

# **HB 4071 Abuse of a Vulnerable Child**

## **Opposing Testimony**

Thank Mr./Madame Chair, my name is \_\_\_\_\_ and I represent the Equal Voices Institute and I rise in opposition to HB 4071.

Mr./Madame chair, there is no doubt that abuse in our country is a severe problem that must be addressed within our legal system. The impacts of both physical and psychological abuse affects not just the person abused, but it has the potential to affect that person's future and loved ones as well. Children are especially susceptible to as in 2022 almost 560,000 children between newborns and 17-year-olds were victims of child abuse. Particularly for children with disabilities, the likelihood of being abused is much higher than it is for those without a disability. This is a gross injustice and must be addressed unilaterally. My organization wants to see radical change in this area, but we want to see legislation that considers more than just punishments.

Mr./Madame chair, the problem with this bill is not its intent to protect a vulnerable population. The problem is that it is far too narrow in its application. It ignores the fact that all children are vulnerable and susceptible to abuse. But this bill ignores that factor. When we have an opportunity to crack down on punishment for harm done to children, we are instead tailoring our efforts solely to those with above the age of 3 who have a mental or physical handicap. If we are considering the impact on children we should certainly consider those who are newborn to three years old who make up the majority of abuse victims and are the least capable of advocating for themselves. Yet, even if the bill included 0-3 year olds in the definition of vulnerable children, it misses a larger concern.

The intent of the bill is to address the fact that children with disabilities are more likely to experience abuse. However, we might also note that other discrepancies will arise when we consider the impacts of abuse for example, girls tend to be more likely to experience abuse than boys. Under this bills logic, abusers of young boys should be punished less harshly. At the same time, American Indians and African Americans are more likely to become victims of abuse. Mr./Madame chair, all of these considerations must be made when making policy decisions, but we also must acknowledge that just because someone is more likely to be abused does not take away from the fact that the crime is being committed against them. Rather than spending our time trying to decide which subclass of children deserve more or less protection, perhaps we should recognize a simple truth that children must be unilaterally protected.

We need stricter punishments for abuse across all spectrums to ensure that all children are equally protected under the law. I therefore recommend that this bill be rewritten and rather than adding a new definition under the law we ought to apply new punishments across the board. I think I speak for all of us here when I say that this cycle of abuse in our state needs to end and we can't waste anymore time by letting inequality in the application of the law. It is for these reasons that I urge you to vote no on HB 4071 in its current form.

I will gladly accept any questions you may have at this time.