

LEGAL ACTION RESPONDING TO ABUSE

- Criminal* - government response to illegal activity
- Ecclesiastical* - intervention by the faith community's governing boards (local, national, international) to prevent conduct incompatible with faith tradition
- Civil* - recovery of damages done to a wounded party (plaintiff); usually related to "negligence" ("conduct that creates an unreasonable risk of foreseeable harm to others"; such as, inadequate screening and/or supervision of employees or volunteers, or inadequate response to allegations of abuse)

CRIMINAL PROCESS

Due Process provided by the 14th Amendment

Complaint made by victim or witness to police (or Child Protective Services)

Investigation by police (or Child Protective Services)

(Suspect may be arrested)

Review of facts by District Attorney (DA)

IF the DA issues a complaint
warrant for arrest issued
or suspect may self-surrender

Plea hearing

(if pleads "guilty" or "nolo contendere" goes directly to Presentencing report)

Preliminary hearing

(may plea bargain to avoid trial)

Court or jury trial

Presentencing report by probation

Acquittal

Sentencing

- must register as sex offender for rest of life
- serves time on probation, in county jail or in prison