

Aggravated Child Abuse by Means of Torture

Any person having the care, custody, or control of a child who intentionally or knowingly inflicts upon a child unjustifiable:

1. repetitive or prolonged physical abuse
2. physical restraint or confinement of a child in a cruel manner or for a prolonged period of time
3. burning any portion of the body of a child
4. significant physical pain or suffering
5. serious mental harm or suffering

Commits aggravated child abuse by means of torture.

For the purposes of this section:

“Serious mental harm” means an injury to a child’s mental condition or welfare that is not necessarily permanent but results in an identifiable and substantial impairment of a child’s intellectual or psychological functioning or development or a substantial risk of impairment of the child’s intellectual or psychological functioning or development.