

# State Legislative Trends: Child Welfare and Child Maltreatment Prevention

Prepared for Colorado's Child Welfare System

Interim Study Committee

August 22, 2023

- How Colorado compares to national averages.
- National legislative trends in child welfare (2022-2023).
- Evidence-based practices in child welfare.



## Presentation Overview



# NCSL Strengthens Legislatures



## Policy Research

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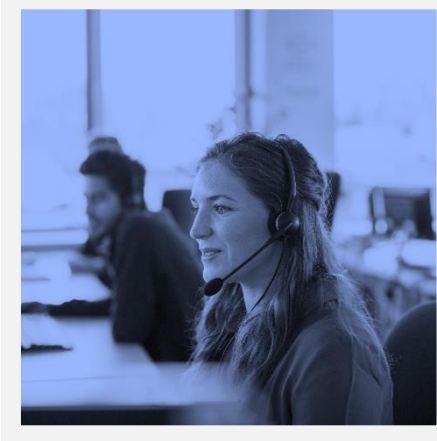
NCSL provides trusted, nonpartisan policy research and analysis



## Connections

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NCSL links legislators and staff with each other and with experts



## Training

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NCSL delivers training tailored specifically for legislators and staff



## State Voice in D.C.

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NCSL represents and advocates on behalf of states on Capitol Hill



## Meetings

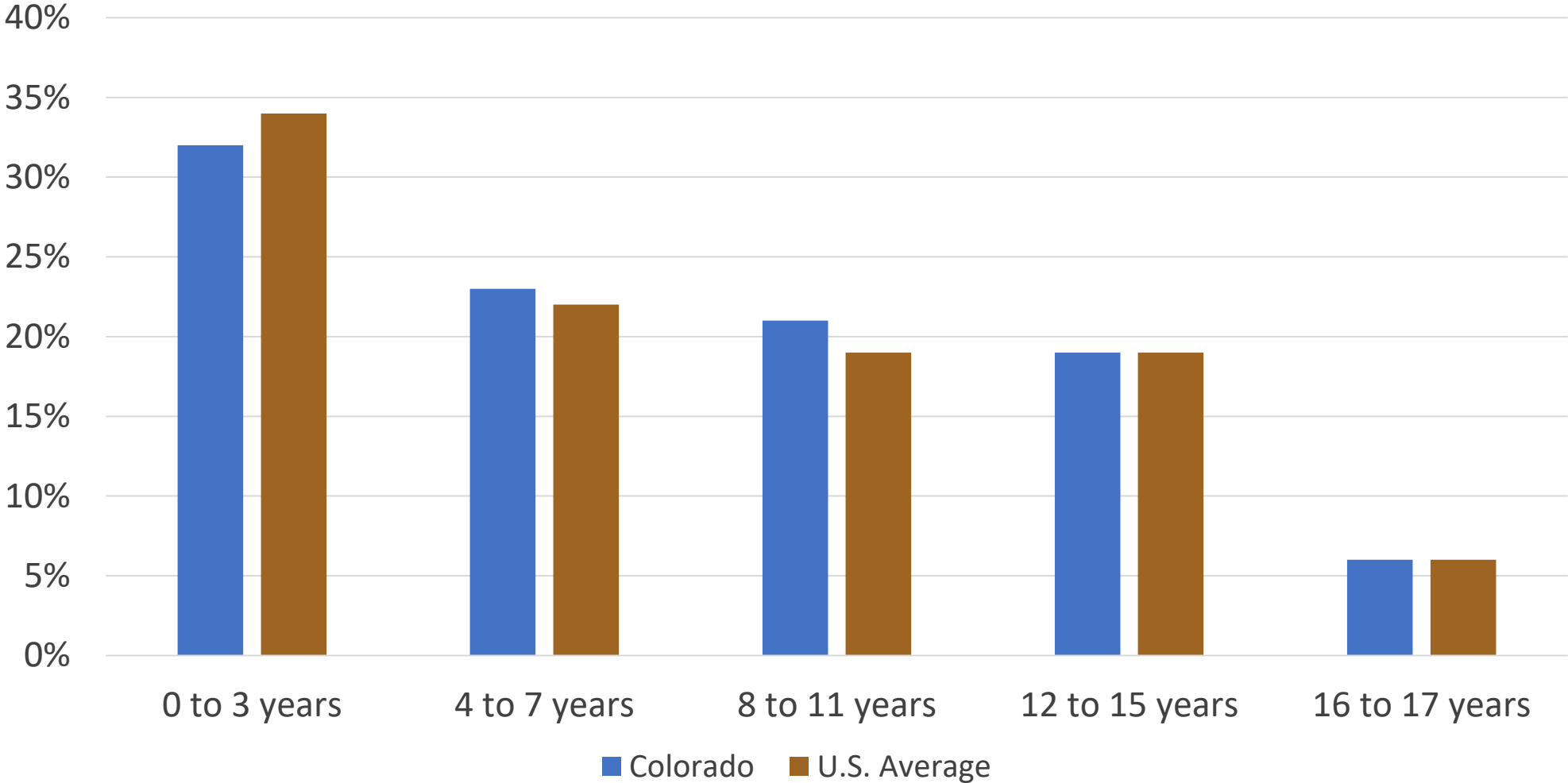
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NCSL meetings facilitate information exchange and policy discussions



# Colorado's Child Welfare System In Context

## Age Distribution of Children Experiencing Maltreatment



Source: Child Trends' Colorado [State-level data profile](#), reflects FY 2021 NCANDS data



# Colorado's Child Welfare System In Context

Measure	Colorado	U.S. Average
<b>Referrals to child welfare agency (Rate per 1,000 children)</b>	80.2	45.2
<b>Referrals meeting the criteria for investigation or assessment</b>	33%	51%
<b>Types of maltreatment experienced</b>		
<i>Neglect</i>	82%	76%
<i>Physical abuse</i>	10%	16%
<i>Psychological maltreatment</i>	2%	6%
<i>Other maltreatment</i>	<1%	4%
<b>Children entering foster care for the first time</b>	77%	81%
<b>Reasons for entering foster care</b>		
<i>Parental substance abuse</i>	53%	40%
<i>Neglect</i>	45%	64%
<i>Child behavior problems</i>	15%	7%

Source: Child Trends' Colorado [State-level data profile](#), reflects FY 2021 NCANDS and AFCARS data

# 2022 and 2023 Enacted Child Welfare Legislation

Tracked by NCSL in the [Child Welfare Enacted Legislation](#) database

## 1

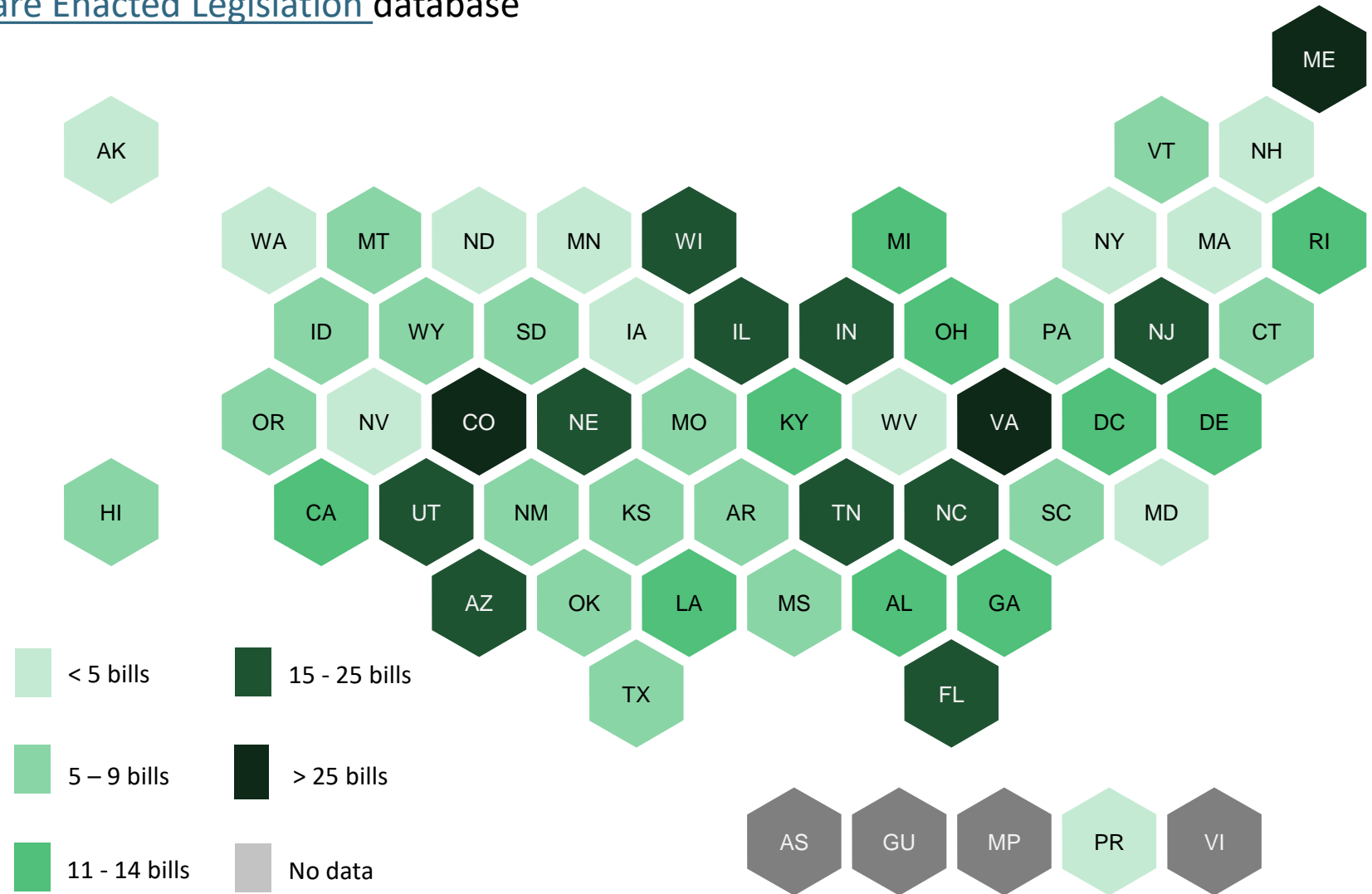
### 2022 top topics

- Foster Care (59)
- Funding (53)
- Administration (52)

## 2

### 2023 top topics

- Foster Care (90)
- Courts (72)
- Adoption (61)
- Administration (58)





Legislative attention to economic and concrete supports for system-involved individuals and families.

### **State Examples**

[WA S 5256](#) expands the child welfare housing assistance program and makes it permanent.

[AZ H 2559](#) requires the Department of Child Safety to take certain actions regarding federal benefits for a child in care for the benefit of that child.



**Legislative Trend:  
Economic and Concrete Supports**



Following the *Dobbs v. Jackson Women's Health Organization* SCOTUS decision, state legislative attention to adoption increased, a trend which continues in enacted legislation in 2023.

### State Examples

- [SC H 3908](#) Defines terms and provides paid parental leave upon the birth of a child, placement of a foster child, or adoption for eligible school district employees.
- [WV H 2002](#) Increases the adoption tax credit, provides that certain children whose adoptive parent or parents are residents of the State shall be eligible for early intervention service.



## Legislative Trend: Reforms in Adoption Proceedings





Legislative attention to child welfare system improvements, often in response to identified problems within the state's system.

### State Examples

- [MT H 513](#) Requires consideration of the harm of removal in child maltreatment cases, requires evidence of the harm of removal to be presented and considered in child maltreatment proceedings, requires child protection specialists to receive training in trauma related to removals.
- [WA H 1580](#) Creates a system to support children in crisis in part by ensuring appropriate use of State and other resources for a child in crisis, and that child's family.



## Legislative Trend: Child Welfare System Improvements



# Disproportionality in Child Welfare

## Colorado (2021 Data)

Over-representation of Hispanic or Latino and African American children in:

- Substantiated referrals
- Entry to foster care
- Children in foster care
- Demographics of children exiting foster care are proportionate to state population.

## Recent Legislation

- Eight states enacted 15 bills related to disproportionality and disparity in child welfare systems from 2021 to 2023
- Purposes include studying the issue, data improvements, prohibiting use of race or disability status in removal decisions and more

## State Examples

[Illinois HB 3821 \(2021\)](#) Creates the Racial Disproportionality in Child Welfare Task Force.

[Nevada AB 444 \(2023\)](#) Creates safeguards for Indian children to address disproportionate rates of removal.

Source: Child Trends' Colorado [State-level data profile](#), reflects FY 2021 NCANDS data

# Data-Driven, Evidence-Based Practices

Measure	Colorado	U.S. Average
Referrals to child welfare agency (Rate per 1,000 children)	80.2	45.2
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Source: Child Trends' Colorado [State-level data profile](#), reflects FY 2021 NCANDS and AFCARS data

- [Title IV-E Prevention Services Clearinghouse](#)  
– Developed in accordance with the Family First Prevention Services Act (Family First).
- [Blueprints for Healthy Youth Development](#) – Comprehensive registry of scientifically proven and scalable prevention interventions. Housed at University of Colorado, Boulder.
- [SAMSHA Evidence-Based Resource Center](#) – Information on evidence-based prevention, treatment and recovery for mental and substance use disorders.
- [California Evidence-Based Clearinghouse](#) – Program registry of evidence-based practices within the child welfare system.



## Data-Driven, Evidence-Based Child Welfare Resources



# Evidence-Based Prevention Policies & Programs

## Key Takeaways

- Legislatures are leveraging their Family First plans to extend their child welfare work to include prevention.
  - [Colorado Five-Year Family First Prevention Services Plan](#)
- Prevention and child welfare policies and programs can be viewed across a spectrum of comprehensive supports.
  - Primary
  - Secondary
  - Tertiary
- Housing, quality childcare, home visitation, health insurance, Family Resource Centers, food benefits, EITC and CTC all contribute to a child welfare system.
- The “child welfare system” now begins prenatally and reaches up to age 25.

Primary	Secondary	Tertiary
<p>Services for the <b>general population</b> to:</p> <ul style="list-style-type: none"> <li>◆ Strengthen all families and communities</li> <li>◆ Build protective factors and mitigate risk factors</li> <li>◆ Raise awareness of the public, service providers, and decision-makers of the scope and problems associated with child maltreatment</li> <li>◆ Connect families to concrete resources and help them develop protective factors to avert crisis</li> <li>◆ <b>Prevent</b> maltreatment before it occurs and prevent the need for involvement by the child welfare agency</li> </ul>	<p>Services for individuals or families with <b>one or more risk factors</b> to:</p> <ul style="list-style-type: none"> <li>◆ Strengthen specific populations, communities, or neighborhoods</li> <li>◆ Build protective factors and mitigate risk factors</li> <li>◆ Connect families to concrete resources and help them develop protective factors to avert crisis</li> <li>◆ <b>Prevent</b> maltreatment before it occurs and prevent the need for initial or deeper involvement with the child welfare agency</li> </ul>	<p>Services for families where child <b>maltreatment has occurred</b> to:</p> <ul style="list-style-type: none"> <li>◆ Strengthen families with indicated or substantiated child abuse or neglect cases</li> <li>◆ Build protective factors and mitigate risk factors</li> <li>◆ Prevent family separation, reunite families, and help families and children heal from trauma</li> <li>◆ <b>Prevent</b> recurrence of maltreatment and reentry into the child welfare system</li> </ul>
<b>Examples of Strategies<sup>1</sup></b>		
<ul style="list-style-type: none"> <li>◆ <b>Public service campaigns and announcements</b> that encourage positive parenting and promote resources like parent education, informational websites, or “warm” lines</li> <li>◆ Communitywide <b>parent education programs</b> and support groups that focus on child development, age-appropriate expectations, and the roles and responsibilities of parenting</li> <li>◆ <b>Family support and family strengthening programs</b> that focus on how to build protective factors, how to mitigate risks, education related to adverse childhood experiences (ACES), brain science and child development, and community resources and concrete supports</li> <li>◆ <b>Networks and collaborations</b> that build connections and impact policies by working with policymakers, practitioners, and communities to improve services and systems, e.g., by forming Parent Advisory Councils, holding community cafes, and advocating before legislators</li> </ul>	<ul style="list-style-type: none"> <li>◆ <b>Parent education programs</b> for teen parents in high schools</li> <li>◆ <b>Substance abuse treatment programs</b> for mothers and families with young children</li> <li>◆ <b>Fatherhood programs</b></li> <li>◆ <b>Home visiting programs</b> that provide support and assistance to expecting and new mothers in their homes</li> <li>◆ <b>Respite care</b> for families that have children with special needs</li> <li>◆ <b>Family resource centers</b> that offer information and referral services to families living in low-income neighborhoods</li> <li>◆ <b>Colocation of child welfare staff</b> in schools, community centers, health clinics, domestic violence shelters, etc.</li> <li>◆ <b>Collaborative planning</b> and participation in collective impact initiatives</li> </ul>	<ul style="list-style-type: none"> <li>◆ <b>Intensive family preservation services</b> with trained mental health counselors</li> <li>◆ <b>Parent mentor programs</b> through which parents with lived child welfare experience provide support to families in crisis</li> <li>◆ <b>Parent support groups</b> that help parents transform negative practices and beliefs into positive parenting behaviors and attitudes</li> <li>◆ <b>Mental health services</b> for children and families affected by maltreatment to improve family communication and functioning</li> <li>◆ <b>Parent and youth advisory boards</b> to help support child welfare agency and provider continuous quality improvement efforts</li> </ul>

[Working Across the Prevention Continuum to Strengthen Families, Capacity Building Center for States, 2021](#)





[Policy Levers for Preventing Child Maltreatment](#)

[Child Welfare Database](#)

[Family First State Plans and Enacted Legislation](#)

[Economic Mobility Database](#)

[Economic Mobility Snapshot](#)

NCSL Child Welfare Resources





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