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# 18 U.S. Code § 3509

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## Child victims' and child witnesses' rights

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**(a) Definitions.**—For purposes of this section—

- (1) the term “adult attendant” means an adult described in subsection (i) who accompanies a child throughout the judicial process for the purpose of providing emotional support;
- (2) the term “child” means a person who is under the age of 18, who is or is alleged to be—
  - (A) a victim of a crime of physical abuse, sexual abuse, or exploitation; or
  - (B) a witness to a crime committed against another person;
- (3) the term “child abuse” means the physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child;
- (4) the term “physical injury” includes lacerations, fractured bones, burns, internal injuries, severe bruising or serious bodily harm;
- (5) the term “mental injury” means harm to a child’s psychological or intellectual functioning which may be exhibited by severe anxiety, depression, withdrawal or outward aggressive behavior, or a combination of those behaviors, which may be demonstrated by a change in behavior, emotional response, or cognition;
- (6) the term “exploitation” means child pornography or child prostitution;
- (7) the term “multidisciplinary child abuse team” means a professional unit composed of representatives from health, social service, law enforcement, and legal service agencies to coordinate the assistance needed to handle cases of child abuse;
- (8) the term “sexual abuse” includes the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in, or assist another person to engage in, sexually explicit conduct or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children;
- (9) the term “sexually explicit conduct” means actual or simulated—
  - (A) sexual intercourse, including sexual contact in the manner of genital-genital, oral-genital, anal-genital, or oral-anal contact, whether between persons of the same or of opposite sex; sexual contact means the intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify sexual desire of any person;
  - (B) bestiality;
  - (C) masturbation;
  - (D) lascivious exhibition of the genitals or pubic area of a person or animal; or
  - (E) sadistic or masochistic abuse;
- (10) the term “sex crime” means an act of sexual abuse that is a criminal act;
- (11) the term “negligent treatment” means the failure to provide, for reasons other than poverty, adequate

food, clothing, shelter, or medical care so as to seriously endanger the physical health of the child; and  
(12) the term “child abuse” does not include discipline administered by a parent or legal guardian to his or her child provided it is reasonable in manner and moderate in degree and otherwise does not constitute cruelty.

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