



## **LEGAL RESPONSE 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

- may have to register as sex offender for rest of life
- serve time on probation, in county jail or in prison