
INCOME-RELATED FACTORS IN DEFINITIONS OF CHILD MALTREATMENT

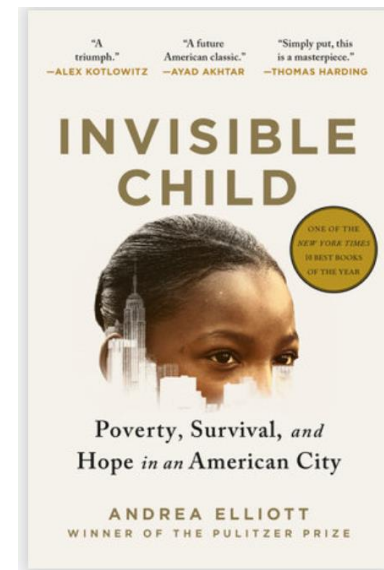
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“The home should not be broken up for reasons of poverty...”

Theodore Roosevelt
White House Conference on Dependent Children, 1909



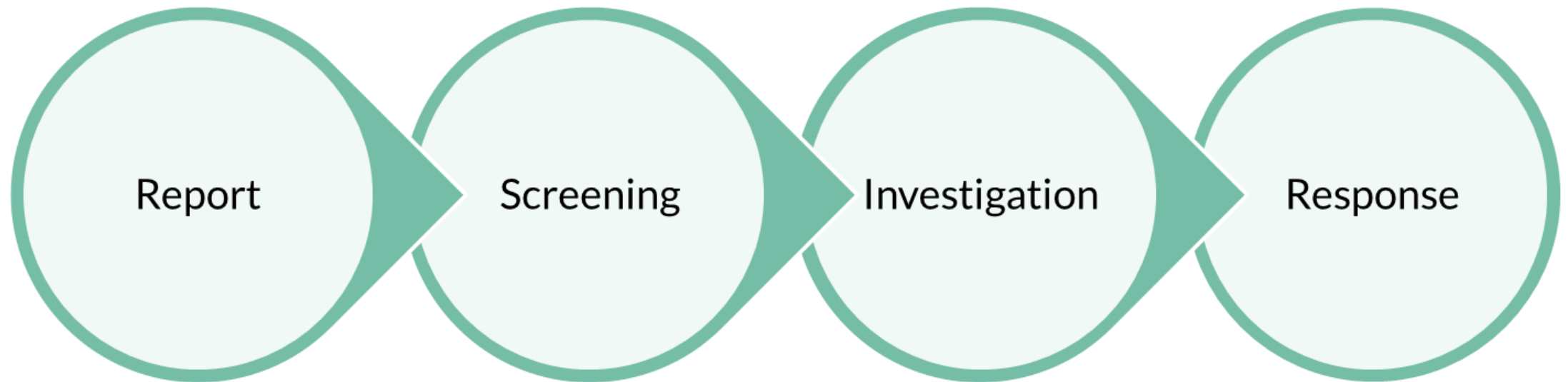


WORKING DEFINITIONS

Let's get on the same page!



Overview of child protective services process



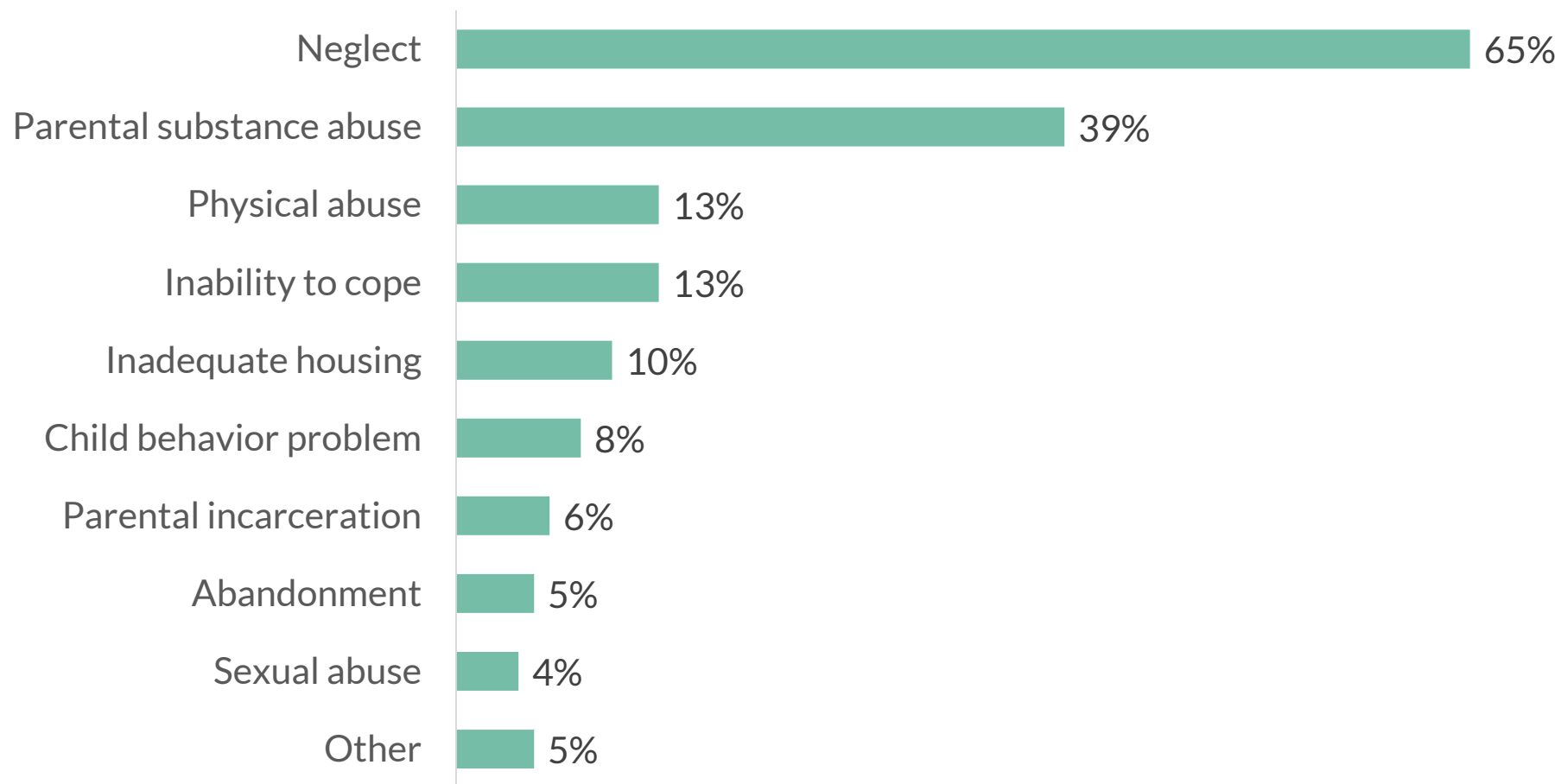
Child maltreatment

- As defined by the Federal Child Abuse Prevention and Treatment Act (CAPTA):
 - "Any recent act or failure to act on the part of a parent or caretaker, which results in death, serious physical or emotional harm, sexual abuse or exploitation"; or
 - "An act or failure to act which presents an imminent risk of serious harm."
- The Federal definition is a minimum. States can (and do) set definitions that are stricter than the Federal definition.
- Most commonly, maltreatment involves the following:¹
 - Physical abuse
 - Punishment
 - Sexual abuse
 - Emotional abuse
 - Neglect
 - Inadequate clothing
 - Inadequate shelter
 - Malnourishment
 - Medical neglect
 - Abandonment
 - Inadequate supervision
 - Human trafficking

Child maltreatment¹

- The definition of child maltreatment also includes:
 - Inflicting harm, and
 - Substantial risk of harm or imminent danger
- Types of harm include:
 - Physical harm (e.g., death, bodily injury, and/or impairment of physical condition)
 - Emotional harm (e.g., impairment of emotional or mental condition)
 - Harmful environment or conditions
- In a small number of states (14 states), the definition of maltreatment regarding inflicting harm or risk of harm varies by maltreatment type.
- In a little over half of states (31 states), the age of a child in the definition varies by maltreatment type.

Foster care entry reasons, FY 2020



Neglect

- Merriam-Webster:
 - To give little attention or respect to
 - To leave undone or unattended to, especially through carelessness
- Dictionary.com:
 - To omit, through indifference or carelessness
 - To fail to carry out or perform (orders, duties, etc.)
- Note the emphasis here on acts of **OMISSION** rather than **COMISSION**.

Examples of “neglected child” as defined by the District of Columbia¹

- A child who has been abandoned or abused by his/her caregiver, OR whose caregiver has failed to make reasonable efforts to prevent the infliction of abuse upon the child.
- A child who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his/her physical, mental, or emotional health, and the deprivation is not due to the lack of financial means of his or her caregiver.
- A child whose caregiver is unable to discharge his/her responsibilities to and for the child because of incarceration, hospitalization, or other physical or mental capacity.
- A child whose caregiver refuses or is unable to assume the responsibility for the child’s care, control, or subsistence and the person or institution which is providing for the child states an intention to discontinue such care.
- A child who is in imminent danger of being abused and another child living in the same household or under the care of the same caregiver has been abused.
- A child who is born addicted or dependent on a controlled substance or has a significant presence of a consoled substance in his or her system at birth.



INTERSECTION OF POVERTY AND NEGLECT





Poverty is often misconstrued with neglect, like lack of adequate housing.

Poverty is also accompanied by other factors that are associated with parenting difficulties – like poor nutrition and housekeeping, lack of child care, lack of medical care, depression and anger, lack of education.

Stress factors associated with poverty can increase the risk of parenting difficulties.

Poverty compounds parental stress – therefore it contributes to circumstances that can result in allegations of neglect.

The indicators used to assess whether children are at-risk of maltreatment and harm are often conditions of poverty, like substandard housing or little food in the house.

To a lot of people, raising your children in poverty is seen as being an unfit parent, and parents with low income or living in poverty are responsible for their own predicament and thus bad role models for their children, even though in many many cases society has failed them.

Why is the solution to issues of neglect separating children from their families, instead of supporting their families?

Three types of associations between poverty and child maltreatment:²

“...maltreatment may be indirectly caused by parental poverty, detected because of parental poverty, or defined by parental poverty.”

Dorothy Roberts
Shattered Bonds: The Color of Child Welfare, p 27

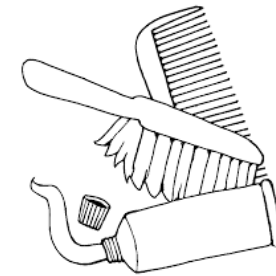


HOW DO STATES HANDLE INCOME-RELATED FACTORS?

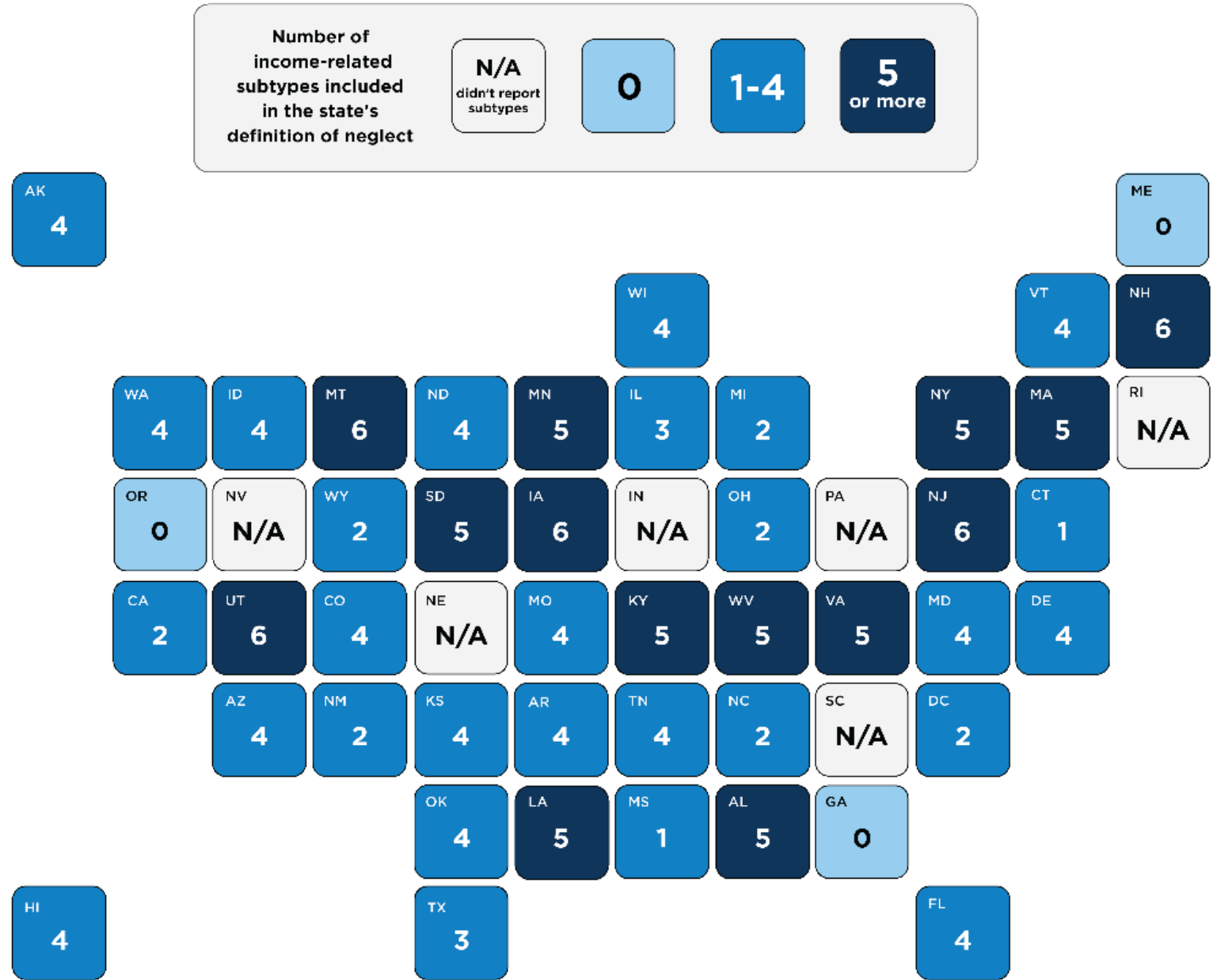


All states include at least one broad income-related factor in their definitions of maltreatment.³

- Usually, these factors are related to something being inadequate, such as:
 - housing/shelter
 - food
 - clothing
 - medical care
 - supervision
 - nutrition
 - hygiene



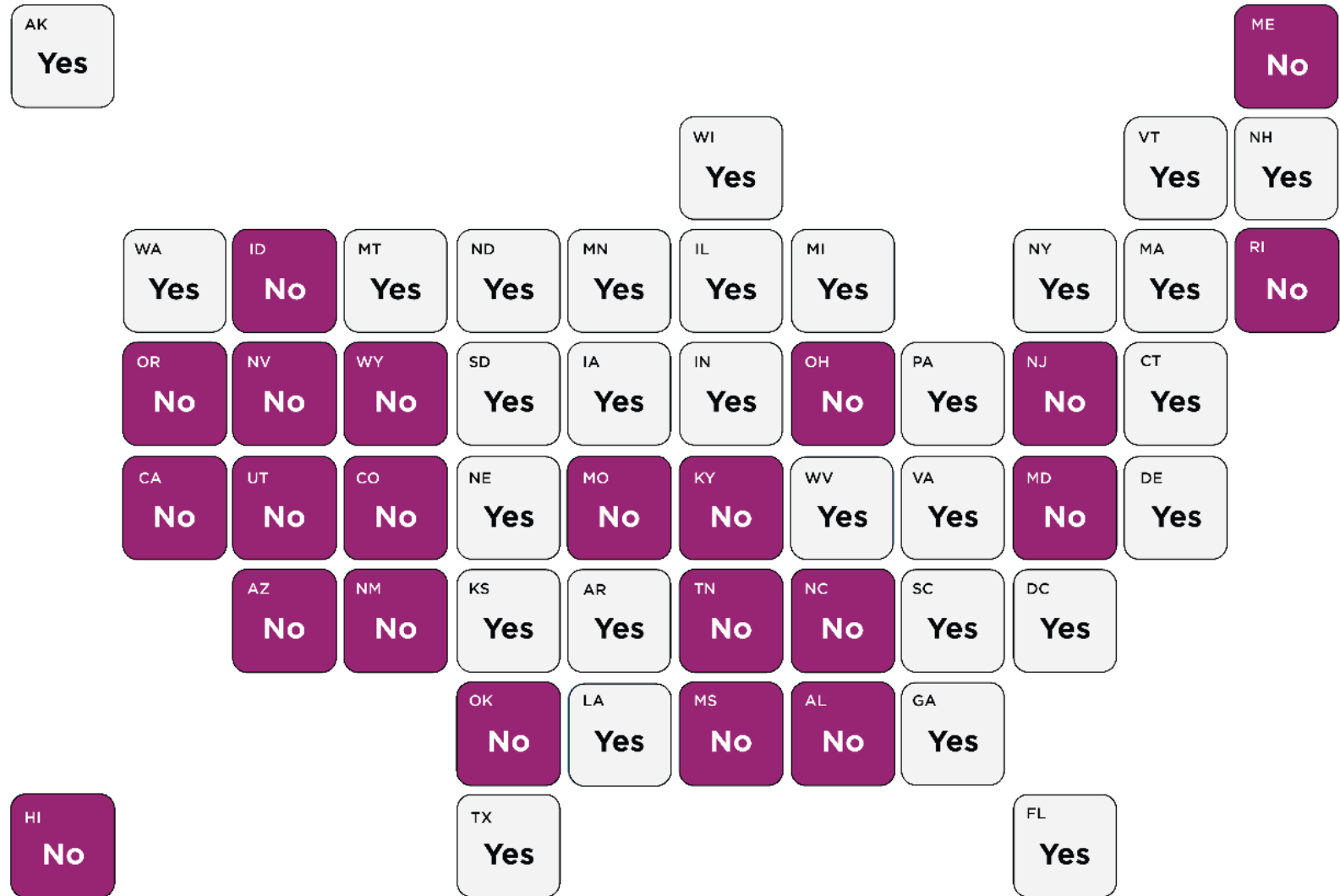
Of the 45 states that specify subtypes of maltreatment, almost one third include five or more income-related subtypes.³



Exempt circumstances³

- States may exempt specific circumstances or conditions from their definitions of maltreatment.
 - For example: relinquishing an infant in accordance with safe haven laws does not constitute maltreatment.
- Many states recognize situations in which inadequate income or poverty prevent a family from meeting their children's needs.
- These circumstances should not be considered maltreatment.

Almost half of all states do not exempt financial inability to provide for a child in how they define maltreatment.³



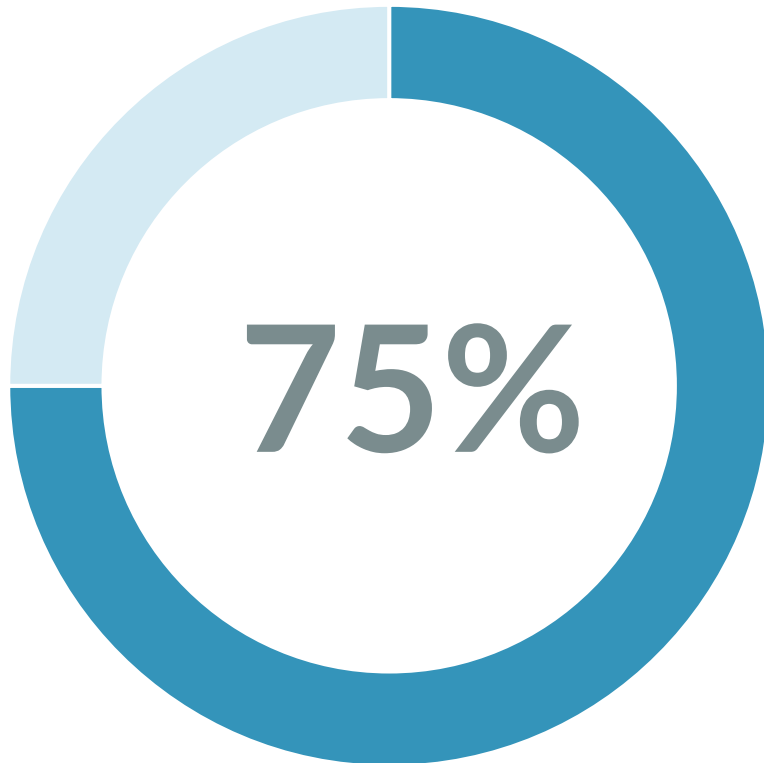


WHY DOES IT MATTER?

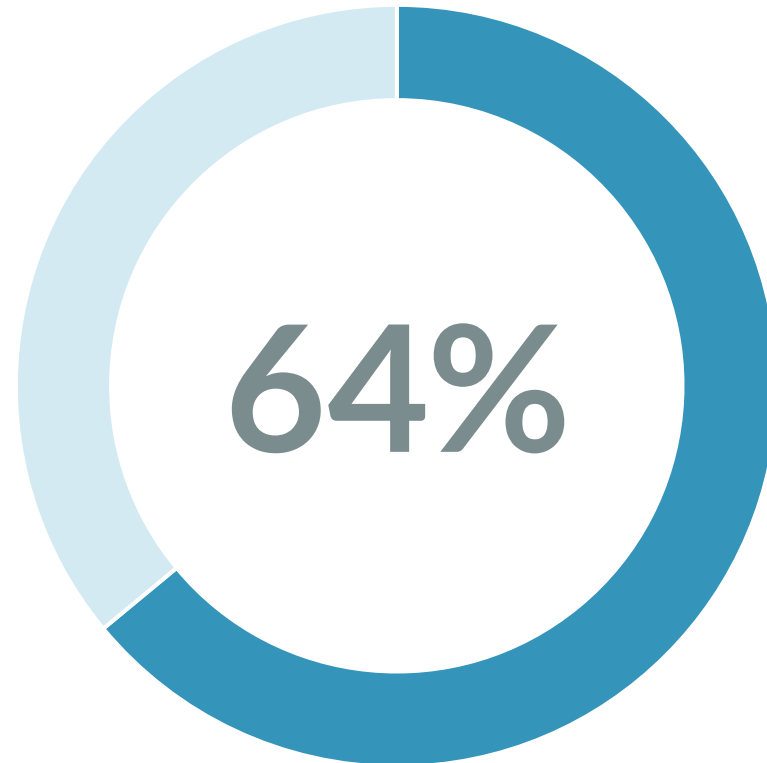


The majority of child welfare cases involve neglect.

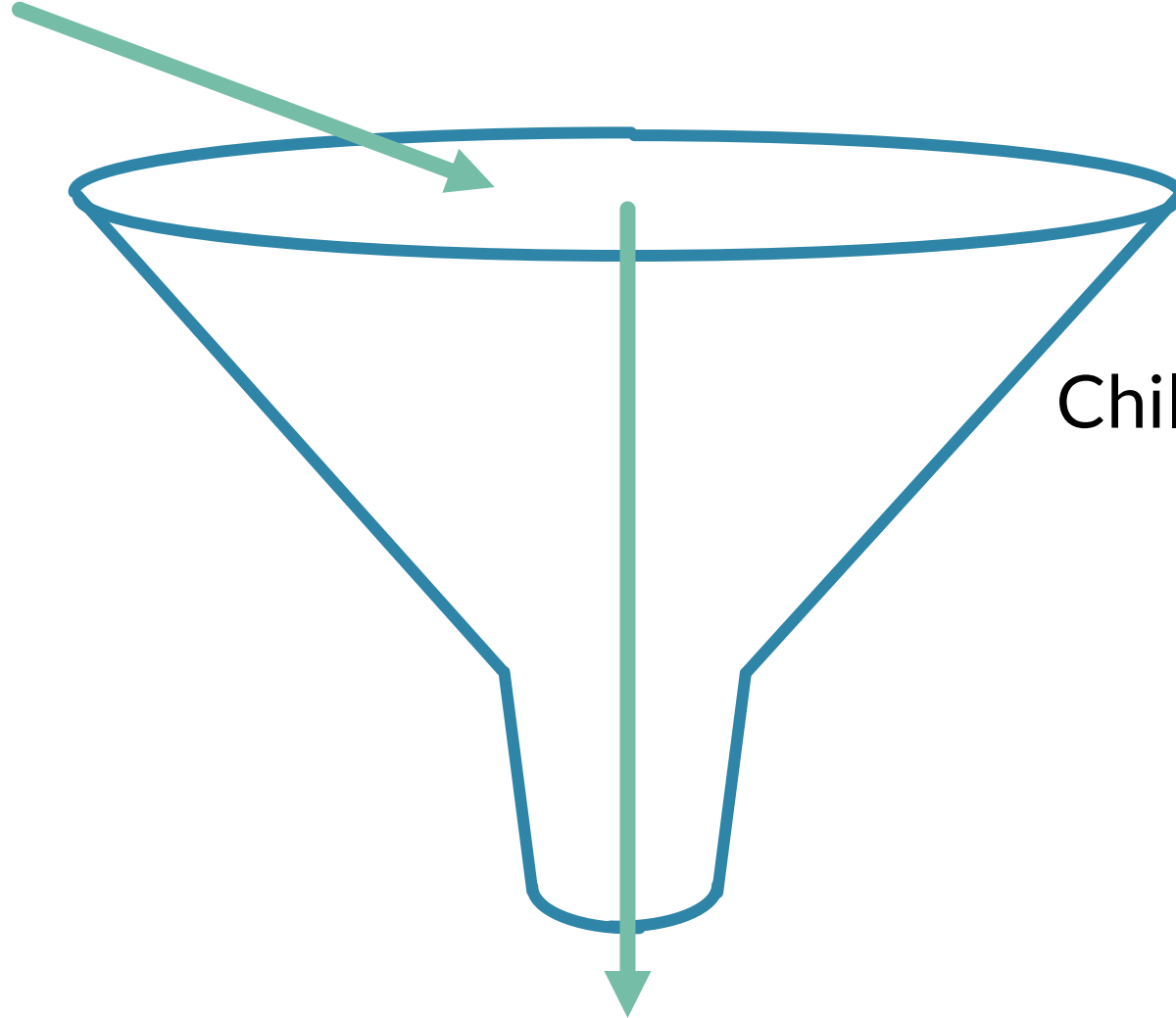
Substantiated reports of neglect⁴



Foster care entry due to neglect⁵



Families experiencing poverty



Child welfare system

Family separation

Failure to exempt income-related factors can contribute to racial disparities in the child welfare system.³

- Black and Indigenous children are overrepresented in the child welfare system compared to their proportion of the general population.^{6,7}
- Black families experience poverty at disproportionate rates.⁸
 - Past and ongoing systemic racism^{9,10,11}
 - Slavery¹¹
 - Laws and policies to maintain white supremacy¹²
 - Discrimination in housing, education, and employment
 - Red-lining¹¹
 - School to prison pipeline¹³
 - Wage gaps between White and Black employees¹⁴





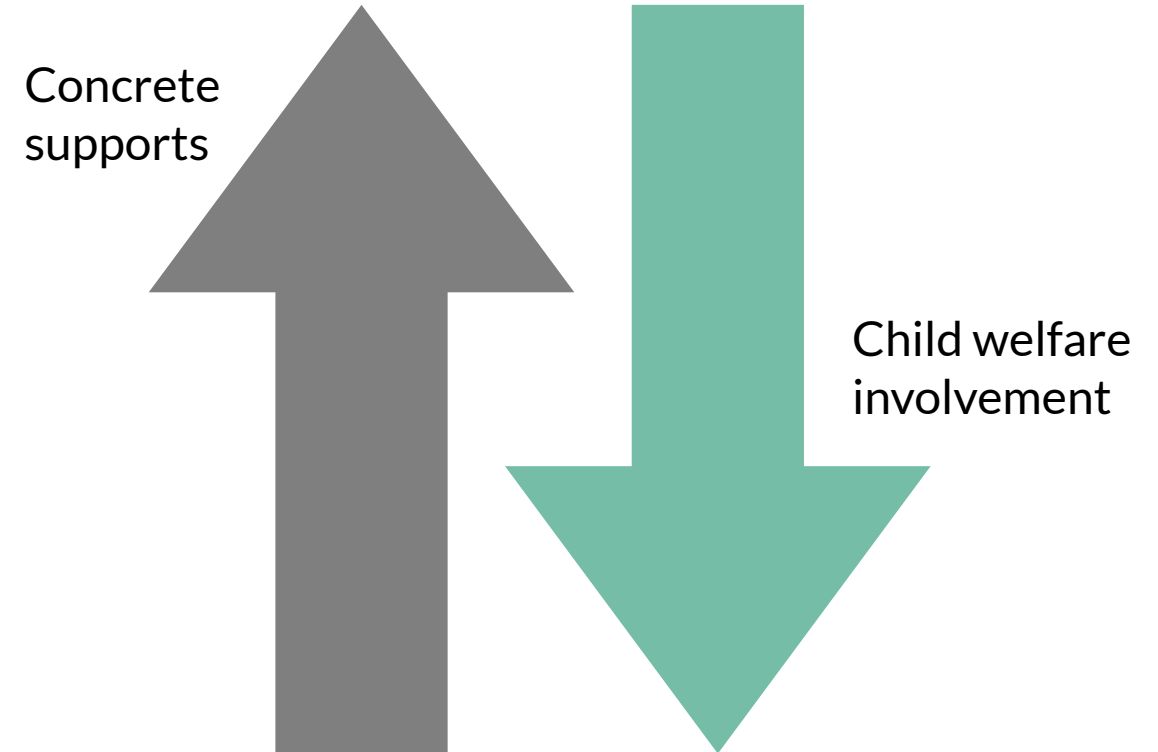
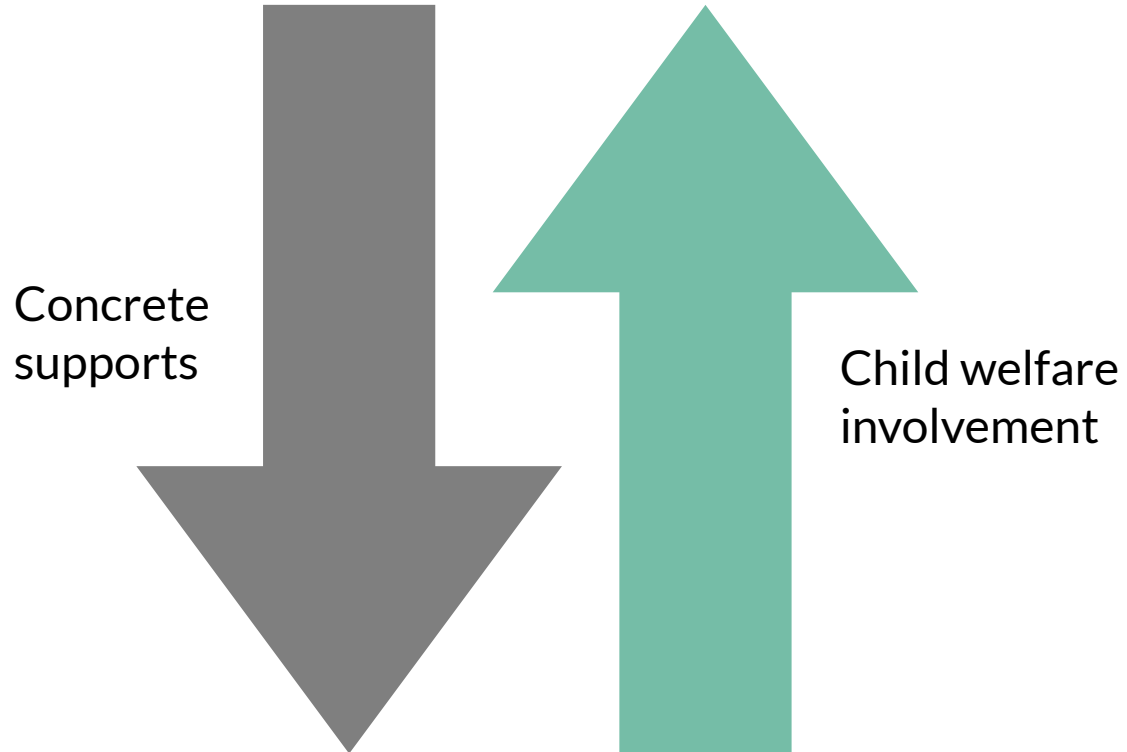
WHAT CAN BE DONE?



Solutions?

- Growing movement towards prevention efforts
 - Family First Prevention Services Act
 - Focuses on children and families who are at-risk of experiencing foster care
 - Allows states to seek Federal reimbursement for specific prevention services (e.g., parenting classes, substance abuse treatment)
- Preventing child maltreatment is a community-wide effort, including departments of:
 - Health
 - Social services (e.g., TANF, SNAP)
 - Housing
 - Agencies on aging
- Concrete supports are a part of effective prevention strategies

Concrete supports help prevent child welfare involvement



Concrete supports help prevent child welfare involvement

- Restrictions or decreases in supports increase maltreatment rates:
 - Restrictions on Temporary Assistance to Needy Families (TANF)¹⁵
 - Decreases in disposable income¹⁶
- Increases in economic or material supports decrease child welfare involvement:
 - Earned-income tax credits (EITC)¹⁷
 - Material supports¹⁸
 - State spending on benefits programs¹⁹
 - Minimum wage²⁰
- Families living in poverty have hard time accessing supports, in particular families of color:²¹
 - 23 out of 100 families in poverty access cash assistance through TANF
 - 1 in 6 children eligible for child care assistance receive it
 - 1 in 5 families eligible for housing assistance receive it

What can you do?

- Educate yourself
 - Check out the resources listed on the next slide
- Think critically about these issues
 - Don't just accept the status quo – if something doesn't feel or seem right or just to you, seek out the “why”
- Think about your sphere of influence
 - Where can you advocate for policies and programs that promote family well-being?
- Get involved!
 - Consider volunteering or making donations if you're able
 - Vote!!!

Questions?

- Sarah Catherine Williams
- swilliams@childtrends.org

RESOURCES

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