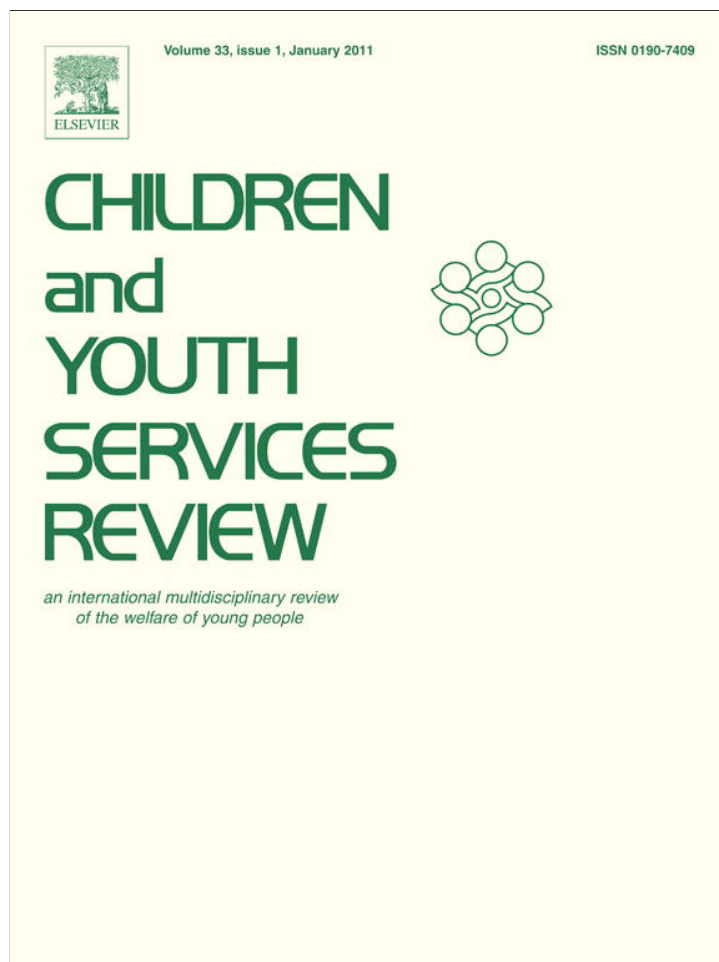


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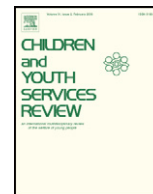
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## NIS interpretations: Race and the National Incidence Studies of Child Abuse and Neglect

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### ABSTRACT

The National Incidence Studies (NIS) of Child Abuse and Neglect are the primary estimates of actual child maltreatment rates in the United States. Findings from the NIS-2 of 1986, and the NIS-3, of 1993, have been presented as demonstrating that Blacks and Whites are maltreated at equal rates. The NIS-4, using 2006 data, was presented as showing markedly different findings from the prior NIS studies with regard to race. A supplementary NIS-4 report on race argued that differences between the NIS-3 and NIS-4 were due to better precision and an expanding income gap between Blacks and Whites between 1993 and 2006. This paper will demonstrate that the NIS-2 and NIS-3 did not, as is commonly believed, show equivalence between Black and White maltreatment rates and that the NIS-2, NIS-3 and NIS-4 do not differ markedly in their racial findings. Further, the large historical increase in the Black/White income gap cited in the NIS-4 race supplement derives from a simple failure to account for inflation. If left unaddressed, misinterpretations of NIS data will continue to misinform policy, cloud the issue of racial bias in the child welfare system and obscure the ongoing role of concentrated poverty in driving racial disproportionality.

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### 1. Introduction

Do Black children experience more child maltreatment than White children in the United States? The Fourth National Incidence Study of Child Abuse and Neglect (NIS-4) has been interpreted as showing such an effect for the first time, in contrast to the Second and Third National Incidence Studies of Child Abuse and Neglect (NIS-2 and NIS-3), which were interpreted as showing no such effect (Sedlak, 1987; Sedlak, 1991; Sedlak & Broadhurst, 1996; Sedlak, Hantman, & Schultz, 1997; Sedlak, Mettenburg, et al., 2010; Sedlak, McPherson, & Das, 2010). The "NIS is a congressionally mandated, periodic research effort to assess the incidence of child abuse and neglect in the United States" (DHHS, 2010). It is analogous in within-area impact to the National Survey on Drug Use and Health or the National Crime Victimization Survey. As such, the NIS series has been a prime driver of policy.

This paper will show that contrary to the claims of the study authors, the NIS-2, NIS-3 and NIS-4 have very similar findings with regard to race. Confidence intervals in the NIS-2 and NIS-3 were so large that very different point estimates of maltreatment by race failed to achieve statistical significance. Unfortunately, all published sources of which we are aware portray this as affirmative evidence that Black and White maltreatment rates are equivalent. Finally, a key substantive explanation offered by the NIS-4 research team for the "new" race findings, a

claimed large increase in the Black/White income gap, is incorrect, being due to a failure to account for inflation between 1993 and 2006.

### 2. Current interpretations of the NIS studies

This section reviews how the NIS-2, NIS-3 and NIS-4 race findings have historically been interpreted in comparison with each other and with official report data. The impact of the NIS on the policy debate is presented.

#### 2.1. Review of the NIS studies

This brief background of the NIS is by no means an exhaustive review, and readers are encouraged to consult the detailed reports available (Sedlak, 1987; Sedlak, 1991; Sedlak & Broadhurst, 1996; Sedlak, Hantman, & Schultz, 1997; Sedlak, Mettenburg, et al., 2010; Sedlak, McPherson, & Das, 2010). The following information is drawn largely from these sources. The NIS are periodic surveys that were instituted to help understand the national incidence of child abuse and neglect. A probability sample of counties was selected. The NIS-2 used 29 counties, the NIS-3 used 42 counties and the NIS-4 used 122 counties. Both child protective services staff and community sentinels (law enforcement, medical staff, teachers, etc...) provided data on maltreated children of whom they were aware. Cases were eligible if they resulted in demonstrable harm (actual injury) called the "harm standard"—a higher standard than would be required for a CPS agency to substantiate a case; or were at risk of harm, called the "endangerment standard". The latter category was added after the

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NIS-1 to insure that cases reflected those that would be substantiated (Sedlak, 1991, p. 2–7). Identifying information was used to unduplicate reports. The similarity of the endangerment standard to substantiated cases has advantages and drawbacks. One advantage is the ability to compare findings to the detailed victim data in NCANDS (DHHS, 2008). One drawback is that recent empirical work indicates that many unsubstantiated cases include serious risk and harm (Hussey et al., 2005; Kohl, Jonson-Reid, & Drake, 2009).

## 2.2. Interpretations of the NIS-2 and NIS-3 relative to race

The NIS-2 original report stated there were no significant differences by race, though a revised report mentions “three marginal noteworthy but insignificant trends related to race/ethnicity” specific to physical abuse, physical neglect and fatalities (Sedlak, 1987; Sedlak, 1991). The NIS-3 final report states that “The NIS-3 found *no* race differences in maltreatment incidence” (italics in original text) and that “The NIS findings suggest that the different races receive differential attention somewhere during the process of referral, investigation, and service allocation, and that the differential representation of minorities in the child welfare population does not derive from inherent differences in the rates at which they are abused or neglected” (Sedlak & Broadhurst, 1996, p.8–7). It is also stated that “Thus, the NIS-2 and the NIS-3 have both failed to uncover any evidence of disproportionate victimization in relation to children’s race” (p. 4–30). At many other places in the report, it is noted that there is no “statistically significant” difference by race (e.g. p. 4–28, p. 8–7).

## 2.3. Interpretations of the NIS-4 relative to race

“Unlike previous NIS cycles, the NIS-4 found strong and pervasive race differences in the incidence of maltreatment.” (Sedlak, Mettenburg, et al., 2010, p.9). Due to the critical nature of this finding, a supplementary report was released in March, 2010. Sedlak and colleagues argue therein that the differences between the NIS-4 and NIS-3 are due to (1) increased precision and (2) the widening of the income gap between Black and White families between 1993 and 2006 (Sedlak, McPherson, & Das, 2010).

## 2.4. Official victimization rates: NCANDS

NIS findings are frequently compared and contrasted to findings from the National Child Abuse and Neglect Data System (NCANDS). NCANDS provides annual national counts of child abuse and neglect reporting, victimization rates, and services provided by child welfare in the United States (DHHS, 2008). In 2006, 48 states and the District of Columbia reported a victimization rate for Black children of 19.8 per 1000 children and a victimization rate of 10.7 per 1000 for White children (Department of Health and Human Services and Services, 2008). Black children were therefore 1.85 times as likely as White children to be officially reported to child welfare agencies and classified as victims of maltreatment.

## 2.5. Shaping the policy debate

The NIS-2 and NIS-3 have been universally interpreted as showing equivalence between Black and White children’s rates of *actual* maltreatment. This apparent conflict with NCANDS has been taken to suggest that the current reporting and child welfare investigation system is biased towards over-reporting and/or differentially screening in and validating Black children as victims. For example, the Children’s Bureau of the Department of Health and Human Services has indicated that “The Third National Incidence Study (NIS-3) ... did not find racial differences overall. These findings suggest that the overrepresentation of African-American children in the child welfare

system is not attributable to higher rates of maltreatment in this population, but to factors related to the child welfare system itself” (Chibnall, Dutch, Jones-Harden, Brown, & Gourdine, 2010). The state of Washington summarizes the findings of the NIS-3 similarly, stating “...multiple waves of the National Incidence Studies show that despite their higher representation in the ranks of the poor, there is no higher rate of abuse in Black or American Indian families” (Washington State Department of Social and Health Services, 2008, p. 10–11). The governor of Oregon, in a recent executive order, asserted that “national studies have shown that children of color are not abused at higher rates than white children” and that “disparate treatment can happen at many steps along the decision-making process within the child welfare system including reporting, investigation, substantiation and foster care” (Kulongoski, 2009). Calls for legislative change in academic journals have also been based upon these interpretations (Dixon, 2008). At least eleven states are currently addressing disproportionality and disparity in legislation or policy, both at the level of reporting and also at the level of services following reports (Alliance for Racial Equity in Child Welfare, 2009).

## 3. Correcting misinterpretations of the NIS

This analysis uses NIS endangerment standard rather than harm standard estimates. Discussion is restricted to the “all maltreatment” category, citing rates per 1000 children, with confidence intervals in parentheses when available. Justification for these choices can be found in the discussion section. Rates are always per 1000 children. The data presented in Table 1 are derived from the NIS-3 final report appendices and the NIS-4 supplementary report (Sedlak, Hantman, & Schultz, 1997).

### 3.1. Race and maltreatment in NIS: The data

The NIS-2 found a maltreatment rate of 19.41 for Whites and 36.22 for Blacks, this difference being statistically non-significant (Sedlak, Hantman, & Schultz, 1997). The NIS-3 found a rate of 36.50 (21.93–51.06) for Whites against a rate of 54.96 (33.61–76.30) for Blacks, also statistically non-significant (Sedlak, McPherson, & Das, 2010). The NIS-4 found statistically significant different rates of 28.58 (24.43–32.73) for Whites and a 49.55 (39.25–59.85) for Blacks (Sedlak, McPherson, & Das, 2010). These data are presented in Table 1 and graphically in Fig. 1.

Although not significantly different, the NIS-2 and NIS-3 race point estimates were consistent with each other and with the NIS-4, both in general magnitude and valence. Black children were 87% more likely than White children to be victims of maltreatment in the NIS-2, 51% more likely in the NIS-3, and 73% more likely in the NIS-4. The statistically significant NIS-4 racial difference is 22 percentage points higher than the statistically non-significant NIS-3 difference, but is 14 points *lower* than the statistically non-significant NIS-2 difference. NIS-4 “splits the difference” between the two prior studies.

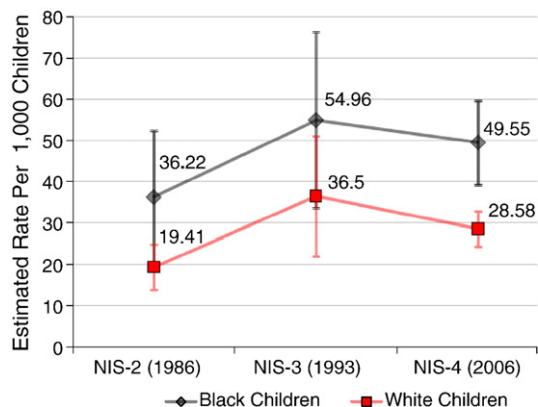
A common logical fallacy occurs when one argues that the lack of ability to prove an assertion stands as disproof of the assertion

**Table 1**

Endangerment standard (all maltreatment) rate estimates from the NIS-2, NIS-3 and NIS-4 with confidence intervals.

NIS Version	Whites	Blacks	Percentage difference
NIS-2 (1986)	19.41 (13.87–24.95)	36.22 (19.96–52.48)	Blacks 87% higher (NS)
NIS-3 (1993)	36.50 (21.93–51.06)	54.96 (33.61–76.30)	Blacks 51% higher (NS)
NIS-4 (2006)	28.58 (24.43–32.73)	49.55 (39.25–59.85)	Blacks 73% higher (p<.05)

Note: NIS-2 estimate from Sedlak et al., 1997, p. D-27. NIS-2 Confidence Intervals from Sedlak, 2010. Other Estimates from Sedlak, McPherson & Das, 2010, p. A-2.



Note: NIS-2 estimate from Sedlak, Hantman, & Schultz, 1997, p. D-27. NIS-2 Confidence Intervals from Sedlak, 2010. Other Estimates from Sedlak, McPherson & Das, 2010, p. A-2.

Fig. 1. Estimated rates under the endangerment standard (“all maltreatment”) in the NIS-2, NIS-3 and NIS-4.

(Walton, 1999). In the medical literature, this fallacy has been captured by the familiar phrase “Absence of evidence is not evidence of absence” (Altman & Bland, 1995, p.485). In the case of the NIS-2 and NIS-3, large confidence intervals prevented the large gap in race estimates from attaining statistical significance, as shown in Table 1 and Fig. 1. This inability to show significant difference by race has been universally misinterpreted as positive confirmation that racial differences did not exist.

3.2. Explanations of the “new” racial findings in the NIS-4: increased precision

All NIS-3 and NIS-4 estimates show large confidence intervals with a single exception; NIS-4 rates for White children. Sedlak and colleagues appear to be correct in citing “increased precision” as contributory to the “new” findings in the NIS-4 (Sedlak, McPherson, & Das, 2010). Such a change in precision could be due to sampling as the NIS-2 sampled 29 counties, the NIS-3 sampled 42 counties, and the NIS-4 sampled 122 counties (Sedlak, 1991; Sedlak & Broadhurst, 1996; Sedlak, Mettenburg, et al., 2010).

3.3. Explanations of the “new” racial findings in the NIS-4: the “expanding” income gap

The association of child maltreatment with low economic status is a settled issue in the literature, with both a strong theoretical and empirical basis (Pelton, 1978; Drake & Zuravin, 1998; Drake & Pandey, 1996). The NIS-2, NIS-3 and the NIS-4 also showed a strong association between poverty and maltreatment (Sedlak, 1987; Sedlak, 1991; Sedlak & Broadhurst, 1996; Sedlak, Hantman, & Schultz, 1997; Sedlak, Mettenburg, et al., 2010). Poverty can, perhaps, best be understood as an environmental stressor with established negative sequelae across a range of domains such as health, education and mental health (Drake & Rank, 2009).

Sedlak and colleagues argue that the racial differences found to be statistically significant in the NIS-4 but not in the NIS-3 reflect an economic effect. They state that “changes in the socioeconomic circumstances of Black and White children during the interval between the two NIS cycles may have contributed to changes in maltreatment rates” (p.4) and that “... among all the demographic shifts in family characteristics that are related to maltreatment risk, differential changes in family incomes stand out as the one change that could potentially account for the higher relative risk of Black children at the time of the NIS-4” (Sedlak, McPherson, & Das, 2010, p.11). The empirical basis for this

Table 2  
The Black/White income gap: 1993–2006.

Measure	Current dollars	Constant (2008) dollars
White median income 2006	\$68,557	\$73,211
White median income 1993	\$42,227	\$61,959
Increase (1993–2006)	+\$26,330	+\$11,252
Black median income 2006	\$34,749	\$37,108
Black median income 1993	\$18,671	\$27,396
Increase (1993–2006)	+\$16,078	+\$9712
Income gap 2006	\$33,808	\$36,103
Income gap 1993	\$23,556	\$34,563
Dollar gap increase (1993–2006)	+\$10,252	+\$1540
Percentage gap increase (1993–2006)	+43.52%	+4.46%

Data from “Families With One or More Children Under 18 Years Old” sections, “White alone, not Hispanic” (2006), “White not Hispanic” (1993), “Black Alone” (2006) and “Black” (1993) categories (U.S. Census Bureau, 2010a, b).

argument can be found in data derived from the United States Census (Sedlak, McPherson, & Das, 2010). In their 2010 supplementary report, Sedlak and colleagues state “the gap between median incomes of these race groups increased substantially, from a difference of \$23,556 in 1993 to a difference of \$33,808 in 2006” (Sedlak, McPherson, & Das, 2010, p.11). As Table 2 shows, these data were not adjusted for inflation (U.S. Census Bureau, 2010a, b). The table referenced by Sedlak, McPherson & Das 2010 includes both “Current Dollars” and “2008 Dollars”. If constant (2008) dollar column is used, the impressive 43.52% increase in the income gap shrinks to 4.46% (Sedlak, McPherson, & Das, 2010).

Low economic status can be conceptualized in a number of ways, including family income or a family's position relative to the poverty line. Median income measures are, by definition, a measure of the middle class. Poverty measures, on the other hand, allow us to understand the number of people experiencing poverty *per se*. The poverty gap between Blacks and Whites narrowed during the 1990s (Lichter, Qian, & Crowley, 2006). Between 1993 and 2006, the poverty rate among White families with children moved from 11.6% to 9.3%. During this same period, the poverty rate for Black families with children moved from 34.1% to 28.4% (U.S. Census Bureau, 2010b). The 1993 Black/White poverty gap was therefore 22.5 percentage points. By 2006, the poverty gap had narrowed to 19.1 percentage points. Had Sedlak and colleagues used this metric, they would have noted a slight decrease in the economic gap, rather than the claimed substantial increase (Sedlak, McPherson, & Das, 2010). The large increase in the income gap referenced in the supplementary analysis does not, in fact, exist and cannot therefore explain the NIS-4 findings.

4. Discussion

How might we reinterpret the NIS series of reports around issues of race and maltreatment? We discuss alternative interpretations, the limitations of the present analyses and implications for child maltreatment prevention and child welfare policy.

4.1. Reinterpreting the NIS-2, NIS-3 and NIS-4

Based on this review, the NIS bivariate racial effects should be interpreted as follows:

- Contrary to common reportage and widely accepted interpretation, the NIS-2 and the NIS-3 do not affirmatively demonstrate Black/White equivalency in actual maltreatment rates at the bivariate level. Interpretations to this effect are fallacious.
- The NIS-4 does not show very different estimates from the NIS-2 or NIS-3 around the issue of racial differences in maltreatment rates at the bivariate level (Fig. 1). Any assertion that the NIS-4 findings represent new findings regarding race are misleading.



- The interpretation that census data show a substantial widening of the Black/White income gap between 1993 and 2006 is incorrect and an artifact of inflation. Given that the Black/White poverty gap *decreased*, the suggestion that claimed racial differences between the NIS-3 and NIS-4 are due to economic factors is untenable.
- The NIS-4 estimate of the racial maltreatment differential in *actual maltreatment rates* (1.73:1) is very similar to the racial maltreatment differential found in *validated child abuse and neglect reports* at the national level (1.85:1). Since the *actual* and *reported* racial differentials are similar, it is impossible to safely conclude from available national data that the reporting system is systematically biased on the basis of race.

#### 4.1. Limitations

We have focused on the NIS endangerment standard, rather than harm standard because it is a more general measure of maltreatment and because it is most analogous to the “victim” classification in NCANDS, allowing comparison to national report data. Fortunately, the key NIS findings with regard to race do not vary markedly by definitional standard. The endangerment standard was added in the NIS-2 to respond to critiques of the more restrictive standard used in the NIS-1 (Sedlak, 1991). The NIS-1, which used 1980 data, did not show any marked differences in maltreatment by race, but contained extremely large confidence intervals for Black children. We do not further review the NIS-1 findings related to race here because it is seldom singled out in the policy debate, because of differences in the methods used, lack of use of the endangerment standard and concerns over the NIS-1 methodology (Sedlak & Broadhurst, 1996). We choose to use the “all maltreatment” measure as compared to breaking out maltreatment by type both for simplicity and policy relevance. Virtually all discussion of NIS findings addressing the issue of Black/White disproportionality has used the “all maltreatment” metric. We only touch briefly upon the broader scientific literature on racial disparities in child welfare. It is not our intent or interest to compare the NIS to other scientific studies, a contentious issue (Drake, Lee, & Jonson-Reid 2009; Ards & Chung, 2001; Bartholet, 2009). We fear that such a divergence of focus would detract from key points regarding how the NIS reports have been interpreted. We would prefer to clarify the NIS findings with regard to race and to compare those clarified findings to the NCANDS data. We have chosen not to address the multivariate analyses of the NIS series reports for several reasons. First, their findings are often consistent with the bivariate findings described previously. Second, and most critically, it is the bivariate, not the multivariate findings which inform the policy debate about child welfare system bias. Third, we again wanted to maintain focus on the key points raised. We did not reevaluate the NIS using the raw data for several reasons. First, we do not assert that the NIS data themselves are flawed, beyond the obvious progressions and changes in sampling and measurement that make comparisons between waves problematic (Sedlak, 1987; Sedlak, 1991; Sedlak & Broadhurst, 1996; Sedlak, Mettenburg, et al., 2010). Nor are we arguing that the analyses reported by NIS investigators are flawed. We only assert that the provided, and now widespread, interpretations of the NIS analyses as showing racial equivalence in maltreatment rates are fallacious, and that economic data were used inappropriately in the supplementary report. We address only Blacks and Whites in this paper, as the NIS findings regarding Hispanics have not generally been interpreted fallaciously. Most importantly, with regard to our arguments and analyses as a whole, it is imperative that the reader understand that the arguments presented in this paper in no way bear on discussions of racial disproportionality within the child welfare system once cases move beyond the stage of reporting, screening and validation. In particular, these findings do not address foster care disproportionality.

#### 4.2. Implications

The NIS has been cited as the core empirical justification for a number of policy initiatives aimed at reducing disproportionality at the front end of the child welfare system. When correctly interpreted, the NIS data provide no such justification. The correct interpretation of NIS data is that our best evidence shows a stable and powerful overrepresentation of Blacks among maltreated children. This overrepresentation is closely parallel with current official victimization rates. Taken together, the NIS and NCANDS data provide no evidence of system bias in public child welfare agencies. Current efforts to alter child welfare systems in response to an illusory discrepancy between NIS and NCANDS data are misguided and potentially harmful. While racial bias undoubtedly exists to some extent in every system in the United States, the key policy question must be the *degree* and the *stage* of such bias. While continued vigilance and efforts to reduce any existing racist bias among reporters and child maltreatment agencies is morally necessary, targeting this stage as a key point in addressing racial disproportionality is not empirically justifiable. *Efforts to reduce reports, screen-ins or official validation rates for Black children could drive such rates out of alignment with actual incidence rates as determined in the NIS-2, NIS-3 and NIS-4.* In the worst possible case, pressure on reporters, hotline screeners or investigative workers to avoid, screen out or not verify reports on Black children could result in decreased capability to secure the safety of Black children.

What remains is the overwhelming importance of poverty as a correlate of child maltreatment. The NIS-2, NIS-3, the NIS-4 and every other recent study of which we are aware shows that poor children are overwhelmingly more likely to be actually maltreated, reported and officially validated compared to non-poor children. Going one step further, statistics showing the large poverty gap between Black and White children do not adequately capture the far greater disparities relating to concentrated poverty (Drake & Rank, 2009). Given such differences in the environmental barriers to effective parenting and community support, it is perhaps more surprising that the reported gaps in incidence and reporting are not even larger by race. Prevention of racial disproportionality in actual and reported child maltreatment can only begin with addressing the poverty in which Black children live. Alternatively, and less desirably, supporting effective maltreatment prevention programs specifically designed for, evaluated with, and provided to low income populations might also reduce disproportionality in actual and reported maltreatment. We hope this paper will draw attention to these issues.

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