

Preventing Child Sexual Abuse

While Texas has been a leader in addressing child sexual abuse, there are still gaps to fill. The Children's Advocacy Centers of Texas (CACTX) report alarming statistics regarding child sexual abuse (CSA) in Texas:

1 in 6 Texas high school students report having experienced sexual abuse in their lifetime.
(Research shows that most sexual abuse goes unreported for a variety of reasons.)

Three out of five children do not disclose their sexual abuse to anyone. In fact, most children do not tell an adult about their sexual abuse, and only a small fraction of all sexual abuse is ultimately reported to authorities.

At least 1/3 of cases of child sexual abuse are committed by another child or youth.

While the 70 local Children's Advocacy Centers across Texas annually serve 60,000-75,000 child victims of sexual abuse, there are still 30,000-50,000 more children that could benefit from their services.

Children's Advocacy Centers of Texas (CACTX) reports that resources for child sexual abuse have historically focused on treatment for victims and investigation/prosecution of perpetrators. This support is vital, but **more needs to be done to prevent child sexual abuse and prevent predators from repeating heinous acts towards minors.**

Texas has taken some steps in recent years to prevent inappropriate conduct involving children in schools and other settings:

- In 2017, Senate Bill 7 expanded the offense of improper relationship between educator and student to be more inclusive of more school personnel and to cover students in both public and private schools. The bill also made failure to report such misconduct a new criminal offense.
- Texas has enacted employment screening laws to prevent inappropriate behavior. One of these safeguards is the Do Not Hire registry enacted in 2019, as well as an interagency reportable conduct search engine for DFPS, HHSC, TEA and TJJJ, created through SB 1849 in 2023 by Senator Kolkhorst. While implementation of SB 1849 has not yet begun, DFPS has an Exceptional Item placeholder in their Legislative Appropriations Request to fund it.

Unfortunately, gaps still exist that continue to put children at risk of sexual abuse in school settings. While Senate Bill 7 now recognizes an inappropriate sexual relationship between school personnel and a student as a crime and requires such to be reported, it was not clear about *where* to make reports and therefore has been implemented in a way that presents a conflict of interest. If there is an inappropriate sexual relationship between school personnel and a student, Section 21.0061 of the Texas Education Code is not clear that these investigations should be reported to DFPS and investigated by outside law enforcement. This has resulted in increased reports to the Texas Education Agency (TEA), and many of these investigations are instead performed by school administrators who are not specially trained to investigate these circumstances or the school-based law enforcement employed by that school district, revealing a conflict of interest.

There are already protocols in place to investigate these kinds of incidents. Local children’s advocacy centers are specifically trained in forensic interviewing, provide additional trauma-informed supports, and work closely with their local law enforcement. It is critical to close the reporting loophole to ensure that allegations of an improper relationship between school personnel and a student are investigated by an outside law enforcement agency, in collaboration with the local children’s advocacy center.

Policy Recommendations

TexProtects recommends increasing protection of youth online and in schools to prevent child sexual abuse by closing an existing reporting loophole to ensure that allegations of an improper relationship between a school employee and a student are investigated by an outside law enforcement agency, in collaboration with the local children’s advocacy center. This ensures that allegations of an improper relationship by school staff get the same benefits of multi-disciplinary and trauma-informed investigations.

TexProtects will also support partners who have historically worked in this space on efforts that would promote and ensure:

1. A requirement for internet safety training in schools
2. Zero tolerance of child sexual abuse images in private companies; prosecution
3. Electronic device filters for explicit material; civil penalty
4. Strong school policies and curriculum to prevent online exploitation

Contact

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