Abandonment: Occurs when a parent or person responsible for the child's welfare fails or ceases to provide for the needs of the child and has not made arrangements for the child's care. The situation must exist beyond a reasonable time based on the child's age and developmental level.

Abused or Neglected Child: A child whose physical health, psychological growth and development or welfare is harmed or is at substantial risk of harm by the acts or omissions of his or her parent or other person responsible for the child's welfare. Also, a child who is sexually abused or at substantial risk of sexual abuse by any person and a child who has died as a result of abuse or neglect (33 VSA § 4912(1)).

The Child Abuse Prevention and Treatment Act (CAPTA) Reauthorization Act of 2010 (P.L. 111-320) defines child abuse and neglect as "any recent act or failure to act on the part of a parent or caretaker, which results in death, serious physical or emotional harm, sexual abuse, or exploitation, or an act or failure to act which presents an imminent risk of serious harm." Vermont's definition aligns with CAPTA. Like the federal definition, Vermont's definition encompasses physical harm, including death, psychological or emotional harm, sexual abuse, and a substantial risk of harm caused by a child's parent or caretaker.

Accepted Report: A report that has been determined by a reviewer to be a valid allegation of child abuse or neglect.

Assessment: A response to a report of child abuse or neglect that focuses on the identification of the strengths and support needs of the child and the family, and any services they may require to improve or restore their well-being and to reduce the risk of future harm. The child and family assessment does not result in a formal determination as to whether the reported abuse or neglect has occurred (33 VSA § 4912(2)).

Assessment Record: A summary of information gathered during the assessment phase which includes an evaluation of safety of the subject child and other children living in the same environment; identification of family strengths; resources; service needs; the recommended plan of services.

Child: An individual under the age of majority (33 VSA 4912 (3)).

Child in Need of Care or Supervision (CHINS): A child who:

(A) has been abandoned or abused by the child's parent, guardian, or custodian. A person is considered to have abandoned a child if the person is: unwilling to have physical custody of the child; unable, unwilling, or has failed to make appropriate

arrangements for the child's care; unable to have physical custody of the child and has not arranged or cannot arrange for the safe and appropriate care of the child; or has left the child with a care provider and the care provider is unwilling or unable to provide care or support for the child, the whereabouts of the person are unknown, and reasonable efforts to locate the person have been unsuccessful.

(B) is without proper parental care or subsistence, education, medical, or other care necessary for his or her well-being;

(C) is without or beyond the control of his or her parent, guardian, or custodian; or

(D) is habitually and without justification truant from compulsory school attendance (33 VSA § 5102(3)).

Child Care Facility: Any place or program operated as a business or service on a regular or continuous basis, whether for compensation or not, whose primary function is protection, care, and supervision of children under 16 years of age outside their homes for periods of less than 24 hours a day by a person other than a child's own parent, guardian, or relative, as defined by rules adopted by the department for children and families, but not including a kindergarten approved by the state board of education (33 VSA Chapter 35 § 4902 (2)).

Child Pornography (also commonly referred to as ***Child Sexual Abuse Material or CSAM):*** Any visual representation of a child or portion of a child's body which depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to children or violates community standards of morality and decency. Such material generally depicts nudity or sexual acts for the purpose of sexual stimulation. Examples include:

- Aiding, abetting, counseling, hiring, or procuring of a child to perform or participate in any photograph, motion picture, exhibition, show representation, or other presentation which, in whole or in part, depicts sexual conduct, sexual excitement, or sadomasochistic abuse involving a child.
- Viewing, possessing, or transmitting child pornography, with the exclusion of the exchange of images between mutually consenting minors, including the minor whose image is exchanged.

Using a child or youth in child pornography is sex trafficking of a minor. Child pornography and sex trafficking of minors are forms of child sexual abuse.

Note the terminology used to describe this type of abuse is shifting away from 'child pornography' and towards 'child sexual abuse material' to more accurately reflect what is depicted – the sexual abuse and exploitation of children and the re-victimization each time the material is shared or accessed.

Child Protection Registry: A record of all investigations that have resulted in a substantiated report on or after January 1, 1992 (33 VSA § 4912(4)) unless expunged or overturned.

Child Safety Intervention: A child abuse or neglect investigation or assessment conducted under the authority of 33 VSA Chapter 49, or a CHINS (B) assessment conducted under the authority of 33 VSA Chapter 51.

Circumstantial Evidence: Indirect evidence that requires an inference to be made.

Direct Evidence: Personal knowledge that can be used to prove a fact.

Disfigurement: That which impairs or injures the beauty, symmetry, or appearance of a person or thing; that which renders unsightly, misshapen, or imperfect, or deforms in some manner.

Domestic Violence (also commonly referred to as ***Intimate Partner Violence*** or ***IPV***): A pattern of assaultive and coercive behaviors including physical, sexual, psychological, emotional, and economic coercion that an adult or adolescent uses to obtain and maintain control over an intimate partner.

Educational Neglect: Educational neglect occurs when a parent or person responsible for a child's care knowingly fails to enroll a child in school or to provide education in accordance with 16 V.S.A. § 1121. The child regularly fails to attend school through the parent or caretaker's action or inaction. Educational neglect will be considered for children beginning at age six until the completion of the sixth grade, where the expectation is that the parent or caretaker is responsible for getting the child to school and the parent or caretaker's behavior has contributed to the child's lack of attendance. Exceptions to this age/grade consideration apply if circumstances of the child or youth, such as intellectual or developmental disabilities, exclude them from being held responsible for getting themselves to school.

Referrals for "educational neglect" will be assessed according to Family Services Policy 60: CHINS (C) and (D) Assessments. The results of these assessments will not be substantiated nor entered into the Child Abuse Registry.

Emotional Maltreatment: A pattern of malicious behavior which results in impaired psychological growth and development (33 VSA § 4912(5)).

Exploitation: To take unjust advantage of a child for one's own gain or gratification. Exploitation is a form of child sexual abuse.

Fact(s): An event that happened or a statement presented as objective truth. Facts can be independently verified and supported with evidence.

Harm (33 VSA § 4912(6)) can occur by:

- physical injury or emotional maltreatment; or,
- failure to supply the child with adequate food, clothing, shelter or health care, including medical or non-medical remedial health care permitted or authorized under state law (33 VSA Chapter 49); or
- abandonment.

Human Trafficking of Minors: A form of child sexual abuse. See **Sex Trafficking of Minors**. In addition to child protection definitions articulated in Title 33 (Human Services), Chapter 49 (Child Welfare Services) of the Vermont Statutes, a definition of human trafficking, aggravated human trafficking, and companion definitions of other terms exists within Title 13 (Crimes and Criminal Procedure), Chapter 60 (Human Trafficking) of the Vermont Statutes. See Appendix II for additional information. Additional definitions pertaining to human trafficking exist within federal law.

Note that the definitions of human trafficking and sex trafficking differ for youth over the age of 18. Exploiting someone through "survival sex" is legally different for children compared to adults.

Incest: A sexual act or lewd and lascivious conduct between a child and his or her parent, step-parent, grandparent, sibling or half-sibling, aunt, uncle, niece or nephew. Incest is a form of child sexual abuse.

Impair: To weaken, make worse, lessen in power, diminish, or otherwise affect in an injurious manner. See **Physical Injury** and **Serious Physical Injury**.

Intake Report: The documentation of a report in the FSDNet Intake Module.

Investigation: A response to a report of child abuse or neglect that begins with the systematic gathering of information to determine whether the abuse or neglect has occurred and, if so, the appropriate response. An investigation shall result in a formal determination as to whether the reported abuse or neglect has occurred (33 VSA § 4912(7)).

Investigation Record: A summary of information gathered during the investigation phase which includes the nature, extent and cause of any abuse or neglect; the identity of the person alleged to be responsible for such abuse or neglect; consideration of the

physical and emotional condition of other children living in the same environment and a formal determination as to whether the reported abuse or neglect has occurred.

Lewd and Lascivious Conduct: Committing a lewd or lascivious act upon or with any part of the body of a child or in the presence of the child when such conduct violates community standards of morality and decency. Lewd and lascivious conduct is a form of child sexual abuse.

This definition only applies when the conduct would not be considered developmentally normal during childhood or adolescence AND:

- There is significant difference in age, size or development; OR
- There is force, threat, or coercion; OR
- There is a lack of opportunity or ability to consent.

For youth victims 16 years of age and older, age difference does not apply. Acceptance decisions are based on elements of force, threat, coercion or lack of opportunity or ability to consent.

Luring: To solicit, lure, or entice, or to attempt to solicit, lure, or entice, a child under the age of 16 or another person believed by the person to be a child under the age of 16, to engage in a sexual act or engage in lewd and lascivious conduct. Luring includes solicitation, luring, or enticement by any means, including in person, through written or telephonic correspondence or electronic communication. Luring is a form of child sexual abuse.

This definition only applies when there is (1) a significant difference in age, size or development and (2) the behavior would not be considered developmentally normal during childhood or adolescence.

Malicious Punishment: Includes but is not limited to throwing, kicking, burning, biting or cutting a child or striking a child with a closed fist or an object; interfering with a child's breathing; threatening a child with a weapon; purposely giving a child poison, alcohol, or dangerous, harmful or controlled substances not prescribed for the child by a practitioner, in order to control or punish the child; purposefully giving a child a substance that substantially affects the child's behavior, motor coordination, or judgment or that results in sickness or internal injury, or subjects the child to medical procedures that would be unnecessary if the child were not exposed to the substances; unreasonable physical confinement or restraint including tying, caging, or chaining: physically abusing a child under the age of 3, including shaking; physically abusing a child of any age who is non-verbal or non-ambulatory.

Member of the Clergy: A priest, rabbi, clergy member, ordained or licensed minister, leader of any church or religious body, accredited Christian Science practitioner, person

performing official duties on behalf of a church or religious body that are recognized as the duties of a priest, rabbi, clergy, nun, brother, ordained or licensed minister, leader of any church or religious body, or accredited Christian Science practitioner (33 VSA § 4912(8)).

Molestation: To maltreat a child in a sexual way. Molestation is a form of child sexual abuse.

Multidisciplinary Team: A group of professionals, paraprofessionals, and other appropriate individuals impaneled by the Commissioner for the purpose of assisting in the identification and review of cases of child abuse and neglect, coordinating treatment services for abused and neglected children and their families, and promoting child abuse prevention (33 VSA § 4912(9)).

Near Fatality or Near Death: A condition caused by "an act that, as certified by a physician, places the child in serious or critical condition" (42 U.S.C. 5106(b)(4)(A)). Furthermore, near fatalities or near deaths are life-threatening cardiopulmonary dysfunction directly attributable to conditions resulting from suspected abuse or neglect as evidenced by:

(a) respiratory insufficiency/failure requiring intubation and mechanical ventilation,
(b) respiratory insufficiency/failure requiring medications to reverse effects of toxic ingestion, or
(c) cardiac arrhythmia with or without cardiopulmonary resuscitation (CPR).
(Campbell et al., 2021)

Neglect: The failure to supply a child with adequate food, clothing, shelter or health care, including medical or non-medical remedial health care permitted or authorized under state law (33 VSA § 4912(6)(B)).

Non-Medical Remedial Health Care: Care or services provided to remediate a health problem which are not delivered by a provider typically defined as a medical provider (e.g., occupational therapy).

Obscenity: To sell, lend, distribute, give away, or show to a child or cause a child to be shown, any visual representation* of a person or portion of the human body which depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to children. Obscenity does not include conduct that would be considered developmentally normal during childhood or adolescence or to the exchange of images between mutually consenting minors, including the minor whose image is being exchanged. Obscenity is a form of child sexual abuse.

* Visual representation includes, but is not limited to, photos and videos. Consideration should be given to whether the individual intended for the child to view the nudity or sexual conduct.

In-person exposure is not considered visual representation for the purpose of the obscenity definition (see lewd and lascivious conduct).

Perpetrator: An individual of any age who is determined to have committed child abuse or neglect.

Person Responsible for a Child's Welfare: Includes the child's parent; guardian; foster parent; any other adult residing in the child's home who serves in a parental role; an employee of a public or private residential home, institution or agency; or other person responsible for the child's welfare while in a residential, educational, or child care setting, including any staff person (33 V.S.A. § 4912(10)). A person entrusted to care for the child under the authority of law is considered to be a person responsible for a child's welfare. A parent whose parental rights have been terminated is not considered a *Person Responsible for a Child's Welfare*.

Physical Abuse: The infliction of physical injury or serious physical injury by a person responsible for the child's welfare, including with death resulting.

Physical Injury: Death, or permanent or temporary disfigurement or impairment of any bodily organ or function by other than accidental means (33 V.S.A. § 4912(11)).

Plan of Safe Care (POSC): A written plan for a substance-exposed newborn and the infant's family, focused on meeting health needs and substance disorder treatment needs, and developed in collaboration with the family, the healthcare provider, community agencies, and child welfare when appropriate.

Preponderance of the Evidence: The evidence shows that the underlying claim is more likely than not to be true (i.e., 51% or more).

Prostitution: A form of child sexual abuse. See **Sex Trafficking of Minors**.

Rape: A form of child sexual abuse. See **Sexual Assault**.

Reasonable: Just, proper, ordinary or usual, fit and appropriate to the desired outcome.

Redacted Investigation File: The intake report, the investigation activities summary, and case determination report that are amended in accordance with

confidentiality requirements set forth in subsection 4913(d) of this title (33 VSA § 4912(13)).

Registry Record: An entry in the child protection registry that consists of the name of an individual substantiated for child abuse or neglect, the date of the finding, the nature of the finding, and at least one other personal identifier, other than a name, listed in order to avoid the possibility of misidentification (33 VSA § 4912(15)).

Relevant Evidence: Evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence (Vt. R. Evid. 401).

Religious Exemption: A provision under 33 VSA § 4912(3)(B)) that a parent or other person responsible for a child's care legitimately practicing his religious beliefs who thereby does not provide specific medical treatment for a child shall not be considered neglectful for that reason alone.

Report: A concern about suspected child abuse or neglect, as communicated to Centralized Intake and Emergency Services (CIES) in-person, by telephone, or by written communication by a staff member or member of the public.

Risk of Harm: A significant danger that a child will suffer serious harm by other than accidental means, which harm would be likely to cause physical injury or sexual abuse, including as the result of:

- a single, egregious act that has caused the child to be at significant risk of serious physical injury;
- the production or pre-production of methamphetamines when a child is actually present;
- failing to provide supervision or care appropriate for the child's age or development and, as a result, the child is at significant risk of serious physical injury;
- failing to provide supervision or care appropriate for the child's age or development due to use of illegal substances, or misuse of prescription drugs or alcohol;
- failing to supervise appropriately a child in a situation in which drugs, alcohol, or drug paraphernalia are accessible to the child; and
- a registered sex offender or person substantiated for sexually abusing a child residing with or spending unsupervised time with a child ((33 VSA § 4912(14)).

***Safety Network*:** Family, friends, and community members who care about the child and are willing to take action to support the family and keep the child safe. They are

willing to engage child protection staff and understand the concerns. A safety network may also include professionals.

Serious Harm: See **Harm**.

Serious Physical Injury: By other than accidental means:

(A) Physical injury that creates any of the following:
  i. a substantial* risk of death;
  ii. a substantial* loss or impairment of the function of any bodily member or organ;
  iii. a substantial* impairment of health; or
  iv. substantial* disfigurement; or

(B) Strangulation by intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person (33 VSA § 4912(17)).

> * For the purposes of this policy and definition, "substantial" means that the child would die or suffer life-long impairment or injury without intervention and/or medical treatment. *

Serious physical injury may occur as a result of physical abuse, risk of harm, or neglect. Examples of serious physical injury include, but are not limited to, actual or substantial risk of serious physical injury or death caused by or presenting with:

- Abusive head trauma (previously referred to as Shaken Baby Syndrome);
- Unexplained or inadequately explained fractures;
- Unexplained or inadequately explained injuries requiring medical treatment;
- Inflicted burn;
- Internal injury;
- Poisoning resulting in any type of injury requiring medical treatment;
- Central nervous system (CNS) injury;
- Injuries consistent with strangling;
- Retinal hemorrhages;
- Head or brain injury with or without fracture (brain bleeding, brain bruising, subdural hematoma, etc.);
- Medical child abuse (previously referred to as Munchausen by Proxy Syndrome and Factitious Disorder by Proxy);
- Nonorganic failure to thrive;
- Malnutrition; or
- Designation as serious physical injury by pediatric consultant or pediatric intensive care specialist.

Serious Physical Injury Intervention: A child safety intervention involving a serious physical injury occurring as a result of physical abuse, risk of harm, or neglect.

Sexual Abuse*:* Consists of any act or acts by any person ("any person" includes a person responsible for a child's welfare AND any other person, whether an adult or a minor) involving sexual molestation or exploitation of a child, including:

(A) incest;
(B) prostitution;
(C) rape;
(D) sodomy;
(E) or any lewd and lascivious conduct involving a child;
(F) aiding, abetting, counseling, hiring, or procuring of a child to perform or participate in any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, depicts sexual conduct, sexual excitement, or sadomasochistic abuse involving a child;
(G) viewing, possessing, or transmitting child pornography, with the exclusion of the exchange of images between mutually consenting minors, including the minor whose image is exchanged;
(H) human trafficking;
(I) sexual assault;
(J) voyeurism;
(K) luring a child; or
(L) obscenity ((33 VSA § 4912(17)).

Sexual Act: Conduct between persons consisting of contact between the penis and the vulva, the penis and the anus, the mouth and the penis, the mouth and the vulva, penis and penis, vulva and vulva, or any intrusion, however slight, by any part of a person's body or any object into the genital or anal opening of another.

Sexual Assault: Engaging in a sexual act with:

(A) a child under the age of 16, except where:
  i. the persons are married to each other and the sexual act is consensual.
  ii. alleged perpetrator is less than 19 years old, the alleged victim is at least 15 years old, the sexual act is consensual and the alleged perpetrator does not serve in a parental role nor is a person responsible for the child's welfare.
  iii. both persons are under 18 years of age and the contact is mutually agreeable and there is no information to suggest use of force, threat or coercion, lack of opportunity or ability to consent, or significant age, size or developmental differences between the involved persons. Conduct that would be considered developmentally normal during childhood or adolescence is not sexual assault.

(B) a child over the age of 16, if the sexual act is forced, threatened or coerced, or lacked the opportunity or ability to consent.

Sexual assault includes a sexual act with a child who is under the age of 18 and is entrusted to the actor's care by authority of law or resides in the victim's household and serves in a parental role or is person responsible for the child's welfare with respect to the victim. Sexual assault is a form of child sexual abuse.

Sex Trafficking of Minors: A range of crimes committed against children and adolescents, including but not limited to:

- sexually exploiting a minor;
- recruiting, enticing, harboring, transporting, providing, or obtaining minors by any means for the purpose of sexual exploitation;
- exploiting a minor through survival sex (exchanging sex or sexual acts for money or something of value, such as shelter, food, or drugs);
- using a minor in child pornography;
- exploiting a minor through sex tourism, mail order bride trade, or early marriage; or,
- exploiting a minor by having her/him perform in sexual venues (e.g., peep shows or strip clubs).

Sex trafficking of minors is a form of child sexual abuse.

Significant Age Difference:

Alleged victims 13 years old and younger	3 year developmental or chronological age differential with the alleged actor
Alleged victims 14 & 15 years old	4 year developmental or chronological age differential with the alleged actor
Alleged victims 16 years old and older	Age difference does not apply. Reports will be screened for elements of force, threat, coercion or lack of opportunity or ability to consent

Sodomy: A form of child sexual abuse. See **Sexual Assault**.

Substantial Child Endangerment: Conduct by an adult involving or resulting in sexual abuse, and conduct by a person responsible for a child's welfare involving or resulting in abandonment, child fatality, malicious punishment, or abuse or neglect that causes serious physical injury (33 V.S.A. § 4915(d)).

Substantiated Report: The Commissioner or the Commissioner's designee has determined after investigation that a report is based upon accurate and reliable information where there is a preponderance of the evidence necessary to support the allegation that the child has been abused or neglected (33 VSA § 4912(16)).

Valid Allegation: A report of child abuse or neglect that has been accepted for either an investigation or an assessment.

Voyeurism: To view, photograph, film, or record in any format the intimate areas of a child naked or undergarment-clad, including genitals, pubic area, buttocks, or female breast of a child that is unrelated to a legitimate professional or caretaker purpose and the conduct violates community standards of morality and decency. Voyeurism is a form of child sexual abuse.

Family Services Policy 50 Appendix I: Child Sexual Abuse Definition Overview

Sexual Abuse (33 VSA § 4912(17))*:* Consists of any act or acts by any person involving sexual molestation[1] or exploitation[2] of a child, including:

(A)	***Incest*** – A sexual act or lewd and lascivious conduct between a child and his or her parent, step-parent, grandparent, sibling or half-sibling, aunt, uncle, niece or nephew.
(B)	***Prostitution*** – (Sex Trafficking of Minors)
(C)	***Rape*** – (Sexual Assault)
(D)	***Sodomy*** – (Sexual Assault)
(E)	***Lewd and Lascivious Conduct*** – Committing a lewd or lascivious act upon or with any part of the body of a child or in the presence of the child when such conduct violates community standards of morality and decency. This definition only applies when there is (1) a significant difference in age, size or development; OR (2) there is force, threat, or coercion; OR a lack of opportunity or ability to consent and the behavior would not be considered developmentally normal during childhood or adolescence. For youth victims 16 years of age and older, age difference does not apply. Acceptance decisions are based on elements of force, threat, coercion or lack of opportunity or ability to consent.
(F)	Aiding, abetting, counseling, hiring, or procuring of a child to perform or participate in any photograph, motion picture, exhibition, show representation, or other presentation which, in whole or in part, depicts sexual conduct, sexual excitement, or sadomasochistic abuse involving a child. (Child Pornography)
(G)	Viewing, possessing, or transmitting child pornography, with the exclusion of the exchange of images between mutually consenting minors, including the minor whose image is exchanged. (Child Pornography)
(H)	***Human Trafficking*** (Sex Trafficking of Minors) – A range of crimes committed against children and adolescents, including but not limited to: • sexually exploiting a minor; • recruiting, enticing, harboring, transporting, providing, or obtaining minors by any means for the purpose of sexual exploitation; • exploiting a minor through survival sex (exchanging sex or sexual acts for money or something of value, such as shelter, food, or drugs); • using a minor in child pornography; • exploiting a minor through sex tourism, mail order bride trade, or early marriage; or, • exploiting a minor by having her/him perform in sexual venues (e.g., peep shows or strip clubs).
(I)	***Sexual Assault*** – Engaging in a sexual act with: **(A)** a child under the age of 16, except where: (i.) the persons are married to each other and the sexual act is consensual; (ii.) alleged perpetrator is less than 19 years old, the alleged victim is at least 15 years old, the sexual act is consensual and the alleged perpetrator does not serve in a parental role nor is a person responsible for the child's welfare; (iii.) both persons are under 18 years of age and the contact is mutually agreeable and there is no information to suggest use of force, threat or coercion, lack of opportunity or ability to consent, or significant age, size or developmental differences between the involved persons. Conduct that would be considered developmentally normal during childhood or adolescence is not sexual assault. **(B)** a child over the age of 16, if the sexual act is forced, threatened or coerced, or lacked the opportunity or ability to consent. Sexual assault includes a sexual act with a child who is under the age of 18 and is entrusted to the actor's care by authority of law or resides in the victim's household and serves in a parental role with respect to the victim.
(J)	***Voyeurism*** – To view, photograph, film, or record in any format the intimate areas of a child naked or undergarment-clad, including genitals, pubic area, buttocks, or female breast of a child that is unrelated to a legitimate professional or caretaker purpose and the conduct violates community standards of morality and decency.
(K)	***Luring*** (a child) – To solicit, lure, or entice, or to attempt to solicit, lure, or entice, a child under the age of 16 or another person believed by the person to be a child under the age of 16, to engage in a sexual act or engage in lewd and lascivious conduct. Luring includes solicitation, luring, or enticement by any means, including in person, through written or telephonic correspondence or electronic communication. This definition only applies when there is (1) a significant difference in age, size or development and (2) the behavior would not be considered developmentally normal during childhood or adolescence.; or
(L)	***Obscenity*** – To sell, lend, distribute, give away, or show to a child or cause a child to be shown, any visual representation of a person or portion of the human body which depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to children. Obscenity does not include conduct that would be considered developmentally normal during childhood or adolescence or to the exchange of images between mutually consenting minors, including the minor whose image is being exchanged.

[1] ***Molestation*** – To maltreat a child in a sexual way.
[2] ***Exploitation*** – To take unjust advantage of a child for one's own gain or gratification.

Family Services Policy 50 Appendix II: VT Human Trafficking Definition Overview

In addition to child protection definitions articulated in Title 33, Chapter 49 of the Vermont Statutes, a definition of human trafficking, aggravated human trafficking, and companion definitions of other terms exists within Title 13 (Crimes and Criminal Procedure), Chapter 60 (Human Trafficking) of the Vermont Statutes. While these definitions do not expand Title 33, Chapter 49 definitions of child abuse, they may support the assessment of risk for children and youth in the community. Further, 13 V.S.A. § 2652 indicates that a victim of human trafficking under 18 may be the subject of a child in need of care or supervision (CHINS) proceeding.

Human Trafficking:
(a) No person shall knowingly:

(1) recruit, entice, harbor, transport, provide, or obtain by any means a person under the age of 18 for the purpose of having the person engage in a commercial sex act;
(2) recruit, entice, harbor, transport, provide, or obtain a person through force, fraud, or coercion for the purpose of having the person engage in a commercial sex act;
(3) compel a person through force, fraud, or coercion to engage in a commercial sex act;
(4) benefit financially or by receiving anything of value from participation in a venture, knowing that force, fraud, or coercion was or will be used to compel any person to engage in a commercial sex act as part of the venture;
(5) subject a person to labor servitude;
(6) recruit, entice, harbor, transport, provide, or obtain a person for the purpose of subjecting the person to labor servitude; or
(7) benefit financially or by receiving anything of value from participation in a venture, knowing that a person will be subject to labor servitude as part of the venture.

Aggravated Human Trafficking: Human trafficking under any of the following circumstances:

(1) the offense involves a victim of human trafficking who is a child under the age of 18;
(2) the person has previously been convicted of a violation of section 2652 of this title;
(3) the victim of human trafficking suffers serious bodily injury or death; or
(4) the actor commits the crime of human trafficking under circumstances that constitute the crime of sexual assault as defined in section 3252 of this title, aggravated sexual assault as defined in section 3253 of this title, or aggravated sexual assault of a child as defined in section 3253a of this title.

Blackmail: The extortion of money, labor, commercial sexual activity, or anything of value from a person through use of a threat to expose a secret or publicize an asserted fact, whether true or false, that would tend to subject the person to hatred, contempt, ridicule, or prosecution.

Coercion:

(A) threat of serious harm, including physical or financial harm, to or physical restraint against any person;
(B) any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious bodily or financial harm to or physical restraint of any person;
(C) the abuse or threatened abuse of law or the legal process;
(D) withholding, destroying, or confiscating any actual or purported passport, immigration document, or any other government identification document of another person;
(E) providing a drug, including alcohol, to another person with the intent to impair the person's judgment or maintain a state of chemical dependence;
(F) wrongfully taking, obtaining, or withholding any property of another person;
(G) blackmail;
(H) asserting control over the finances of another person;
(I) debt bondage; or withholding or threatening to withhold food or medication.

Commercial Sex Act: Any sexual act, sexual conduct, or sexually explicit performance on account of which anything of value is promised to, given to, or received by any person.

Debt Bondage: A condition or arrangement in which a person requires that a debtor or another person under the control of a debtor perform labor, services, sexual acts, sexual conduct, or a sexually explicit performance in order to retire, repay, or service a real or purported debt that the person has caused with the intent to defraud the debtor.

Labor Servitude: Labor or services performed or provided by a person that are induced or maintained through force, fraud, or coercion. "Labor servitude" shall not include labor or services performed by a family member of a person who is engaged in the business of farming as defined in 10 V.S.A. § 6001(22) unless force, fraud, or coercion is used.

Sexually Explicit Performance: A public, live, photographed, recorded, or videotaped act or show that: (A) depicts a sexual act or sexual conduct; (B) is intended to arouse, satisfy the sexual desires of, or appeal to the prurient interests of patrons or viewers; and (C) lacks literary, artistic, political, or scientific value.