

# National State Law Survey: Barriers to Child Welfare Involvement

State <sup>1</sup>	Does state law define child abuse and neglect to include child sex trafficking? <sup>2</sup>	Does state law define “caregiver” broadly to include protection for victims of non-familial child sex trafficking and otherwise eliminate barriers to sex trafficking victims accessing child welfare services?	Are child sex trafficking victims likely to access child welfare services pursuant to (or regardless of) state “abuse and neglect” and “caregiver” definitions?
Alabama	No	Yes	No
Alaska	Yes	No	No
Arizona	No	No	No
Arkansas	No	Yes	No
California	Yes	No	No
Colorado	Yes	Yes	Yes
Connecticut	Yes	Yes	Yes
Delaware	Yes	No <sup>3</sup>	No
DC	No	No	No
Florida	Yes	Yes	Yes
Georgia	Yes	Yes	Yes
Hawaii	Yes	No	No
Idaho	No	No	No
Illinois	Yes	No	No
Indiana	Yes	Yes	Yes
Iowa	Yes	Yes	Yes
Kansas	Yes	Yes	Yes
Kentucky	Yes	Yes	Yes
Louisiana	Yes	Yes	Yes
Maine	Yes	No	No
Maryland	Yes	No	No
Massachusetts	Yes	Yes	Yes
Michigan	No	Yes	No
Minnesota	Yes	Yes	Yes
Mississippi	Yes	Yes	Yes
Missouri	No*	Yes	No
Montana	Yes	Yes	Yes
Nebraska	Yes	Yes	Yes
Nevada	No	No	No

<sup>1</sup> Responses are based upon statutory law and do not reflect regulatory or practice-based responses by agencies providing child protective services in cases of child sex trafficking. Evaluations of state laws are based on analysis of state laws under components 5.5 and 5.6 of the Protected Innocence Challenge Framework and incorporate legislation enacted as of August 1, 2016. For related policy goals, background information, and select statute highlights, please visit [http://sharedhope.org/wp-content/uploads/2015/11/Issue\\_Briefs/Issue\\_Briefs\\_5.5.pdf](http://sharedhope.org/wp-content/uploads/2015/11/Issue_Briefs/Issue_Briefs_5.5.pdf) and [http://sharedhope.org/wp-content/uploads/2015/11/Issue\\_Briefs/Issue\\_Briefs\\_5.6.pdf](http://sharedhope.org/wp-content/uploads/2015/11/Issue_Briefs/Issue_Briefs_5.6.pdf).

<sup>2</sup> Responses with an asterisk (\*) indicate that the “abuse and neglect” definition does not expressly include child sex trafficking or commercial sexual exploitation.

<sup>3</sup> Del. Code. tit. 10, § 901(3) allows child welfare to investigate any act of child abuse, dependency, or neglect, but retains responsibility only for cases of intrafamilial and institutional child abuse, dependency, or neglect.

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<b>New Hampshire</b>	No	Yes	No
<b>New Jersey</b>	No	No	No
<b>New Mexico</b>	No	No	No
<b>New York</b>	No	No	No
<b>North Carolina</b>	Yes	No	No
<b>North Dakota</b>	Yes	Yes	Yes
<b>Ohio</b>	No	Yes	No
<b>Oklahoma</b>	No	Yes	No
<b>Oregon</b>	Yes	Yes	Yes
<b>Pennsylvania</b>	No	No	No
<b>Rhode Island</b>	No	No	No
<b>South Carolina</b>	No*	No	No
<b>South Dakota</b>	No*	No	No
<b>Tennessee</b>	No	Yes	No
<b>Texas</b>	Yes	Yes	Yes
<b>Utah</b>	Yes	Yes	Yes
<b>Vermont</b>	Yes	Yes	Yes
<b>Virginia</b>	Yes	Yes	Yes
<b>Washington</b>	No	Yes	No
<b>West Virginia</b>	Yes	Yes	Yes
<b>Wisconsin</b>	Yes	Yes	Yes
<b>Wyoming</b>	Yes	Yes	Yes
<b>Totals:</b>	<b>31 states</b> define child abuse and neglect to include child sex trafficking.	<b>32 states</b> do not have caregiver barriers.	<b>23 states</b> do not have defintional or caregiver barriers.