

Assessing Child Neglect in the Context of Poverty

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Why now? The national context

Longstanding concerns about the poverty-maltreatment nexus & disparate rates of system involvement

Brought to the forefront by:

Newer research showing high and racially-disparate cumulative (lifetime) estimates of child protective services contact

Little indication of decline in child welfare contact despite lower rates of physical and sexual abuse

Heightened attention given larger social discourse about policing, inequality, racism

Poverty and neglect: An ascendent narrative

Children, we are little closer to reaching consensus about this issue. Many states do not have a poverty exemption in their definition of neglect, meaning that being a homeless parent is a de facto indicator of poor parenting and child neglect.

foster care before they reach adulthood. Most of these removals are not motivated by allegations of violence or abuse, but by charges of neglect, which could be anything from children not having enough food to them being left at home alone. Insecure housing is one of the primary reasons parents are accused of child neglect. But child welfare agencies don't help families find housing or provide material resources to children. Rather, they threaten families with the trauma of separation and often exacerbate the very problems they claim to solve.

supposed to rescue more kids from abuse. Instead, it triggered a flurry of removals for reasons that the department classifies as neglect but experts say are often just symptoms of poverty.

Neglect is a catch-all category that includes allegations of insufficient food, clothing, care or shelter, in addition to domestic violence. Along with inadequate housing, these allegations factored into 50% of removals in 2020 – up

Less than 20 percent of the nearly 424,000 children currently in foster care were separated from their families because their parents physically or sexually abused them. A much larger portion were removed due to neglect. Much of what is classified as child neglect, lacking adequate food, housing or other essentials, is symptomatic of family poverty.

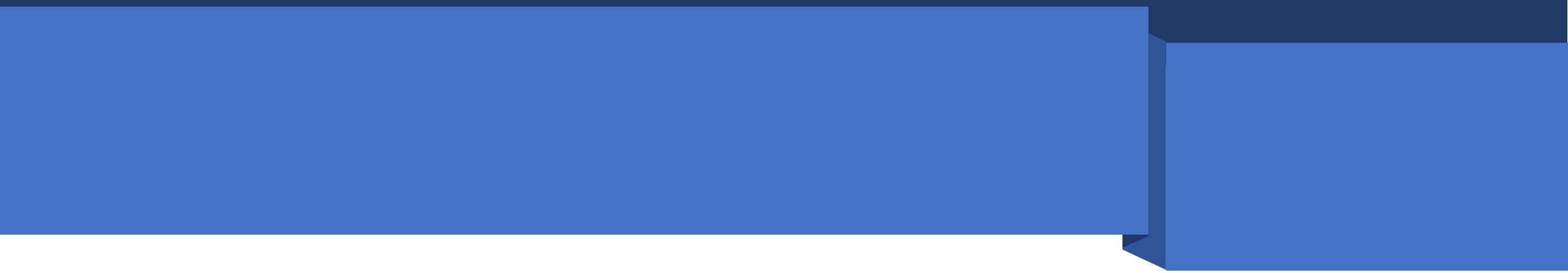
1. Problem: Families who have contact with child welfare and whose children are placed in care overwhelmingly experience poverty, housing instability and associated challenges. There is ample evidence that judgments of neglect are compounded with the effects of poverty.

Why this perception exists

The definition of neglect: “failure of a parent or other person with responsibility for the child to provide needed food, clothing, shelter, medical care, or supervision to the degree that the child's health, safety, and well-being are threatened with harm”

The overwhelming majority of parents investigated for neglect-related concerns are low-income; many are impoverished, unemployed, or housing-insecure

How can we bring **clarity, consistency, fairness, and transparency** to the process of assessing and adjudicating neglect?



4 Questions for assessing and adjudicating incidents of child neglect

(1) What is the *harm or threat of harm* to the child?

(2) Was/is that harm a *foreseeable* consequence of the parents' actions or inactions? (nexus linking parenting to harm)

(3) Was/is that harm *avoidable*, recognizing the constraints imposed on the parent by factors such as poverty?

-- Was the parent's action/inaction reasonable given the available alternatives?

-- Is poverty/lack of money a necessary and sufficient cause of the harm?

(4) With additional information or referral, does parent have the *capacity* to address threat of harm *without further oversight*?

Foreseeable Harm or Threat or Harm: Two basic manifestations of neglect

Unmet *material* needs

(AKA physical neglect or failure to provide)

- Food, shelter, clothing, hygiene, medical care
- Primary factor in <10% of investigations
- Foreseeable harms may include: physical (growth) and cognitive delays, avoidable illnesses/infections, malnutrition

Unmet *nonmaterial* needs

(AKA “inadequate supervision” or environmental neglect)

- Environment/care that is inadequate given child’s age/development
- Foreseeable harms may include: non-intentional injury, developmental delays, abuse by others, antisocial behavior, psychological harm

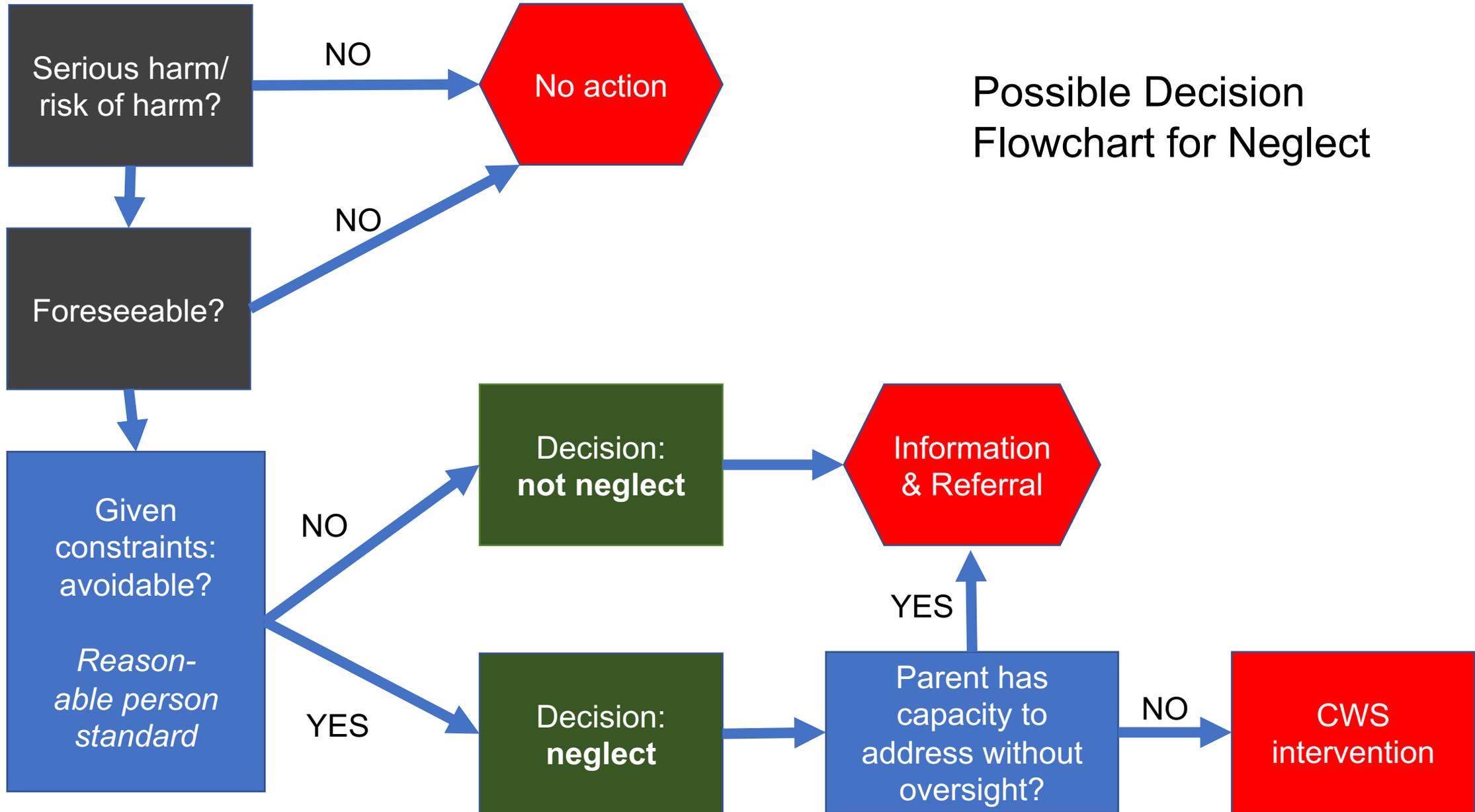
Neglect in the Context of Economic Constraints

Beyond *intentional* versus *involuntary*:

- “**Reckless disregard**” as assessed through avoidability and reasonableness
- How does poverty (or other conditions) reduce the options available to the parent(s)?
- May lack a ‘good’ option (e.g., for housing or childcare)

Faced with the same constraints:

- Did parents have available/accessible ways of altering the outcome?
- Would a reasonable person have made the same choices (acts or omissions) as the parent?



Possible Decision Flowchart for Neglect

Thank you for listening!

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