

What can we learn from how states define neglect?

REBBE, R. (2018). WHAT IS NEGLECT? STATE LEGAL DEFINITIONS IN THE UNITED STATES. *CHILD MALTREATMENT*, 23(3), 303-315.

What can we learn from this study?

Nearly [8 million children](#) were involved in a report of alleged maltreatment in 2019, and most substantiated reports involved neglect (75%). In spite of the prevalence of neglect as a reason for child welfare involvement, states are not required to use a standard definition, giving each state discretion in setting the criteria for what qualifies as neglect. This results in a wide variety of policies and practices around the country that ultimately have a significant impact on the lives of children and families.

Study details:

- **Data sources:** Legal statutory definitions of neglect for 50 states and the District of Columbia; Fourth National Incidence Survey (NIS-4) operationalization of neglect
- **Methodology:** Cluster analysis
- **Date:** 2016

What are the critical findings?

The Child Abuse Prevention and Treatment Act (CAPTA) defines neglect as a form of maltreatment but provides little guidance as to how it should be defined. As a result, states have vastly different standards for determining what constitutes neglect and when to intervene. Cultural differences around parenting expectations can further complicate how definitions are interpreted and applied. Although there is a lack of consensus about how to define neglect, this analysis illustrates patterns within states that reveal three distinct clusters or definitional groups:

- **Minimal cluster** (15 states): Narrow and strict definition of neglect, which limits the amount of discretion frontline workers can employ in determining when the state should intervene. Requires actual harm to be demonstrated to warrant intervention.
- **Cornerstone cluster** (30 states and D.C.): Broader definition of when states should intervene relative to the minimal cluster, which results in increased discretion among child welfare professionals. Expands the scope to include children under threat of harm.
- **Expanded cluster** (5 states): Relative to the minimal and cornerstone clusters, these states have further expanded the definition of neglect, resulting in the most expansive standards for state intervention and discretion.

Why is this important for our work?

The vague and inconsistent definitions of neglect across the country make it challenging to understand underlying conditions or concerns, which often involve circumstances requiring support versus traditional child welfare interventions such as hotline calls and investigations. These inconsistencies have implications for child welfare professionals in the latitude they have to determine when to intervene. Additional research is warranted to better understand the impact of state definitions of child maltreatment on families, and to better guide child welfare policy and practice.

This summary synthesizes the findings from a single research study. To learn more, please review the following resources: [Can decreasing unwarranted reports to child protection agencies improve outcomes for children and families?](#) and [How can we ensure that separating children from their families is an intervention of last resort?](#)

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