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No. 81714-6

SUPREME COURT
OF THE STATE OF WASHINGTON

KENT DUCOTE

Petitioner,

v.

STATE OF WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Respondent.

WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS' *BRIEF OF AMICUS CURIAE*

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I. INTRODUCTION

The Washington Association of Sheriffs and Police Chiefs ("WASPC") is a statutorily created combination of local government units, whose members included executive and command level law enforcement officers in Washington. The organization is devoted to leading collaboration among law enforcement executives to enhance public safety.

Amicus WASPC is particularly concerned here that the court will further extend an already troubling legal duty (to accused child abusers). Amicus requests the Court to deny the Petitioner's request to extend the duty to *de facto* parents. But if it does so, the Court should for the first time consider the open question of the impact of the "hierarchy of duties" (as between the abused child and her accused parent) on the definition of the duty as to the parent.

II. ARGUMENT

A. Law Enforcement's Interest in This Matter.

Child abuse and neglect is a significant problem in this state that requires the coordination of many professions in the identification, reporting and investigation of these acts. Participants in the process include physicians, school teachers, DSHS case

workers, and law enforcement officers. Ultimately, their observations may be forwarded to prosecutors and brought before the judicial branch. While coordination and cooperation is important among all participants, law enforcement plays a distinct role in this process.

The Washington Legislature has seen fit to statutorily compel only two professions to investigate reports of child abuse or neglect: DSHS caseworkers and police officers. Upon receipt of a report of abuse or neglect, "the law enforcement agency or Department of Social and Health Services must investigate" and provide a report to DSHS. RCW 26.44.050. [1]

This is a recently developed area of law. As this Court observed, it was not until 2000 that a court recognized "negligent investigation of child abuse allegations by law enforcement as a basis of tort liability for the first time in the State of Washington." *Roberson v. Perez*, 156 Wn.2d 33, 37, 123 P.3d 844 (2005)(*citing*, *Rodriguez v. Perez*, 99 Wn.App. 439, 451-52, 994 P.2d 874, *review denied*, 141 Wn.2d 1002, 10 P.3d 1073 (2000)). And, four months

[1] The statute also provides that a law enforcement officer may take a child into custody without court order if probable cause exists to believe the child is abused or neglected and the child would be injured or could not be taken into custody if the officer had to first obtain a court order. *Id.*

later this Court issued its decision regarding social workers' liability. *Tyner v. DSHS*, 141 Wn.2d 68, 1 P.3d 1148 (2000).

B. The Scope of the Child Abuse and Neglect Problem.

The consideration of any significant public policy question should of course include some context. Here, we examine the scope of child abuse and neglect in Washington, including the number of reports and investigations which follow from these acts. Each year the Administration for Children and Families of the U.S. Department of Health and Human Services, issues a comprehensive report entitled *Child Maltreatment*. The report summarizes and analyzes data produced by the National Child Abuse and Neglect Data System (NCADS). The reports cover data collection, the number of reports received, and investigations generated therefrom, the identity of reporters of maltreatment, the identification of the victims, identification of perpetrators, common types of maltreatment, and the receipt of services.

The *Child Maltreatment* report[2] shows the number of reports and investigations of abuse and neglect to be quite large.

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[2] The 2006 edition of the report, excerpts of which are contained in *Appendix 1*, can be found at The US Health & Human Services website, http://www.acf.hhs.gov/programs/cb/pubs/cm06/index.htm (last visited April 4, 2009).

Washington alone received more than 76,000 child abuse or neglect "referrals" in 2006. *Child Maltreatment 2006,* Table 2-1 at 11. ("A referral is the initial notification to CPS alleging abuse or neglect of one or more children." *Id.* at 5). Social welfare agencies such as DSHS then "screen" the referrals to determine whether they warrant further investigation. *Id.*

For the year 2006, even after careful screening, DSHS determined that more than 35,000 referrals warranted investigation. *Child Maltreatment, supra* Table 2-1 at 11. And the number of investigations conducted in 2006 was almost double that in 2002. *Id.* at 18 (18,423 investigations). Given Washington's 2006 child population, this represents 23.4 abuse/neglect investigations per 1,000 children, or more than 2% of children in this state. *Id.* at 20.

Interestingly, of the matters screened for investigation, fewer than one in seven were determined to be "substantiated." *Id.* at 16 (4,905 out of 35,698). And, more than one third (13,499) were determined to be "unsubstantiated." *Id.* Maltreatment is often reported but difficult to confirm.

In sum, DSHS annually receives a staggering number of reports of child abuse or neglect, less than half of which merit an investigation. And of the more than 35,000 investigations DSHS

conducted in 2006, only 13.7% were found to have merit. This leaves thousands of alleged perpetrators able to bring suit for negligent investigation. Any parent[3] disgruntled over what they would certainly perceive as unwarranted and officious state intervention into their family, could bring a lawsuit pointing to some deficiency in the investigation.

This is not idle speculation. The threshold for getting a case past summary judgment and to a jury in this area is disturbingly low. Indeed, this Court has determined that a CPS worker's failure to interview "character" witnesses – with no personal knowledge of the facts -- constitutes a negligent investigation. The court in *Tyner* found a breach of a duty of reasonable investigation arising from a CPS worker's failure to interview collateral witnesses who would have said nothing more than that they "did not believe David Tyner was capable of abusing [his children]." *Tyner, supra* at 87. Thus, an investigator can be subjected to liability for nothing more than failing to trudge out and interview the friends and family of the perpetrator who would say nothing more than "He's a good guy."

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[3] The report concludes that almost 80% of all alleged perpetrators were parents of the victim. *Id.* at 75.

C. The "Cinderella Effect."

Plaintiff Ducote attempts to significantly add to the burdens imposed upon CPS caseworkers (and law enforcement officers) by extending the duty found in *Tyner* to stepparents.[4] Mr. Ducote claims to have had a solid parental role in his step family. *Suppl. Brief of Petitioner,* at 13. However, such is not typically the case. Sociological and psychological research reveals frequent difficulties for children living in the home of a stepparent, including elevated rates of abuse. M. Daly, and M.I. Wilson, Child Abuse and Other Risks of Not Living with Both Parents, *Ethology and Sociobiology* (1985), 6:197-210. (*Appendix 2*). This is referred to as the Cinderella Effect.

"With all the good will in the world, stepparents may strive to feel the altruism of a natural parent, but they do not always -- perhaps do not often -- succeed." *Id.* at 209. The psychological literature "abounds with acknowledgements that step-relationships are stressful." *Id.* Tragically, these researchers also discovered a "substantial elevation in the risk of child abuse" for children living

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[4] Indeed, Petitioner's argument seems to go further in urging the court to recognize a cause of action for all individuals standing *in loco parentis, Suppl. Brief of Petitioner* at 5-14, and even further to anyone in the "family unit." *Petition*, at 12.

with stepparents. *Id.* They wrote:

> We are not talking about a small effect: preschoolers in stepparent-natural parents' homes, for example, are estimated to be *40 times* as likely to become abuse statistics as like-age children living with two natural parents ....

Id. at 205 (emphasis in original).

As with any stereotype or caricature, there are certainly exceptions. Mr. Ducote might be one. However, it appears that equating a stepparent with a natural parent does not have a sound legal,[5] or a sociological/psychological basis.

D. Policy Considerations for not Extending the Legal Duty to *De Facto* Parents.

Public policy considerations dictate that this Court read the statutory exception to liability quite narrowly. Plaintiff attempts to bring suit under an exception to the general rule of non-liability in Washington, as our common law does not recognize a cause of action for "negligent investigation." *See, e.g., M.W. v. DSHS*, 100 Wn.App. 233, 247, 39 P.3d 993 (2002), *reversed on other grounds*, 149 Wn.2d 589, 730 P.3d 954 (2003)(a person charged with a crime may not sue the police, even after he has been acquitted or dismissed, for negligently investigating his conduct).

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[5] Defendant DSHS points out the legal distinctions between natural (and adoptive) parents, and step-parents in its briefing. *See, Supplemental Brief of Respondent,* at 9-13.

This renunciation recognizes the chilling effect such claims would have on police investigations of crime. *Dever v. Fowler,* 63 Wn.App. 35, 45, 816 P.2d 1237 (1991), *review denied*, 118 Wn.2d 1028 (1992). "[H]olding investigators liable for their negligent acts would impair vigorous prosecution and have a chilling effect upon law enforcement." *Id.* (*citing, Smith v. State*, 324 N.W.2d 299 (Iowa 1982); and, *Gisondi v. Harrison,* 507 N.Y.S.2d 419, 423 (1986)). The Iowa Supreme Court reasoned:

> The public has a vital stake in the active investigation and prosecution of crime. Police officers and other investigative agents must make quick and important decisions as to the course an investigation shall take. Their judgment will not always be right; but to assure continued vigorous police work, those charged with that duty should not be liable for mere negligence.

Smith, supra at 301.

These considerations are no less valid in the consideration of whether to extend an implied right of action to a class of individual beyond that set forth by the Legislature.

E. A Hierarchy of Duties: The Rights of the Abused Child Always Trump Those of her Alleged Abuser.

This case should be resolved on the question of duty. That is, the Court should simply hold that stepparents do <u>not</u> fall within the legislative class of individuals to whom a statutory duty is owed,

and affirm the Court of Appeals. However, should the court decide to the contrary, *Amicus WASPC* requests the court to consider – for the first time -- the "hierarchy of duties" that an investigator owes as between the abused child, and the accused parent, and hold that such duties cannot reasonably co-exist.

Basic principals of justice, complemented by legislative directive, speak to one common truth -- the temporary removal of a child from the family home (pending an initial investigation into allegations of abuse against a parent) is a lesser evil than leaving the child in the home to suffer further abuse or neglect.

We need not complicate our analysis with select quotations from statutes and cases, or creative legal arguments. The interests of the child are "paramount," *and should always prevail over the rights of a parent accused of abuse.* This is the nature of the system created by our Legislature. Indeed, the century-old purpose of social service agencies is for the protection of the child, who *by definition* is unable to protect herself.

To assert that the rights of an accused parent (or stepparent) should be on equal footing with the rights of the child whom they are accused of having abused, departs from any sense of logic. Nor is it consistent with the statutory directives to DSHS. *See also*,

Suppl. Brief of Respondent, at 19-20 (recognition of duty running to accused parent is not in best interests of abused child).

A statute entitled *Legislative Declaration of Family Unit as a Resource to be Nurtured - Rights of Child* recognizes the family unit as a fundamental resource. RCW 13.34.020. However, at the same time the Legislature unequivocally declared the rights of the child to be *paramount*. When the rights and safety of the child and the legal rights of the parent are in conflict, "the rights and safety of the child should prevail." *Id.* "[T]he child's health and safety shall be the paramount concern." *Id.*

This Court has never directly addressed this matter. The *Tyner* court briefly touched on this principal, referring to "a necessary hierarchy of interests [in which] those of the child prevail in cases of conflict." *Tyner, supra* at 79. But, this question of the legal hierarchy of duties was not addressed, as it was not raised by the defendant. *Tyner, supra* at 76, n. 2 ("The State has not argued that a hierarchy of duties exists under Washington's statutory scheme, whereby the State would owe a duty to a parent unless this would conflict with the State's duty to the child.").[6]

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[6] While the court never reached a holding on the issue of the hierarchy of duties, it did briefly address the defendant's argument

F. A Proposed Solution: A Distinct Standard of Liability for the Claims of Accused Parents.

Amicus WASPC first urges the Court to reject Plaintiff's request to create a duty running to *de facto* parents. However, should the Court do so, the cleanest method of addressing the conflicting obligations would be for the court to address, for the first time, the "hierarchy of duties" and conclude that this principle precludes a legal duty from running to a parent accused of abusing their child. That is, no duty exists.

An alternative approach would be to conclude that the legal duty owed to a parent cannot be defined identically to the duty owed to the child. While the duty of reasonable investigation as to the child would remain as defined by the caselaw, the legal duty to the accused parent would be satisfied by a showing of probable cause to believe that abuse or neglect occurred. *See also, Suppl. Brief of Respondent*, at 16-17 (arguing for probable cause standard). A parent could overcome this by a demonstration that the investigator deliberately or recklessly ignored material facts that

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in another context that "conflicting responsibilities" might arise. *Id.* at 81. The court summarily dismissed the concerns stating that "all that is required is that the state act reasonably." *Id.* The state did propose an instruction, which was refused, but it "would not have assisted the jury in assessing the potentially conflicting duties between a parent and child." *Id.* Thus, the question remains open.

undermined a finding of probable cause. This approach would bring the standard in line with other similar causes of action.[7]

G. Scope of the Duty Under Other Theories.

Ironically, the statutorily implied cause of action creates a species of liability not extant in other causes of action. For example, a police officer (or CPS worker) may not have liability in *defamation* if she erroneously accused a parent of child abuse. In defamation law, the publisher must know the statement was false or act in reckless disregard as to the truth of the matter. *Herron v. KING Broadcasting Co.*, 112 Wn.2d 762, 775, 776 P.2d 98 (1989). The defamation plaintiff must prove the defendant was plagued with serious doubts as to the truth of the offending statement. *Id.*

Investigators are almost always faced with denials by the accused. But in defamation, a defendant does not necessarily have

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[7] One immediate positive result of this conclusion would be that a child abuse investigator could (without fear of liability) follow her legislative marching orders and error on the side of the child's "paramount" interests by seeking removal of the child from the family home when an initial determination that probable cause exists to conclude the child's safety is at risk. This would be so even if their belief turns out to be incorrect, or if after-acquired information undermines this conclusion.

Otherwise, faced with co-equal legal obligations and duties running both directions, the caseworker will logically error on the side of the status quo – and leave the child in the home. This will in many cases be inconsistent with the "paramount" interests of protecting the child.

liability for ignoring these. "The mere fact that the plaintiff told the defendant that certain statements were untrue does not mean that the defendant knew they were false or acted negligently in proceeding to publish them." *Guntheroth v. Roadway*, 107 Wn.2d 170, 177, 727 P.2d 982 (1986).

Even under the *Civil Rights Act, 42 U.S.C. §1983,* an investigator who performs a "negligent investigation" does not have liability for false arrest, as the standard is the existence of probable cause. Probable cause does not require that the officer's belief be correct or even more likely true than false, so long as it is reasonable. *Texas v. Brown,* 460 U.S. 730, 742, 103 S.Ct. 1535, 75 L.Ed.2d 502 (1983).

Again, those accused of crimes often profess their innocence. But, officers are not required to perform error-free investigations or independently investigate every proffered claim of innocence. *See, Baker v. McCollan*, 443 U.S. 137, 145-46, 99 S.Ct. 2689, 61 L.Ed.2d 433 (1979). And, a police officer "is not required to explore and eliminate every theoretically plausible claim of innocence of before making an arrest." *Ricciuti v. NYC Transit Authority*, 124 F.3d 123, 128 (2nd Cir. 1997).

But, liability can still be established. For example, the U.S.

Supreme Court has held that an officer applying for a warrant is liable for an individual's subsequent arrest "if the complaint was made maliciously and without probable cause." *Malley v. Briggs,* 475 U.S. 335, 340-41, 106 S. Ct. 1092, 89 L.Ed.2d 271 (1986).[8]

H. Presenting Evidence to the Judicial Branch.

This case presents a common feature of child abuse investigations – presenting evidence to the judicial branch for a determination of what action to take. And, the cases are legion that deal with liability in this area.

The very nature of the investigator's work underlies the policy choices made in fashioning liability principles in this area. Police officers and caseworkers are not decision-makers or fact finders. They do not make credibility determinations or find guilt. They are fact collectors who obtain and pass on the information to third parties (prosecutors and judges) whose role in our constitutional system of division of labor does provide them with such authority. The constitutional roles of a neutral and detached judicial officer and an investigator are quite distinct. As the Supreme

[8] *Malley* also states that the issuance of an arrest warrant will not shield the police officer who applied for the warrant from liability if "a reasonably well-trained officer in [his] position would have known that his affidavit failed to establish probable cause and that he should not have applied for the warrant." *Malley, supra* at 345.

Court has said:

> It is not fit that the receiving or judging of the information should be left to the discretion of the [police] officer. The magistrate ought to judge; and should give certain direction to the officer.

United States v. United States District Court, 407 U.S. 297, 316, 92 S.Ct. 2125, 2136, 32 L.Ed.2d 752 (1972)(quoting Lord Mansfield in *Leach v. Three of the King's Messengers,* 19 How.St. Tr. 1001, 1027 (1765)). In our system, police officers "have no stake in the outcome of particular criminal prosecutions." *United States v. Leon,* 468 U.S. 897, 917, 104 S.Ct. 3405, 82 L.Ed.2d 677 (1983).

Washington law tracks these policy choices. In *Bender v. City of Seattle,* 99 Wn.2d 582, 592, 664 P.2d 492 (1983), the court noted that an officer who executes an arrest warrant procured by a different officer has no liability, so long as the warrant is facially valid. But, when it is the same officer the rule is not the same:

> A different situation is presented, however, when the same officer provides information to obtain the warrant and then also executes the warrant. One officer serves both functions, he is not merely directed to fulfill the order of the court, he is in a position to control the flow of information to the magistrate upon which probable cause determinations are made. We see no distinction between an officer who makes an invalid, warrantless arrest and one who knowingly withholds facts in order to obtain a warrant.

Id. at 592. There is liability, but not for innocent mistakes or

immaterial facts.

And, a time-tested procedure exists to challenge a caseworker's factual presentation to a dependency court. The issuance of a warrant in the criminal proceeding can be challenged through a "*Franks* hearing," originating from *Franks v. Delaware*, 438 U.S. 154, 98 S.Ct. 2674, 57 L.Ed.2d 667 (1978). Such a hearing is not held for the purpose of determining the veracity of the *informants*, but rather "is held to investigate the veracity of the affiant." *U.S. v. Kiser*, 716 F.2d 1268, 1271 (9th Cir. 1983). That is, did the applying officer deliberately provide false information or omit material facts to the court?

In any subsequent civil action,[9] a plaintiff may prove that there was a knowing and intentional falsehood or reckless disregard for the truth, and that the challenged statement was material to the finding of probable cause. Quite consistent with this court's approach in *Bender*, the Supreme Court stated in *Franks*:

Whether defendant makes a substantial preliminary showing

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[9] The Ninth Circuit has held that the necessary showing to defeat a motion for summary judgment in a Section 1983 action is the same showing necessary to obtain an evidentiary hearing under the *Franks* standard. *Hervey v. Estes*, 65 F.3d 784, 789 (9th Cir. 1995). In opposing summary judgment, the plaintiff must make a "substantial showing of deliberate falsehood or reckless disregard for the truth." *Id.* at 788.

> that a false statement knowing and intentionally or with reckless disregard for the truth, was included by the affiant in the warrant affidavit, and if the allegedly false statement is necessary to finding of probable cause, the Fourth Amendment requires that a hearing be held at the defendant's request.

Franks, *supra* 155-56.

In sum, a child abuse investigator should not be subjected to liability merely because they omitted (or included) a nominally relevant fact when taking action during an investigation or presenting a case to a judge. The omitted fact must be *material.* That is, the plaintiff must prove that the information would have made a difference in the investigator's (or the court's) decision-making. Additionally, the investigator must be shown to have had some improper mental state akin to the standard used in the *Franks* hearing or defamation law (reckless disregard for the truth). A simple mistake should not suffice.[10] This approach would provide some reconciliation to the quite disparate "obligations" owed to the

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[10] *Tyner* can be easily reconciled with this body of law. There, a critical feature was that the caseworker concluded that the allegations were "unfounded," but withheld this fact from the court and the parties. *Tyner, supra* at 87. Thus, *Tyner* was not a negligent investigation case, but rather a deliberate withholding of facts case. Thus, its holding is completely consistent with the *Franks* hearing cases where a police officer has withheld material facts from the magistrate when applying for a warrant.

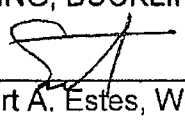
abused child and the accused parent, and recognize the "paramount" nature of the duty owed the child.

III. CONCLUSION

In conclusion, this Court should reject the plaintiff's request to extend the implied duty to de facto parents. Absent that, the court should address the hierarchy of duties and establish a duty according to the child's paramount interest.

DATED this 28 day of April, 2009.

KEATING, BUCKLIN & McCORMACK, INC., P.S.



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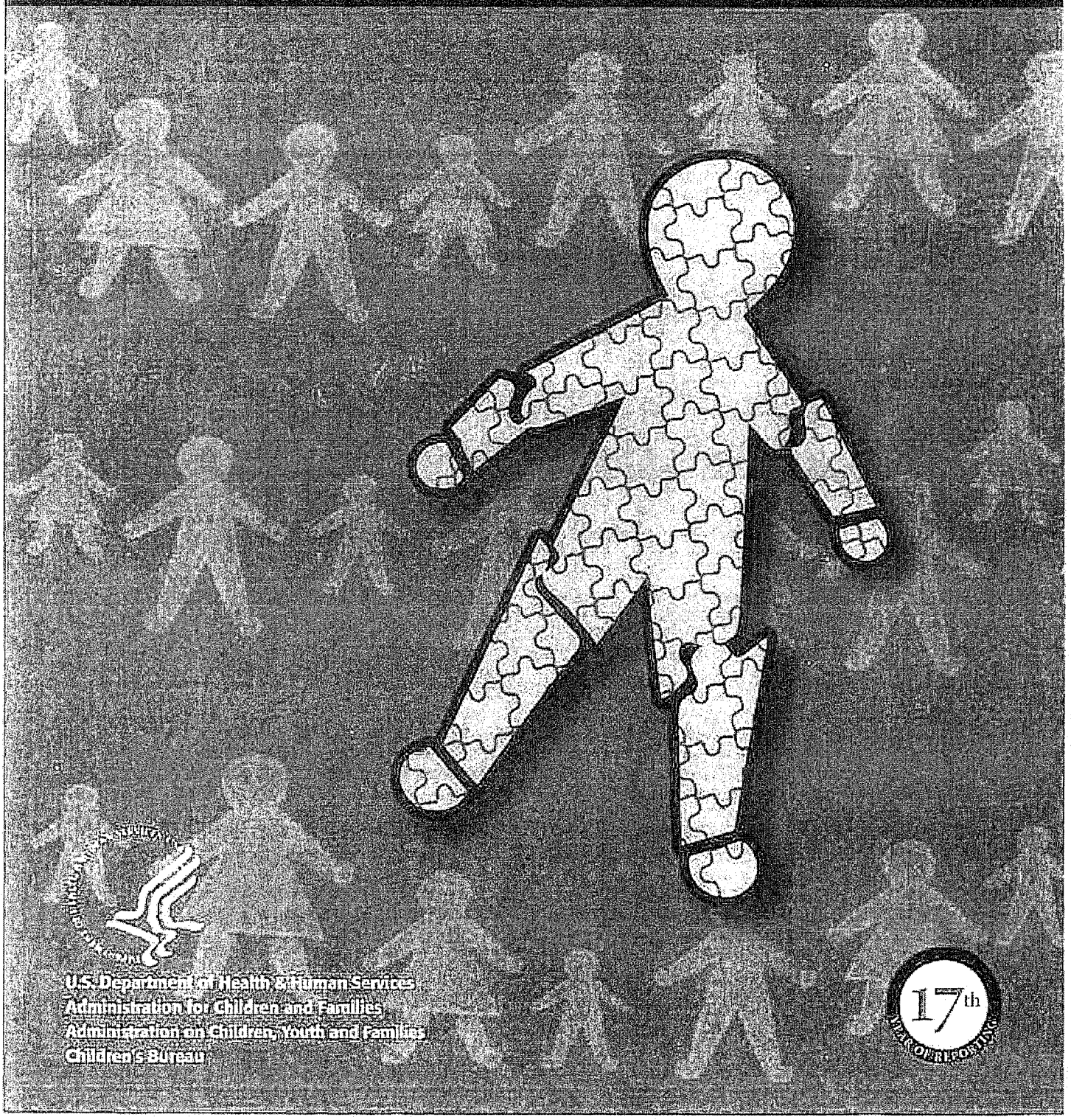
I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

_____
Stewart A. Estes

Appendix 1

Child Maltreatment 2006



U.S. Department of Health & Human Services
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau

17th
NCANDS REPORTING

DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
Administration on Children, Youth and Families
1250 Maryland Avenue, SW
Washington, D.C. 20024

Letter from the Associate Commissioner:

I am pleased to present *Child Maltreatment 2006*. This 17th annual report of data collected via the National Child Abuse and Neglect Data System (NCANDS) is for Federal fiscal year 2006. It reflects our commitment to provide the most complete national information about child maltreatment known to the States' child protective services (CPS) agencies. Key findings in this report include the following.

- The rate and number of children who were victims of child abuse or neglect is lower for FFY 2006 than it was five years ago. During 2002, children were abused or neglected at a rate of 12.3 per thousand children in the population resulting in an estimated 910,000 victims; for 2006, the rate was 12.1, resulting in an estimated 905,000 victims.
- The rate and number of all children who received an investigation or assessment increased since 2002. For 2002, the rate was 43.8 children per thousand in the population, resulting in an estimated 3,240,000 children who received an investigation or assessment; for 2006, the rate was 47.8 resulting in an estimated 3,573,000 children.
- Nationally, 64.2 percent of child victims experienced neglect, 16.0 percent were physically abused, 8.8 percent were sexually abused, and 6.6 percent were emotionally or psychologically maltreated. Rates of victimization by maltreatment type have fluctuated only slightly during the past several years.
- For 2006, a nationally estimated 1,530 children died of abuse or neglect at a rate of 2.04 children per 100,000 in the national population.

Included in this report are additional national- and State-level findings about perpetrators of maltreatment, CPS workload, and preventive and postinvestigation services.

I hope that you find this report to be a useful reference. The document is posted on the Web site of the Administration for Children and Families at http://www.acf.hhs.gov/programs/cb/stats_research/index.htm#can. Due to the availability of the Child Maltreatment reports on the Internet and the yearly increased usage of the Internet for accessing information contained in these reports, the 2006 report will be the last year that the Child Maltreatment report will be available in print format. For additional copies of the report and other information about child maltreatment, contact the Child Welfare Information Gateway at 1-800-394-3366 or http://www.childwelfare.gov/.

Sincerely,

Christine M. Calpin

Christine M. Calpin
Associate Commissioner
Children's Bureau
Administration on Children, Youth and Families

Reports

CHAPTER 2

Child protective services (CPS) agencies have established two stages for responding to child abuse and neglect allegations. The first is the receipt of a referral from a professional or another person in the community. A referral is the initial notification to CPS alleging abuse or neglect of one or more children. Agency hotline or intake units screen out some referrals as not being appropriate for further investigation or assessment. The second stage is the investigation or assessment of the screened-in referral, which is called a report.

When an allegation reaches the second stage and is considered a report, the agency either initiates an investigation or pursues an alternative response. The purpose of an investigation is to determine if the child was maltreated—or is at risk of maltreatment—and to establish the appropriate intervention. Alternative responses emphasize an assessment of the family's needs and the prevention of future maltreatment, rather than making a formal determination of maltreatment.[1] Regardless of which type of response the agency uses for a specific report, it must decide if further action is necessary to protect the child. During Federal fiscal year (FFY) 2006:

- Approximately 3.3 million allegations of child abuse and neglect including 6.0 million children were made to CPS agencies.
- About 62 percent (61.7%) of those allegations reached the report stage and either were investigated or received an alternative response.
- Nearly 30 percent (28.6%) of the investigations that reached the report stage determined that at least one child was a victim of child abuse or neglect.

This chapter presents statistics regarding referrals, reports, and investigations or assessments. National estimates for FFY 2006 are based on the child populations for the 50 States, the District of Columbia, and Puerto Rico.

Screening of Referrals

The process of determining whether a referral meets a State's standard for an investigation or assessment is known as screening. Screening in a referral means that an allegation of child abuse or neglect met the State's standard for investigation or assessment and the referral reaches the second stage and is called a report. Screening out a referral means that the allegation did not meet the State's standard for an investigation or assessment. Reasons for screening out a referral may include the following: The referral did not concern child abuse or neglect; it did not contain

1 *Shusterman, G. R., Fluke, J.D., Hollinshead, D.M., & Yuan, Y.T. (2005).* Alternative responses to child maltreatment: Findings from NCANDS. *(Protecting Children Vol. 20, No. 2 & 3). American Humane Association.*

enough information to enable an investigation or assessment to occur; the children in the referral were the responsibility of another agency or jurisdiction, e.g., a military installation or a tribe; or the alleged victim was older than 18 years.

During FFY 2006, an estimated 3.3 million referrals, including approximately 6.0 million children, were made to CPS agencies. The national rate was 43.7 referrals per 1,000 children for FFY 2006 compared with 43.9 referrals per 1,000 children for FFY 2005.[2,3]

During FFY 2006, CPS agencies screened in 61.7 percent of referrals and screened out 38.3 percent. These results were similar to FFY 2005 data, which indicated 62.1 percent were screened in and 37.9 percent were screened out.

Report Sources

NCANDS collects case-level information for all reports that received a disposition or finding within the year. The information includes the report source, the number of children in the investigation, and the disposition of the report.

Professionals submitted more than one-half (56.3%) of the reports (figure 2–1). The term professional indicates that the person encountered the alleged victim as part of the report source's occupation. State laws require most professionals to notify CPS agencies of suspected maltreatment. The categories of professionals include teachers, legal staff or police officers, social services staff, medical staff, mental health workers, child daycare workers, and foster care providers. The three largest percentages of 2006 reports were from professionals—teachers (16.5%), lawyers or police officers (15.8%) and social services staff (10.0%).[4]

Nonprofessional sources submitted the remaining 43.7 percent of reports. These included parents, relatives, friends and neighbors, alleged victims, alleged perpetrators, anonymous callers, and "other" sources. The National Child Abuse and Neglect Data System (NCANDS) uses the term "other" sources for those categories that States are not able to crosswalk to any of the NCANDS terms. "Other" sources may include clergy members, sports coaches, camp counselors, bystanders, volunteers, and foster siblings. The three largest groups of nonprofessional reporters were anonymous (8.2%), "other" (8.0%) and other relatives (7.8%).

Investigation or Assessment Results

CPS agencies assign a finding—also called a disposition—to a report after the circumstances are investigated and a determination is made as to whether the maltreatment occurred or the child is at risk of maltreatment. For FFY 2006, 1,907, 264 investigations received a disposition. Each

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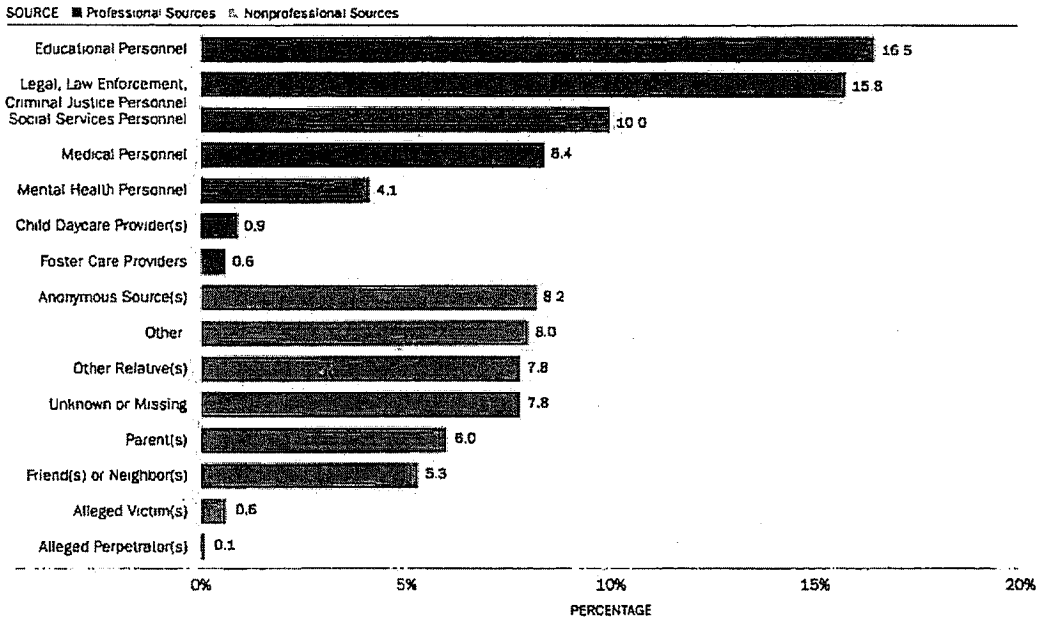
2 *Supporting data are provided in table 2–1, which is located at the end of this chapter. States provide aggregated data for the number of referrals. Based on data from 42 States, the national rate of referrals is 43.7 referrals per 1,000 children. A referral can include more than one child. Multiplying this rate by the national child population of 74,754,213 and dividing by 1,000 results in an estimated 3,266,759 referrals for FFY 2006. The estimate was then rounded to 3,300,000. Unless otherwise specified, all rates refer to children younger than 18 years in the national population.*

3 *The number of children included in all referrals was calculated by multiplying the average number of children included in a referral (1.84) by the number of estimated referrals (3,266,759). This results in an estimated 6,010,836 children, which was rounded to the nearest 100,000. The average number of children included in a referral based on data from 51 States was calculated by dividing the number of children reported (3,511,590) by number of screened-in referrals (1,907,264).*

4 *See table 2–2.*

Figure 2–1 Report Sources, 2006



Based on data from table 2–2.

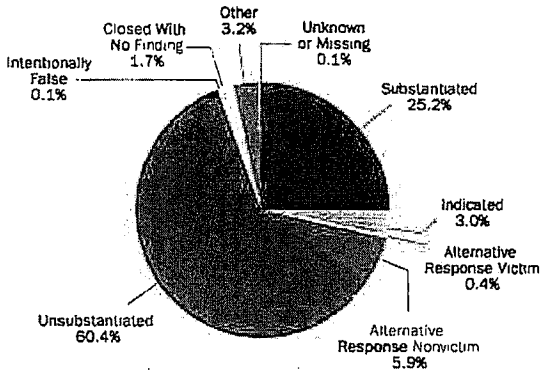
State establishes dispositions by policy and law.[5] The major NCANDS disposition categories are described below.

- Alternative Response Nonvictim: A conclusion that the child was not identified as a victim when a response other than an investigation was provided.
- Alternative Response Victim: A conclusion that the child was identified as a victim when a response other than an investigation was provided.
- Indicated: An investigation disposition that concludes that maltreatment could not be substantiated under State law or policy, but there was reason to suspect that the child may have been maltreated or was at risk of maltreatment. This is applicable only to States that distinguish between substantiated and indicated dispositions.
- Substantiated: An investigation disposition that concludes that the allegation of maltreatment or risk of maltreatment was supported or founded by State law or State policy.
- Unsubstantiated: An investigation disposition that determines that there was not sufficient evidence under State law to conclude or suspect that the child was maltreated or at risk of being maltreated.

Two alternative response categories are provided in NCANDS. The category that is most commonly used by States is alternative response nonvictim. Some States also use the alternative response victim category. During FFY 2006, 12 States used the alternative response nonvictim category and 2 States used the alternative response victim category.

5 *During the preparation of the NCANDS data file, each State establishes a crosswalk between its disposition terms and the categories used by NCANDS.*

Figure 2-2 **Investigation Dispositions, 2006**



Based on data from table 2-3.

For nearly 30 percent of investigations, at least one child was found to be a victim of maltreatment with one of the following dispositions—substantiated (25.2%), indicated (3.0%), or alternative response victim (0.4%) (figure 2-2). The remaining investigations led to a finding that children were not victims of maltreatment and the report received one of the following dispositions—unsubstantiated (60.4%), alternative response nonvictim (5.9%), "other" (3.2%), and closed with no finding (1.7%) or intentionally false (0.1%).[6] When the 2002 investigation rates were compared to the FFY 2006 rates for each State, it was noted that by FFY 2006, the majority of States had increased their investigation rates.[7] Two States were unable to submit the data needed for this analysis.

Report Dispositions by Report Source

Report dispositions are based on the facts of the report as found by the CPS worker. The type of report source may be related to the disposition of a report because of the reporter's knowledge and credibility (figure 2-3). Case-level data submitted to NCANDS were used to examine this hypothesis.[8] Based on more than 1.8 million reports, key findings are listed below.

Approximately two-thirds of substantiated or indicated reports were made by professional sources. Approximately 30 percent of substantiated and indicated reports were made by legal staff and police officers.

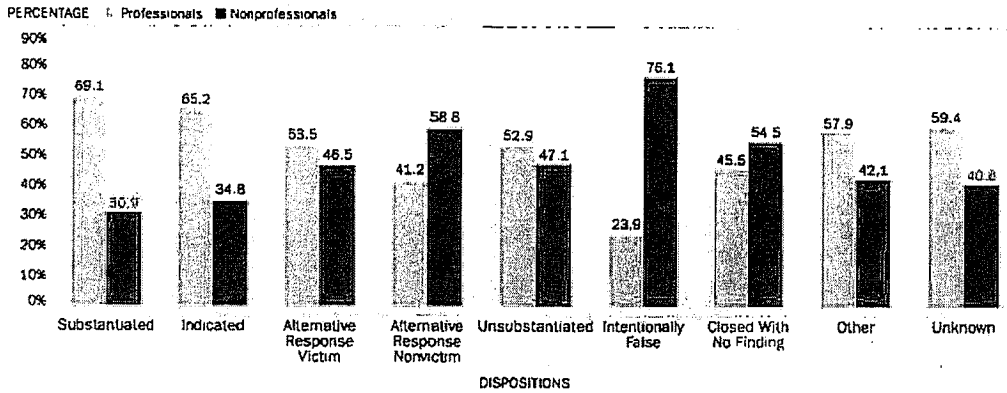
Nonprofessional report sources accounted for more than one-half of several categories of report disposition, indicating that children were not found to be victims of maltreatment. Those included alternative response nonvictim (58.8%), intentionally false (76.1%), or closed with no finding (54.5%).

Response Time from Report to Investigation

Most States set requirements for beginning an investigation into a report of child abuse or neglect. While some States have a single timeframe for responding to reports, many States establish priorities based on the information received from the report source. Of the States that establish priorities, many specify a high-priority response as within 1 hour or within 24 hours. Lower priority responses range from 24 hours to 14 days.[9]

6 *See table 2-3. "Other" dispositions include those categories that States were not able to crosswalk to NCANDS dispositions.*
7 *See table 2-4.*
8 *See table 2-5.*
9 *U.S. Department of Health and Human Services. Administration for Children and Families/Children's Bureau and Office of the Assistant Secretary for Planning and Evaluation.* National Study of Child Protective Services Systems and Reform Efforts: Review of State CPS Policy. *(Washington, DC: U.S. Government Printing Office, 2005). This document is also available at http://aspe.hhs.gov/hsp/cps-status03.*

Figure 2-3 **Dispositions by Professional and Nonprofessional Report Sources, 2006**



Based on data from table 2-5.

Because CPS agencies receive reports of varying degrees of urgency, average response times reflect the types of reports that are received, as well as the ability of workers to meet the time standards. The median response time from report to investigation was 66 hours or approximately 2–3 days. The average response time for these States was 86 hours or approximately 4 days.[10] This is comparable to a median response time of 67 hours and an average response time of 89 hours for FFY 2005.

CPS Workforce and Workload

Given the large number and complexity of investigations and assessments that are conducted each year, there is an ongoing interest in the nature of the workforce that performs CPS functions. In most agencies, the screening and investigation are conducted by different groups of workers. In many rural and smaller agencies, one worker may perform both those functions, and other functions not mentioned here.

States that reported significant numbers of specialized workers for intake, screening, investigation, and assessment were used to estimate the average number of cases that were handled by CPS workers.[11] The average number of completed investigations per investigation worker was 62 per year. (This compares with 67.5 in FFY 2005.) It is important to note that these calculations did not consider other activities of these workers and that some workers conducted more than one function. Also, each investigation could include more than one child. A more accurate calculation of workload would require a systematic estimation of work for a specific timeframe.[12]

10 See table 2-6. This table uses data from the Agency File.

11 See table 2-7. The number of screening and intake workers (2,237) and the number of investigation workers (16,757) were reported by 33 States.

12 A workload study in California estimated that an average monthly caseload for workers who exclusively conducted CPS Emergency Response investigations and no other services was 16.15 investigations per worker per month or approximately 194 per year. Each investigation could include more than one child. American Humane Association, 2000, SB 2030 Child Welfare Services Workload Study Report *(Sacramento: California Department of Social Services).*

Tables and Notes

The following pages contain the tables referenced in Chapter 2. Unless otherwise explained, a blank indicates that the State did not submit usable data. Specific information about State submissions can be found in appendix D. Additional information regarding methodologies that were used to create the tables is provided below.

Table 2–1

- For those States that submitted the Child File, the screened-in number is the sum of the reports by disposition. For Summary Data Component (SDC) States, the number is taken directly from the State's report form.
- The national referral rate, 43.7 referrals per 1,000 children in the population, was calculated from the total number of referrals and the child population in the 42 States reporting both screened-in and screened-out referrals. Screened-out referral data were from the Agency File.

Table 2–6

- Data were reported by States in the Agency File.
- The PART target is a 5 percent decrease in the average response time across all reporting States each year. The baseline is from 2003, which had a median of 67 hours.
- States use different criteria to indicate the start of an investigation. Some States use the date the report was approved for investigation, while others use the date of attempted contact with the victim. According to the Children's Bureau, States are encouraged to use the date of successful contact with the victim.

Table 2–7

- Only States that were able to report workforce data by screening and intake workers and investigation workers and that provided data for screened-in referrals were included in calculations for screened-in referrals per investigation worker.
- The average number of screened-in investigations per investigation worker is based on dividing the total number of investigations by the total number of investigation and assessment workers for the 33 States that submitted these data.

Table 2–1 Screened-In and Screened-Out Referrals, 2006

STATE	CHILD POPULATION	SCREENED-IN REFERRALS		SCREENED-OUT REFERRALS		TOTAL REFERRALS	
		NUMBER	%	NUMBER	%	NUMBER	RATE
Alabama	1,114,301	18,651	61.0	11,923	39.0	30,574	27.4
Alaska	181,434	5,755	57.3	4,283	42.7	10,038	55.3
Arizona	1,628,198	33,743	98.9	359	1.1	34,102	20.9
Arkansas	691,186	25,524	66.0	13,163	34.0	38,687	56.0
California	9,532,614	225,911	67.1	110,684	32.9	336,595	35.3
Colorado	1,169,301	30,940	48.1	33,437	51.9	64,377	55.1
Connecticut	818,286	28,500	64.3	15,798	35.7	44,298	54.1
Delaware	203,366	5,781	80.1	1,434	19.9	7,215	35.6
District of Columbia	114,881	5,077	90.0	567	10.0	5,644	49.1
Florida	4,021,555	151,822	59.4	103,957	40.6	255,779	63.6
Georgia	2,455,020	60,277	80.1	14,938	19.9	75,215	30.6
Hawaii							
Idaho	394,280	6,662	43.5	8,639	56.5	15,301	38.8
Illinois							
Indiana	1,577,629	44,051	65.5	23,239	34.5	67,290	42.7
Iowa	710,194	25,029	59.0	17,428	41.0	42,457	59.8
Kansas	695,837	15,164	49.9	15,206	50.1	30,370	43.6
Kentucky	999,531	48,649	76.0	15,404	24.0	64,053	64.1
Louisiana							
Maine	260,994	5,949	32.3	12,485	67.7	18,434	65.6
Maryland							
Massachusetts	1,448,884	38,918	59.7	26,274	40.3	65,192	45.0
Michigan							
Minnesota	1,257,264	19,846	34.9	36,956	65.1	56,802	45.2
Mississippi	759,405	16,888	71.5	6,733	28.5	23,621	31.1
Missouri	1,416,592	47,491	51.0	45,563	49.0	93,054	65.7
Montana	217,848	8,737	69.2	3,883	30.8	12,620	57.9
Nebraska	445,033	13,109	53.3	11,507	46.7	24,616	55.3
Nevada	634,520	14,982	73.7	5,339	26.3	20,321	32.0
New Hampshire	297,625	6,640	41.5	9,359	58.5	15,999	53.8
New Jersey							
New Mexico	508,930	16,565	52.7	14,888	47.3	31,453	61.8
New York							
North Carolina							
North Dakota	144,934	3,791	50.2	3,763	49.8	7,554	52.1
Ohio							
Oklahoma	894,034	36,673	57.5	27,092	42.5	63,765	71.3
Oregon	856,259	25,598	42.1	35,140	57.9	60,738	70.9
Pennsylvania							
Puerto Rico	1,018,551	13,797	48.0	14,964	52.0	28,761	28.2
Rhode Island	237,451	8,441	66.3	4,298	33.7	12,739	53.6
South Carolina	1,039,653	16,712	67.2	8,143	32.8	24,855	23.9
South Dakota	194,681	3,908	27.4	10,352	72.6	14,260	73.2
Tennessee	1,442,593	61,886	67.5	29,734	32.5	91,620	63.5
Texas	6,493,985	166,728	82.9	34,382	17.1	201,110	31.0
Utah	791,198	20,206	65.3	10,734	34.7	30,940	39.1
Vermont	133,389	2,315	18.9	9,916	81.1	12,231	91.7
Virginia	1,806,847	29,141	51.7	27,219	48.3	56,360	31.2
Washington	1,526,267	35,698	46.8	40,578	53.2	76,276	50.0
West Virginia	389,071	23,210	46.6	26,575	53.4	49,785	128.0
Wisconsin	1,312,530	29,029	57.2	21,751	42.8	50,780	38.7
Wyoming	121,794	2,437	46.2	2,842	53.8	5,279	43.3
Total	**51,978,025**	**1,400,231**		**870,929**		**2,271,160**	
Percent			**61.7**		**38.3**		
Weighted Rate							**43.7**
Number Reporting	**42**	**42**	**42**	**42**	**42**	**42**	**42**

Table 2-2 Report Sources, 2006 *(continues on page 14)*

STATE	EDUCATIONAL PERSONNEL NUMBER	EDUCATIONAL PERSONNEL %	LEGAL, LAW ENFORCEMENT, CRIMINAL JUSTICE PERSONNEL NUMBER	LEGAL, LAW ENFORCEMENT, CRIMINAL JUSTICE PERSONNEL %	SOCIAL SERVICES PERSONNEL NUMBER	SOCIAL SERVICES PERSONNEL %	MEDICAL PERSONNEL NUMBER	MEDICAL PERSONNEL %
Alabama	2,839	15.2	3,972	21.3	1,972	10.6	1,679	9.0
Alaska								
Arizona	7,156	21.2	5,876	17.4	2,167	6.4	4,173	12.4
Arkansas	3,552	13.9	2,664	10.4	2,019	7.9	1,859	7.3
California	40,875	18.1	33,739	14.9	14,692	6.5	15,376	6.8
Colorado	5,782	18.7	7,059	22.8	2,050	6.6	3,162	10.2
Connecticut	6,837	23.3	6,204	21.8	2,126	7.5	2,947	10.3
Delaware	1,093	18.9	1,615	27.9	246	4.3	519	9.0
District of Columbia	911	17.9	790	15.6	1,327	26.1	241	4.7
Florida	21,240	14.0	37,904	25.0	14,860	9.8	11,685	7.7
Georgia	15,001	24.9	10,192	16.9	5,016	8.3	5,580	9.3
Hawaii	340	14.9	531	23.2	253	11.1	502	22.0
Idaho	1,177	17.7	1,406	21.1	242	3.6	664	10.0
Illinois	12,972	19.5	13,029	19.6	8,661	13.0	8,595	12.9
Indiana	8,118	18.4	8,491	19.3	2,814	6.4	4,817	10.9
Iowa	3,449	13.8	4,111	16.4	3,832	15.3	1,634	6.5
Kansas	3,394	22.4	1,575	10.4	2,283	15.1	1,049	6.9
Kentucky	3,675	7.6	3,777	7.8	1,496	3.1	1,327	2.7
Louisiana	4,237	16.6	3,453	13.5	2,180	8.5	2,741	10.7
Maine	942	15.8	810	13.6	755	12.7	572	9.6
Maryland								
Massachusetts	4,139	10.6	7,802	20.0	2,094	5.4	3,809	9.8
Michigan	11,547	16.5	10,144	14.5	8,728	12.5	8,040	11.5
Minnesota	4,404	22.2	5,232	26.4	2,198	11.1	1,728	8.7
Mississippi	3,090	18.3	2,292	13.6	488	2.9	1,925	11.4
Missouri	6,993	14.7	6,135	12.9	5,812	12.2	3,345	7.0
Montana	1,055	12.1	1,515	17.3	1,520	17.4	511	5.8
Nebraska	1,715	13.1	2,730	20.8	1,216	9.3	1,156	8.8
Nevada	3,191	21.3	3,320	22.2	1,222	8.2	1,512	10.1
New Hampshire	1,229	18.5	1,189	17.9	482	7.3	773	11.6
New Jersey	7,207	25.6	4,614	16.4	1,784	6.3	3,858	13.7
New Mexico	2,982	18.0	2,617	15.8	933	5.6	1,317	8.0
New York	28,310	18.8	17,374	11.5	28,774	19.1	9,781	6.5
North Carolina	2,297	3.4	2,940	4.4	2,630	3.9	1,766	2.6
North Dakota	148	3.9	237	6.3	93	2.5	68	1.8
Ohio	9,733	13.3	13,340	18.2	12,570	17.2	3,561	4.9
Oklahoma	4,051	11.0	4,494	12.3	6,205	16.9	3,073	8.4
Oregon	710	2.8	2,886	11.3	1,177	4.6	991	3.9
Pennsylvania	5,775	25.0	1,691	7.3	2,783	12.1	3,152	13.7
Puerto Rico	2,090	15.1	1,732	12.6	526	3.8	978	7.1
Rhode Island	1,901	22.5	1,188	14.1	1,074	12.7	1,127	13.4
South Carolina	3,390	20.3	2,879	17.2	1,685	10.1	2,159	12.9
South Dakota	712	18.2	999	25.6	110	2.8	278	7.1
Tennessee	9,054	14.6	9,225	14.9	9,956	16.1	5,222	8.4
Texas	30,117	18.1	23,287	14.0	8,007	4.8	20,595	12.4
Utah	2,052	10.2	5,897	29.2	2,254	11.2	1,083	5.4
Vermont	519	22.4	396	17.1	206	8.9	214	9.2
Virginia	6,671	22.9	5,049	17.3	1,708	5.9	2,234	7.7
Washington	6,295	17.6	4,451	12.5	6,696	18.8	3,071	8.6
West Virginia	3,096	13.3	1,478	6.4	3,197	13.8	1,194	5.1
Wisconsin	4,786	16.5	5,303	18.3	4,653	16.0	1,716	5.9
Wyoming	459	18.8	518	21.3	206	8.5	132	5.4
Total	**313,108**		**300,152**		**189,980**		**159,491**	
Percent		**16.5**		**15.8**		**10.0**		**8.4**
Number Reporting	**50**	**50**	**50**	**50**	**50**	**50**	**50**	**50**

STATE	MENTAL HEALTH PERSONNEL NUMBER	%	CHILD DAYCARE PROVIDER(S) NUMBER	%	FOSTER CARE PROVIDERS NUMBER	%	ANONYMOUS SOURCE(S) NUMBER	%
Alabama	613	3.3	165	0.9	59	0.3	1,270	6.8
Alaska								
Arizona	1,483	4.4	493	1.5			3,067	9.1
Arkansas	1,948	7.6	323	1.3			3,398	13.3
California	22,479	10.0	1,021	0.5	312	0.1	23,856	10.6
Colorado	1,919	6.2	427	1.4	561	1.8	1,105	3.6
Connecticut	1,939	6.8	369	1.3	261	0.9	3,499	12.3
Delaware	169	2.9	80	1.4	14	0.2	484	8.4
District of Columbia	189	3.7	47	0.9	56	1.1	433	8.5
Florida	4,443	2.9	1,353	0.9			10,480	6.9
Georgia	3,719	6.2	536	0.9			4,207	7.0
Hawaii	38	1.7	3	0.1	9	0.4	70	3.1
Idaho	51	0.8	107	1.6	33	0.5	216	3.2
Illinois	967	1.5	197	0.3	594	0.9	7,025	10.6
Indiana	1,780	4.0	470	1.1	374	0.8	4,340	9.9
Iowa	738	2.9	368	1.5	384	1.5		
Kansas	131	0.9	168	1.1	436	2.9	2,133	14.1
Kentucky	959	2.0			186	0.4	5,780	11.9
Louisiana	629	2.5	116	0.5	70	0.3	1,822	7.1
Maine	551	8.3	74	1.2	11	0.2	470	7.9
Maryland								
Massachusetts			332	0.9	120	0.3	3,671	9.4
Michigan	792	1.1	366	0.5			7,101	10.1
Minnesota	726	3.7	219	1.1	383	1.9	558	2.8
Mississippi	572	3.4	113	0.7	87	0.5	2,587	15.3
Missouri	2,711	5.7	557	1.2	157	0.3		
Montana	318	3.6	99	1.1	72	0.8	337	3.9
Nebraska	644	4.9	226	1.7	97	0.7	607	4.6
Nevada	403	2.7	180	1.2	22	0.1	1,672	11.2
New Hampshire	383	5.8	79	1.2	34	0.5		
New Jersey					618	2.2	2,403	8.5
New Mexico	522	3.2	50	0.3	40	0.2	4,501	27.2
New York	5,150	3.4	394	0.3	2,073	1.4	20,084	13.3
North Carolina			196	0.3			1,307	1.9
North Dakota	12	0.3	12	0.3	4	0.1	11	0.3
Ohio	2,709	3.7	790	1.1	441	0.6	7,443	10.2
Oklahoma	2,008	5.5	751	2.0	171	0.5	817	2.2
Oregon	44	0.2	66	0.3	61	0.2	185	0.7
Pennsylvania	1,335	5.8	431	1.9	1,454	6.3	1,163	5.0
Puerto Rico	31	0.2	22	0.2	4	0.0	4,655	33.7
Rhode Island	193	2.3	159	1.9			889	10.5
South Carolina	386	2.3	129	0.8	100	0.6	1,743	10.4
South Dakota	170	4.4	75	1.9	17	0.4	341	8.7
Tennessee	2,055	3.3	841	1.4	420	0.7		
Texas	5,036	3.0	1,784	1.1	195	0.1	9,286	5.6
Utah	643	3.2	212	1.0	197	1.0		
Vermont	219	9.5	81	3.5	28	1.2	88	3.8
Virginia	1,660	5.7	367	1.3	36	0.1	3,601	12.4
Washington	2,114	5.9	1,051	2.9	314	0.9	759	2.1
West Virginia	114	0.5	128	0.6	117	0.5	5,410	23.3
Wisconsin	1,570	5.4	391	1.3	65	0.2	1,072	3.7
Wyoming	135	5.5			50	2.1	156	6.4
Total	**77,400**		**16,418**		**10,737**		**156,102**	
Percent		**4.1**		**0.9**		**0.6**		**8.2**
Number Reporting	**47**	**47**	**47**	**47**	**43**	**43**	**45**	**45**

Table 2-2 **Report Sources, 2006** *(continued from page 13)*

STATE	OTHER		OTHER RELATIVE(S)		PARENT(S)		FRIEND(S) OR NEIGHBOR(S)	
	NUMBER	%	NUMBER	%	NUMBER	%	NUMBER	%
Alabama	1,068	5.7	2,046	11.0	1,692	9.1	1,022	5.5
Alaska								
Arizona	1,794	5.3	2,724	8.1	2,342	6.9	2,124	6.3
Arkansas	2,899	11.4	2,778	10.9	2,155	8.4	1,760	6.9
California	33,492	14.8	14,442	6.4			6,212	2.7
Colorado	2,655	8.6	2,753	8.9	1,599	5.2	1,647	5.3
Connecticut	1,157	4.1	1,033	3.6	1,568	5.5	298	1.0
Delaware	506	8.8	386	6.7	431	7.5	159	2.8
District of Columbia	207	4.1	309	6.1	303	6.0	224	4.4
Florida	11,481	7.6	12,963	8.5	12,846	8.5	8,913	5.9
Georgia	1,437	2.4	5,296	8.8	4,458	7.4	3,722	6.2
Hawaii	66	2.9	142	6.2	59	2.6	78	3.4
Idaho	740	11.1	489	7.3	552	8.3	842	12.6
Illinois	2,159	3.2	4,253	6.4	4,766	7.2	2,543	3.8
Indiana	1,999	4.5	3,337	7.6	4,416	10.0	2,739	6.2
Iowa	6,261	25.0						
Kansas	767	5.1	976	6.4	1,480	9.8	720	4.7
Kentucky	7,309	15.0	3,782	7.8	4,011	8.2	7,723	15.9
Louisiana	2,211	8.7	3,462	13.6	2,418	9.5	2,031	8.0
Maine	429	7.2	610	10.3	346	5.8	342	5.7
Maryland								
Massachusetts	2,869	7.4	812	2.1	902	2.3		
Michigan	6,142	8.8	5,898	8.4	6,260	8.9	4,220	6.0
Minnesota	1,028	5.2	1,047	5.3	1,164	5.9	1,030	5.2
Mississippi	558	3.3	2,168	12.8	1,691	10.0	1,115	6.6
Missouri	1,190	2.5						
Montana	1,192	13.6	720	8.2	688	7.9	654	7.5
Nebraska	546	4.2	1,162	8.9	60	.5	1,346	10.3
Nevada	381	2.5	1,115	7.4	1,066	7.1	817	5.5
New Hampshire	735	11.1	479	7.2	443	6.7	787	11.9
New Jersey	2,854	10.1	1,350	4.8	2,396	8.5	706	2.5
New Mexico	1,424	8.6	1,111	6.7	787	4.8	173	1.0
New York	14,454	9.6	8,096	5.4	10,779	7.1	5,527	3.7
North Carolina			2,011	3.0	898	1.3	1,414	2.1
North Dakota	37	1.0	55	1.5	39	1.0	30	0.8
Ohio	6,405	8.8	10,997	15.0			4,716	6.4
Oklahoma	4,833	13.2	5,343	14.6	2,373	6.5	2,039	5.6
Oregon	1,075	4.2	389	1.5	155	.6	257	1.0
Pennsylvania	1,340	5.8	936	4.1	1,909	8.3	604	2.6
Puerto Rico	519	3.8	881	6.4	1,336	9.7	649	4.7
Rhode Island	182	2.2	502	5.9	603	7.1	477	5.7
South Carolina	570	3.4	1,685	10.1	1,051	6.3	814	4.9
South Dakota	623	15.9	298	7.6	191	4.9	85	2.2
Tennessee	798	1.3	6,935	11.2	6,061	9.8	9,616	15.5
Texas	15,922	9.5	19,002	11.4	17,532	10.5	11,768	7.1
Utah	938	4.6	2,935	14.5	1,148	5.7	1,383	6.8
Vermont	100	4.3	140	6.0	200	8.6	61	2.6
Virginia	1,745	6.0	2,379	8.2	2,123	7.3	1,163	4.0
Washington	1,668	4.7	3,041	8.5	2,673	7.5	3,300	9.2
West Virginia	2,183	9.4	2,276	9.8	2,472	10.7	1,249	5.4
Wisconsin	1,814	6.2	1,838	6.3	2,044	7.0	1,231	4.2
Wyoming	128	5.3	192	7.9	256	10.5	186	7.6
Total	**152,890**		**147,584**		**114,742**		**100,516**	
Percent		**8.0**		**7.8**		**6.0**		**5.3**
Number Reporting	**49**	**49**	**48**	**48**	**48**	**46**	**47**	**47**

STATE	UNKNOWN OR MISSING		ALLEGED VICTIM(S)		ALLEGED PERPETRATOR(S)		TOTAL REPORTS	
	NUMBER	%	NUMBER	%	NUMBER	%	NUMBER	%
Alabama	6	0.0	230	1.2	18	0.1	18,651	100.0
Alaska								
Arizona	86	0.2	278	0.8			33,743	100.0
Arkansas			163	0.6	6	0.0	25,524	100.0
California	18,624	8.2	791	0.4			225,911	100.0
Colorado			219	0.7	2	0.0	30,940	100.0
Connecticut	312	1.1	132	0.5	18	0.1	28,500	100.0
Delaware			42	0.7	37	0.6	5,781	100.0
District of Columbia			33	0.6	7	0.1	5,077	100.0
Florida			2,127	1.4	1,527	1.0	151,822	100.0
Georgia	891	1.5	178	0.3	44	0.1	60,277	100.0
Hawaii	191	8.4	3	0.1			2,285	100.0
Idaho	83	1.2	60	0.9			6,662	100.0
Illinois	413	0.6	231	0.3	90	0.1	66,495	100.0
Indiana			263	0.6	93	0.2	44,051	100.0
Iowa	4,207	16.8			45	0.2	25,029	100.0
Kansas	5	0.0	47	0.3			15,164	100.0
Kentucky	8,244	16.9	380	0.8			48,649	100.0
Louisiana			138	0.5	28	0.1	25,536	100.0
Maine	6	0.1	31	0.5			5,949	100.0
Maryland								
Massachusetts	12,065	31.0	98	0.3	205	0.5	38,918	100.0
Michigan	509	0.7	289	0.4			70,036	100.0
Minnesota			114	0.6	15	0.1	19,846	100.0
Mississippi	15	0.1	187	1.1			16,888	100.0
Missouri	20,591	43.4					47,491	100.0
Montana	50	0.6	6	0.1			8,737	100.0
Nebraska	578	4.4	1,016	7.8	9	0.1	13,109	100.0
Nevada			77	0.5	4	0.0	14,982	100.0
New Hampshire	13	0.2	14	0.2			6,640	100.0
New Jersey			334	1.2			28,134	100.0
New Mexico	9	0.1	38	0.2	61	0.4	16,565	100.0
New York							150,796	100.0
North Carolina	51,977	77.0	88	0.1			67,524	100.0
North Dakota	3,045	80.3					3,791	100.0
Ohio			451	0.6			73,156	100.0
Oklahoma	253	0.7	225	0.6	37	0.1	36,673	100.0
Oregon	17,589	68.7	13	0.1			25,598	100.0
Pennsylvania			468	2.0	30	0.1	23,071	100.0
Puerto Rico	76	0.6	287	2.1	9	0.1	13,797	100.0
Rhode Island	81	1.0	65	0.8			8,441	100.0
South Carolina			80	0.5	41	0.2	16,712	100.0
South Dakota			7	0.2	2	0.1	3,908	100.0
Tennessee	1,361	2.2	244	0.4	98	0.2	61,886	100.0
Texas	3,694	2.2	503	0.3			166,728	100.0
Utah	1,306	6.5	136	0.7	22	0.1	20,206	100.0
Vermont	42	1.8	14	0.6	7	0.3	2,315	100.0
Virginia	212	0.7	153	0.5	40	0.1	29,141	100.0
Washington			257	0.7	8	0.0	35,698	100.0
West Virginia	108	0.5	164	0.7	24	0.1	23,210	100.0
Wisconsin	2,374	8.2	154	0.5	18	0.1	29,029	100.0
Wyoming			17	0.7	2	0.1	2,437	100.0
Total	**148,997**		**10,845**		**2,547**		**1,901,509**	
Percent		**7.8**		**0.6**		**0.1**		**100.0**
Number Reporting	**33**	**33**	**46**	**46**	**30**	**30**	**50**	**50**

Table 2-3 Investigation Dispositions, 2006

STATE	SUBSTANTIATED	INDICATED	ALTERNATIVE RESPONSE VICTIM	ALTERNATIVE RESPONSE NONVICTIM	UNSUBSTANTIATED
Alabama	6,650				10,935
Alaska	2,142				3,250
Arizona	3,018	101			30,624
Arkansas	6,664				17,730
California	51,617				174,283
Colorado	7,268				22,535
Connecticut	7,175				21,325
Delaware	1,280				3,914
District of Columbia	1,717				3,069
Florida	33,622	45,256			72,556
Georgia	24,138				36,139
Hawaii	1,145				1,140
Idaho	1,056				5,606
Illinois	15,644				50,385
Indiana	14,789				28,410
Iowa	9,410				15,619
Kansas	1,864				13,300
Kentucky	10,248		1,884	13,744	20,397
Louisiana	7,543			276	16,264
Maine	2,231				3,718
Maryland					
Massachusetts	22,111				16,807
Michigan	16,104				53,932
Minnesota	4,929			10,184	4,052
Mississippi	4,279				12,609
Missouri	5,155			27,295	13,669
Montana	1,012	78			6,638
Nebraska	3,620				9,208
Nevada	3,087			225	11,690
New Hampshire	622				5,576
New Jersey	7,775			20,286	73
New Mexico	3,792				12,773
New York	48,583				102,213
North Carolina	10,046		5,481	25,566	26,431
North Dakota	746				3,045
Ohio	16,989	11,090			43,403
Oklahoma	7,480			6,297	19,782
Oregon	8,009				11,002
Pennsylvania	4,177				18,828
Puerto Rico	7,611				5,783
Rhode Island	2,761				5,556
South Carolina	6,200				10,512
South Dakota	915				2,692
Tennessee	12,050	809		624	43,925
Texas	42,142				93,471
Utah	8,065			173	11,171
Vermont	700				1,593
Virginia	4,639				3,867
Washington	4,905			7,323	13,499
West Virginia	5,271				15,879
Wisconsin	6,872				20,924
Wyoming	484			1,354	599
Total	**480,332**	**57,334**	**7,365**	**113,347**	**1,152,381**
Percent	**25.2**	**3.0**	**0.4**	**5.9**	**60.4**
Number Reporting	**51**	**5**	**2**	**12**	**51**

STATE	INTENTIONALLY FALSE	CLOSED WITH NO FINDING	OTHER	UNKNOWN OR MISSING	TOTAL DISPOSITIONS
Alabama		1,066			18,651
Alaska		363			5,755
Arizona					33,743
Arkansas		1,129	1		25,524
California				11	225,911
Colorado				1,137	30,940
Connecticut					28,500
Delaware	88	473	26		5,781
District of Columbia		291			5,077
Florida	139			249	151,822
Georgia					60,277
Hawaii					2,285
Idaho					6,662
Illinois	466				66,495
Indiana				852	44,051
Iowa					25,029
Kansas					15,164
Kentucky		1,551	825		48,649
Louisiana		1,333	120		25,536
Maine					5,949
Maryland					
Massachusetts					38,918
Michigan					70,036
Minnesota	25	656			19,846
Mississippi					16,888
Missouri		1,370	2		47,491
Montana		765	244		8,737
Nebraska		281			13,109
Nevada					14,982
New Hampshire		442			6,640
New Jersey					28,134
New Mexico					16,565
New York					150,796
North Carolina					67,524
North Dakota					3,791
Ohio		1,674			73,156
Oklahoma		3,113	1		36,673
Oregon			6,587		25,598
Pennsylvania			66		23,071
Puerto Rico	74	267	79	3	13,797
Rhode Island		124			8,441
South Carolina					16,712
South Dakota		301			3,908
Tennessee		4,348	130		61,886
Texas		7,771	23,344		166,728
Utah	17	780			20,206
Vermont	19	3			2,315
Virginia	89		20,546		29,141
Washington		486	9,485		35,698
West Virginia		2,033		27	23,210
Wisconsin		1,232		1	29,029
Wyoming					2,437
Total	**917**	**31,852**	**61,456**	**2,280**	**1,907,264**
Percent	**0.1**	**1.7**	**3.2**	**0.1**	**100.0**
Number Reporting	**8**	**24**	**14**	**7**	**51**

Table 2-4 Report Investigation Trends, 2002–2006 (continues on page 20)

STATE	2002 CHILD POPULATION	2002 TOTAL INVESTIGATIONS	2002 INVESTIGATION RATE	2003 CHILD POPULATION	2003 TOTAL INVESTIGATIONS	2003 INVESTIGATION RATE
Alabama	1,113,289	20,544	18.5	1,108,511	17,820	16.1
Alaska	188,013	10,002	53.2	186,907	10,575	56.6
Arizona	1,446,214	33,151	22.9	1,481,584	33,627	22.7
Arkansas	677,364	18,697	27.6	676,912	19,680	29.1
California	9,411,596	260,924	27.7	9,476,210	244,694	25.8
Colorado	1,136,499	27,889	24.5	1,141,412	29,362	25.7
Connecticut	843,549	34,513	40.9	843,135	32,802	38.9
Delaware	197,087	5,163	26.2	198,662	5,469	27.5
District of Columbia	116,797	5,049	43.2	116,430	4,660	40.0
Florida	3,775,071	142,547	37.8	3,824,062	156,848	41.0
Georgia	2,271,043	69,108	30.4	2,310,562	71,501	30.9
Hawaii	295,184	3,619	12.3	298,392	3,894	13.0
Idaho	373,221	6,475	17.3	375,396	6,264	16.7
Illinois	3,244,191	58,704	18.1	3,236,597	59,280	18.3
Indiana	1,572,198	33,336	21.2	1,569,753	34,287	21.8
Iowa	720,151	23,215	32.2	714,436	24,172	33.8
Kansas	706,412	17,504	24.8	703,669	15,840	22.5
Kentucky	991,995	41,218	41.6	992,383	45,348	45.7
Louisiana	1,191,166	23,493	19.7	1,181,619	25,480	21.6
Maine	295,375	4,474	15.1	292,440	5,143	17.6
Maryland						
Massachusetts	1,500,585	38,445	25.6	1,490,523	39,686	26.6
Michigan	2,573,013	72,999	28.4	2,552,161	74,390	29.1
Minnesota	1,280,544	17,770	13.9	1,271,464	17,587	13.8
Mississippi	765,512	11,670	15.2	761,991	15,998	21.0
Missouri	1,421,155	53,116	37.4	1,415,504	55,580	39.3
Montana	223,209	10,336	46.3	221,073	9,023	40.8
Nebraska	446,020	7,463	16.7	445,283	7,160	16.1
Nevada	554,124	13,195	23.8	571,319	13,191	23.1
New Hampshire	310,459	7,509	24.2	308,171	6,878	22.3
New Jersey	2,107,273	39,148	18.6	2,113,185	42,762	20.2
New Mexico	504,285	13,995	27.8	504,293	15,278	30.3
New York	4,649,243	155,678	33.5	4,628,087	149,847	32.4
North Carolina	2,030,623	63,747	31.4	2,055,521	59,583	29.0
North Dakota	152,723	4,109	26.9	150,044	3,899	26.0
Ohio	2,852,908	68,236	23.9	2,829,458	68,399	24.2
Oklahoma	886,107	39,592	44.7	885,621	36,641	41.4
Oregon	850,304	17,763	20.9	849,551	20,552	24.2
Pennsylvania	2,878,052	24,330	8.5	2,858,851	23,601	8.3
Puerto Rico						
Rhode Island	248,334	7,211	29.0	247,632	7,012	28.3
South Carolina	1,016,427	18,579	18.3	1,019,266	18,434	18.1
South Dakota	198,015	8,411	42.5	196,300	5,534	28.2
Tennessee	1,406,170	28,348	20.2	1,410,172	29,790	21.1
Texas	6,081,582	129,956	21.4	6,162,780	133,827	21.7
Utah	732,163	18,965	25.9	736,661	20,009	27.2
Vermont	142,939	3,194	22.3	140,452	2,936	20.9
Virginia	1,767,291	20,619	11.7	1,783,369	15,911	8.9
Washington	1,519,294	18,423	12.1	1,517,018	30,222	19.9
West Virginia	393,227	15,052	38.3	391,377	19,556	50.0
Wisconsin	1,352,569	42,087	31.1	1,340,100	41,377	30.9
Wyoming	124,851	2,403	19.2	123,151	2,361	19.3
Total	**71,535,416**	**1,811,974**		**71,709,450**	**1,833,790**	
Rate			**25.3**			**25.6**
Number Reporting	**50**	**50**	**50**	**50**	**50**	**50**

STATE	2004 CHILD POPULATION	2004 TOTAL INVESTIGATIONS	2004 INVESTIGATION RATE	2005 CHILD POPULATION	2005 TOTAL INVESTIGATIONS	2005 INVESTIGATION RATE
Alabama	1,106,522	19,118	17.3	1,107,079	18,318	16.5
Alaska				182,990	4,273	23.4
Arizona	1,522,131	35,623	23.4	1,574,856	37,088	23.6
Arkansas	679,297	20,076	29.6	684,044	23,120	33.8
California	9,516,270	234,035	24.6	9,532,676	228,012	23.9
Colorado	1,145,691	29,540	25.8	1,153,869	26,950	23.4
Connecticut	838,707	32,097	38.3	830,770	30,030	36.1
Delaware	200,003	5,276	26.4	202,195	5,799	28.7
District of Columbia	116,631	4,977	42.7	116,098	4,958	42.7
Florida	3,893,303	145,393	37.3	3,968,247	148,004	37.3
Georgia	2,353,893	85,817	36.5	2,400,364	74,165	30.9
Hawaii	297,856	3,608	12.1	298,637	2,733	9.2
Idaho	379,401	6,502	17.1	386,653	6,499	16.8
Illinois	3,233,171	64,784	20.0	3,225,149	66,305	20.6
Indiana	1,569,727	35,817	22.8	1,573,346	37,860	24.1
Iowa	711,234	24,366	34.3	709,859	24,536	34.6
Kansas	699,975	15,729	22.5	696,417	14,146	20.3
Kentucky	993,209	46,951	47.3	995,888	47,960	48.2
Louisiana	1,174,289	23,843	20.3	1,167,629	26,901	23.0
Maine	289,112	5,358	18.5	285,170	5,396	18.9
Maryland						
Massachusetts	1,476,886	38,940	26.4	1,463,169	38,669	26.4
Michigan	2,533,054	74,333	29.3	2,509,307	65,174	26.0
Minnesota	1,265,837	17,471	13.8	1,260,953	18,843	14.9
Mississippi	761,628	15,801	20.7	762,072	15,745	20.7
Missouri	1,413,662	54,216	38.4	1,414,887	55,217	39.0
Montana	219,775	7,450	33.9	218,731	8,181	37.4
Nebraska	445,141	10,962	24.6	445,087	15,501	34.8
Nevada	593,717	13,424	22.6	613,756	14,532	23.7
New Hampshire	304,909	6,400	21.0	301,727	6,583	21.8
New Jersey	2,114,289	44,127	20.9	2,105,574	34,806	16.5
New Mexico	504,848	16,445	32.6	506,377	20,225	39.9
New York	4,600,581	148,244	32.2	4,565,760	140,214	30.7
North Carolina	2,078,868	66,172	31.8	2,112,577	66,698	31.6
North Dakota	148,229	3,912	26.4	146,437	3,961	27.0
Ohio	2,810,418	70,280	25.0	2,790,677	71,762	25.7
Oklahoma	883,691	36,070	40.8	886,369	36,952	41.7
Oregon	846,869	23,529	27.8	849,598	25,063	29.5
Pennsylvania	2,840,739	23,862	8.4	2,821,095	23,114	8.2
Puerto Rico				1,031,914	31,673	30.7
Rhode Island	245,808	6,707	27.3	241,839	7,101	29.4
South Carolina	1,023,278	17,186	16.8	1,030,036	17,088	16.6
South Dakota	195,335	4,620	23.7	194,619	4,445	22.8
Tennessee	1,416,415	48,622	34.3	1,428,285	59,998	42.0
Texas	6,245,791	140,038	22.4	6,337,618	161,895	25.5
Utah	755,550	21,132	28.0	775,353	21,052	27.2
Vermont	138,247	2,690	19.5	135,814	2,504	18.4
Virginia	1,791,792	28,105	15.7	1,803,450	27,937	15.5
Washington	1,516,468	32,314	21.3	1,519,924	34,293	22.6
West Virginia	390,144	18,508	47.4	389,162	22,400	57.6
Wisconsin	1,330,485	40,205	30.2	1,320,899	29,660	22.5
Wyoming	122,399	2,018	16.5	121,519	2,020	16.6
Total	**71,735,275**	**1,872,693**		**73,196,521**	**1,916,359**	
Rate			**26.1**			**26.2**
Number Reporting	**49**	**49**	**49**	**51**	**51**	**51**

Table 2-4 Report Investigation Trends, 2002–2006 *(continued from page 19)*

STATE	CHILD POPULATION	2006 TOTAL INVESTIGATIONS	INVESTIGATION RATE
Alabama	1,114,301	18,651	16.7
Alaska	181,434	5,755	31.7
Arizona	1,628,198	33,743	20.7
Arkansas	691,186	25,524	36.9
California	9,532,614	225,911	23.7
Colorado	1,169,301	30,940	26.5
Connecticut	818,286	28,500	34.8
Delaware	203,366	5,781	28.4
District of Columbia	114,881	5,077	44.2
Florida	4,021,555	151,822	37.8
Georgia	2,455,020	60,277	24.6
Hawaii	298,081	2,285	7.7
Idaho	394,280	6,662	16.9
Illinois	3,215,244	66,495	20.7
Indiana	1,577,629	44,051	27.9
Iowa	710,194	25,029	35.2
Kansas	695,837	15,164	21.8
Kentucky	999,531	48,649	48.7
Louisiana	1,090,001	25,536	23.4
Maine	280,994	5,949	21.2
Maryland			
Massachusetts	1,448,884	38,918	26.9
Michigan	2,478,356	70,036	28.3
Minnesota	1,257,264	19,846	15.8
Mississippi	759,405	16,888	22.2
Missouri	1,416,592	47,491	33.5
Montana	217,848	8,737	40.1
Nebraska	445,033	13,109	29.5
Nevada	634,520	14,982	23.6
New Hampshire	297,625	6,640	22.3
New Jersey	2,089,338	28,134	13.5
New Mexico	508,930	16,565	32.5
New York	4,514,342	150,796	33.4
North Carolina	2,155,387	67,524	31.3
North Dakota	144,934	3,791	26.2
Ohio	2,770,035	73,156	26.4
Oklahoma	894,034	36,673	41.0
Oregon	856,259	25,598	29.9
Pennsylvania	2,804,873	23,071	8.2
Puerto Rico	1,018,651	13,797	13.5
Rhode Island	237,451	8,441	35.5
South Carolina	1,039,653	16,712	16.1
South Dakota	194,681	3,908	20.1
Tennessee	1,442,593	61,886	42.9
Texas	6,493,965	166,728	25.7
Utah	791,198	20,206	25.5
Vermont	133,389	2,315	17.4
Virginia	1,805,847	29,141	16.1
Washington	1,526,267	35,698	23.4
West Virginia	389,071	23,210	59.7
Wisconsin	1,312,530	29,029	22.1
Wyoming	121,794	2,437	20.0
Total	**73,393,682**	**1,907,264**	
Rate			**26.0**
Number Reporting	**51**	**51**	**51**

Appendix 2

Child Abuse and Other Risks of Not Living with Both Parents

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This study was undertaken to quantify various risks to children as a function of the identity of the person(s) *in loco parentis*. The household circumstances of children in Hamilton (a middle Canadian city) were surveyed by telephone, and combined with information on child abuse victims, runaways, and juvenile offenders, to arrive at victimization rates according to age and household type.

Both abuse and police apprehension were least likely for children living with two natural parents. Preschoolers living with one natural and one stepparent were 40 times more likely to become child abuse cases than were like-aged children living with two natural parents. Whereas abuse risk was significantly higher for children living with a stepparent than for those with a single parent, the reverse was true of the risk of apprehension for criminal offenses.

Several variables were examined as possible confounds of household composition. Socioeconomic status, family size, and maternal age at the child's birth were all predictors of abuse risk, but these factors differed little or not at all between natural-parent and stepparent families and could not account for the stepparent-abuse association. As predicted from Darwinian considerations, stepparents themselves evidently constitute a risk factor for child abuse.

Key Words: Child abuse; Juvenile offenders; Runaways; Single parents; Stepparents; Victimization rates

INTRODUCTION

Child-rearing is a costly, prolonged undertaking. A parental psychology shaped by natural selection is therefore unlikely to be indiscriminate. Rather, we should expect parental feeling to vary as a function of the prospective fitness value of the child in question to the parent. One obvious determinant of that value is the certainty or reality of the link of biological parenthood; we thus expect parental feeling to be more readily and more profoundly established with own offspring than in cases where the parent–offspring relationship is artificial. When people are called upon to fill parental roles toward unrelated children, we may anticipate an elevated risk of lapses of parental solicitude. This has been our rationale for investigating the risk of child maltreatment by step-parents.

Wilson, Daly, and Weghorst (1980) reported an elevated risk of child abuse in stepparent homes in the United States. For children under 3 years of age, the risk in a stepparent-plus-natural-parent household was estimated to be 6.9 times that in a two-natural-parent household. This ratio of risks declined with the child's age, but stepparent households were still estimated to be more than twice as risky as natural-parent households for the oldest children.

Several problems attended these analyses, however. The U.S. census bureau does not discriminate natural and substitute parents, so that the prevalence of various household types in the population-at-large had first to be estimated. These estimations required several assumptions (which were made conservatively so as *not* to underestimate the incidence of step-relationships and thereby overestimate their risk; see Wilson, Daly, and Weghorst 1980; Daly and Wilson 1981a). The abuse sample itself consisted of "validated case reports" to the American Humane Association from 29 states with a variety of reporting practices, so that the definition of

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the criterion variable was imprecise. We were furthermore concerned whether the effect might be due in part to a confound with socioeconomic status, a concern since laid to rest by Bachrach's (1983) finding that there is no appreciable confound between step-relationships and income.

Other research approaches have verified the phenomenon of stepparental violence by direct comparisons between criterion groups. Fergusson, Fleming, and O'Neill (1972), for example, compared two groups of children treated in New Zealand hospitals—those with injuries appearing to have been inflicted intentionally versus those whose injuries were apparently accidental. The former children proved more than twice as likely to reside with a stepparent as the latter. Daly and Wilson (1981b) analyzed data from a sample of 177 Canadian households to which police had been called to quell a disturbance involving a juvenile. A stepparent resided in 48% of those households in which there was evidence of physical abuse of the juvenile, compared to 21% of those in which there was not. In a study of identified abusive families in Pennsylvania, Lightcap, Kurland, and Burgess (1982) found that abusive stepfathers typically spared their natural children within the same household. All these studies clearly implicate stepparenthood in child abuse, but do not, of course, address the epidemiological question of relative rates of victimization in step- vs. natural-parent households.

To characterize the stepparent risk effect better, more intensive, local study seems necessary. One can select a sample of relatively severe abuse cases known to the local child welfare agencies, and one can conduct the requisite survey of household compositions in the appropriate base population served by those agencies. One can furthermore assess whether abuse cases and stepparent households are both unusually prevalent in low-income districts within the reporting area, and thus deal directly with the hypothesis that high abuse risk in stepparent households might be an incidental consequence of an economic confound.

In an intensive study it is possible, moreover, to assess the relationship between household composition and *other* negative outcomes for children. This should be of interest for at least two reasons. In the first place, physical abuse is only one extreme manifestation of the relative maltreatment of nonbiological children that we expect on theoretical grounds. Subtler evidences of disadvantage might be widely manifested in measures of children's performance and welfare. In the second place, we have suggested that the statistical association between stepparenting and child abuse is attributable to stresses engendered by the stepparent–stepchild relationship per se, but it remains possible that the high risk in stepparent households merely reflects a general syndrome of broken homes, bad rearing environments, and bad outcomes. Were that so, we might expect that various household types would exhibit consistent ranking with respect to risks of various negative outcomes. If, on the other hand, abuse risk is higher in stepparent households than in single-parent households whereas the reverse holds for other risks, the argument would be strengthened that step-relationships per se constitute a threat to children rather than being incidentally correlated with some syndrome of disadvantage. The study reported here represents a first such effort to quantify various risks to children as a function of the identity of the person(s) *in loco parentis*.

The present study also permits analysis of abuse risk as a function of maternal age. Parents are expected to value and invest in dependent offspring increasingly as their own reproductive value declines (e.g., Pugesek 1981). In keeping with this expectation, the probability of infanticide declines with the age of Canadian (Daly and Wilson 1984) and Ayoreo (Bugos and McCarthy 1984) mothers. If the risk of child abuse is decreased by factors associated with increased maternal solicitude, then abuse, like infanticide, should be observed to decline with maternal age.

METHODS

Study Locale

The regional municipality of Hamilton–Wentworth is a predominantly urban, heavily industrialized area of 1113 sq km, with a population of 411,445 in 1981 (Statistics Canada 1982), situated at the western end of Lake Ontario.

Regional Population-at-Large Survey

In order to estimate the household compositions of children in the population-at-large, we conducted a telephone survey between August and November, 1983. Telephone interview was cho-

sen as a survey method on the basis of its economy and its superior response rate (Groves and Kahn 1979). Only about 2% of urban Canadian households lack telephones (personal communication from R. T. Ryan, Special surveys, Statistics Canada).

A sample of 2000 telephone numbers was generated as follows. Three-digit exchanges in the region were selected in proportion to their representation in regional telephone listings. The final four digits were then generated at random, a technique designed to make unlisted and listed numbers equally likely to be sampled. The 2000 numbers were called in random order. Each number was called back until either it had been reached or eight unsuccessful calls had been made; the eight calls always included at least one weekday morning, one weekday afternoon, one weekday evening, and one Saturday call, and were spaced over an interval of at least 1 week. If a child answered, the interviewer asked to speak to a resident adult.

When the telephone was answered, the interviewer said,

> Hello. This is Dr. Martin Daly (or Dr. Margo Wilson), calling from the Psychology Department at McMaster University. We're conducting a study of the living arrangements of children in the Hamilton–Wentworth region, under sponsorship of Health & Welfare Canada, and I'm calling a random sample of households in the region. Your number was generated by a computer, so I don't know who I'm talking to, but if anyone 17 years old or younger lives in your home, then I'd like to ask you just a couple of anonymous questions if I might.

If the respondent concurred, the interviewer continued,

> Thank you. What we're trying to find out is what proportion of children in the region live with what sorts of relatives and nonrelatives. For example, no one knows what proportion of children of a given age live with a substitute parent such as a stepparent. You'd think you could find out from the census, but the census bureau doesn't ask the detailed relationships of children to the people they live with. So that's what we're trying to find out and the information is entirely anonymous: I don't want to know anyone's name. Okay?

The interviewer then asked the number of persons living in the home, their ages, sexes, and relationships to one another, verifying the latter explicitly (e.g., "So the two children are the natural offspring of your husband and yourself? Is that correct?"). Finally the interviewer said,

> One last question. We try to place our respondents by the general area in which they live. I wonder if you could tell me either your postal code or a nearby street intersection.

The interviewer then thanked the informant and rang off. The typical interview lasted 2–3 minutes. Those few respondents who wished to verify the interviewer's identity were directed to call the psychology department through the university switchboard.

Hamilton–Wentworth is divided into 115 census tracts. Canadian postal codes specify addresses within a block or less, so that the request for a postal code or nearby intersection enabled us to place respondents by census tract. The median family income for a respondent's census tract, according to the 1981 census, was then used as an index of socioeconomic status. Census tracts were categorized as "high income" (mean family income above the median census tract) or "low income" (below the median).

Child Abuse Sample

The two children's aid societies of Hamilton–Wentworth (CAS and Catholic CAS) each provided us with data on the living arrangements of abused children, recording on a form the age, sex, relationship to the focal child and the duration of dwelling with the focal child, for each person dwelling in the same household with the focal child. The sample of children consisted of all those active cases that had been designated "abuse" cases for purposes of the Ontario Child Abuse Registry, during a 12-month period ending in mid-1983. All the cases were well known to society workers from repeated calls, and most of the children had been taken into protective care, at least temporarily, at one time or another. Altogether the sample comprised 99 abused children, aged 0–17, living in the region in households of known composition—53 boys, 45 girls, and 1 child of unspecified sex, 46 on the case list of the Children's Aid Society and 53 on that of the Catholic agency.

Police Sample

During the 3-month period of August to October, 1983, Youth Branch officers of the Hamilton–Wentworth Regional Police collected data for the project, recording demographic and household composition information, as above, for

Table 1. Hamilton–Wentworth Population-at-Large survey, 1983: Responding Households by the Number of Children 17 Years of Age or Younger

	Number of Children in Household						
	0	1	2	3	4	5	6
Number of households	840	168	194	59	19	4	2
Proportion of children		0.200	0.461	0.210	0.090	0.024	0.014

each apprehended juvenile. Reports, including the reason for police apprehension, were filed on 542 children residing in the region. Ninety-three were runaways (52 boys, 41 girls); the other 449 (362 boys, 87 girls) were apprehended for a variety of criminal offenses.

RESULTS

Population-at-Large Survey

The sample consisted of 2000 telephone numbers, of which 599 proved to be either business addresses or numbers not in service, leaving 1401 possible households. Of these, 56 (4.0%) were not reached after eight calls, leaving 1345 households contacted. In 17 of these, no English- or French-speaking respondent was available, leaving 1328 potential respondents, of whom 1286 (96.8%) participated in the survey, while 42 (3.2%) refused. The 1286 responding households included 841 children 17 years of age or younger (Table 1).

The household types of these 841 children are categorized in Table 2 according to the relationship of the person(s) *in loco parentis* to each focal child. The category "stepparent" includes both legally married and common-law spouses of the natural parent. Ages are collapsed into three categories in order that the overall pattern may be discernible without distraction by chance fluctuations.

The distributions of household types did not differ between the sexes: 81.3% of girls and 80.5% of boys lived with two natural parents; 9.6% of girls and 10.3% of boys with a single parent; and 5.7% of girls and 5.8% of boys with one natural and one stepparent.

Telephone survey respondents were classified as living in "high-income" or "low-income" districts according to the mean census tract income. Household circumstances of the two income classes are compared in Table 3. Single-parent households are significantly more prevalent in low- than in high-income districts ($\chi^2_{1df} = 14.7$, $p < 0.001$), but there is no evidence that the prevalence of stepparent situations is associated with socioeconomic status.

Child-Abuse Sample

The household circumstances of the 99 abused children on active case lists of the local chil-

Table 2. Persons *in loco parentis* to Children in Hamilton–Wentworth in 1983, According to Telephone Survey*

	Child's Age (Years)					
	0–4		5–10		11–17	
Two natural parents	214	(89.5)	210	(79.5)	263	(77.8)
One natural parent	15	(6.3)	28	(10.6)	39	(11.5)
Mother alone	13		25		31	
Father alone	2		3		8	
Natural + stepparent	2	(0.8)	17	(6.4)	29	(8.6)
Mother + stepfather	2		16		19	
Father + stepmother	0		1		10	
Other substitute	8	(3.3)	9	(3.4)	7	(2.1)
Other biological relative	3		2		2	
Nonrelative adoptive	5		4		4	
Other nonrelative	0		3		1	

* Entries are numbers of children. Parentheses enclose percentages of children within each age class.

Table 3. Persons *in loco parentis* to Children Residing in Census Tracts with Mean Family Incomes Below vs. Above the Median[a]

	Low-Income Districts		High-Income Districts	
Two natural parents	303	(77.5)	286	(84.9)
One natural parent	56	(14.3)	19	(5.6)
Natural + stepparent	25	(6.4)	18	(5.3)
Other substitute	7	(1.8)	14	(4.2)

[a] Entries are numbers of children. Parentheses enclose percentages within income-district categories.

dren's aid societies are summarized in Table 4. Comparing these results with those for the population at large (Table 2), it is evident that abused children lived in circumstances other than with two natural parents far more often than would be expected by chance. In particular, when population-at-large estimates are used to generate expected proportions of household types, single-parent households and stepparent households are both significantly overrepresented in the abuse sample relative to two-natural-parent households, within each of the three age classes ($p < 0.001$ by binomial test, for each of six comparisons).

The household compositions in Tables 2 and 4 are combined with census information on the numbers of persons in each age class to produce the victimization rates in Figure 1. All household types other than two-natural-parents are high-risk environments for becoming a children's aid society abuse case, especially stepparent households. It is also of interest to express the degree of risk in the various household types relative to risk in a two-natural-parent household (Table 5); thus, for example, preschoolers living with a single natural parent are 12.5 times as likely to become registered abuse victims as like-aged children living with two natural parents (first entry in Table 5). It is noteworthy that the elevation of risk in stepparent households is maximal for the youngest children.

Census tract information was available for 87 of the 99 abuse cases. Eighty-one (93%) resided in "low-income" and only six in "high-income" census tracts (whereas only 54% of children in the population-at-large survey resided in "low-income" tracts, according to Table 3).

Police Samples

Youth Branch of the Hamilton–Wentworth Regional Police filed data forms on 542 apprehended juveniles residing in households (as opposed to institutions) in the region. Ninety-three of these were runaways not accused of any criminal offense. The remaining 449 were accused of a variety of offenses, the most common of which (186 cases) was "theft or possession of stolen goods valued at less than $200" (Canadian Criminal code s.294; i.e., shoplifting). Rates of apprehension of adolescents aged 11–16, relative to their numbers in the regional population, are presented in Figure 2.

Household types of apprehended juveniles are compared in Table 6 with the distributions expected from the population-at-large survey. The majority of apprehended juveniles were 14

Table 4. Numbers of Abuse Victims by Age and Household Type[a]

	Child's Age (Years)					
	0–5		5–10		11–17	
Two natural parents	8	(42.1)	7	(21.2)	13	(27.7)
One natural parent	7	(36.8)	11	(33.3)	16	(34.0)
Mother alone	7		11		15	
Father alone	0		0		1	
Natural + stepparent	3	(15.8)	11	(33.3)	14	(29.8)
Mother + stepfather	2		8		11	
Father + stepmother	1		3		3	
Other substitute	1	(5.3)	4	(12.1)	4	(8.5)
Biological relative	1		1		1	
Nonrelative adoptive	0		1		0	
Other nonrelative	0		2		3	

[a] Parentheses enclose percentages within each age class.

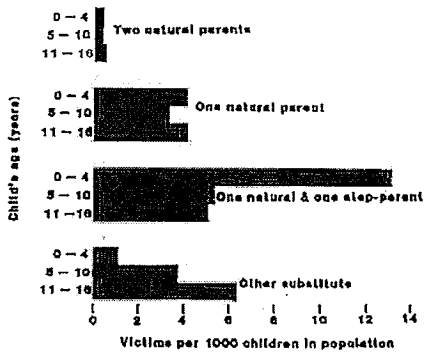

Figure 1. Child abuse victimization rates in Hamilton–Wentworth by age and household type. "Victims" are abused children on active case lists of the local children's aid societies.

or 15 years of age; the youngest were two 4-year-olds (one accused of shoplifting, one of breaking and entering). Since household compositions vary by age (Table 2), expected frequencies for the apprehended juveniles are computed by weighting age-specific household composition distributions in proportion to the observed age distribution of the criterion group. (Four runaways from institutions and four criminal offenders residing with no one *in loco parentis* are excluded from the analyses in Figure 2 and Table 6.)

Children from two-natural-parent homes are far less likely to be apprehended as runaways than children from any other household type. Similarly, there is an elevated risk of arrest for criminal offenses for all other household types in comparison to two-natural-parent households, but this elevation is much greater for single-parent households than for substitute-parent households, a reversal of the pattern with abuse risk (Table 5). Crimes of violence towards persons (44 "assaults," including 8 sexual assaults) show a pattern of risk by household type that is not different from that for other criminal offenses.

Table 5. Risk of Appearing in the Child Abuse Sample by Age and Household Type, Relative to a Child Living with Two Natural Parents

	Child's Age (Years)		
	0–4	5–10	11–17
One natural parent	12.5	11.8	8.3
Natural + stepparent	40.1	19.4	9.8
Other substitute	3.3	13.3	11.6

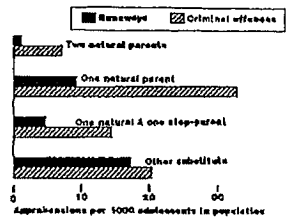

Figure 2. Police apprehension rates for adolescents (ages 11–16 years) in Hamilton–Wentworth by household type.

Table 6. Observed Household Circumstances of Juveniles Apprehended by Police in Comparison to the Expected Distributions of Household Circumstances Given Those of Like-aged Juveniles in the Population at Large

	Observed	Expected	Risk relative to two natural parent home
Runaways			
Two natural parents	29	72.0	
One natural parent	36	10.1	8.9
Natural + stepparent	13	4.4	7.4
Other substitute	11	2.5	10.9
$\chi^2_{df} = 138.4$ $p < 0.0001$			
Criminal Offenses			
Two natural parents	225	338.2	
One natural parent	162	46.2	5.6
Natural + stepparent	45	29.8	2.4
Other substitute	13	10.8	1.9
$\chi^2_{df} = 331.8$ $p < 0.0001$			
Assaults (a subset of criminal offenses)			
Two natural parents	23	35.4	
One natural parent	13	4.6	5.0
One natural + one stepparent	5	2.9	2.7
Other substitute	1	1.1	1.4

Census tract information was available for 83 runaways and 420 criminal offenders. Sixty-four (77%) of the runaways and 296 (70%) of the criminal offenders lived in "low-income" tracts.

Average Relatedness of Focal Child to Cohabitants

The categorization of household types according to the persons *in loco parentis* ignores such complications as the possible presence of grandparents, distant relatives, or nonrelatives not *in loco parentis*. On theoretical grounds, we might anticipate greater conflict between, say, half-siblings than full-siblings (Holmes and Sherman 1982) or greater risks to children in households containing unrelated stepsiblings. As an index of such capacity for conflict, we computed the average degree of relatedness of each focal child to all other members of its household. Results are presented in Figure 3. The criminal-arrest group shows an average relatedness to household members similar to that of children in the population at large. Abuse victims and runaways, however, are substantially less closely related to other household members. The reduced average relatedness of the latter two groups is not due to a greater presence of relatives of degree less than 0.5 (i.e., relatives other than parents and full siblings), but rather to a greater presence of persons of no blood relation whatever. Of the abuse victim, 36.4% lived with one or more nonrelatives compared to an age-weighted expected value (i.e., for like-aged children in the population-at-large) of 10.6%. Of the runaways, 25.8% lived with one or more non-

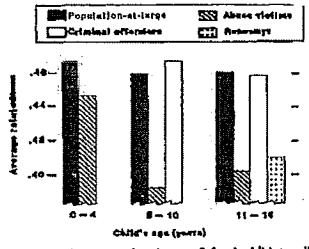

Figure 3. Average relatedness of focal child to all household cohabitants.

Table 7. Household Compositions of Abused Children Living with their Natural Mothers, Compared to Two Model "Expected" Distributions

	Observed	Expected$_1$[a]	Expected$_2$[b]
Two natural parents	28	70.8	66.9
Natural mother alone	33	7.3	8.9
Natural mother + stepfather	21	3.9	6.2
Observed vs. Expected$_1$: $\chi^2_{df} = 192$, $p < 0.00001$			
Observed vs. Expected$_2$: $\chi^2_{df} = 124$, $p < 0.00001$			

[a] Expected$_1$ is proportional to the frequencies of the three household types in the population-at-large.

[b] Expected$_2$ incorporates effects of maternal-age-at-child's-birth (MACB), by weighting MACB-specific household composition distributions in proportion to the MACB distribution of the abuse sample.

relatives compared to an age-weighted expected value of 12.2%.

Effect of Maternal Age

The distribution of maternal ages at the child's birth (MACB) for the population surveyed by telephone is presented in Figure 4 (top). It approximates the distribution expected from 1981 census data (Statistics Canada 1982). For the abuse, runaway, and criminal-offense samples, risk was calculated as a function of MACB by comparing the observed frequencies with those expected on the basis of the population-at-large distribution (Fig. 4, bottom). In all four data sets (population at large, abuse, runaways, criminal offenders), only children still residing with their natural mothers are included, since natural mothers' ages were not otherwise recorded.

Risk of abuse is maximal for children born to young mothers and declines monotonically with MACB. The risk of appearing in the police samples is also maximal for children born to young mothers, but unlike abuse risk, the risk of apprehension declined and then rose again for children born to women in their late 30s and 40s (Fig. 4, bottom).

The abuse data (for this analysis are based on just 36 cases for which maternal ages were available. (This datum was not recorded by one of the two reporting agencies.) Nevertheless, the departure from an expected distribution of maternal ages is highly significant (combining adjacent MACB categories in order to maintain expected values greater than five, $\chi^2_{df} = 19.7$, $p < 0.001$). The runaways ($N = 73$) and criminal offenders ($N = 425$) each exhibited MACB distributions departing from chance expectation at $p < 0.00001$ (χ^2 tests).

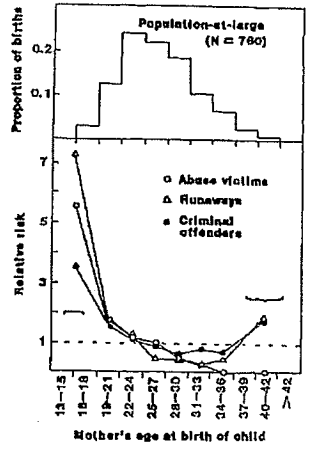

Figure 4. Maternal age at birth of child (MACB). Top: frequency distribution of MACB for 760 children according to telephone survey. Bottom. Risks of abuse and police apprehension of children as a function of MACB. "Relative risk" is the ratio of the MACB-specific victimization rate to the average victimization rate overall.

In the population at large, children living with two natural parents were born at a mean maternal age of 26.7 years whereas those living with natural mother and stepfather were born at a mean maternal age of 23.6. Since children born to young mothers are both likelier to be abused and likelier to acquire a stepfather, one should test whether the elevation of abuse risk in stepparent households could be an artifact of a causally prior MACB variable. To test this hypothesis, "expected" distributions of household types were computed for abused children living with their natural mothers, with and without consideration of the MACB variable (Table 7). When MACB is used as a predictor, the expected number of stepfather households indeed increases, but only 13% of the observed excess of stepfather households in the abuse sample is accounted for, indicating that the stepparent risk factor is largely independent of the maternal age risk factor.

DISCUSSION

Stepparents and Abuse Risk

The present study provides the most direct evidence to date of a substantial elevation in the risk of child abuse for children living in households other than with the two natural parents, and especially for children living with a stepparent. We are not talking about a small effect: preschoolers in stepparent–natural-parent homes, for example, are estimated to be 40 times as likely to become abuse statistics as like-aged children living with two natural parents (i.e., about 40 chances in 3000 vs. 1 in 3000; Figure 1).

One might hypothesize that abuse in stepparent households is not really more prevalent than in natural-parent households but is just more often detected or reported. Wilson and Daly (in press) examine this hypothesis and reject it; their most telling argument is that detection and reporting biases should be least influential with the most severe forms of abuse, and yet that is where stepparent overrepresentation is maximal.

Homes other than those with two natural parents are high-risk environments for all the problems investigated here (abuse, running away, and criminal arrest). But more than this, the presence of a stepparent is shown to be a specific risk factor for child abuse. In this study, children from stepparent homes were actually slightly less likely than those from single-parent homes to run away (cf Rankin 1983) or to be arrested for a criminal offense, but they were much more likely to be abused.

The present study also strengthens the argument that the stepparent effect is not an artifact of a correlated socioeconomic variable. Giles-Sims and Finkelhor (1984) suggest such a confound as an explanation for the stepparent–abuse association, pointing to the negative relationship between divorce rate and income as suggestive evidence that step-relationships may be associated with poverty. Bachrach (1983), however, has shown that step- vs. natural-parent relationship was virtually unrelated to family income in the United States in 1976, coincidentally the same year for which Wilson, Daly, and Weghorst (1980) analyzed abuse data. Similarly, in the present study, step-relationships in the Hamilton–Wentworth region proved not to be exceptionally prevalent in lower socioeconomic strata (Table 3). Low income is associated with abuse in the present study, as in previous ones (e.g., Pelton 1978), but the stepparent effect is not an incidental consequence of this fact.

It remains possible that step-relationships are correlates of some noneconomic sort of "disadvantage" which is the real cause of elevated abuse rates. For example, there is some evidence that abusive parents were themselves abused as children (e.g., Egeland, in press), and such experience might also be associated with high rates of marital breakup and reconstitution. In a related argument, Giles-Sims and Finkelhor (1984) propose that there may be a higher proportion of people with violent dispositions among remarried people than among first-marrieds, and that the stepparent–abuse connection might be a spurious result of this confound. But this hypothesis, and indeed any other that invokes cross-situational personality characteristics of abusers, cannot account for the fact that abusive stepparents are discriminative. Lightcap, Kurland, and Burgess (1982) found that only the stepchildren were abused in each of ten Pennsylvania cases where there were also children of the present marriage. Similarly, in the present study, the abuse sample included ten households in which children of the present marriage and stepchildren resided together. Only the stepchildren were abused in nine of the ten, while in the exceptional case, a stepchild and a child of the present marriage were both victims. In neither study was any child of the present marriage abused while a stepchild was spared, which should be equally likely under a null hypothesis that the step-relationship per se is irrelevant.

Yet another possible confound is family size. Abuse rates for children with either no cohabitant siblings or with three or more were higher in the present study than the rates for children with exactly one or two. However, the distribution of family sizes did not differ between stepparent and natural-parent households, so that this factor cannot account for the stepparent effect either. Moreover, the analysis presented in Table 7 demonstrates that the stepparent effect is not an incidental consequence of the higher abuse risk for children born to young mothers, although this factor may contribute slightly to stepparent household overrepresentation among the abused. The essentially negative results with all of these possible confounds reinforce the conclusion that stepparenthood per se is a risk factor for child abuse, as theory leads one to expect.

The present results replicate another feature of our earlier American study: the ratio of abuse risk in a stepparent household to that in a natural-parent household declines with the child's age. We have suggested that this phenomenon reflects the greater costliness of assuming a parental role, and hence a greater resentment of the obligation, the younger the child (Daly and Wilson 1981b). Alternatively, stepparents of older children may simply have had longer to establish positive relationships with them. We should like to make the same comparison while confining the sample of step-relationships to newly established ones; we predict that a declining ratio of risk would still be evident, but the data for such an analysis will not be easily gathered. One argument against the familiarity alternative deserves note: in the case of infants, neither natural nor stepparents have had much time to establish positive bonds, and yet it is with this age group that the probability of abuse is most different between the two types of caretakers.

The "Other Substitute" Category

The label "other substitute" encompasses a variety of household types, each too rare to be treated separately. Lumping them all together may have obscured some important distinctions that would warrant analysis in a larger survey.

Nonrelative adoptions (as opposed to adoptions by blood relative or by natural parent plus stepparent) comprise most of the "other substitutes" for the population at large (13 of 24), but only one of nine "other substitutes" among the abused children. Thus, if adoptive parents were removed to a separate category, the computed risk of abuse in the remaining "other substitute" households would double. There are many reasons why adoptive parents would be expected to be low-risk "substitutes." Nonrelative adoptions are primarily the recourse of childless couples who are strongly motivated to simulate a natural family experience; rather than having their position *in loco parentis* thrust upon them, they have actively sought it. Applicants to adopt are screened by agencies, and many are rejected as unsuitable. Adoptive households are much wealthier on average than either stepparent or two-natural-parent households (Bachrach 1983). Finally, if the adoption (or the marriage) fails, the couple can return the child, which happens more often than is generally realized (e.g., Kadushin and Seidl 1971).

At the opposite extreme are substitute parents left in charge of children they may never have wanted in the first place. Four of the "other substitute" children in the abuse sample (Table 4) resided with a single stepfather, a circumstance that was never encountered among the 841 children in the population-at-large survey. We cannot, of course, compute an abuse rate for this rare household type, but even these few data are sufficient to show that stepfather alone was riskier than natural mother plus stepfather: the natural mother was absent for 4 of 25 abuse victims living with a stepfather vs. 0 of 37 for the population-at-large ($p = 0.023$; Fisher exact test).

The Nature of "Abuse"

A recurring problem for students of child maltreatment is that of definition. Our criterion was the Children's Aid Society's decision that a case warranted inclusion in the provincial registry.

Twenty-eight of the 99 cases were entirely or in part matters of "sexual abuse"—22 of 46 from the Children's Aid Society and 6 of 53 from the Catholic agency. Victims were 23 girls (ages 3–

16), 4 boys (ages 7–16) and one 10-year-old of unspecified sex. The Children's Aid Society identified perpetrators in 21 cases; all were men, including three putative fathers and six stepfathers.

It is important to note that the high risk of abuse in stepparent households (Table 5 and Fig. 1) is not solely or even mainly a matter of sexual abuse. Among preschoolers (in whom the elevation of abuse risk in step-households was maximal) the only two sexual abuse cases resided with a single mother and maternal relatives, respectively. In the 5–10-year-old group, step-households comprised an identical proportion (0.33) of sexual and nonsexual cases. Only among adolescent victims (ages 11–16) was the proportion of natural parent plus stepparent homes higher among sexual abuse victims (0.43) than for nonsexual abuse (0.26). These facts suggest that the decline in "relative risk" from stepparents as a function of the child's age (Table 5) might be still more pronounced if attention were confined to nonsexual forms of maltreatment.

"Abuse" as here defined encompasses various acts, and a larger study might usefully distinguish them (cf Wilson, Daly, and Weghorst 1983). For our present purposes, however, the Abuse Registry criterion has the virtue of capturing diverse cases with this common denominator: the care being provided by those *in loco parentis* is, in the opinion of child welfare professionals, so poor or unreliable as to imperil the child. We consider such a criterion particularly apt, because psychological constructs such as "child-specific parental solicitude" afford the best level of abstraction for evolutionary theoretical analyses (see Barkow 1984; Daly and Wilson, in press; Symons, in press). What, after all, can most usefully be considered to have evolved by natural selection? Certainly not "child abuse"! Lenington (1981) erects a straw man when she writes,

> although it is possible to present very plausible arguments for the adaptive significance of child abuse, it has not been possible, and would be extraordinarily difficult, to show that individuals who abuse their children are, in fact, increasing their reproductive success. The entire sociobiological argument, in this case, rests on plausibility.

Abusive parents commonly persist in inflicting damage upon their wards, while continuing to invest in them. This is hardly an efficient strategy of parental effort allocation, as Giles-Sims and Finkelhor (1984) correctly note, but they are wrong to conclude that such considerations invalidate a sociobiological approach to stepparental abuse. We agree entirely that chronic abuse lacks the "design features" (Williams 1966) of an evolved adaptation; it is therefore most unlikely that "individuals who abuse their children are, in fact, increasing their reproductive success." We propose, however, that discriminative parental solicitude (Daly and Wilson 1980, 1981a) is an evolved adaptation, exhibiting predictable relationships to several independent variables that were historically predictive of the child's expected contribution to parental fitness, and to several dependent variables including the risk of child maltreatment.

Lapses of parental solicitude include, but are not confined to, direct violence. Neglecting a child and deliberately inflicting injury are certainly different, but both betray a failure of parental love. The caretaker who is truly concerned for a child's welfare will furthermore not normally use that child as a sexual object. There is thus a certain motivational commonality to these diverse acts. Lapses of parental solicitude may also be manifested in reduced protection of the child from third parties; perpetrators of sexual abuse in Hamilton, for example, included neighbors, a stepfather's male friend, and other such nonrelatives (indeed the majority of perpetrators of sexual abuse were not themselves *in loco parentis* to the child).

Variation in the quality of parental protection from third parties raises another point: failures of parental solicitude might in principle be separated into failures of parental inclination (which we have emphasized thus far) and failures of parental *capability*. This distinction seems especially relevant to the risk of abuse in single-parent households, where money and other parental resources may be in short supply. In the present study, 13 children living with single mothers were abused (seven of them sexually) by identified persons. Men were involved in 11 of these cases, and only 2 were putative fathers of their victims. Thus the threat to children with single mothers appears to be much the same threat as confronts stepchildren: men other than their fathers.

Maternal Age

The decline in abuse risk as a function of maternal age (Fig. 4) we interpret as reflecting a

tendency for women to value their children more highly as their own reproductive value declines. This is also the interpretation offered by Daly and Wilson (1984) and by Bugos and McCarthy (1984) for a similar decline in the probability of maternally instigated infanticide as a function of maternal age in Canadian and Ayoreo women, respectively. Unfortunately, the analysis of maternal age omitted those cases in which children were no longer residing with their mothers. It seems probable that such cases might also include a disproportionate representation of younger mothers. The somewhat different pattern with respect to the police samples (Fig. 4) invites further speculation. Whereas the high risk for children of young mothers may reflect poor supervision and care, the high risk for children of older mothers might also be due to a declining capacity for supervision or alternatively to overindulgence of late-borns.

Population-at-Large Estimates

Several possible sources of error in the estimates derived from the telephone survey warrant consideration. Our advisers at Statistics Canada suggested that only 2% of urban Canadian households lack telephones, and it seems likely that many of these will be childless, but some bias due to this factor is conceivable. The 17 households not included due to language difficulties comprised just 1.2% of contacted households, and we know of no reason to suspect that their exclusion seriously affects any of the estimates. The 56 numbers not reached, comprising just 4% of possible households, are also unlikely to be an important source of error. Some were surely not households; telephone booths are one possibility. Moreover, the proportion of contacted households that contained children declined the more calls it took to reach the number: 37% of households reached on the first call included children, compared to 33% of those requiring two to four calls, and 28% of those requiring five or more. The implication is that relatively few households requiring more than eight calls would include children.

More problematic are the 42 refusals. Although the refusal rate of 3.2% was remarkably low for a survey of this sort, it is certainly possible that refusers differ systematically from respondents. A few people interrupted the introductory remarks to refuse, but almost all refusals came only after "living arrangements of children" had been mentioned. In 16 cases, the conversation before refusal was such as to indicate that there were indeed children in the home, but most refusals were brusque and uninformative. A single respondent was verbally abusive to the interviewer. We have no basis for surmising whether refusals might include a disproportionate number of one household type or another.

Some people may have "refused" deceptively, by falsely stating that no children resided at the number and quickly terminating the interview. The census provides some indirect evidence on the probable frequency of such deceptions. According to the 1981 census (Statistics Canada 1982), the average household in Hamilton–Wentworth contained 0.709 children. For our responding households in 1983, the corresponding figure is 0.654, an apparent 8% shortfall. However, the discrepancy between obtained and expected numbers of children per household is in fact less than this 8%, because the average number of children per household must actually have declined between 1981 and 1983, for two reasons. One has to do with the population's age structure: four people turned 18 (and thus left the "children" category) for every three that were born each year. If the number of persons per household had remained constant from 1981 to 1983, this factor alone should have reduced the average number of children from 0.709 to 0.698. But the second reason why children per household will have declined is that household size itself has been on the decline, a trend that accelerated over several decades prior to 1981. Between 1971 and 1981, the average Canadian household shrank from 3.5 persons to 2.9, mainly because of the increased number of people residing alone (Pryor 1983). If, as seems likely, these trends have continued, then the number of children per household will have fallen still lower. Furthermore, if half of the overtly refusing households contained children, as seems a conservative guess, and if we assume the same 1.89 children per household as for those who reported children, then the estimated number of children per household rises to 0.663. We conclude that deceptive denials of the presence of children were probably few. And as in the case of overt refusals, one can only speculate whether the probability of such a deception might vary according to household type.

Finally, it is of course possible that some of the people interviewed gave false information.

The interviewers were especially concerned that substitute parents be correctly identified as such, and always checked relationships by rephrasing the respondent's reply, asking in particular whether those relationships described as parent-to-offspring involved "natural" parents. Inadvertent misinformation therefore seems unlikely, but some respondents may have been deceptive. If some interviewees indeed misrepresented step-relationships as biological, we will have underestimated their incidence and hence overestimated attendant risks. But there is no particular reason to suppose that this occurred, and there could as readily be error leading us to *underestimate* the risks in step-households. One such source of error would arise if mothers living common-law with new mates represented themselves as single in order to retain welfare benefits. The Children's Aid workers doubted that this was a serious problem, stressing their familiarity with the mothers and household circumstances. The police, on the other hand, suggested that some of the women in their sample might have been concealing live-in boyfriends, on the basis of having seen unidentified men at some single mothers' homes. If such men were really residents, then the tendency for single-parent households to be riskier than stepparent households with respect to arrest could be spurious. But again, there is no compelling reason to imagine that women should have been deceptive in this direction.

For the present, our estimated incidences of household types are as good as is available for risk estimation. We hope that official agencies, particularly census bureaus, will soon recognize the importance of the distinction between natural and substitute parenthood.

Step-Relationships in Darwinian Perspective

There is a substantial literature on "reconstituted families," ranging from empirical surveys through anecdotes and autobiographical tips to exhortative pop psychology. The prevalent theme is *coping*, and the literature abounds with acknowledgments that step-relationships are stressful. A Darwinian view of the organism suggests that the reason *why* they are stressful is because they demand that all parties overcome their usual inclinations toward nepotistic discrimination. The stepparent has, after all, usually entered into the relationship out of an attraction to the new mate; the stepchild must frequently enter into the remarriage decision as a cost, not a benefit. Whereas satisfying relationships with nonrelatives ordinarily involve careful reciprocity, parental investment is exceptional: parents tolerate a cumulative imbalance in the flow of resources. With all the good will in the world, stepparents may strive to feel the altruism of a natural parent, but they do not always—perhaps do not often—succeed (e.g., Duberman 1975). It is thus not surprising that many professionals have concluded that the common attempt to simulate a natural parent–offspring relationship is misguided (e.g., Perkins and Kahan 1979; Johnson 1980; Einstein 1982; Turnbull and Turnbull 1983; Mills 1984; Clingempeel, Brand, and Ievoli 1984).

Most writers on step-relationships do not, of course, take a Darwinian view of the organism. The dominant framework is instead to speak of step-parenthood as a "role" and to attribute its problems to ambiguity and "newness" (e.g., Cherlin 1978; Kompara 1980; Giles-Sims 1984): stress is said to result from uncertain and conflicting expectations about what a stepparent can and should do, and will continue until "society" defines the role more clearly. This view must be challenged. Its proponents have not shown that there is greater uncertainty or conflict about roles and duties in stepparent households than in natural parent households, nor that there is any lesser degree of societal consensus about what duties stepfathers ought to assume than about what duties fathers ought to assume. Neither have they criticized (or apparently even considered) the common-sense alternative view that "well-defined," easy roles differ from "ambiguous," difficult ones in that the former match our inclinations while the latter defy them. Why situate role ambiguity in "society" rather than within the ambivalences of the actors themselves? Finally, the "ill-defined new role" theory evidently predicts that the difficulty attending step-relationships will fade as they become more common and receive more media attention. We are not aware of any evidence that this is happening.

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