

# Child Abuse and Neglect Among American Indian/Alaska Native Children: An Analysis of Existing Data

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NICA was formed in 1999 between Casey Family Programs and NICWA. The goal of NICA is to increase permanency options for American Indian/Alaska Native children through three targeted project areas: 1) the conduct of research that can contribute to policy development on issues that impact American Indian/Alaska Native children; 2) the provision of on-site technical assistance and training to tribes to enhance service options for their children and families; and 3) the development of tribal adoption codes that incorporate historically and culturally defined practices and the implementation of a campaign to develop additional foster kinship, or adoptive homes. Together, these three components will provide American Indian/Alaska Native children with a stronger foundation for achieving the permanency that all children deserve.

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## ABSTRACT

# Child Abuse and Neglect Among American Indian/Alaska Native Children: An Analysis of Existing Data

Published rates of abuse and neglect among American Indian/Alaska Native children are higher than those for other racial and ethnic groups. However, data used to calculate these rates are incomplete (Earle, 2000). This study found that data on the abuse and neglect of American Indian/Alaska Native children from published reports and from different national sources differ substantially. What, then, are the true rates of abuse and/or neglect of American Indian/Alaska Native children? From this report, it appears that no one knows the answer to this question.

An analysis of existing reports and data on abuse and neglect for this population reiterated the current statistics and reports in the literature on child abuse and/or neglect for American Indian/Alaska Native children. These included high rates of neglect, more violence and alcohol abuse among American Indian/Alaska Native families, a higher likelihood that American Indian/Alaska Native children are in foster care, and an increase in reported and substantiated cases over time. A new, more positive finding reported by the Child Welfare League of America (CWLA) was that American Indian/Alaska Native children were found to be less likely than Whites to be adopted. The analysis found discrepancies among published reports and data that use information from the U.S. Department of Health and Human Services (DHHS), the Bureau of Indian

Affairs (BIA), and Indian Health Service (IHS). All of these data use incidents of abuse and neglect, rather than numbers of individual children who are the victims of child abuse and/or neglect, as the point of analysis. This may lead to inflated rates, especially of American Indian/Alaska Native children, who are significantly more likely than Whites to appear more than once in the data. These issues suggest the need for a national data collection effort specifically designed for American Indian/Alaska Native children.

An analysis of secondary data from DHHS's archives at Cornell University, using data for individual children rather than for incidents of child abuse and/or neglect, suggested areas for future study. Two unexpected findings were lower rates of physical and sexual abuse among American Indian/Alaska Native children when compared to White children and the importance of controlling for Hispanic ethnicity.

## EXECUTIVE SUMMARY

# Child Abuse and Neglect Among American Indian/Alaska Native Children: An Analysis of Existing Data

## Introduction

The purpose of this research was to compare existing published reports of child abuse and neglect among American Indians/Alaska Native children and to analyze secondary data on child abuse and/or neglect for American Indians and Alaska Natives from the national data archives on abuse and neglect, which has not been done to date. These analyses were undertaken with an understanding that current reports and data on American Indians and Alaska Natives may be incomplete or contradictory.

The literature highlights the fact that definitions of child abuse and neglect are inconsistent and difficult to interpret, leaving room for the misclassification of abuse and, especially, neglect. The history of Native American/Alaska Native-White relations in the United States, with its emphasis on the forced assimilation of generations of American Indian/Alaska Native children, has led to difficulties in applying child abuse and neglect laws and policies to American Indian/Alaska Native people. Mainstream understandings of what constitutes child abuse and neglect make the misclassification of abuse and/or neglect more probable for American Indian/Alaska Native families. These issues increase the difficulty of obtaining accurate data on child abuse and neglect in Indian Country.

## Methodology

In Part 1 of this study, all existing, recent, published reports that include data on abuse and neglect of American Indian/Alaska Native children were reviewed for methodology, clarity, and number of cases. The most comprehensive of these were analyzed here in detail and compared to each other and to data from the Western Regional Office of the BIA.

In Part 2, secondary data from the National Child Abuse and Neglect Data System (NCANDS) were analyzed. The Detailed Case Data Component (DCDC), which includes detailed information on each incident of abuse/neglect reported by the states to the federal government, was used. Data from approximately one million incidents from 16 states from 1995–1999 were combined, and cases were condensed in order to identify individual children rather than incidents. This was to control for the effect of one child being involved in more than one incident, which was found to be significantly more common for American Indian/Alaska Native children than for White children. The 12,164 children in this database were matched to 12,164 White children by year of incident, state where the incident occurred, age, gender, and Hispanic ethnicity. Data were analyzed using the Statistical Package for the Social Sciences (SPSS). Measures of statistical signifi-

cance used were chi-square the t-test. Only statistically significant differences were reported.

## Results

A review of existing reports and data regarding the abuse and neglect of American Indian/Alaska Native children reiterated much of the current knowledge on child abuse and neglect. Since these are the primary sources of current knowledge, this is to be expected. When data from DHHS were compared to data from the BIA and IHS, however, discrepancies were identified. Inconsistencies across states and times within and between states were readily identified in the reports themselves, highlighting the difficulties in obtaining accurate data on child abuse and/or neglect among all ethnic and racial groups.

Statistics reported by more than one source were as follows:

- Reports of neglect appear to be higher for American Indian/Alaska Native children than for White children.
- Violence is more likely to be reported among American Indian/Alaska Native families, both as an element of abuse and/or neglect and in general.
- Alcohol abuse, related to child abuse and neglect and in general, is more likely to be

reported for American Indian/Alaska Native families.

- There has been a reported increase in overall cases of child abuse and/or neglect for American Indian/Alaska Native children.
- American Indian/Alaska Native children appear to be more likely than White children to be placed in foster care.

Other important results found or reported in this analysis were as follows:

- American Indian/Alaska Native children currently appear to be less likely to be adopted compared to White children. This positive finding, reported by CWLA (1999), may be due to the passage of the Indian Child Welfare Act of 1978 (ICWA).
- Analysis of NCANDS data found higher rates of public assistance among American Indian/Alaska Native families compared to Whites.
- There appear, from the analysis of NCANDS data, to be significantly lower rates of sexual and physical abuse among non-Hispanic American Indian/Alaska Native children than among non-Hispanic White children.
- It is important to control for Hispanic ethnicity when comparing White and American

Indian/Alaska Native children, as this appears to be a powerful intervening variable.

- There are discrepancies in rates of child abuse and neglect reported from different sources for the same states and in the same time frames. A comparison of three states for which data were available from more than one source illustrated difficulties in drawing conclusions based on any one source.

## Policy and Practice Implications

The policy implications of these findings are substantial. Rates of child abuse and neglect are used to target financial assistance, staffing, training, and other resources to areas where needs have been identified. Accurate data on the true incidence of child abuse and neglect is crucial in order to meet these needs. In addition, the lack of accurate data underscores the need for coordination of services and information among federal and state agencies that work with American Indian/Alaska Native nations.

The implications for practice continue to be that culturally appropriate measures of child abuse and neglect are needed for American Indian and Alaska Native families. Practitioners who work in Indian Country are limited by the definitions of abuse and neglect provided by mainstream federal and state agencies, leading to probable mis-

classification of abuse and neglect where none has occurred.

## Conclusions

This review of existing sources makes a strong case for the collection of data on the abuse and/or neglect of American Indian/Alaska Native children directly by and from Indian nations. Data for the same states and time frames from different sources differed dramatically. These sources do not pool their data but maintain independent data systems, which leads to inaccuracies in any one system. The primary data source, NCANDS, has an overrepresentation of multiple incidents involving one American Indian/Alaska Native. These numbers of incidents have been used to calculate high rates of child abuse and/or neglect by comparing them to Census data, where each child is counted only once.

The creation of a data system specifically designed and controlled by American Indian/Alaska Native people may be the most logical way to address these problems in the existing data. The first step in the design of such a data system is to give American Indian/Alaska Native people an opportunity to develop a culturally appropriate definition of abuse and neglect and a larger say in when and how a designation of neglect is made for American Indian/Alaska Native children.

# Introduction

## Purpose of the Study

The prevention of child abuse and neglect among children who are members of federally recognized American Indian tribes and Alaska Natives has been a concern of many agencies and individuals, yet accurate data on the extent of child abuse and neglect among American Indian/Alaska Native children are lacking (Earle, 2000). In 1989, Piasecki, Manson, Biernoff, Hiat, Taylor, and Bechtold reported that there were fewer than six systematic studies published over the previous 10 years that provided any insight into the nature and scope of American Indian/Alaska Native child abuse and neglect. There has been little improvement in the last decade. In 1996, MacEacheron, Gustavsson, Cross, and Lewis could only compare data from the years 1975 and 1986 to assess the effectiveness of the Indian Child Welfare Act of 1978 because of the small amount of published data available on Indian child welfare. Few studies of child abuse and neglect among specific American Indian/Alaska Native tribes/nations have been published since the late 1970s and early 1980s when White and Cornerly studied the Navajo and Wichlacz, Lane, and Kempe studied the Cheyenne River Sioux (Fischler, 1985; Piasecki et al., 1989).

Currently, there are some, mostly federal, sources available for data on child abuse and/or

neglect among American Indian/Alaska Native children, and most of these are based on one source, the National Child Abuse and Neglect Data System (NCANDS) of the federal Department of Health and Human Services (DHHS), Children's Bureau. The Bureau of Indian Affairs (BIA), the Department of Justice (DOJ), and the Indian Health Service (IHS) collect limited data as well. Reports from these federal agencies portray serious problems of child abuse and neglect in Indian Country, with rates of abuse and neglect higher than those reported for the general population. These figures include the following:

- American Indian and Alaska Native children represent 1.6% of substantiated or indicated child abuse and/or neglect cases yet are only 1% of the population (Child Welfare League of America [CWLA], 1999).
- The victimization rate for American Indian and Alaska Native children is 20.1 victims per 1000 children of the same race, compared to a rate of 10.6 for White children (DHHS, 2001).
- There is about 1 substantiated report of a child victim of abuse or neglect for every 30 American Indian/Alaska Native children age 14 or younger, a rate about double the national rate (Department of Justice [DOJ], 1999).

These figures are all based on one source, the NCANDS of the DHHS. Last year's report (Earle, 2000) estimated that data in the NCANDS are incomplete, as an estimated 40% of all cases of child abuse and/or neglect among American Indian/Alaska Native children are not reported to the NCANDS. The definitional and cultural aspects of reporting child abuse and neglect among American Indian/Alaska Native people are complex, leading to serious questions regarding the true rates of child abuse and neglect in Indian Country.

The following were the research questions addressed by this study:

- How accurate are existing figures and reports on child abuse and/or neglect of American Indian/Alaska Native children?
- What do current, raw data tell us about the child abuse and/or neglect of American Indian/Alaska Native children in the United States?

Despite the difficulties in the search for data on American Indian/Alaska Native child abuse and/or neglect and the lack of published work on Indian child welfare, a few investigations into and reports concerning the scope of American Indian/Alaska Native child abuse and neglect in the United States have been undertaken since the late 1980s. Last year's study (Earle, 2000)

defined, described, and analyzed current data sources, including published reports and publicly accessible databases, which include data related to the abuse and/or neglect of American Indian/Alaska Native children. The current research was a follow-up to the survey of American Indian/Alaska Native tribes/nations completed last year indicating that data on child abuse and/or neglect in American Indian and Alaska Native tribes/nations is incomplete (Earle, 2000).

# Literature Review

The literature defines and describes child abuse and neglect in some detail, highlighting the fact that definitions are inconsistent across states and among the therapists who must interpret them. Additional concerns are raised when considering the application of child abuse and neglect laws to American Indian/Alaska Native children, many of whom reside within a culture with different norms from those assumed by these laws and their application. The history of Native American/Alaska Native-White relations in the United States and attempts to force assimilation of American Indian/Alaska Native children by their removal from their homes and communities has made the application of any federal laws to American Indian/Alaska Native children difficult. Obviously, laws dealing specifically with the possible removal of children from their homes are especially difficult to apply. The passage of the Indian Child Welfare Act (ICWA) in 1978 began to reverse negative trends in the removal of American Indian and Alaska Native children, but current knowledge and practice among mainstream child welfare workers continue to challenge the assumptions of ICWA that American Indian/Alaska Native tribes/nations have the last say in the welfare of their children.

## History of Child Abuse Legislation

The history of child protection in the United States began with the case of Mary Ellen in New York City in 1874. Although there were previous cases of maltreatment prosecuted in the United States, this case received extensive press coverage, leading to a child protection focus in the social service field. It was not until 1935, however, that state and local child welfare responsibility was recognized by the federal government through the inclusion of a small child welfare services program in the Social Security Act (Davidson, 1999). The federal government did not address child maltreatment directly until the passage in 1974 of the Child Abuse Prevention and Treatment Act (CAPTA).

## Child Abuse Prevention and Treatment Act

CAPTA tied funding for public child protection to the development of state eligibility criteria and the reform of local child protective services. Under CAPTA, the U.S. Department of Health and Human Services (DHHS) required each state to develop its own definition of child abuse and neglect. This led to differences across states. Although DHHS also required that states report cases of child abuse and neglect to the federal government, these reports may take the form of

aggregate data rather than individual incident reports. In 1988, the Prevention, Adoption, and Family Services Act, Public Law 100–294, amended CAPTA to establish a national data collection and analysis program on child abuse and neglect. The system, called the National Child Abuse and Neglect Data System (NCANDS) produced its first annual report, based on data from 1990, in 1992. In 1976, there were fewer than 500,000 nationwide child abuse and/or neglect reports to DHHS, but by 1997 the number had increased to 3 million or 42 children reported per 1,000 population (Davidson, 1999). By 1998, all states were reporting some data to NCANDS (DHHS, 2000).

Both the Adoption Assistance and Child Welfare Act of 1980 and the Adoption and Safe Families Act of 1997 tied federal funding to required changes in state law and local child welfare and court practice, strengthening the compliance of state offices with the requirements of DHHS in all regards, including the reporting of child abuse and neglect data.

Rates of maltreatment are based on substantiated cases of child abuse and/or neglect. In 2001, using NCANDS, DHHS reported that the rate of child maltreatment victimization was 20.1 cases per 1,000 children for American Indians in 1999 (20 states reporting), compared to a rate of 25.2 for African-Americans, 4.4 for Asians, 10.6 for Whites, and 12.6 for Hispanic children (DHHS, 2001).

### **Application of the Child Abuse Prevention and Treatment Act to American Indian/Alaska Native Children**

CAPTA did not apply directly to sovereign tribal nations because Indian nations did not receive funding under its provisions (Cross, Earle, & Simmons, 2000; National Indian Justice Center, 1991). In 1990, the Indian Child Protection and Family Violence Prevention Act was passed to specifically address the issue of child abuse and neglect in American Indian/Alaska Native communities. The act established federal investigation and reporting requirements for American Indian/Alaska Native tribes/nations. Definitions of child abuse and neglect for American Indian/Alaska Native children included in the act closely mirror the mainstream, NCANDS, and national definitions. However, the wide acceptance and use of CAPTA by American Indian/Alaska Native child welfare workers has not occurred. This is primarily due to a lack of financial resources to develop and promulgate policies and procedures based on the act. There are also continuing differences among practitioners in Indian Country as to what really constitutes abuse and, especially, neglect in Indian Country (Red Horse, Martinez, Day, Day, Poupart, & Scharnberg, 2000).

The issue of sovereignty of Indian nations is a crucial point to consider when looking at child

abuse and/or neglect in Indian Country, as state laws and procedures are difficult to apply to Indian nations that lie within state borders. Sovereignty refers to the right of nations to self-govern. Included in the U.S. Constitution and affirmed through various statutes and court decisions, the sovereign, nation-to-nation status of American Indian/Alaska Native people is frequently not acknowledged by the states in which they are located. The long and difficult history of American Indian/Alaska Native-state relationships is based on an inherent misunderstanding among the parties as to the nature of American Indian/Alaska Native sovereign nation status, seen as central to American Indian/Alaska Native people but as peripheral or irrelevant by many of the state governments.

## Cultural and Historical Factors

In order to understand the difficulties in reviewing child abuse and/or neglect in Indian Country, it is necessary to briefly review the history of European-American Indian/Alaska Native relations. This helps us to understand how U.S. policy has affected the care of children among American Indian/Alaska Native people today, and why, therefore, attempts to obtain data on the abuse and neglect of children by persons outside the culture have been discouraged or sometimes ignored in Indian Country.

Since the first European “discoveries” of America, Indian nations were driven onto smaller and smaller patches of their previous lands. During these centuries, Americans wavered between the desire to save or to destroy American Indian and Alaska Native people. Efforts to save, “civilize,” and/or assimilate American Indians and Alaska Natives largely focused on American Indian/Alaska Native children.

### Early Initiatives

In the early 1600s, the Virginia Company encouraged settlers to kidnap American Indian children in order to begin “civilizing” the American Indian population. By 1819, Congress had passed the “Civilization Fund Act,” which authorized an annual fund of \$10,000 to pay benevolent societies to provide schools where American Indian children could be schooled in the ways of “civilization” (Prucha, 1990).

The Lake Mohonk Conferences of Friends of the Indian, meeting from 1883–1916, marked the beginning of serious, organized attempts at the education and assimilation of American Indian and Alaska Native children. In 1889, Commissioner of Indian Affairs Thomas Morgan presented a detailed plan for a national system of Indian schools at Lake Mohonk (Prucha, 1990). These recommendations heralded the beginning of the era of large-scale removal of American Indian/Alaska Native children to boarding

schools, an era which lasted into the 1950s and played a major role in the breakup and disintegration of American Indian and Alaska Native families in the United States and Canada (Adams, 1995).

### The Boarding School Era

During the boarding school era, American Indian and Alaska Native children were taken from their homes and placed in either militaristic government boarding schools or in Christian mission schools. Eventually many of the boarding schools housed more than a thousand students ranging in age from three to thirteen. Child removal was handled by federal employees who could and would forcibly take children to schools without parents' consent (Coolidge, 1977). This removal and assimilation policy was seen as compassionate, as it was supposed to lead the American Indian or Alaska Native away from a life of poverty and "savagery."

Unfortunately, a side effect of boarding school life was the learned physical and sexual abuse of others (Johansen, 2000; Macqueen, 2000), previously unknown among American Indian/Alaska Native people, who traditionally treated children with great respect (Cross, 1986; Red Horse, 1997; Red Horse et al, 2000). In the boarding schools, "children were frequently beaten severely with whips, rods, and fists, chained and shackled, bound hand and foot, and locked in closets, basements, and bathrooms" (Johansen, 2000, p. 18).

### The Indian Reorganization Act and Tribal Self-Determination

A shift in U.S. policy toward American Indians and Alaska Natives occurred with the passage of the Indian Reorganization Act in 1934 (Wheeler Howard Act). This act permitted greater tribal control over reservations. With the Indian Reorganization Act, some of the boarding schools began to close. Schools that stayed open became residential facilities for American Indian/Alaska Native children found to be dependent and/or neglected (George, 1997). Enrollment at the remaining Indian boarding schools grew throughout the 1940s and 1950s (Colmant, 2000). In 1971, the Bureau of Indian Affairs (BIA) school census reported that 34,538 children were living in boarding schools; this was over 17% of the American Indian/Alaska Native school-aged population (Byler, 1977).

### Public Law 280 Marks a Shift Backward

During the 1950s, U.S. policy toward American Indians and Alaska Natives again moved away from self-governance. In 1953, Congress passed Public Law 280 67 Stat. 588 (1953), shifting control over most civil and criminal proceedings from tribes in six states (California, Nebraska, Minnesota [except Red Lake Reservation], Oregon [except Warm Springs Reservation], Wisconsin, and eventually, Alaska) directly to the

states in which they were located. Although Pub. L. No. 280 made American Indian/Alaska Native people eligible for some state services, the law eroded tribal authority and tribes' capacity to protect children and ran directly counter to the treatment of Indian nations as sovereign, as stated in the U.S. Constitution and reaffirmed by the U.S. Supreme Court. Additional states were eligible to take over tribal court jurisdiction without tribal consent up until 1968, when the Indian Civil Rights Act amended Pub. L. No. 280 so that no state could assume jurisdiction thereafter without the consent of the tribe concerned (Canby, 1998).

### **The Indian Adoption Project 1958–1968**

In 1957, the BIA contracted with the Child Welfare League of America (CWLA) to operate a clearinghouse for the interstate placement of American Indian and Alaska Native children with non-Native families. The mission of the Indian Adoption Project was “clear and deliberate” about the placement of American Indian/Alaska Native children with Caucasian families far from the reservation (George, 1997).

The Indian Adoption Project promoted the adoption of American Indian and Alaska Native children so well that the demand by adoptive parents (middle-class Whites) for American Indian/Alaska Native children exceeded the capacity of the project. In the project's lifetime,

more children were placed for adoption by the child's home state than by the project itself (Fanshel, 1972).

Many social workers assessed the American Indian/Alaska Native family without cultural knowledge, imposing their own economic and cultural values and behavioral standards and interpreting the child's best interests as served by removal from the American Indian/Alaska Native family and culture. In most instances, this was despite a tribal insistence that family preservation and tribal integrity were in the children's best interest (Horejsi, Heavy Runner Craig, & Pablo, 1992; Ishisaka, 1978; Westermeyer, 1977).

### **Initiation of the Indian Child Welfare Act**

In 1968, Devils Lake Sioux tribal members approached the Association on American Indian Affairs (AAIA) with concerns about routine removal of American Indian/Alaska Native children from tribal families by child welfare officials. Other tribes began passing resolutions demanding an end to removal practices. In response, the AAIA undertook a series of studies, the first in 1969, of state child welfare agencies in states with large American Indian/Alaska Native populations (Mannes, 1995).

Concurrently, the civil rights movement and President Johnson's War on Poverty were

bringing changes to U.S. American Indian/Alaska Native policy. The federal government was again changing its tribal policy in favor of tribal self-determination. Senate subcommittee Indian child welfare hearings, held 1974 through 1978, investigated the extent to which current child welfare policies undermined tribal survival through unwarranted removal of American Indian/Alaska Native children to non-Native cultural settings.

A survey by the AAIA in the 1970s found that 25% to 35% of all Native children had been separated from their families (George, 1997). Statistics varied in different parts of the country. In Maine, for example, American Indian children were placed in foster care at a per capita rate 19 times greater than that for non-Native children. Statistics from other states demonstrated that these rates were not uncommon. In New Mexico, when adoptive care, foster care, and federal boarding school placements were added together, the result showed that American Indian children were being separated from their families at a per capita rate 74 times that for non-Native children (Association on American Indian Affairs [AAIA], 1977).

Given the “shocking” facts regarding foster care and adoption placements for American Indian/Alaska Native children, Congress determined that fundamental changes in Indian child

welfare policy and practices were necessary, and ICWA was passed in 1978.

Under ICWA, state courts have no jurisdiction over adoption or custody of American Indian/Alaska Native children who live on a reservation unless another law provides to the contrary. Tribes have jurisdiction over proceedings involving any American Indian or Alaska Native child who is a ward of the tribal court, and over cases in which the state courts do have jurisdiction, there are important qualifications put upon that jurisdiction (Canby, 1998).

The complicated history of Native-European interactions has led to problems in the definition of child abuse and neglect for American Indian and Alaska Native children. These problems are also due to inherent differences between American Indian/Alaska Native culture and mainstream American culture, which five centuries of contact have still not erased. Many of these differences are evident in the day-to-day activities of social workers and other professionals who must make decisions related to the investigation and treatment of child abuse and/or neglect cases.

## Problems in Definitions of Abuse and Neglect

In order to report child abuse and neglect, reporting individuals and agencies must have a clear definition of what constitutes child abuse and/or neglect. The standard definitions developed by the National Center on Child Abuse and Neglect are as follows:

- Physical Abuse—physical acts that caused or could have caused physical injury to a child
- Sexual Abuse—the offender's involvement of the child in sexual activity to provide sexual gratification or financial benefit to the offender, including contact with the child for sexual purposes, prostitution, pornography, exposure, or other sexually exploitative activities
- Neglect—deprivation of necessities for the child; the failure of the caregiver to provide the child with needed, age-appropriate care, even though the caregiver is financially able or offered the financial or other means to do so
- Medical Neglect—the failure of a caregiver to provide appropriate health care for the child, resulting in harm to the child's health, even though the caretaker was financially able or offered the financial or other means to do so. This may include prenatal exposure to drugs.
- Emotional/Psychological Maltreatment—the offender's acts or omissions, other than phys-

ical or sexual abuse, that caused or could have caused cognitive, affective, conduct, or mental disorders in the child, including emotional neglect, psychological abuse, or mental injury (Child Welfare League of America [CWLA], 1999, p.4)

Each state is required to develop its own definition, leading to differing definitions in different areas of the country. According to the CWLA (1999),

Every state uses its own definition of abuse and neglect and applies its own standards of proof in substantiating whether abuse occurred. Because definitions, methods, and data collection systems differ, seemingly similar statistics collected by the states may vary too much to allow for direct comparison. (p. xiii)

Differences by state include the following:

- Some states only investigate reports of severe neglect or abuse.
- Some states screen out many reports by telephone without investigation.
- Some states follow up on every report with face-to-face interviews.
- Some states report only general neglect, physical abuse, and sexual abuse statistics.
- Some states include emotional abuse, medical neglect, and abandonment in their definitions (CWLA, 1999, p. 4).

Problems in definition that affect the lives of American Indian/Alaska Native children are especially acute in the areas of

- the importance of the parental role in mainstream society;
- the ability of therapists to judge what constitutes abuse and/or neglect;
- the importance of socioeconomic status, family circumstances, and race when determining whether or not abuse has occurred; and
- a higher likelihood of substantiating a child abuse and/or neglect complaint when law enforcement agencies are involved.

Following is a description of each of these areas of concern.

### The Importance of the Parental Role

According to the literature, the nature of the parent-child bond, as well as society's definition of that bond, are crucial variables in the definition, reporting, and substantiation of abuse allegations. Wasserman and Rosenfeld (1986) defined child abuse as "... a failure or aberration in the normal parent-child bond" (p. 517) and recommended that an evaluator use the following criteria to assess whether abuse or neglect has occurred:

1. Knowledge. Does the parent know the child? To what extent is the parent familiar with and

sensitive to the world of the child? Does the parent know the child's idiosyncrasies, routines, preferences?

2. Executive ability. Can and will the parent provide the care taking, organizing, and executive aspect of parenting? Does the parent have the ability and desire to provide a minimally necessary amount of order and structure in the child's life? Is the home chaotic and disorganized? Can the parent provide for the child's supervision and care? Is the child fed? Is the environment safe? Can the parent arrange for minimal medical care?
3. Discipline. Does the parent have realistic expectations about the child's ability to control his behavior? What methods does the parent use to maintain control over the child's behavior? What techniques of limit setting and discipline are used? Are they used consistently, or do the rules of the home vary dramatically with the parental mood?
4. Nurturance. Does the parent provide a minimal necessary level of developmentally appropriate nurturance? Here we consider nurturance as the emotional aspects of the process of stimulating the child's physical and psychologic [sic] development. Is there minimal empathy for the child's emotional state? Does the parent have some understanding of the child's feelings and needs as a human being? Does the parent allow the minimal

level of autonomy necessary for the child's emotional growth? Can the parent allow the child to separate to attend school or play with friends?" (p. 523–524).

This definition of abuse and neglect, which expands the nationally defined standard considerably, is based on the mainstream American understanding of the centrality of the nuclear family, in which father and mother are entirely responsible for the care of their children. It does not fit the family patterns found in many other cultures, most notably in the American Indian/Alaska Native culture, where child care is the responsibility not of the parents exclusively but of the extended family and the entire American Indian/Alaska Native community. The importance of the parental variable in allegations of abuse and neglect was echoed in a study by Shapira and Benbenishty (1993) that found that the three most predictive cues for designating a risk of harm to a child were "... the mother's relationship with the child, parents' cooperation during previous interventions, and signs of abuse and neglect" (p. 18).

A conflict between the rights of the child and the rights of the parent/guardian has led experts to question the right of the state to interfere in child-rearing matters in mainstream society as well as among American Indian/Alaska Native people. Child protective laws were seen to have established the right of the state to "... regulate

intrafamily interactions and enforce such regulation by means of restricting or terminating the rights of parents to the possession and custody of their children" (Guyer, 1982, p. 74). Guyer also highlighted the issue of cultural relativity. It poses the risk, he stated, that "... subjective, class-based social preferences regarding child rearing practices will become legislatively, judicially, or administratively incorporated into the body of law that controls intrafamily interactions" (p. 76). This was especially true in judging alleged cases of neglect in cultures that have different child-rearing practices from those of mainstream American society.

American Indians and Alaska Natives are especially vulnerable to the mislabeling of neglect when the primary evidence to be weighed by the caseworker is the parent-child bond. A recent report found that American Indian/Alaska Native people, when asked to define elements of family preservation, focused on extended family/kin as being "essential." The influence of the community outweighs the importance of the nuclear family unit in this culture (Red Horse et al., 2000).

### The Therapist Viewpoint

The ability of a therapist to judge what constitutes abuse and/or neglect is complicated by penalties, including criminal sanctions in some states, for failure to report abuse (Guyer, 1982). Currently, therapists must warn their clients that if a client indicates during a confidential therapeutic

session that he or she has abused or neglected a child, the therapist must report this to the legal authorities (National Association of Social Workers [NASW], 1999).

Problems that therapists have in deciding when to report abuse allegations have been described by several authors. According to Howing and Wodarski (1992), vague and inconsistent state laws and practices have increased the burden of decision-making. Workers' decisions are complicated by issues such as the following:

- When is corporal punishment physical abuse?
- Is poverty neglect?
- What is emotional maltreatment?
- Is the exposure of a sexually abused child to the further trauma of the intervention process always justified, or is it additional victimization?
- Can a therapist be considered liable for defamation of character when an abuse case is not substantiated?
- What is the effect of reporting alleged abuse or neglect on the therapeutic relationship?

A therapist's decision to report child abuse and/or neglect must be weighed, wrote Zellman (1990), against the therapist's belief that a report is more likely to harm than to help a child. In this case, the requirement under the law to report all

allegations of abuse or neglect may lead a therapist to report even when they believe their report will not be helpful to anyone but may, in fact, harm a child. This is especially difficult when different cultural norms and expectations are involved. According to Red Horse et al. (2000),

Distrust of mainstream child welfare systems is cited as a major barrier to successful American Indian family preservation. This distrust influences interactions between Indian people and non-Indian professionals and is a recipe for disaster when coupled with a lack of knowledge and skill among mainstream social workers interacting with Indian families. A vivid example was given in a discussion about an Indian mother who would not come to the door for a non-Indian social worker. The social worker concluded that the mother did not care about her children, made official determinations to that effect, and removed the children from their home. (p. 63)

### Circumstances and Family Characteristics

There are various other factors that help to determine whether an allegation of abuse or neglect is reported, investigated, and/or substantiated. Wolock (1982) found varying levels of reporting behaviors in different socioeconomic areas of one state. Zellman (1992) reported that the characteristics of the child and family affect reporting behavior. Therapists were more likely to report cases in which a child was younger, when

parents were perceived to be acting out of laziness or anger, and when the family was of a lower socioeconomic status or a different race. These characteristics suggest difficulties inherent in the reporting of abuse and/or neglect of American Indian/Alaska Native children by mainstream workers. Horejsi, Heavy Runner Craig, and Pablo (1992) described a typical “fight or flight” reaction of American Indian/Alaska Native parents to child protective workers. This reaction leads to the labeling of caretakers as uncooperative, unmotivated, resistant, or hard to reach, and increases the likelihood that children will be removed.

### Involvement of Law Enforcement Agencies

Groeneveld and Giovanni (1977) have written that the reporting of child abuse and/or neglect cases is dependent not only on the type and severity of abuse but also on the circumstances surrounding the complaint of abuse and the resources available to investigate the complaint. Reports from law enforcement agencies were more likely to be substantiated than those from other sources, and “... differences in substantiation rates between cases reported by law enforcement and by other agents were much greater in neglect than in abuse reports” (p. 28).

Because of the unique American Indian/Alaska Native-federal relationship, child welfare laws

specifically related to law enforcement apply to child abuse or neglect cases that occur within the bounds of Indian Country. These provide that when there is no law to the contrary, the federal criminal justice system has the legal duty to investigate allegations of abuse and neglect. According to the U.S. Attorney’s Office (1997), law enforcement for most of Indian Country is not the responsibility of the state or local police but of the FBI and the BIA, as well as the tribal governments. “Indian Country” is defined by federal law as Indian reservation lands under the jurisdiction of the U.S. government, dependent Indian communities within the US, and all Indian allotment lands still in Indian hands (U.S. Attorney’s Office, 1997). “Laws to the contrary” include Public Law 280 (1953), which has given control of most civil and criminal proceedings to six specific states in which Indian nations are located.

Rockwell (1988) reported that only 40% of local law enforcement agencies were involved in inter-agency investigations of child abuse and/or neglect in New York and that when called upon to investigate cases, only 33% involved other agencies. In contrast, 72% of the Indian nations surveyed in 2000 included law enforcement as members of their child protective teams (Earle, 2000). This may lead to an overreporting of cases of abuse and/or neglect that occur on American Indian/Alaska Native lands and territories.

On some reservations, as many as six law enforcement agencies have overlapping jurisdiction: the FBI, the BIA police, the county sheriff, the highway patrol, the tribal police, and the city police (Taft, 1981).

### Relevance to Allegations of Child Abuse and/or Neglect in Indian Country

Consideration of the importance of parents, therapist, family circumstances, and the involvement of law enforcement to a finding of abuse or neglect necessarily raises concerns among American Indian/Alaska Native people, whose culture and practices differ from those of mainstream families in several of these areas. Concerns are as follows:

- Emphasis on the critical role of parents leads to inappropriate removal of American Indian/Alaska Native children. Most American Indian/Alaska Native tribes/nations have an extended family and community child-care network, and emphasis on the strength of the parent-child bond in alleging abuse is almost always inappropriate in this context.
- Therapist responsibility for deciding which allegations are reported and pursued leads to overreporting of child abuse and/or neglect in Indian Country. Therapists, especially those not familiar with American Indian/Alaska

Native norms and culture, may use their own cultural frames of reference to interpret whether or not abuse and/or neglect have occurred.

- Family circumstances in Indian Country may lead to overreporting of child abuse and/or neglect, especially in cases of poverty, parental reluctance to share information with the therapist, and racial differences between therapist and client.
- Overreporting by law enforcement may be a serious problem on reservations, especially in the case of sexual abuse. Since the FBI and local, and sometimes state, law enforcement individuals and groups are involved in many cases of child abuse and/or neglect in Indian Country, these cases may be more likely to be reported than if they had occurred elsewhere.

Different definitions of what constitutes abuse or neglect among different states further complicate the issue, as do factors such as the designation of who is an American Indian/Alaska Native, with differing tribal and federal definitions competing with self-identification by many individuals and families (Goodluck & Willetto, 2000).

Despite these limitations in the definition of child abuse and neglect, several groups have attempted to obtain data from Indian nations regarding the abuse and/or neglect of American

Indian/Alaska Native children. These efforts have largely been undertaken by agencies of the federal government but have also involved private organizations and universities.

## Who Collects Data for American Indian/Alaska Native Child Abuse and/or Neglect?

Guidelines and funding to provide oversight of the abuse and neglect reporting system in Indian Country have been lacking to date (Cross et al., 2000). However, there have been a limited number of reports and sources of data regarding the abuse and/or neglect of American Indian/Alaska Native children generated over the past few years. These reports have been generated by private foundations and organizations, universities, and federal agencies.

### Federal Agencies

Data from the federal level are generally collected as part of a funding stream. By reviewing funding streams, it may be possible to identify potential sources of data on child abuse and/or neglect. United States federal responsibility for ensuring the protections provided by law to American Indian/Alaska Native children rests with the BIA in the Department of the Interior and the Administration for Children and Families (ACF) in DHHS. As part of their responsibility to American

Indian/Alaska Native children, these agencies are expected to monitor compliance with ICWA and the Indian Child Protection and Family Violence Prevention Act.

### Role of the Bureau of Indian Affairs

The BIA has been the central oversight agency for tribes for the past 177 years. The establishment of the BIA in 1824 under the U.S. War Department originally led to the use of army medical personnel to oversee the health care of American Indians and Alaska Natives on reservations, setting a negative tone for American Indian/Alaska Native-federal relationships that has been difficult to overcome (Attneave, 1984). The BIA was transferred from the War Department to the Department of the Interior in 1849 and has maintained its oversight of tribes since that time with continuing mixed reviews from the tribes.

The BIA is a complex bureaucracy headed by a Commissioner of Indian Affairs who reports directly to the U.S. Department of Interior. While the Washington, D.C. office is the central location for the BIA, the 12 area offices have an unusually great degree of decision-making authority. About 80 offices under the direction of area offices are located on one or more reservations.

The BIA collects data on the services it oversees through its regional offices, but there is currently

no direct requirement for reporting of data on child abuse and neglect. The major responsibility of the BIA is the provision of education through the BIA-run boarding and day schools and the management of tribal resources. Much of the funding for child welfare programs is provided through the BIA either directly, through BIA-administered tribal services, or indirectly, through ICWA, the Indian Self-Determination Act, or the Snyder Act. The Snyder Act (“Authorization of Appropriations and Expenditures for Indian Affairs”) was passed in 1921. While the law appropriated no funds, it has been used as the basis for appropriating money for the administration of Indian Affairs by the BIA (Canby, 1998).

Some of the Snyder Act funds are passed to self-governance tribes, which receive a share of funds in a lump sum (instead of by category) to administer all of their tribal programs. Self-governance tribes allocate these funds to programs, including child welfare programs, as they choose. In addition, some of the BIA administered funds go to tribes that have contracted to obtain services through another provider. Further, Snyder Act funds are allocated based on need, so funding formulas are based on prior years and current spending (Chet Eagleman, Indian Child Welfare Specialist, Tribal Services Division, BIA, personal communication, April 3, 2000).

All tribes and agencies that receive federal money are required to report on how that money is spent. Each consortium, tribe, and BIA agency is supposed to submit a form to the BIA Regional Office that lists the total child abuse and/or neglect referrals, the type of referral (sexual abuse, physical abuse, neglect); substance abuse involvement, incident characteristics (recurring case, siblings involved); results of investigation (substantiated, unsubstantiated, under investigation); and action taken (referral to court, referral to social services or other agency, no action). Cases can only be counted as one abuse type, so a case can be counted, for example, as physical abuse or neglect but not both. Instructions for which category to pick if there is more than one type of abuse or neglect occurring are provided. The regional offices compile the tribal, consortium, and agency reports into one annual report for the region and send it to the BIA Central Office. However, because of complex legal and policy issues, reporting is incomplete.

Several issues complicate child abuse and/or neglect reporting to the BIA. Tribes are sovereign nations. Currently, the BIA has no penalties that can be applied to a sovereign nation for non-compliance with child abuse and neglect reporting. Only programs that receive Snyder Act funds are required to report, as their funding is need-based and has to be justified. Snyder Act funds

can be withheld for non-reporting. Self-governing tribes may not report to the BIA as their self-governance status affords them broad sovereignty. Those tribes that contract services probably do not have the data to report. For example, tribes where the state or county is responsible for investigations do not report. If a state has responsibility for child protective services, the tribe can't send the data to the BIA because the tribe doesn't have it.

### **Role of the Department of Health and Human Services**

DHHS also provides indirect funding to tribal programs. Within DHHS, the Children's Bureau of ACF supports state and tribal programs to provide child welfare, foster care, adoption, and family preservation services under three titles of the Social Security Act: Titles IV-E, XX, and IV-B. These funds are primarily funneled through the states, and tribes must enter into a state agreement in order to obtain money to provide services (Cross et al., 2000).

Although the national data collection and analysis system for child abuse and neglect, NCANDS, receives data on child abuse and/or neglect from all 50 states, data from American Indian/Alaska Native tribes or nations appear to be incomplete (Earle, 2000). Data on American Indian/Alaska Native children are included only if provided by

the states, and this requires some state/tribal coordination and trust.

### **Indian Health Service Role**

IHS provides health and mental health services to enrolled members of federally recognized American Indian tribes and Alaska Natives. As of March 1996, the federal IHS administered 37 hospitals, 64 health centers, 50 health stations, and 5 school health centers located on or near the lands of the approximately 573 recognized tribal organizations in the United States. IHS provides services at these sites to all enrolled members of a federally recognized American Indian/Alaska Native tribe/nation within each geographic area in which they are located. Health-related data are collected by IHS but are not necessarily directly related to allegations of child abuse and/or neglect.

The IHS Mental Health and Social Services Program Branch's decentralized automated information system, the Resource Patient Management System (RPMS), includes codes in an abuse category that lists child abuse and neglect as possible reasons for a visit to an IHS mental health program. However, these abuse-coded data are not publicly accessible or currently available other than in an aggregate form that subsumes child abuse and neglect within other categories.

## Department of Justice Role

The U.S. Department of Justice (DOJ) collects limited data on the abuse of American Indian/Alaska Native children through the FBI when child abuse and/or neglect cases involve the FBI. However, according to their recent report, DOJ data are incomplete due to questions of overlapping jurisdiction, fluidity of population movement between tribal and non-tribal areas, and difficulties related to sampling methods (DOJ, 1999). The DOJ report, *American Indians and Crime* (1999), includes data on child abuse and neglect from the DHHS system and NCANDS but not from the FBI.

## Private Organizations and Universities

Private groups, agencies, and public or private universities, such as CWLA and the University of Minnesota, have obtained limited data on child abuse and neglect of American Indian/Alaska Native children over the past decade either independently or under contract with a funding agency.

## Summary

A review of the literature suggests possible answers to the research questions posed at the beginning of this study: (1) How accurate are existing figures and reports on abuse and/or neglect of American Indian/Alaska Native chil-

dren? and (2) What do current data tell us about abuse and/or neglect of American Indian/Alaska Native children?

According to the literature, even within mainstream society, it is difficult to find accurate data on child abuse and neglect. The primary reason for this is the wide latitude in definitions of what constitutes child abuse and neglect. Definitions differ between states, and therapists are accorded considerable latitude in interpretation. Most refer to their own frame of reference when interpreting, and the literature tells us that these frames of reference include elements that are prejudicial to American Indian/Alaska Native families. Therapists are likely to interpret lack of a parental bond, poverty, hostile or difficult therapist-parent interactions, and culturally different behaviors as abuse or neglect when none, in fact, is present. In addition, the literature tells us that the involvement of law enforcement, more common among Indian nations, leads to higher rates of reporting cases of child abuse and/or neglect. Difficulties in interaction between American Indian/Alaska Native families and therapists with a different frame of reference are rooted in centuries of U.S. policies that included the removal of approximately 25%–35% of American Indian/Alaska Native people from their homes over the past century (George, 1997). These policies are reviewed as a reminder to the reader of the source of current difficulties. Finally,

the literature review identifies possible sources of data on the abuse and/or neglect of American Indian/Alaska Native children.

The comparison of data sources and the original analysis of data from the primary national source of data on abuse and neglect, NCANDS, were undertaken in order to address the questions and difficulties in data analysis and interpretation identified in the literature.

# Methodology

## Overview

This study consisted of both a review of existing, published sources of data on child abuse and neglect of American Indian/Alaska Native children and secondary data analysis in which “data collected and analyzed by one researcher are reanalyzed—often for a different purpose—by another” (Rubin & Babbie, 1997, p. G-8). There were two initiatives pursued. Part 1 reviewed existing, published sources of data and compared these to secondary data from the Bureau of Indian Affairs (BIA); Part 2 was a statistical analysis of raw secondary data available to the first author through the National Data Archive on Child Abuse and Neglect (NDACAN) Summer Research Institute at Cornell University in the summer of 2001.

## Part 1

In Part 1, data found in published sources were compared to one another and to secondary data from the BIA in order to look for consistencies or inconsistencies in data across time and location within Indian Country. The comparison of these data was undertaken in order to gauge the accuracy of overall statistics on child abuse and/or neglect among American Indians and Alaska Natives, which report high rates of abuse and neglect among American Indian/Alaska Native children when compared to other groups.

In 1998, the Annie E. Casey Foundation supported the National Center for American Indian and Alaska Native Mental Health Research to create Kids Count: American Indian and Alaska Native Children and Families Resource Inventory (National Center for American Indian/Alaska Native Mental Health Research, 1998). The inventory sought to gather information to promote access to sources of data relevant to the health and well-being of American Indian/Alaska Native children and families. The document was intended to ease the search for data sources. It identified federal human service programs, national advocacy organizations, regional/state organizations, tribal health programs, urban Indian health programs, urban Indian centers or special urban programs, and specialized centers and institutions having various kinds of data related to the health and well-being of American Indian/Alaska Native children and families.

Existing reports dealing specifically with child abuse and/or neglect of American Indian/Alaska Native children were identified from the National Center publication, and a literature search was completed to identify any additional reports. These were reviewed, and reports were chosen for inclusion based on the following factors:

- Specific data available in numbers large enough to generalize
- Clarity and methodology

- Completed since 1990

Five published reports were found to be the most complete reports currently available. Three of them were based totally or primarily on data collected by the Children's Bureau of the Department of Health and Human Services (DHHS) and found in the NCANDS. One was based on the collection of data from the BIA and Indian Health Service (IHS), and data for one study was collected by the University of Minnesota from a survey of adolescent youth. In addition, the Western Regional Office of the BIA provided aggregate data on substantiated cases of child abuse and/or neglect reported by the majority of tribes in three states. Where possible, data were compared to other data for the same time period and/or within the same states.

It is important to note that all of these data sources except the University of Minnesota study include duplicated counts for all states. That is, one child may be counted more than once if there has been more than one report for that child.

The reports/data on the scope and content of American Indian/Alaska Native child abuse and neglect in Indian Country completed since 1990 included in this analysis were the following:

- National Indian Justice Center. (1991). National Indian Justice Center Phase III Final Report: Child Abuse and Neglect in American

Indian and Alaska Native Communities and the Role of the Indian Health Service. Petaluma, CA: National Indian Justice Center.

- University of Minnesota, Adolescent Health Program. (1992). The State of Native American Youth Health. St. Paul, MN: U. of Minnesota.
- Child Welfare League of America. (1999). Child Abuse and Neglect: A Look at the States. 1999 CWLA Stat Book. Washington, DC: CWLA Press.
- U.S. Dept. of Health and Human Services, Administration on Children, Youth and Families (2001). Child Maltreatment 1999. Washington, DC: U.S. Government Printing Office.
- U.S. Dept. of Justice (1999). American Indians and Crime. Washington, DC: U.S. Government Printing Office.
- Bureau of Indian Affairs, Western Region: Aggregate data from Arizona, Nevada, and Utah.

Each report was reviewed separately, and data regarding child abuse and/or neglect rates and numbers were highlighted in this report. In addition, comparisons were made among similar data sets and to the BIA data set, where practical.

## Part 2

The first author attended the 2001 Summer Research Institute at the National Archive on Child Abuse and Neglect at Cornell University, in Ithaca, NY, May 29–June 3, 2001. This analysis of secondary data from the national archive was the first in-depth study of American Indian/Alaska Native children, specifically, in the NCANDS collected by the Children’s Bureau, Administration on Children, Youth and Families, U.S. DHHS. The NCANDS was created in response to the requirements of the Child Abuse Prevention and Treatment Act (Public Law 93–247, 1974) (National Data Archive on Child Abuse and Neglect, 2000). The data set from the NCANDS used in this study was the Detailed Case Data Component (DCDC). There are two components of the NCANDS, the DCDC and the Summary Data Component (SDC). The DCDC includes case-level information from 16 state child protective service agencies able to provide electronic child abuse and neglect records. The SDC, although it includes statistics from all 50 states, includes aggregate data only. The DCDC is more appropriate for secondary data analysis, as detailed information is available on each case.

Central to the research effort was the description of individual children whose cases had been reported to the NCANDS, as all previous

analyses had focused on cases, not children, allowing the possible overrepresentation of children who had been reported for more than one incident of child abuse and/or neglect. The data were first reviewed to determine whether or not American Indian/Alaska Native children are more likely to appear as multiple cases compared to White children. For the four states that reported the largest detailed number of child abuse and/or neglect cases for American Indian children from 1995–1999 (Colorado, Oklahoma, North Carolina, and Utah<sup>1</sup>), American Indian children were significantly more likely ( $X^2=107.6$ , 3 df,  $p<.001$ ) to be counted more than once (14.1%) compared to White children (9.8%). Based on this finding, the analysis used individual children, not cases, as the unit of analysis.

DCDC data from 1995–1999 were used to create a matched file of American Indian/Alaska Native and White children, matched by year of incident, state, gender, age, and Hispanic ethnicity. These were the variables thought most important as intervening variables when comparing across races.

The matched file was analyzed using the Statistical Package for the Social Sciences (SPSS). Frequencies and descriptives were run on all variables, followed by cross tabulations and chi-square tests to determine statistically significant differences between the two groups.

Additional cross tabulations and comparisons of means, using the t-test to measure statistical significance, were run as needed to answer questions raised by the initial analyses.

# Results

## Part 1: Analysis of Existing Reports

### SOURCE #1: National Indian Justice Center: National Indian Justice Center Phase III Final Report, Child Abuse and Neglect in American Indian/Alaska Native Communities and the Role of the Indian Health Service

In 1990, the Department of Health and Human Services Public Health Service, Indian Health Service (IHS) issued a request for proposals for a study of the role of the IHS in child protection. One of the project's aims was to gather American Indian/Alaska Native child abuse and neglect data and to determine whether the current reporting system accurately reflected the scope of child abuse and neglect in Indian Country. The project report by the National Indian Justice Center (NIJC) was the first to provide national information regarding the incidence of child abuse and neglect among American Indian/Alaska Natives.

Case statistics on American Indian/Alaska Native child abuse and neglect for the study were collected from the federal agencies that have primary federal oversight of tribal populations, the Bureau of Indian Affairs (BIA) and the IHS. Since information regarding incidence of and response to child abuse and neglect is not available from

service systems within the IHS system, these data had to be gathered from field research. Surveys were sent to IHS service unit directors and BIA agency superintendents nationwide. The response rate for the mail questionnaire was 94% for IHS and 79% for the BIA. It is important to note that only 25% of the respondents to the surveys had computerized records to draw upon in completing the questionnaire.

Three of the child abuse and neglect data sets included in the NIJC report are included here:

1. A data set with 314 incidents from 1989–1990 reported by BIA school personnel
2. A data set with 1405 reports from 1990–1992 from the state of Alaska for Anchorage and 70 other Alaskan cities and villages
3. A data set with 379 reports in 1990 from several communities in New Mexico from the Albuquerque IHS Area

The report included some data from 17 states for the years 1989 and 1990. Using the data from the 1990 Census for the states listed, the rate of child abuse and neglect among American Indian/Alaska Native children under 18 in the states was calculated for this report. However, these figures are unreliable and imperfect for several reasons. First, these data only include reports from IHS and the BIA, so they may not include all cases (cases handled by states, counties, or independent tribal programs may or may

not be included). Second, these data were obtained from individual survey respondents, the majority of whom answered the questions without any computerized data. Third, these data represent a sample of states with American Indian/Alaska Native tribes and may not be able to be generalized beyond these specific states. Further, U.S. Census data involve self-reported ethnicity and may not reflect the true American Indian/Alaska Native population. Despite these

limitations, for lack of better information, child abuse and/or neglect rates using these data were calculated to provide some picture of what American Indian/Alaska Native child abuse and/or neglect rates may have been for 1989–1990.

As shown in Table 1, using these data, states varied widely on their rates of child abuse and/or neglect, from a high of 18.49 incidents per 1,000

TABLE 1: RATES OF CHILD ABUSE AND/OR NEGLECT BASED ON NATIONAL INDIAN JUSTICE CENTER DATA AND U.S. CENSUS DATA, 1990

STATE	INCIDENTS	RATE
Alaska	49	1.41
Arizona	293	3.43
Idaho	68	13.28
Kansas	134	18.42
Louisiana	9	1.37
Michigan	24	1.26
Minnesota	4	0.2
Montana	152	7.65
Nebraska	14	2.67
New Mexico	513	9.42
New York	52	2.74
North Dakota	215	18.49
Oklahoma	129	1.37
Oregon	87	6.51
South Dakota	103	4.39
Utah	144	13.26
Wisconsin	45	2.98

American Indian/Alaska Native children in North Dakota, to a low of 0.2 incidents in Minnesota. Given the source of data, the BIA and IHS, these rates may be a reflection not of the true incidence of child abuse and/or neglect in these states but of the degree of access to child abuse and neglect data by these federal agencies. The definitions of child abuse and neglect may also vary from a BIA and IHS perspective, compared to definitions used by the states when collecting data for National Child Abuse and Neglect Data System (NCANDS).

Of these reports, 57.5% were reported by the BIA and 42.5% by the IHS. The IHS reports involved a higher proportion of sexual abuse than BIA incidents (IHS = 31.5%; BIA = 26.7%), while BIA respondents reported relatively more incidents of neglect (IHS = 45.3%; BIA = 53.5%  $\chi^2 = 13.1$   $p < .002$ ). Reports of physical abuse (23.2%, IHS; 19.8%, BIA) did not differ significantly (National Indian Justice Center [NIJC], 1991). Statistically significant differences may be explained by the way sexual abuse and neglect cases are handled. The IHS would be more likely to receive a referral for a child who was sexually abused than for a child who was neglected, as there may be a need for a medical exam for a case of sexual abuse. Overall, reports of neglect made up the largest portion of reports, followed by sexual abuse and physical abuse.

#### BIA EDUCATION DATA SET

The BIA education data set represented data from 44 school agencies across the country. Mail surveys were sent to BIA administrators of day and boarding schools who provided 314 child abuse and/or neglect incident reports for the years 1989 and 1990.

Proportionally, reports of neglect made up the largest portion of reports, followed by sexual abuse and physical abuse. Including reports with more than one type of abuse, the totals were as follows: neglect, 53.1%; sexual abuse, 27.5%; and physical abuse, 24.6%. Data shown in Figure 1 include only the primary type of abuse reported.

#### ALASKA AREA DATA SET

These data were made available by Anchorage, Alaska and contain 1,405 incidents for the years 1990 and 1991 and reports from five months of 1992. Native groups included in the data set were "Eskimo" (30.6%), Aleut (19.7%), Athabascan (11.9%), Yupik (10.3%), "other Alaska Natives" (12.9%), Inupiaq (6.5%), Tlingit (5.6%), Tsimshian (0.18%), Haida (0.06%), and "non-Alaska Natives" (2.2%). These data show an increase in child abuse and/or neglect over three years, but it is unclear if increases are real increases or the result of better reporting procedures and improvements in record-keeping systems.

Reports of neglect made up the largest portion of reports, followed by physical abuse and sexual abuse. Percentages varied among the groups of native people in Alaska. The proportion of sexual abuse incidents, for example, ranged from 5.7% among the Inupiaq to 30.1% among “other Alaska Natives.”

#### ALBUQUERQUE AREA DATA SET

The IHS Albuquerque Area, in collaboration with Albuquerque BIA social services, conducted an intensive data collection effort as part of the NIJC project. This effort yielded 379 incident reports from eight months of case reports.

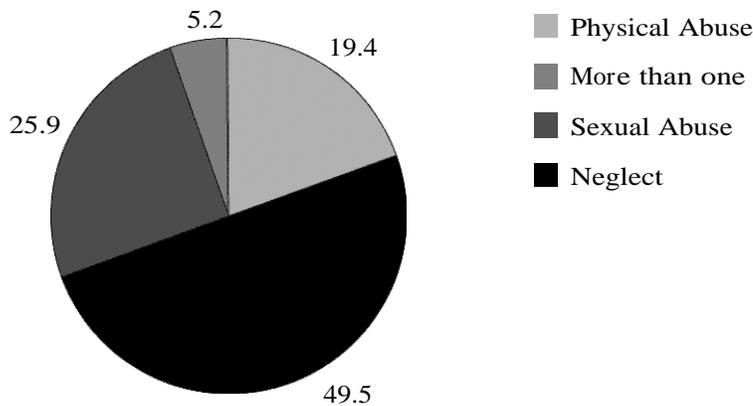
The Albuquerque data set is unique from among the data sets in that it includes emotional abuse

as a distinct abuse category. Proportionally, reports of neglect made up the largest portion of reports followed by physical abuse, emotional abuse, and sexual abuse. Including reports with more than one type of abuse (4.1%), the totals were as follows: neglect, 63.8%; sexual abuse, 11.5%; and physical abuse 20.2%.

#### SUMMARY

Neglect was the most frequently reported abuse type in each data set, but relative proportions of physical and sexual abuse varied. Neglect ranged from 50.1% in the Alaska data set to 63.8% in the Albuquerque Area data set (including cases with more than one type of abuse). This compares to an overall national figure of

FIGURE 1: PROPORTION OF PHYSICAL ABUSE, SEXUAL ABUSE, AND NEGLECT IN NATIONAL INDIAN JUSTICE CENTER REPORT, BUREAU OF INDIAN AFFAIRS EDUCATION DATA SET (N = 314 INCIDENTS) 1989–1990



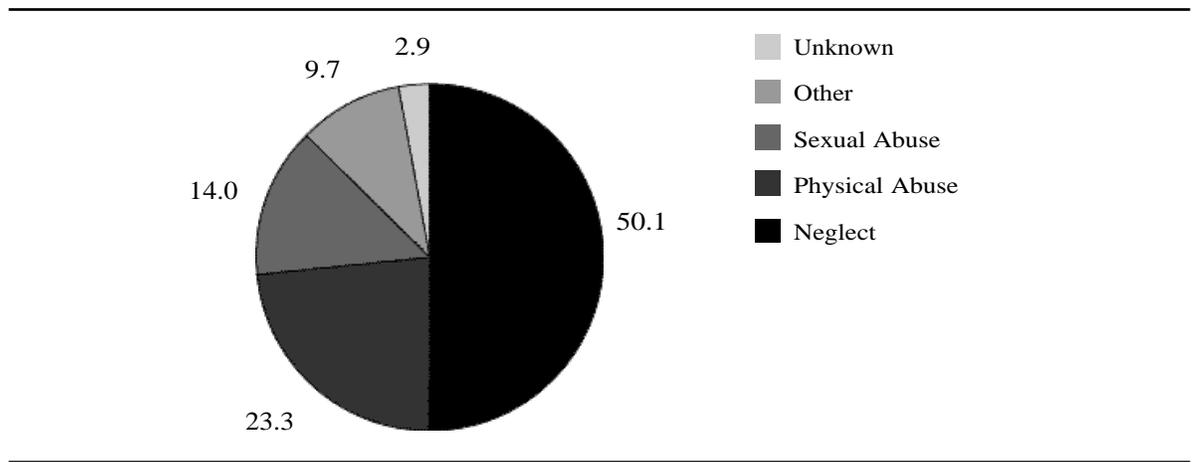
58.4% for victims of neglect in 1999 (Department of Health and Human Services [DHHS], 1999). Sexual abuse comprised between 11.5% in Albuquerque to 27.5% in the BIA education data set. This compares to 11.3% nationally in 1999 (DHHS, 1999). Physical abuse ranged from 20.2% of incidents in the Albuquerque Area set to 24.6% in the BIA education data set (including “more than one case” categories in both percentages). This compares to 21.3% nationally in 1999 (DHHS, 1999). From these results, it may be concluded that relative percentages of neglect and of physical abuse are close to national statistics, while percentages of sexual abuse are higher than national statistics. However, these data are incomplete and are based on samples collected by agencies with limited access to data.

The variation between the BIA and IHS data, as well as among Alaskan groups, illustrates the possible limitations of these data.

**SOURCE #2: University of Minnesota: The State of Native American Youth Health**

Between 1988 and 1990, the University of Minnesota Adolescent Health Program, in conjunction with IHS, conducted a national survey of American Indian/Alaska Native youth on adolescent youth health and risk behaviors. The participants were American Indian/Alaska Native students from 50 different tribes in 12 states at nearly 200 schools on or near reservations within IHS service areas. The overall response rate for the survey was 69.8%. Consent to participate

**FIGURE 2: PROPORTION OF PHYSICAL ABUSE, SEXUAL ABUSE, AND NEGLECT IN NATIONAL INDIAN JUSTICE CENTER REPORT, ALASKA DATA SET (N = 1405 INCIDENTS) 1990–1992**



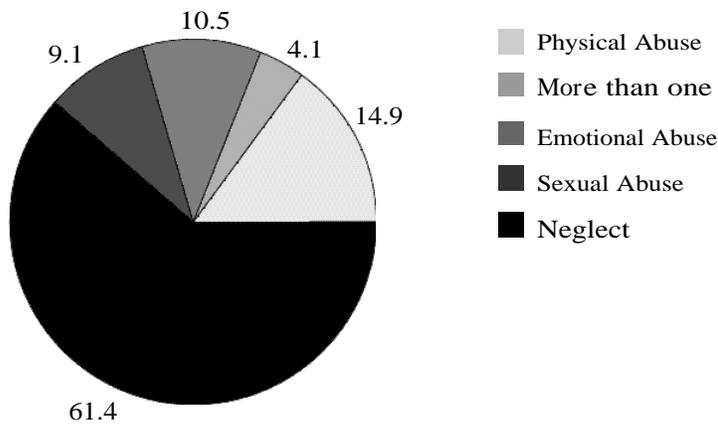
was given by parents, youth, the school, and tribal or other authority figures or boards for each school. Younger students had more representation than older youth because of a high dropout rate among older American Indian/Alaska Native students. According to the authors, “the sample is skewed towards those Native American/Alaskan Native students who remain enrolled in, and attend, school (some of which are boarding schools) and those who live in rural areas” (University of Minnesota, 1992, p. 3).

Because the study used a convenience sample to select participants, it is not representative of adolescents nationally. However, the information provided by this study can give insight into the lives and health habits of these youth. The study

yielded a sample of 13,923 participants in 6th-12th grade (49.3% male, 50.7% female). The authors estimate that when the areas and service units in which there was no survey activity are excluded, 20% of all age-eligible American Indian/Alaska Native youth in the IHS service areas participated.

The survey questionnaire answered by students asked questions on a range of topics: how they felt about school; their family relationships; their physical health status and practices; their emotional health; their chemical health; their sexual behaviors; and other risk-taking behaviors. The survey included two questions relating to physical and sexual abuse. The survey asked students the following questions:

FIGURE 3: PROPORTION OF PHYSICAL ABUSE, SEXUAL ABUSE, AND NEGLECT IN NATIONAL INDIAN JUSTICE CENTER REPORT, ALBUQUERQUE DATA SET (N = 379 INCIDENTS) 1990



1. Have you ever been physically abused or mistreated by anyone in your family or by anyone else?
2. Have you ever been sexually abused?  
Sexual abuse is when someone in your family or someone else touches you in a place you did not want to be touched or does something sexually which they shouldn't have done.

Eighteen percent of the total sample that responded to the abuse questions reported that they had been a victim of one or both types of abuse. Ten percent of the total sample reported they had been sexually abused, and 13% reported physical abuse. Again, this compares to 11.3% of the 1999 national sample of cases in the NCANDS that reported sexual abuse and 21.3% that reported physical abuse.

Females reported more abuse than males; 17% of females reported being sexually abused, and 19% reported being physically abused (males 3% and 8% respectively). A total of almost 27% of female youth surveyed had been physically or sexually abused, and 9% reported both types of abuse. Over 29% of the girls in grades 10–12 reported sexual abuse. It should be noted, however, that because of the way sexual abuse is defined after the question, “sexual abuse” could include sexual assault or other sexual miscon-

duct perpetrated by a peer that would not typically be considered sexual abuse.

The State of Native American Youth Health report is only minimally useful in determining rates of abuse and neglect among American Indian/Alaska Native youth as it depends on self-reports; uses an over-inclusive definition of sexual abuse; and does not address child neglect, which other research indicates accounts for a major proportion of maltreatment incidents of American Indian/Alaska Native children. Further, comparisons between American Indian/Alaska Native and other groups' self-reported abuse would be necessary to more closely determine the accuracy of such reports. The major national study of all youth health-risk behaviors conducted each year in schools by the Centers for Disease Control (as well as state, territorial, and local education and health agencies), the Youth Risk Behavior Surveillance System (YRBSS), does not ask students any questions about physical or sexual abuse, making any comparison difficult. Despite these major limitations, the study is among the few with information addressing the child abuse and neglect issue and therefore does contribute to the overall knowledge about American Indian/Alaska Native abuse. Because it is based on first-person reports, this is one of the few data sets with unduplicated counts of incidents of abuse among American Indian/Alaska Native youth.

SOURCE #3: Child Welfare League of America. (1999). *Child Abuse and Neglect: A Look at the States. 1999 CWLA Stat Book*. Washington, DC: CWLA Press.

The 1999 CWLA Stat Book includes data from the NCANDS as well as from its own surveys conducted in 1997 and 1998. Rates are calculated from U.S. Bureau of the Census data. All numbers are based on duplicated counts; that is, one child may be counted more than once if he or she has been reported as a victim of child abuse and/or neglect more than once. The 1999 report includes data primarily from 1996. There are several charts and numbers related to race in the 1999 CWLA Stat Book. These charts and figures use a comparison of percentage of cases in the database, by race, to percentage of children in the population.

Information in this CWLA publication on substantiated cases of abuse and/or neglect are from the NCANDS maintained by DHHS. Information on child deaths, out-of-home care, and adoption are from the CWLA State Agency Survey.

#### SUBSTANTIATED OR INDICATED CASES

The 1999 CWLA Stat Book reports that American Indian/Alaska Native children represented 1.6% of substantiated or indicated child abuse and/or neglect cases yet are only 1% of the population (41 states reporting).

Percentages of American Indian/Alaska Native children who are included in the child abuse and/or neglect substantiated cases show huge variation by state. South Dakota, for example, reports that 52.2% of all substantiated cases are American Indian/Alaska Native, but a footnote states, "Children of families who received assessments are not included" (CWLA, 1999, p. 25). Evidently, American Indian/Alaska Native children are unlikely to receive family assessments in South Dakota. The range extends to several states where American Indian/Alaska Native cases make up 0.1% of cases. For purposes of comparison to other data in this report, three states will be included where numbers or percentages are given. These are Utah, Arizona, and Nevada.

Table 2 shows that using these data supplied by the states, American Indian children make up a disproportionately low percentage of substantiated cases in Arizona (3% of cases but 7.6% of the population) and Nevada and a disproportionately high percentage of substantiated cases in Utah. The percentage of White cases more closely matches the population figures for these three states.

#### DEATHS DUE TO CHILD ABUSE AND NEGLECT

The 1999 CWLA Stat Book reports that American Indian/Alaska Native children represented 1.8% of children who died as a result of

child abuse and/or neglect yet make up only 1.1% of the population (30 states reporting). This compares to Whites (45.6% of cases and 68.4% of children); African-Americans (38.8% cases/15.1% children); Hispanics (11.0% cases/12.5% children); and Asian/Pacific Islanders (.9% cases/3% children). African-American and American Indian/Alaska Native children are overrepresented in the percentage of child deaths due to child abuse and/or neglect, based on population.

Numbers of children by race who died as a result of child abuse and/or neglect were available for only 30 states. The total number for American Indian/Alaska Native children is 12 and ranges from a high of 4 in Wisconsin to 0 in 24 of the 30 states for 1996.

#### OUT-OF-HOME CARE

The 1999 CWLA Stat Book reports that American Indian/Alaska Native children repre-

sented 1.7% of children in out-of-home care in 1996, yet they make up 1.1% of the population (35 states reporting). This compares to Whites (35.6% of cases and 68.7% of children); African-Americans (48.2% cases/15.0% children); Hispanic (7.7% cases/12.3% children); and Asian/Pacific Islanders (.7% cases/ 3% children). In these data as well, African-American and American Indian/Alaska Native children are overrepresented in the percentage of children in out-of-home care in 1996, based on population.

Once again, percentages of American Indian/Alaska Native children who represent cases of out-of-home care show huge variation by state. South Dakota is again the highest with 67% of all out-of-home cases shown to be American Indian/Alaska Native. The figures for our three featured states (Utah, Arizona, and Nevada) are shown in Table 3.

Table 3 shows that American Indian/Alaska Native children make up a disproportionately low

TABLE 2: PERCENTAGE OF SUBSTANTIATED/INDICATED CASES THAT ARE AMERICAN INDIAN/ALASKA NATIVE CHILDREN, BY STATE, FOR THREE STATES

STATE	PERCENT AMERICAN INDIAN / ALASKA NATIVE		PERCENT WHITE	
	cases	pop.	cases	pop.
Arizona	3.0	7.6	54.6	57.0
Nevada	1.2	1.7	66.3	66.2
Utah	4.1	1.5	80.8	88.4

percentage of substantiated cases in Arizona (2.6% of cases but 7.6% of the population), and a disproportionately high percentage of substantiated cases in both Utah and Nevada. The percentage of White children in out-of-home care is lower than the percentage of White children in the population of these three states.

According to the 1999 CWLA Stat Book, American Indian/Alaska Native children are overrepresented in foster care (1.7%) but not in group care (1%). Looking at the three states, the percentage of American Indian/Alaska Native children in foster care in 1996 was 2.3% for Arizona and 8.3% for Utah (data for Nevada were not available). This is in keeping with earlier trends for other statistics in this report: Arizona American Indian/Alaska Native children are underrepresented, and Utah American Indian/Alaska Native children are overrepresented in these negative statistics. Looking at group care data, both Arizona (2.5%) and Utah (2.6%) reported that American

Indian/Alaska Native children made up a lower percentage of children in group care when compared to all other groups.

Looking at number of months in care, figures were available for American Indian/Alaska Native children in only 17 states, and most were the same as or close to the number of months that White children were in care.

#### ADOPTION

Figures on adoption from the 1999 CWLA Stat Book show that American Indian/Alaska Native children were underrepresented among those children with a goal of adoption (.7%) and legally free for adoption (1.2%), compared to their proportion in the population, 1.5% (25 states responding). They were also underrepresented among those legally adopted, 1.1% in 1996, compared to their proportion in the population, 1.6% (28 states responding). When looking at data by state, it appears that South Dakota data

TABLE 3: PERCENTAGE OF CHILDREN IN OUT-OF-HOME CARE WHO ARE AMERICAN INDIAN/ALASKA NATIVE CHILDREN, BY STATE, FOR THREE STATES

STATE	PERCENT AMERICAN INDIAN / ALASKA NATIVE		PERCENT WHITE	
	cases	pop.	cases	pop.
Arizona	2.6	7.6	53.1	57.0
Nevada	4.6	1.7	63.6	66.2
Utah	6.4	1.5	74.8	88.4

are once more out of sync or inaccurate, as they report that 60% of all adoption cases were American Indian/Alaska Native children. The next highest figures were in Minnesota, where 12.1% of all adoption cases were American Indian/Alaska Native children.

As shown in Table 4, figures for percentage of children legally adopted for our three featured states are lower than the population figures. Utah reported no American Indian/Alaska Native children free for adoption in 1996.

In the case of adoption, it appears from these figures that the Indian Child Welfare Act (ICWA) may have had a positive effect on past trends that showed unacceptably high numbers of American Indian/Alaska Native children being adopted. The still high percentage of cases in Minnesota that are American Indian/Alaska Native children may be problematic and deserves a closer look.

**SOURCE #4: U.S. Dept. of Health and Human Services, Administration on Children, Youth and Families. (2001). Child Maltreatment 1999. Washington, DC: U.S. Government Printing Office**

This annual report includes aggregate data from NCANDS. Data are reported by the states as either the Summary Data Component (SDC) or the Detailed Case Data Component (DCDC). For the year 1999, all 50 states reported aggregate data to the DHHS through an annual survey (SDC). Case-level data on all cases of maltreatment were also submitted by 23 states (DCDC). These statistics may include a child more than one time if he or she was involved in more than one incident of abuse or neglect. Data in Child Maltreatment 1999 were primarily from the aggregate statistics obtained from the survey of 50 states. Data on American Indian/Alaska Natives were available as follows:

**TABLE 4: PERCENTAGE OF CHILDREN WHO WERE LEGALLY ADOPTED IN 1996, BY STATE, FOR THREE STATES**

STATE	PERCENT AMERICAN INDIAN / ALASKA NATIVE		PERCENT WHITE	
	cases	pop.	cases	pop.
Arizona	2.4	7.6	67.3	57.0
Nevada	1.4	1.7	51.7	66.2
Utah	0.4	1.5	93.2	88.4

- Victimization rates by race and ethnicity (1999, DCDC)
- Victims by race, by state (1999, SDC)
- Factors influencing receipt of services (DCDC, 1999)
- Factors predicting provision of services and foster care (DCDC 1999)

#### VICTIMIZATION BY RACE

The reported victimization rate for American Indian/Alaska Native children in Child Maltreatment 1999 was 20.1 victims per 1,000 children of the same race in the population, compared to 4.4 for Asian/Pacific Islander, 10.6 for White, 12.6 for Hispanic, and 25.2 for African-American children (DCDC, 20 states reporting). Data from the SDC on American Indian/Alaska Native children were available from 44 states. The data for Arizona, Nevada, and Utah are used later in this report to compare to data from the BIA. These figures are problematical for the same reasons explained earlier:

- Comparison of cases to people, so that one child may be counted more than once in the child abuse and neglect data but only once in the Census data used to calculate rates
- Inaccuracies in the census data for American Indians/Alaska Natives

#### FACTORS INFLUENCING SERVICES

Post-investigative services were more likely for American Indian/Alaska Native children (19% more likely) than for White, non-Hispanic children. American Indian/Alaska Native children were also significantly more likely than Whites to receive foster care services.

These results may be biased by the way children end up on state or county caseloads. As reported by Earle (2000), data on American Indian/Alaska Native children appears in the NCANDS only if state or county child protective services workers investigate the case of an American Indian/Alaska Native child. This includes, at best, an estimated 60% of cases that are reported to NCANDS. Those children who need foster care or other post-investigation services are more likely to end up on state or county caseloads, thus these children are more likely to be found in the database. However, it must be noted that the 1999 CWLA Stat Book also reported disproportionate numbers of American Indian/Alaska Native children in foster care, using a CWLA survey of states. High rates of foster care of American Indian/Alaska Native children, when compared to other groups, have also been reported in the literature.

SOURCE #5: U.S. Dept. of Justice. (1999). *American Indians and Crime*. Washington, DC: U.S. Government Printing Office.

These data were collected by the U.S. Department of Justice (DOJ) from several sources, including the NCANDS. Data regarding violence against youth from the National Crime Victimization Survey (NCVS) and data regarding alcohol abuse and crime from the NCVS are also included.

#### ABUSE AND/OR NEGLECT

Data from the NCANDS were used to calculate changes from 1992 to 1995 in the rate of maltreatment by race. American Indian/Alaska Natives were found to have shown an 18% increase in incidents of maltreatment from 1992 to 1995, while all other races except Asians (6% increase) reported a decrease. The proportion of American Indian/Alaska Native victims as a percentage of the total number of victims of maltreatment rose from 1.5% in 1992 to 1.9% in 1995. It is noted that data may contain duplicate counts of incidents. Again, if a child is the victim of more than one incident, he or she will be counted more than once.

The report states that on a per capita basis, "1995 data indicate about 1 substantiated report of a child victim of abuse or neglect for every 30 American Indian children age 14 or younger"

(Department of Justice [DOJ], 1999, p. 15).

Nationwide, the rate is one report per 58 children of any race. This indicates that the rate for American Indian/Alaska Native children is about double the national rate.

#### VIOLENCE

Data from the NCVS showed that from 1992 to 1996, about half the violent crimes against American Indian/Alaska Natives occurred among those aged 12 to 24. This is a larger proportion than for any other race. Non-age-specific data on victimization showed American Indian/Alaska Natives were more likely than any other race to report the perpetrator of violence as being of a different race: "At least 70% of the violent victimizations experienced by American Indians were committed by persons not of the same race" (DOJ, 1999, p. vi).

#### ALCOHOL ABUSE

Violent crime was also more likely to involve alcohol use among Native people, when compared to other races. Thirty-eight percent of violent crimes among American Indian/Alaska Natives involved alcohol use by the offender, compared to 28% for all groups. The DOJ report states that, "According to American Indian victims of violence, offender use of alcohol was a factor in nearly two-thirds of the violent victimizations in which the offender was neither Black nor White"

(DOJ, 1999, p. 9). In other words, violence by American/Alaska Native people against American Indian/Alaska Native people was most likely to involve alcohol use as a factor

#### **SOURCE #6: Data from the Bureau of Indian Affairs, Western Region**

The BIA, U.S. Department of the Interior, is divided into 12 regional offices that report to the central office in Washington, DC. Funding for Indian child welfare programs is filtered to tribes, consortiums, and BIA agencies through the BIA's regional offices.

As mentioned earlier, there are several issues that affect whether or not data on child abuse and neglect are reported fully and accurately to the regional and central BIA offices. These are related to funding, self-governance, jurisdictional overlaps with state and county offices, and lack of a mandate to report.

Without penalties for noncompliance, factors such as the size, number, status, and resources of tribes in a region, as well as the regional office director, make a difference in reporting. The availability of computerized data, the resources of the regional office, the attitudes of the region's tribes toward sharing their data, and the aggressiveness of employees in gathering data all affect what data are collected. It should be noted that very little data are computerized, although there are some tribes that have computerized data,

and some regional offices may enter their data into a computer.

When data are received from the regional offices at the BIA Central Office, they are not entered into a computer or reported into any national data systems. This means that data collected by the central office of the BIA and not collected by either the states or counties where tribes/nations are located are not entered into the national counts of child abuse and/or neglect (Chet Eagleman, Indian Child Welfare Specialist, Office of Tribal Services, Bureau of Indian Affairs, personal communication, April 3, 2001).

To provide an example of what this means for estimating rates of child abuse and neglect among American Indian/Alaska Native children, this study examines data from one of the BIA regions and compares it with the data found in the NCANDS for the year 1999. The BIA's Western Region was described by Chet Eagleman as a region that does a good job of data collection (personal communication, April 3, 2001). The authors of this study obtained data on numbers of substantiated cases of child abuse and neglect for the BIA's Western Region from Evelyn Roanhorse, Regional Social Worker, BIA Western Regional Office. Ms. Roanhorse obtains reports from all but a few of the self-governing tribes in her region. The data used for this analysis included information from 20 tribes in

Arizona, 15 in Nevada, and 3 in Utah. The data for this region are also computerized, which provides a great advantage (Evelyn Roanhorse, personal communication, July 2001).

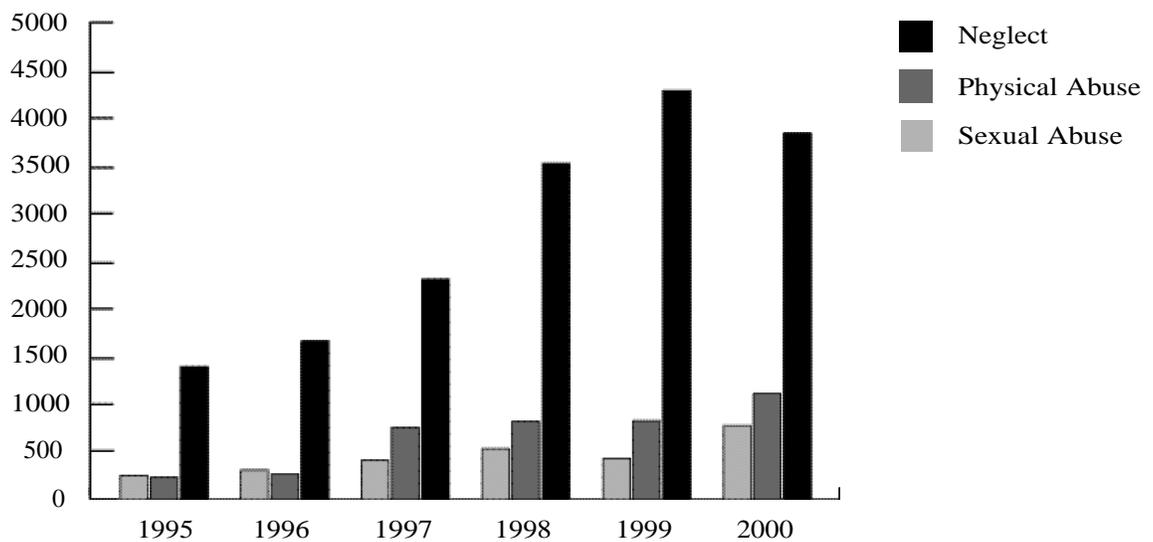
The Western Region's jurisdictional area includes tribes in Nevada, Utah, most of Arizona, and parts of California (the Navajo tribe is not included as the Navajo are included in a distinct Navajo BIA Region). According to BIA data obtained from Arizona, Nevada, and Utah in the Western Region, both referrals and substantiated cases of child abuse and/or neglect among American

Indian/Alaska Natives have risen over the last five years. Referrals for neglect have risen much faster than referrals for physical abuse or sexual abuse.

### Comparisons of Data from Different Sources

It is usually misleading to compare data from different sources. Following are a few instances where we have attempted to do so. In some instances, it may be useful and in others we are only able to show the folly of attempting to use different databases to draw comparisons.

FIGURE 4: NUMBER OF REFERRALS FOR SEXUAL ABUSE, NEGLECT, AND PHYSICAL ABUSE IN ARIZONA, NEVADA, AND UTAH IN THE BUREAU OF INDIAN AFFAIRS WESTERN REGION, 1995–2000



CHANGE OVER TIME?

Figure 5 examines the change in child abuse and neglect rates from 1990 to 1999 using the NIJC report of 1990 (Source #1) and the BIA data from 1999 (Source #6). This only allows for comparison of the two states for which data are available, Arizona and Utah. The following chart illustrates an estimated rise in American Indian/Alaska Native child abuse and/or neglect in Arizona and Utah from the NIJC report, with both BIA and IHS data reported in 1990 and BIA data reported in 1999 from these two states.

This graph shows a large increase in child abuse and/or neglect in these two states over time, reflecting a trend similar to that illustrated in

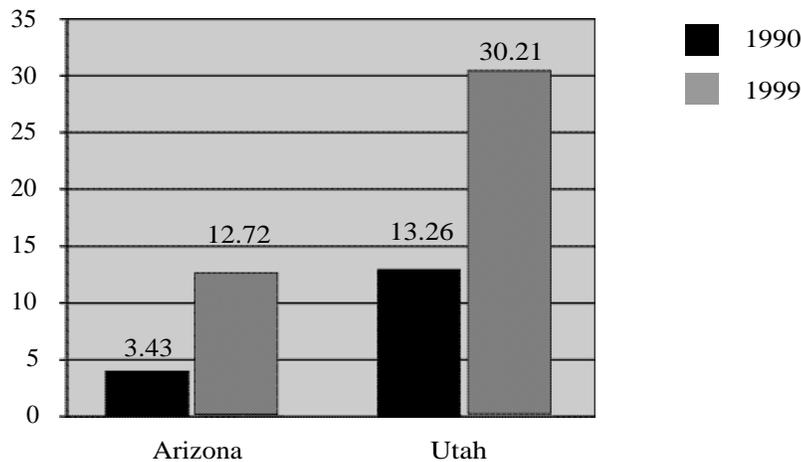
Figure 4, which showed a rise in the number of referrals of child abuse and/or neglect cases in the BIA Western Region from 1995 to 2000.

It is unclear if both of these graphs represent a real increase in child abuse and/or neglect during this time or if they reflect improved reporting procedures or some other intervening variable.

A COMPARISON OF BUREAU OF INDIAN AFFAIRS DATA AND DEPARTMENT OF HEALTH AND HUMAN SERVICES DATA FOR 1999

States that report to the DHHS-based national data systems are uneven in their ability to obtain and pass on data from American Indian/Alaska

FIGURE 5: CHANGE IN ABUSE AND/OR NEGLECT FROM 1990–1999 IN TWO STATES (INDIAN HEALTH SERVICE AND BUREAU OF INDIAN AFFAIRS)



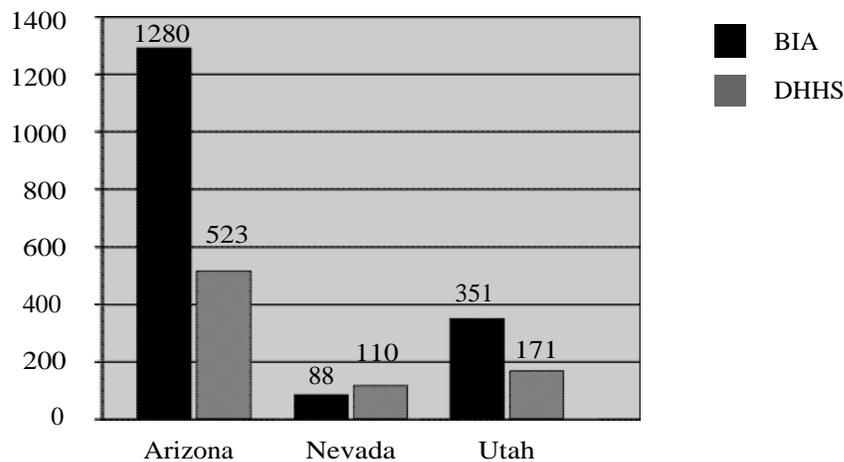
Natives (Earle, 2000). This year's investigation learned that data obtained by the BIA's Central Office is not reported into any national data system, including the one maintained by DHHS. Some tribes, however, may report the same data independently to the BIA and to the states.

Although the reports to the BIA may be incomplete, they represent a cross-section of data not seen in national systems. To illustrate what this means for assumed rates of child abuse and/or neglect among American Indian/Alaska Natives, this report compares the real numbers and rates of American Indian/Alaska Native child abuse and/or neglect reported in the BIA Western Region data with those reported by DHHS for 1999.

The absolute number of victims reported by the BIA was greater for Arizona and Utah than the number reported by DHHS, while figures for Nevada were slightly lower. Once again, these differences among reported figures suggest possible inaccuracies. Large differences among the states are due to different numbers of American Indian/Alaska Native children in these states. This can be rectified by calculating rates of child abuse and/or neglect using Census data.

Using preliminary 2000 Census data and numbers of incidents of child abuse and/or neglect to calculate the rates of abuse for the DHHS and BIA figures for these three states, a similar analysis results. The DHHS numbers and the BIA fig-

FIGURE 6: NUMBERS OF AMERICAN INDIAN SUBSTANTIATED CHILD ABUSE AND/OR NEGLECT CASES REPORTED BY BUREAU OF INDIAN AFFAIRS AND DEPARTMENT OF HEALTH AND HUMAN SERVICES IN THREE STATES, 1999



ures obviously paint different pictures of rates of abuse and/or neglect in these three states.

Readers are reminded that these figures cannot be compared across states, as different states use different definitions of child abuse and/or neglect, different reporting systems, and different approaches as to what data are included in reports.

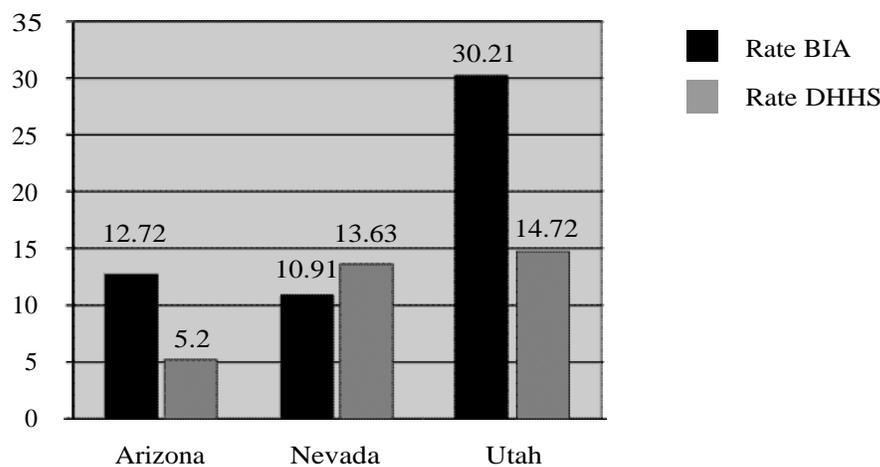
Figure 7 illustrates only an approximation of the true rate of American Indian/Alaska Native child abuse and/or neglect in these states. This is due to differences among states in reporting and in who completes investigations (and therefore may collect data). It can be assumed that in other states where the tribes, the BIA, or states and/or

counties have jurisdiction over child abuse and/or neglect victims, there are conflicting or overlapping reporting processes.

These rates for American Indian/Alaska Native children compare to the following rates for White children in the DHHS data for 1999 for these states: Arizona, Nevada, and Utah.

As shown in Table 5, rates of child abuse and/or neglect reported among American Indian/Alaska Native children by the BIA were higher than rates from DHHS for any group in Arizona and Utah and lower in Nevada. One could assume that higher BIA rates are due to better access of the BIA to these data in Arizona and Utah. However, reasons for the discrepancies are unclear. A con-

FIGURE 7: RATES OF AMERICAN INDIAN CHILD ABUSE AND/OR NEGLECT REPORTED BY BUREAU OF INDIAN AFFAIRS AND DEPARTMENT OF HEALTH AND HUMAN SERVICES IN THREE STATES, 1999



tinuing issue in the analysis of these data is that overall rates for child abuse and neglect are given as rates of incidents (not individuals) per population by both the BIA and DHHS. This can cause misleading conclusions when children are involved in more than one incident. In Part 2, an attempt was made to look at individual children, not incidents, in order to address this difficulty.

## Part 2: Original Analysis of Data from the National Child Abuse and Neglect Data System

Data from the NCANDS were available at the Cornell University 2001 Summer Research Institute for the years 1995-1999. The DCDC was used for this study. The DCDC is a compilation of case-level information from some states, while the SDC includes aggregate child abuse and neglect statistics from all 50 states. The

DCDC was chosen for this analysis because detailed information is available on each case. Detailed case data were available from the states listed in Table 6.

Oklahoma had over half of the reported incidents of child abuse and/or neglect (56.9%) in the DCDC. Therefore, results were analyzed controlling for Oklahoma. Oklahoma was found to closely match the other states in characteristics that differed significantly between White and American Indian/Alaska Native children in the database.

The original DCDC data set had 995,577 cases of children of all races. These were condensed into approximately 600,000 individuals, not cases, to remove the effect of one child being involved in more than one incident of abuse or neglect. The first incident recorded for each child was used. This reduced the number of American Indian/Alaska Native cases from 15,203 incidents

TABLE 5: COMPARISON OF RATES OF CHILD ABUSE AND/OR NEGLECT PER 1,000 CAUCASIAN, AMERICAN INDIAN/ALASKA NATIVE, AND ALL CHILDREN 1999

	RATE FOR ALL CHILDREN (DHHS)	RATE FOR CAUCASIAN CHILDREN (DHHS)	RATE FOR AMERICAN INDIAN/ALASKA NATIVE CHILDREN	
			BIA	DHHS
Arizona	6.73	8.02	12.72	5.20
Nevada	16.10	15.49	10.91	13.63
Utah	12.05	6.87	30.21	14.72

TABLE 6: NUMBER OF AMERICAN INDIAN/ALASKA NATIVE CHILDREN INCLUDED IN THE NATIONAL CHILD ABUSE AND NEGLECT DATA SYSTEM DETAILED CASE DATA COMPONENT, BY YEAR, AVAILABLE SUMMER 2001

STATE	1995	1996	1997	1998	1999	TOTAL
Arkansas	-	-	-	-	14	14
Colorado	109	95	92	45	-	341
Delaware	1	4	-	-	-	8
Florida	70	43	76	61	81	331
Kentucky	8	-	7	8	12	35
Louisiana	-	-	-	14	-	14
Massachusetts	26	33	24	-	-	83
Missouri	28	-	-	-	15	43
North Carolina	544	517	-	630	608	2299
Oklahoma	-	1563	1581	1756	1750	6650
Rhode Island	-	-	40	45	-	85
Texas	64	-	-	112	109	285
Utah	335	285	266	206	155	1247
Vermont	-	-	-	-	1	1
Washington	-	-	-	-	571	571
Wyoming	-	-	26	74	57	157
TOTAL	1185	2540	2112	2951	3376	12164

NOTE: Blanks may be due to lack of reporting by that state for that year

TABLE 7: COMPARISON OF NUMBER OF AMERICAN INDIAN/ALASKA NATIVE CASES TO NUMBER OF AMERICAN INDIAN/ALASKA NATIVE CHILDREN REPRESENTED BY THOSE CASES BY STATE, 1995–1999

STATE	NUMBER OF INCIDENTS	NUMBER OF CHILDREN
Arkansas	14	14
Colorado	389	341
Delaware	9	8
Florida	436	331
Kentucky	42	35
Louisiana	14	14
Massachusetts	128	83
Missouri	49	43
North Carolina	2702	2299
Oklahoma	8645	6650
Rhode Island	107	85
Texas	309	285
Utah	1497	1247
Vermont	1	1
Washington	685	571
Wyoming	176	157
TOTAL	15,203	12,164

to 12,164 children, as shown in Table 6. The following table shows the number of incidents compared to the number of children represented by those incidents reported by each state.

Several states' data showed that some children were involved in more than one incident. As discussed earlier, American Indian/Alaska Native children were significantly more likely than Whites to be counted more than once in the NCANDS incidents.

The 12,164 American Indian/Alaska Native children were matched to the original database of approximately 600,000 children to obtain a matched sample of White and American Indian/Alaska Native children. The sample was matched by state, year of incident, age, gender, and Hispanic ethnicity.

The average age for this matched set was 6.8, with a median of 6, mode of 0, and a range of 0–20 years old. There were five American Indian/Alaska Native and five White children over age 18 in the sample (<1% of the total) and 1,060 children of each race under 1 year of age (8.8% of the total). Of the sample, 47.9% were male and 52.1% were female. This compares to the following figures for the entire data set of 995,577 cases for the years 1995–1999 for the 16 reporting states.

As shown in Table 8, the sample of American Indian/Alaska Native children was slightly younger and slightly more female than the overall sample of cases, but these differences were not statistically significant.

TABLE 8: COMPARISON OF CHARACTERISTICS OF AMERICAN INDIAN/ALASKA NATIVE CHILDREN TO TOTAL SAMPLE OF CASES, ALL RACES, 1995-1999 (16 STATES REPORTING)

CHARACTERISTIC	AMERICAN INDIAN/ALASKA	
	NATIVE CHILDREN	ALL CASES IN DATA SET
Average Age	6.8	7.2
Median	6	7
Mode	0	0
Age Range	0-20	0-21
Percent Over Age 18	<1%	<1%
Percent Under Age 1	8.8%	8.3%
Percent Female	52.1%	51.7%

The White and American Indian/Alaska Native children were compared on all variables. Table 9 shows statistically significant variation between races, controlling for Hispanic ethnicity.

This table shows the following statistically significant differences between non-Hispanic White and non-Hispanic American Indian/Alaska Natives using the NCANDS database:

- American Indian/Alaska Native children were more likely to have received foster care services and be the subject of a juvenile court petition than White children.
- American Indian/Alaska Native children were more likely to be victims of neglect and less likely to be victims of physical abuse or sexual abuse than White children.
- American Indian/Alaska Native children and their caretakers were more likely to have a problem with alcohol abuse than White children and their caretakers.
- American Indian/Alaska Native children were more likely to have reported violence among caretakers and to be from a family that receives public assistance than White children.

## Effect of Hispanic Ethnicity

The presence of Hispanic ethnicity in early computer analyses showed fewer differences between White and American Indian/Alaska Native children on all variables. Due to the large sample size, the same statistically significant differences between White and American Indian/Alaska Native children were found whether or not the Hispanic children were included. However, when only the Hispanic cases were compared, the statistical significance of these differences disappeared, although the same trends were noted.

To further test these differences, a comparison was made on all significant variables for Hispanic and non-Hispanic American Indian/Alaska Native children. Table 10 shows the results of this analysis.

Two variables, sexual abuse and violence between caretakers, changed direction in this analysis. Non-Hispanic American Indian/Alaska Native children were found to be more likely than Hispanic American Indian/Alaska Native children to be sexually abused and less likely to have a report of violence between caretakers. Hispanic American Indian/Alaska Native children were much more likely to have violence among caretakers than non-Hispanic American Indian/Alaska Native children (32% vs. 18%). A further analysis of the Hispanic children was not completed, as this is a tangential problem to this study.

TABLE 9: DIFFERENCES BETWEEN NON-HISPANIC WHITE AND NON-HISPANIC AMERICAN INDIAN/  
ALASKA NATIVE SUBJECTS IN A MATCHED SAMPLE FROM THE NATIONAL CHILD  
ABUSE AND NEGLECT DATA SYSTEM DETAILED CASE DATA, 1995–1999  
(NON-HISPANIC CHILDREN ONLY)

VARIABLE		WHITE (N=9027)	AMERICAN INDIAN/ ALASKA NATIVE (N=9031)
Foster Care Services Provided?***	YES	20.4%	25.2%
	NO	79.6%	74.8%
Juvenile Court Petition?***	YES	14%	16.5%
	NO	86%	83.5%
Child Victim of Physical Abuse?***	NO	79.5%	81.6%
	YES	20.5%	18.4%
Child Victim of Neglect?***	NO	30%	23.4%
	YES	70%	76.6%
Child Victim of Sexual Abuse?***	NO	90.5%	94%
	YES	9.5%	6%
Child Problem with Alcohol?***	YES	.5%	1.7%
	NO	99.5%	98.3%
Caretaker Problem with Alcohol?***	YES	6.9%	14.6%
	NO	93.1%	85.4%
Violence Between Caretakers?***	YES	14%	18.1%
	NO	86%	81.9%
Family Receives Public Assistance?***	YES	22.7%	26.6%
	NO	77.3%	73.4%

\*\*\* p<.001

\*\* p<.01

However, a decision was made to remove the Hispanic cases from the analysis, due to the intervening nature of the variable.

There were 1,113 children of Hispanic ethnicity, and Hispanic ethnicity was unknown for an additional 4,546 children. When these subjects were removed, there were 9,027 White and 9,032 American Indian/Alaska Native subjects in the database.

## Effect of Oklahoma

These data were also analyzed without the state of Oklahoma, as it contains more than half the subjects. Two variables changed slightly:

- Differences in percent physically abused changed, so that the results were no longer significant, although there were still fewer American Indian/Alaska Native children in the other states who were physically abused.

TABLE 10: DIFFERENCES BETWEEN HISPANIC AND NON-HISPANIC AMERICAN INDIAN/ALASKA NATIVE CHILDREN ON SELECTED VARIABLES (AMERICAN INDIAN/ALASKA NATIVE CHILDREN ONLY)

VARIABLE		HISPANIC AMERICAN INDIAN/ALASKA NATIVE (N=600)	NON-HISPANIC AMERICAN INDIAN/ALASKA NATIVE (N=9031)
Juvenile Court Petition*	YES	12.9%	16.5%
	NO	87.1%	83.5%
Child Victim of Sexual Abuse*	NO	96.3%	94%
	YES	3.7%	6%
Child Problem with Alcohol*	YES	.5%	1.7%
	NO	99.5%	98.3%
Violence Between Caretakers***	YES	32.4%	18.1%
	NO	67.6%	81.9%

\* p<.05

\*\*\* p<.001

- Differences in percent with a caretaker problem with alcohol increased. In the other states, this variable showed an even stronger “YES” response for American Indian/Alaska Native caretakers: 24% were “YES,” compared to 8.9% of White caretakers ( $p < .001$ ).

Other variables were consistent across states. It appeared from this analysis that the effect of Oklahoma data on the overall data set was not significant.

# Discussion

Comparison of reported statistics from several sources, raw data from the Bureau of Indian Affairs (BIA), and data from the National Child Abuse and Neglect Data System (NCANDS) showed some consistency in information related to child abuse and neglect among American Indian/Alaska Native children. The comparisons also highlighted some of the problems in how data are reported and analyzed.

## Consistent Findings

The following are consistent findings across reports and the reports where these findings appear:

- High rates and numbers of neglect among American Indian/Alaska Native children (National Indian Justice Center (NIJC); BIA Western Region data; NCANDS original data analysis)
- More violence among American Indian/Alaska Native families (Department of Justice [DOJ]; NCANDS original data analysis; Child Welfare League of America [CWLA] data regarding deaths due to child abuse and/or neglect)
- More alcohol abuse related to child abuse and/or neglect among American Indian/Alaska Native families (DOJ; NCANDS original data analysis)
- Increase in overall cases of child abuse and/or neglect among American

Indian/Alaska Native children (DOJ; BIA Western Region data; NCANDS Report)

- More likelihood that American Indian/Alaska Native children are in foster care (NCANDS Report; CWLA Report)

Other important findings:

- Higher rates of public assistance among non-Hispanic American Indian/Alaska Native children than non-Hispanic White children (NCANDS original data analysis)
- The importance of Hispanic ethnicity as a variable when looking at differences in child abuse and/or neglect between White and American Indian/Alaska Native subjects (NCANDS original data analysis)
- Less likelihood that American Indian/Alaska Native children are adopted, when compared to Whites (CWLA Report)
- Lower rates of sexual and physical abuse among non-Hispanic American Indian/Alaska Native children than non-Hispanic White children (NCANDS original data analysis)
- Large discrepancies in rates of child abuse and neglect reported from different sources for the same states and the same time frames

Many of these findings are supported in the literature. The fact that neglect is more commonly reported among American Indian/Alaska Natives than White children has been known and has

been consistent for several years (Earle, 2000; Fischler, 1985; Piaseki et al., 1989). As stated earlier, this may be due to the standard definitions of child abuse and neglect, which do not necessarily fit those of an American Indian/Alaska Native family or community. Other results supported by the literature include a high incidence of alcohol abuse and violence (Ishisaka, 1978; Mail & Johnson, 1993; May, 1994; Oken, Lightdale & Welty, 1995; Robin, Chester, & Rasmussen, 1998; Department of Justice [DOJ], 1999) and a high incidence of poverty (Fischler, 1985; Young, 1990, 1991) among American Indian/Alaska Native families. A high rate of foster care placement for American Indian/Alaska Native children is also supported in the literature (Brown, Whitaker, Clifford, Limb, & Munoz, 2000). Several of the authors cited relate allegations of abuse and/or neglect to these issues (Earle, 2000).

Original analysis of the NCANDS data concluded that Hispanic ethnicity is more important than race in comparing child abuse and neglect between White and American Indian/Alaska Native children. Hispanic American Indian/Alaska Native children are more likely to mirror Hispanic/White children than non-Hispanic/American Indian children when looking at abuse and/or neglect patterns and characteristics. This finding suggests further research on the effect of Hispanic ethnicity in child abuse and/or neglect cases.

A lower likelihood of adoption of American Indian/Alaska Native children was a finding that resulted from a state survey completed by the Child Welfare League of America in 1998. Some data by race/ethnicity from 1996 were available from 36 states. The low rates of adoption of American Indian/Alaska Native children cited by CWLA are cause for optimism that the Indian Child Welfare Act, which emphasizes the maintenance of American Indian/Alaska Native children within their kinship network and culture, may be working.

Lower rates of sexual and physical abuse among American Indian/Alaska Native people are supported by the early treatment of and attitude toward children still found in many American Indian/Alaska Native cultures (Red Horse et al., 2000). The suggestion that there is less sexual and physical abuse among American Indian/Alaska Native children today, however, is a surprising finding that has not appeared in the literature. Lower rates of sexual abuse found by original analysis of the NCANDS are in conflict with data from the samples collected by the NIJC, which found higher percentages of sexual abuse as a proportion of total abuse than the percentages in the NCANDS analysis. However, these findings are from different years and use a different point of analysis (cases versus children). It is probable, however, that there is a higher likelihood that American Indian/Alaska Native sexual

abuse cases will be reported than cases among other races. This is due to an unusually high involvement of law enforcement personnel in cases of sexual abuse on Indian reservations, mandated by the federal government (U.S. Attorney's Office, WA, 1997). Cases of sexual abuse on Indian reservations investigated by the FBI or tribal law enforcement are not necessarily accessible to the state in which the child is located and may not show up in the NCANDS, although they may be included in the BIA or the Indian Health Service (IHS) data reported to the NIJC.

A comparison of three states for which data were available from more than one source points out the difficulties in drawing conclusions based on any one source and on comparing information from different states. Data from different areas of the country reported by the National Indian Justice Center also show wide variation in the proportion of incidents defined as neglect, physical abuse, or sexual abuse, underscoring the problems in comparing data across states or data sources.

## Policy Implications

U.S. policy toward Indian nations is broadly affected by available data, which are used to allocate funding, services, and staff to address problems of abuse and/or neglect. Misleading or

inaccurate statistics regarding child abuse and neglect may lead to underfunding of programs. This report suggests that true rates of child abuse and neglect may be higher than the already high rates reported in national data systems, as some or all of the data from the BIA, the IHS, the FBI, and some Indian tribes/nations may not appear in the database that is used as the primary source for drawing conclusions about the need for financial or other intervention, NCANDS. The inability to obtain accurate information on child abuse and neglect is due to a lack of coordination and communication among federal agencies that have oversight of Indian nations regarding the reporting of cases of child abuse and neglect.

## Practice Implications

Direct care workers who deal with cases of child abuse and/or neglect among American Indian/Alaska Native families are hindered in their ability to provide the best treatment for each child. This is because the definitions of child abuse and neglect that they are required to use for American Indian/Alaska Native children may not be appropriate, especially in cases of neglect. Overlapping jurisdictions and requirements from different funding agencies further complicate not only the cost of service but the ability of therapists to provide quality intervention to an already underserved population.

## Areas for Future Research

Subjects for possible further research identified by this report are as follows:

- What is the effect of Hispanic ethnicity on conclusions drawn about American Indian/Alaska Native cases? This analysis suggests that Hispanic ethnicity may skew the data when comparing American Indian/Alaska Native and White children.
- What are the true rates of sexual and physical abuse among American Indian/Alaska Native children? Different sources reviewed here drew different conclusions regarding true abuse figures, indicating this is still an area that needs to be researched.
- Are there data still missing from the picture? Sources of data that may still be lacking in national statistics include the FBI and self-governing tribes that conduct their own child abuse and/or neglect investigations and do not pass along the data.
- How can data from the BIA, IHS, and DHHS be combined with these other, untapped sources to present an accurate picture of child abuse and neglect among American Indian/Alaska Natives? Do data need to be collected directly from tribes/nations and sent to a common database in order to produce accurate figures?

- Why are incidents of neglect consistently higher for American Indian/Alaska Native children? Is this a matter of interpretation of what constitutes neglect? An ongoing concern is the possible mislabeling of American Indian/Alaska Native children as neglected due to differences in cultural expectations and perceptions by caseworkers of a different racial group.

## Strengths

The strengths of this study are in two areas: the comparisons across data systems and the original analysis of the primary national data source, the NCANDS, using individual American Indian/Alaska Native children, not cases, as the primary subjects of analysis.

Comparison of data across published reports and to raw BIA data, which has not been done previously, provides clarity regarding the wide discrepancies in information on child abuse and neglect among American Indian/Alaska Native children. The authors are especially grateful to have received original data used in these comparisons from the BIA Western Region Office.

The original analysis of secondary NCANDS data provides the first opportunity to look at data specifically for American Indian/Alaska Native children in this database. The analysis of children rather than cases lends clarity to the data not

found in some of the widely quoted statistics from the NCANDS. These quoted statistics are found not only in the DHHS reports but also in reports published by the CWLA and DOJ.

## Limitations

This study is limited by the nature of the data found in secondary sources. Data from different years and locations and collected by different agencies are difficult to compare. Using existing sources of data poses questions of validity. It is impossible to ascertain if the data collected by another researcher are an appropriate measure of the variables the researcher wants to analyze. In this study, data collected by DHHS and archived at Cornell University can only suggest true differences between White and American Indian/Alaska Native children. Last year's report (Earle, 2000) concluded that child abuse and neglect data from NCANDS are incomplete. The published reports and data reviewed in this study raise further questions about the comprehensiveness of information that does not include material from the BIA, IHS, and the FBI. Information may still be lacking when investigations of child abuse and/or neglect are completed by the tribes themselves, especially if the tribes are self-governing.

These limitations actually underscore the point of this study; that is that existing data sources of child abuse and neglect among American Indian/Alaska Native children are inaccurate.

# Conclusions

This report reviewed published studies and secondary data that are currently available in the child welfare field regarding the abuse and/or neglect of American Indian/Alaska Native children. No firm deductions can be drawn, based on this study, regarding the status of child abuse and neglect among American Indian/Alaska Native children. This is the major finding of the study: current data are not sufficient to tell us the true status of abuse and neglect among American Indian/Alaska Native children. Data from different sources provided different statistics related to rates of abuse. These data are from independent data sources. The extent of overlap is unknown; it is unclear whether or not the same children appear in more than one database.

Most currently quoted statistics, which report high rates of child abuse and/or neglect for American Indians and Alaska Natives, use the National Child Abuse and Neglect Data System (NCANDS) to compare incidents of abuse to Census figures, a misleading approach. In addition, it was reported last year (Earle, 2000) that the NCANDS does not include all of the data on child abuse and neglect among American Indian/Alaska Native children. This was confirmed by the finding in this year's report that data from the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS) are not routinely reported to the NCANDS. Given these facts, true rates of

child abuse and neglect may be even higher than the widely quoted high rates of abuse and neglect among American Indian/Alaska Native children. In addition, it is unclear as to how much of the data collected by the FBI and by self-governing tribes is reported into any data system.

This research identifies the need for one comprehensive data system for reporting incidents of child abuse and/or neglect for American Indian/Alaska children. The identification of discrepancies in the existing data structure is one reason that such a system is needed. Another reason is the continuing difficulty that the federal government has of obtaining data from reluctant Indian nations, given the long history of mistrust among tribal governments, state governments, and the federal government. Continuing differences in cultural definitions of neglect, which may lead to mistakenly high reports of neglect, is a third.

This study calls for the creation of a data system that includes all parties who collect data from Indian nations: the BIA, IHS, FBI, Department of Health and Human Services (DHHS), and Indian nations themselves. A system designed and controlled by Indian tribes/nations may provide the best way to address problems in the existing data. An initial step in the design of such a system would be to give American Indian/Alaska

Native people an opportunity to develop a culturally appropriate definition of abuse and neglect and a larger say in when and how a designation of neglect is made for American Indian/Alaska Native children.

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## Footnote

<sup>1</sup> Only 16 states reported detailed case information to the NCANDS from 1995–1999. These states are therefore the only ones included in the analysis. The four states, although not those with the highest Indian populations, were those in this database with the most Indian cases.

