

***LITIGATION***...A legal contest in court.

***MISDEMEANOR***...A crime less serious than a felony. A crime for which the maximum sentence is less than one year.

***MISTRIAL***...An invalid trial, a trial where a jury is unable to reach a unanimous verdict or if irreversible errors occurred during the trial.

***NOLLE PROSEQUI***...When the prosecuting attorney formally declares that he “will not further prosecute” a particular case. However, this does not prevent the district attorney from later prosecuting the individual under another indictment.

***OBJECTION***...A statement by the prosecuting or defense attorney taking exception to testimony or to the admission of evidence.

***OVERRULE***...When an attorney raises an objection, the court may either “sustain” or “overrule” the objection raised. If overruled, the testimony or evidence will be admitted for the jury’s consideration.

***PAROLE***...The discretionary release of an inmate to the community by the Board of Paroles prior to the expiration of the inmate’s prison term. Parole is a privilege and not a right.

***PEDOPHILE***... Adult with a definite sexual preference for children.

***PERSONAL RECOGNIZANCE***...A promise by a person to return to court. The person is released without posting any bail, based on their character and their promise to return to court.

***PERJURY***...The making of false statements under oath – a criminal offense.

***(PETIT) JURY***...A body of persons who hear the evidence at the trial and decide the verdict. In criminal trials, the jury consists of 12 persons. In civil trials, the jury may consist of less than 12 persons.

***PLEA BARGAINING***...A process in which the prosecutor and defense attorney, and sometimes the judge, reach an agreement whereby the defendant will plead guilty. The defendant may or may not receive a reduction in sentence. If a plea bargain is reached, and the judge accepts the plea bargain, a trial is not held. Plea bargaining occurs in the vast majority of criminal cases.

***POLYGRAPH***...An instrument used to detect false or misleading statements, or lies. This test is sometimes used as an investigative tool by the police, but the results are not admissible in Tennessee courts.

***PRELIMINARY HEARING***...A court procedure where a prosecutor must establish that a crime was committed and probable cause that the defendant committed the crime. The judge then determines if there is enough evidence to require the defendant to stand trial.

***PRE-TRIAL DIVERSION***...Similar to probation, except defendant does not plead guilty and is supervised up to 2 years. If he/she completes diversion, record may be expunged.

***PROBATION***...A sentence that is served in the community rather than prison. The offender is under the supervision of a probation officer and is required to meet certain conditions, such as treatment, public service work, ....

***PROBABLE CAUSE***...A reasonable belief that a crime has been, or is being committed. It is the basis for all lawful searches and arrests.

***PROSECUTOR***...Attorney who represents the federal government, the state, or the county in a criminal case. The prosecutor does not represent the victim; the victim is considered a witness in the case.

***PUBLIC DEFENDER***...A lawyer employed by the state to represent defendants who cannot afford a private attorney.

***RAPE***...Unlawful sexual penetration, accompanied by circumstances such as force, coercion, lack of consent of the victim, fraud, mental incapacitation or physical helplessness on the part of the victim.

***RAPE OF A CHILD***...Unlawful sexual penetration of a child under the age of 13. Includes any penetration, however so slight, orally, vaginally, or rectally, by the offender to the child – or – by the child to the defendant.

***RAPE, STATUTORY***...Sexual penetration of a victim by the offender or of the offender by the victim, when the victim is at least 13 and less than 18 years old, and the defendant is at least 4 years older than the victim.

***RAPIST, CHILD***...A child rapist is a person convicted one or more times of rape of a child.

***REPORTING CHILD ABUSE***...In Tennessee, it is mandatory for physicians, nurses, other health care workers, teachers, school officials, judges, social workers, day care workers, law enforcement officers, or any other person who reasonably suspects child abuse to report the suspected child abuse to the police, the Department of Children's Services, or the Juvenile Court. Any person sincerely reporting a suspicion of harm is presumed to be acting in good faith and is immune from any civil or criminal liability. However, if a person knowingly reports a false accusation of child sexual abuse, it is considered a felony. Failure to report is a misdemeanor.

***RESTITUTION***...A process by which a person convicted of a crime is required to compensate the victim or the community for losses suffered as a result of the crime.

***ROBBERY***...The taking of property from a person by force or violence, or by the threat of force or violence.



***SAFETY VALVE***...Due to overcrowding in the Tennessee prisons, the Tennessee legislature enacted the Emergency Powers Act, which dictates the release of inmates until the prison population level is reduced to 90% of capacity. Sex offenders, homicide offenders, and inmates serving time for manslaughter are not eligible for safety valve. No one is guaranteed release through “safety valve”, and it is a Parole Board decision.

***SENTENCE***...A judgment by the court upon the defendant after his conviction in a criminal trial. Some sentencing terms you may hear:

*SED (Sentence Effective Date)* is the day from which an offender’s sentence is calculated. It often differs from the actual date the judge imposes the sentence, as credit for time served in jail before the trial may be granted by the judge.

*RED (Release Eligibility Date)* is the earliest date an inmate is eligible for release on parole, unless a safety valve date applies. This date is based on the inmate’s total sentence length and the minimum percentage which must be served prior to release. This date is not a guarantee that the inmate will be released from prison at that time. It is merely the earliest date he or she can be considered for release. This date can change from month to month, depending upon sentence reduction credits earned by the inmate.

*Sentence Reduction Credits* are granted by the state. A prison inmate may receive up to 16 days credit each month, thus reducing that amount of time he/she must spend in prison. Furthermore, inmates housed in local jails may receive up to 41 days credit each month. The days of credit earned depend on the law under which the offender was sentenced, current custody level, his/her behavior in prison and participation in programs. The “sentence reduction credits” provision in Tennessee law contributes to the great disparity between the sentence imposed by the judge and the sentence actually served by the inmate.

However, there are certain crimes for which sentence reduction credits are not available (such as a crime where a child has been raped), and the offender must serve 100% of his/her sentence. Sentence reduction credits are also greatly restricted for certain other serious crimes, and the offender may be required to serve 85% of the sentence imposed by the judge.

The *Sentence Expiration Date* is the date the offender's sentence will be completed and all supervision by the Department of Corrections or the Board of Paroles will end. This date can also be reduced with the application of sentence credits. An inmate who has "flattened the sentence" has served all the time he/she is legally required to serve and who must be released. In this case, the offender is released into the community with no supervision.

***SEXUAL ASSAULT***...A category of crime including rape, in which a person forces another to commit a sex act.

***SEXUAL BATTERY***...Aggravated sexual battery is the touching of intimate parts (breasts, buttocks, genitals) of a child under the age of 13. Sexual battery by an authority figure is the unlawful contact with a victim by an offender or the offender by the victim, under the following circumstances: Victim is at least 13 years old, but less than 18; offender at time of the offense has supervisory or disciplinary power over the victim by virtue of the defendant's legal, professional, or occupational status (e.g., step-parent, doctor, teacher, coach) and uses such power to accomplish the sexual act/contact; at time of offense the offender had parental, or custodial authority over the victim.

***SEX OFFENDER***...Any person who is convicted in Tennessee of any sex offense or if such a person has been convicted in another state of an offense that would constitute a sex offense in this state.

***SEX OFFENDER REGISTRY***...An established central registry maintained by the Tennessee Bureau of Investigation that includes all validated sex offenders from Department of Children's Services' files, all persons arrested for committing a sex offense, and all persons convicted of a sex offense. This registry shall include a photograph of the offender and all public information about the offender. The Tennessee Sex Offender Registry is available on the Internet at [www.tbi.state.tn.us](http://www.tbi.state.tn.us).

***SUBPOENA***...A court order requiring a person to appear in court.

***SUSPENDED SENTENCE***...A court sentence that allows the defendant to be placed on probation instead of serving jail time, as long as he or she does not violate certain terms.

***SUSTAIN***...Court's ruling in favor of an objection. If an objection is sustained during a trial, the evidence or conduct objected to will not be admitted for the jury's consideration.

***TENNESSEE DEPARTMENT OF CORRECTION (TDOC)***...The department that supervises adult offenders in prison. TDOC is responsible for probation and oversight of community correction programs.

***TERMINATION OF PARENTAL RIGHTS***...There could be many reasons to terminate parental rights. For example, if the parent failed to provide proper care for a child, abandoned the child, physically or sexually abused the child, or failed to cooperate with a proposed case plan designed to reunify the parent and child. If the court, after trial, determines that neither parent can provide the proper care and support for the child in the foreseeable future, the court may terminate parental rights and grant permanent custody to a relative or an appropriate state agency, which may assume custody for the purposes of adoptive placement.

**TESTIMONY**...Any statement made by a witness under oath in a legal proceeding.

**TOMIS**...“Tennessee Offender Management Information Service”; master computer used by TDOC to calculate sentences of offenders.

**UNIFORM CRIME REPORT**...Report listing the frequency of certain crimes in each police jurisdiction in the country. Not all crimes are listed and not all police departments contribute this information.

**VENIRE**...A panel from which a jury is called.

**VENUE**...The geographic area from which a jury is gathered and in which the trial is held. This typically is in the city or county where the crime occurred. (See “Jurisdiction”.)

**VERDICT**...Formal decision on guilt or innocence made by a jury, read before the court and accepted by the judge.

**VICTIM**...Person against whom a crime is alleged to have been committed.

**VICTIM COMPENSATION**...Financial assistance paid to the victim for expenses incurred as a result of criminal injury and conduct. Victims may be eligible for compensation even if there has not been an arrest or conviction. However, victims do not receive compensation for property crimes.

**VICTIM IMPACT STATEMENT**...A report from the victim to a sentencing judge, the Department of Corrections, or the Parole Board, stating the effect the victimization has had on the victim’s life and what the victim feels the punishment should be.

***VICTIM/WITNESS ASSISTANCE UNIT***...A specialized unit usually within the prosecutor's office (Office of the District Attorney) which provides services to crime victims and witnesses. The people who work in the unit are called victim witness coordinators.

***WARRANT***...A judicial order authorizing a law-enforcement official to conduct a search, seizure or arrest.

***WITNESS***...A person who testifies before a court under oath regarding what had been seen, heard, or otherwise observed.

## *Suggested Readings*

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Bear, E. and Dimock, P. *Adults Molested as Children: A Survivor's Manual for Women and Men*. Orwell, Vermont: Safer Society Press, 1988.

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Kehoe, Patricia, Ph.D. *Something Happened and I'm Scared to Tell: A Book for Young Victims of Abuse*. Seattle, Washington: Parenting Press, Inc., 1987

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Wikland, P. *Sleeping With A Stranger: How I Survived Marriage to a Child Molester*. Holbrook, Massachusetts: Adams Publishing, 1995.

## *Evaluation*

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