

Suspects of child abuse homicide are convicted at rates similar to suspects of adult homicides

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Child abuse homicide offenders appear to be convicted at a rate similar to that of adult homicide offenders in Utah and receive similar levels in severity of sentencing, according to a report in the October issue of *Archives of Pediatrics & Adolescent Medicine*.

"Homicide ranks as one of the top five causes of childhood death in the United States," the authors write as background information in the article. "The National Child Abuse and Neglect Data System reported 1,740 child fatalities in 2008 resulting from child abuse and neglect, representing a fatality rate from abuse and neglect of 2.33 per 100,000 children in the general population." The authors define child abuse homicide as "an act or a failure to act on the part of a guardian that results in a child's death."

Hilary A. Hewes, M.D., and colleagues from the University of Utah, Salt Lake City, examined homicide data from the National Violent Death Reporting System in Utah for all deaths classified as homicides between January 2002 and December 2007 to compare the conviction rate and sentence severity between child abuse [homicide offenders](#) and adult homicide offenders. The Utah State Code states that "criminal homicide constitutes child abuse homicide if, under circumstances not amounting to aggravated murder, the actor causes the death of a person younger than 18 years and the death results from child abuse."

The authors identified 373 homicides in Utah during the study period, of which 334 were included in the analysis. Sixty-six of the included cases (19.8 percent) were child homicides, of these, 52 cases (15.6 percent) were considered child abuse homicide according to Utah statutes. Of the 52 cases, 34 were within Utah state jurisdiction and had a suspect identified. Conviction of the suspect occurred in 30 of the 34 cases, for a conviction rate of 88.2 percent. Of 268 adult homicide cases included in the study, 135 cases had a suspect identified. Among these, 112 convictions (83 percent) occurred.

Of the 211 homicide convictions included in the study, the authors found that the 88.2 percent conviction rate for child abuse homicides was similar to the 83 percent conviction rate identified for adult offenders. The authors found that there were no significant differences in the level of felony or severity of sentencing for suspects of child abuse homicide versus adult homicide. Additional analysis showed that suspects of child abuse homicide were most often male, the victim's parent and of white race/ethnicity.

"Suspects of [child abuse](#) homicide are convicted at a rate similar to that of suspects of adult [homicide](#) and receive similar levels of felony conviction and severity of sentencing," the authors conclude. "Much could be learned by replicating this study in other states and by comparing data across state legislations for conviction and sentencing outcomes."

More information: Arch Pediatr Adolesc Med. 2011;165[10]:918-921

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