

# THE MDT

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# IC 16-1617 Investigation by MDT

- ▣ The PA of each county shall be responsible for the development of the MDT for child abuse and neglect
- ▣ LE
- ▣ H W
- ▣ CAC staff
- ▣ PA office
- ▣ any other person deemed to be necessary due to his/her special training

# 16-1617

- ▣ Written protocol for investigation of CA
- ▣ Interviews of victims
- ▣ Investigations of family members with disability
- ▣ Role of each agency
- ▣ Procedures to assess risk to child
- ▣ Procedures to be followed to ensure child's safety including removal of ^

# 16-1617

- ▣ Each team member shall be trained in his/her role, including risk assessment –
- ▣ *on the dynamics of child sexual abuse and interviewing and investigatory techniques.*

# Limited/Narrow Statutes

- ▣ Lewd Conduct with a Minor under 16
  - Specific Intent Crime:
    - ▣ Defendant must commit the act with the intent to gratify or arouse the sexual desire of self, child or third person
    - ▣ Typically, sex consist of genital touching vs. Sexual Abuse of a Child which is touching “not amounting to lewd conduct” and offender is over 18 yoa.

# Statutes:

## Sexual Abuse of a Minor Under 16:

Specific Intent Crime

Sexual Conduct is something less than Lewd Conduct

## Sexual Battery – Misdemeanor

Touching is without Specific Intent  
i.e.: Greenbelt; Groping in Bar

# SEXUAL BATTERY OF A 16/17 YEAR OLD

1. ^ is more than 5 years older;
2. Sexual Acts are either L/L (life), or
3. Sexual acts are Sexual Abuse (25 years)

# Rape:

What is the age of Consent in Idaho?



Answer:

It depends.

Under 16 regardless of age of ^.

If 16 or 17, the offender must be at least 3 years older than victim

Question: But what about Sex Battery?

# There is no separate offense for “Stat Rape”

If the offender is 18 years of age and the victim is within 3 years, defendant would not have to register as a sex offender.

# Consent to Marry

What is our obligation when we find out that a parent “consents” on behalf of their 15 year old daughter to marry a 30 year old man? 45? 60?

# Consent to Marry

Court must give permission under 16 yoa

How do we get standing court to object?

# Consent to Marry

If the child is 16 or 17 years of age, only the parent must consent.

What if the spouse is 30; 45; 60???

# What is the MDT Responsibility?

Most of these cases are not Romeo/Juliet

# Grooming Behavior

1. Engagement Phase: relationship; vulnerabilities;
2. Breaking Boundary Barriers: trust/access;
3. Inducements: positive/negative
4. Threats/Coercion to Continue
5. Touching becomes much more invasive: controlling the "relationship"
6. Delayed Disclosure: fear, guilt, shame, loss of relationship, not believed, fearing of hurting mom/siblings

# Delayed Disclosure

- ▣ Very rare that a child immediately discloses
- ▣ No statute of limitations for L & L; Rape
  - (big gap for SA of Child/ Sex Battery of 16/17)

Rely on Expert Witnesses - - counselors, forensic interviewers to explain Delayed Disclosure and the Grooming process