



Biden, Legislators Establish Stronger Protections for Abused Children

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Legislation creating crime of Child Abuse now heads to Governor

Dover – Recognizing the critical need to protect children from abuse and neglect, legislation spearheaded by Attorney General Beau Biden that codifies tougher penalties against child abusers has overwhelmingly passed both houses of Delaware’s General Assembly. The bill is now on its way to Governor Jack Markell for signature.

“Our laws to protect children and punish their abusers cannot truly be effective unless they address the distinct nature of this crime, its perpetrators and their young victims,” said Biden. “By passing this legislation with strong support, the General Assembly has spoken loud and clear on behalf of children silenced by abuse and neglect.”

Introduced earlier this month by Senate Majority Leader Patricia Blevins, Senate Bill 234 creates the offense of Child Abuse in three levels:

First Degree Child Abuse: Individuals convicted of recklessly or intentionally causing serious physical injuries to a child will face a maximum of 25 years in prison.

Second Degree Child Abuse: Adds additional protections for the most vulnerable children by providing a maximum two-year jail term for those who injure children aged three and under or children who have significant intellectual or developmental disabilities.

Third Degree Child Abuse: Causing physical injury to a child will carry a maximum prison term of one year and a maximum fine of \$3,200.

“I’m pleased that my colleagues in the House see the need for a law that’s tailored to the needs of children instead of trying to fit them into adult crimes,” said Senate Majority Leader Patricia Blevins, who sponsored the measure. “When you consider the number of children around Delaware whose lives are forever scarred by abuse or who might die at the hands of an abuser, there’s a pressing need for this law.”

Rep. Rebecca Walker is an emergency room nurse and has seen multiple cases of child abuse firsthand -- children with broken bones, punctured organs and burns.



"Children, especially the very young, are among the most vulnerable in our society and we have a duty to protect them," said Rep. Walker, D-Townsend. "Up until now, there has been a gap in our criminal code that many of these child abuse cases I've seen have slipped through. Knowing that there are instances of kids being battered and the adult not being held accountable makes this even more of a priority. We need to strengthen our laws. And we need to protect all children from the lifelong and possibly deadly consequences of these vicious acts."

National data shows that child abuse occurs at every socioeconomic level, across ethnic and cultural lines, within all religions and at all levels of education. Indeed, although underreported, incidents of child abuse and neglect are alarmingly prevalent throughout the United States, and have long-lasting results not only for the victims but also for their families and communities. About 80 percent of 21-year-olds who were abused as children meet criteria for at least one psychological disorder, and roughly 30 percent of abused and neglected children will later abuse their own kids. Child sexual abuse is similarly widespread, as one in four girls and one in six boys are sexually abused before they turn 18. And while more than 90 percent of juvenile sexual abuse victims know their perpetrator in some way, only one in ten cases is ever reported. Tragically, each day across the United States more than five children lose their lives to abuse. Most of those victims are under the age of four.

"This legislation reflects a very basic and significant truth," said Biden. "It is not a child's job to protect him- or herself from abuse; it's ours. Passing this bill gives police and prosecutors a more powerful tool to do that job and protect more kids."

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