

Appendix O

States Definitions of Child Endangerment as More Severe Than Neglect¹

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This document summarizes the common themes in state definitions of child endangerment and compares the statutory language with child neglect. There are over twenty states in the United States with child endangerment laws, each state providing statutory language that suggests that the former is similar to child neglect. In addition, child endangerment also constitutes child abuse in some states. State laws often categorize child endangerment as placing a child in a situation that might endanger the child's life, health, welfare, morals, or emotional well-being. While neglect focus on failure to meet a child's basic needs including the failure to provide adequate health care, supervision, clothing, nutrition, housing as well as their physical, emotional needs. Furthermore, the statutory language suggests that the standard of endangerment is more severe than neglect.

We developed the list below to help courts identify when other states have statutory language similar to their state statute. When state statutes are similar, case law in one jurisdiction can provide persuasive authority interpreting the statute that may be useful to state courts in a wide range of family court proceedings. The information contained in this document will also be helpful to state court judges issuing findings that immigrant children need as a prerequisite to filing for Special Immigrant Juvenile Status (SIJS). Any state law definition of child endangerment can apply in any state court proceeding for purposes of issuing the required SIJS findings.

The first section of this document highlights the common themes in state laws defining child endangerment and lists which actions or failures act as constituting child endangerment. The last section of this document contains a list by state of each of the child endangerment and neglect statutory language that suggest that the standard in the former could be higher than the latter depending on the state.

- **Reasonably fails to prevent the child from becoming dependent or delinquent** - Alabama, Delaware;
- **States that define endangerment as substantial risk to death** – Alaska, Arizona, Arkansas, California, Illinois, Kentucky, Maryland, Missouri, New York;
- **Substantial risk of physical injury** – Arizona, Arkansas, California, Kentucky, Maryland, Massachusetts, New Hampshire;
- **Health Endangerment/Health Impairment** – California, Connecticut, Illinois, Kansas, Maine, Missouri, Ohio, New Hampshire;
- **Child Abuse** – Delaware, Ohio, Nebraska, New Jersey;
 - Risk of bodily injury – D.C.;
 - Mental or emotional harm – Iowa;
- **Deprivation of food, clothing, health care or supervision** – Iowa, Nebraska;

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² Reports are labeled with the date of last update. If you reach a conclusion that conflicts with the material herein, you can contribute to our knowledge by sending an email to info@niwap.org.

- **Physical and sexual abuse** – Iowa, Massachusetts;
- **Violating duty of care, protection, or support** – Montana, New Hampshire, Pennsylvania, Ohio.

States	Endangerment –Knowingly/Intentional	Neglect
Alabama	<p>Endangering welfare of child - Ala. Code § 13A-13-6</p> <p>(a) A man or woman commits the crime of endangering the welfare of a child when:</p> <p>(1) He or she knowingly directs or authorizes a child less than 16 years of age to engage in an occupation involving a substantial risk of danger to his life or health; or</p> <p>(2) He or she, as a parent, guardian or other person legally charged with the care or custody of a child less than 18 years of age, fails to exercise reasonable diligence in the control of such child to prevent him or her from becoming a “dependent child” or a “delinquent child,” as defined in Section 12-15-1.</p>	<p>Definitions - Ala. Code § 26-16-2(6)</p> <p>(6) NEGLECT. Harm to a child's health or welfare by a person responsible for the child's health or welfare which occurs through negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.</p> <p>Definitions - Ala. Code § 26-14-1(2)</p> <p>(2) NEGLECT. Negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.</p>
Alaska	<p>Endangering the welfare of a child in the first degree - Alaska Stat. Ann. § 11.51.100</p> <p>(a) A person commits the crime of endangering the welfare of a child in the first degree if, being a parent, guardian, or other person legally charged with the care of a child under 16 years of age, the person</p> <p>(1) Intentionally deserts the child in a place under circumstances creating a substantial risk of physical injury to the child;</p> <p>(2) Leaves the child with another person who is not a parent, guardian, or lawful custodian of the child knowing that the person</p> <p>(A) Is registered or required to register as a sex offender under AS 12.63 or a law or ordinance in another jurisdiction with similar requirements;</p> <p>(B) Has been charged by complaint, information, or indictment with a violation of AS 11.41.410 - 11.41.455 or a law or ordinance in another jurisdiction with similar elements; or</p> <p>(C) Has been charged by complaint, information, or indictment with an attempt, solicitation, or conspiracy to commit a crime described in (B) of this paragraph; or</p> <p>(3) Leaves the child with another person knowing that the person has previously physically mistreated or had sexual contact with any child, and the other person causes physical injury or engages in sexual contact with the child.</p> <p>(b) A person commits the crime of endangering the welfare of a minor in the first degree if the person transports a child in a motor</p>	<p>Neglect - Alaska Stat. Ann. § 47.10.014</p> <p>For purposes of this chapter, the court may find neglect of a child if the parent, guardian, or custodian fails to provide the child with adequate food, clothing, shelter, education, medical attention, or other care and control necessary for the child's physical and mental health and development, though financially able to do so or offered financial or other reasonable means to do so.</p> <p>Definitions - Alaska Stat. Ann. § 47.17.290(3)</p> <p>(3) “child abuse or neglect” means the physical injury or neglect, mental injury, sexual abuse, sexual exploitation, or maltreatment of a child under the age of 18 by a person under circumstances that indicate that the child's health or welfare is harmed or threatened thereby; in this paragraph, “mental injury” means an injury to the emotional well-being, or intellectual or psychological capacity of a child, as evidenced by an observable and substantial impairment in the child's ability to function.</p>

<p>Alaska (Cont.)</p>	<p>vehicle, aircraft, or watercraft while in violation of AS28.35.030 .</p> <p>(c) In this section, "physically mistreated" means</p> <p>(1) Having committed an act punishable under AS 11.41.100 - 11.41.250; or</p> <p>(2) Having applied force to a child that, under the circumstances in which it was applied, or considering the age or physical condition of the child, constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation because of the substantial and unjustifiable risk of</p> <p>(A) Death;</p> <p>(B) Serious or protracted disfigurement;</p> <p>(C) Protracted impairment of health;</p> <p>(D) Loss or impairment of the function of a body member or organ;</p> <p>(E) Substantial skin bruising, burning, or other skin injury;</p> <p>(F) Internal bleeding or subdural hematoma;</p> <p>(G) Bone fracture; or</p> <p>(H) Prolonged or extreme pain, swelling, or injury to soft tissue.</p> <p>(d) Endangering the welfare of a child in the first degree under (a)(3) of this section is a</p> <p>(1) Class B felony if the child dies;</p> <p>(2) Class C felony if the child suffers sexual contact, sexual penetration, or serious physical injury; or</p> <p>(3) Class A misdemeanor if the child suffers physical injury.</p> <p>(e) Endangering the welfare of a child under (b) of this subsection is a class A misdemeanor.</p> <p>(f) Endangering the welfare of a child in the first degree under (a)(1) or (2) of this section is a class C felony</p>	
<p>Arizona</p>	<p>Endangerment - Ariz. Rev. Stat. Ann. § 13-1201</p> <p>A. A person commits endangerment by recklessly endangering another person with a substantial risk of imminent death or physical injury.</p> <p>B. Endangerment involving a substantial risk of imminent death is a class 6 felony. In all other cases, it is a class 1 misdemeanor.</p> <p>Child or vulnerable adult abuse - Ariz. Rev. Stat. Ann. § 13-3623</p> <p>A. Under circumstances likely to produce death or serious physical injury, any person who causes a child or vulnerable adult to suffer physical injury or, having the care or custody of a child or vulnerable adult, who causes or permits the person or health of the child or vulnerable adult to be injured or who causes or permits a child or</p>	<p>Definitions - Ariz. Rev. Stat. Ann. § 8-201(25)</p> <p>“Neglect” or “neglected” means:</p> <p>(a) The inability or unwillingness of a parent, guardian or custodian of a child to provide that child with supervision, food, clothing, shelter or medical care if that inability or unwillingness causes unreasonable risk of harm to the child's health or welfare, except if the inability of a parent, guardian or custodian to provide services to meet the needs of a child with a disability or chronic illness is solely the result of the unavailability of reasonable services.</p> <p>(b) Permitting a child to enter or remain in any structure or vehicle in which volatile, toxic or flammable chemicals are found or equipment is possessed by any person for the purposes of</p>

<p>Arizona (Cont.)</p>	<p>vulnerable adult to be placed in a situation where the person or health of the child or vulnerable adult is endangered is guilty of an offense as follows:</p> <ol style="list-style-type: none"> 1. If done intentionally or knowingly, the offense is a class 2 felony and if the victim is under fifteen years of age it is punishable pursuant to § 13-705. 2. If done recklessly, the offense is a class 3 felony. 3. If done with criminal negligence, the offense is a class 4 felony. <p>B. Under circumstances other than those likely to produce death or serious physical injury to a child or vulnerable adult, any person who causes a child or vulnerable adult to suffer physical injury or abuse or, having the care or custody of a child or vulnerable adult, who causes or permits the person or health of the child or vulnerable adult to be injured or who causes or permits a child or vulnerable adult to be placed in a situation where the person or health of the child or vulnerable adult is endangered is guilty of an offense as follows:</p> <ol style="list-style-type: none"> 1. If done intentionally or knowingly, the offense is a class 4 felony. 2. If done recklessly, the offense is a class 5 felony. 3. If done with criminal negligence, the offense is a class 6 felony. <p>C. For the purposes of subsections A and B of this section, the terms endangered and abuse include but are not limited to circumstances in which a child or vulnerable adult is permitted to enter or remain in any structure or vehicle in which volatile, toxic or flammable chemicals are found or equipment is possessed by any person for the purpose of manufacturing a dangerous drug in violation of § 13-3407, subsection A, paragraph 3 or 4. Notwithstanding any other provision of this section, a violation committed under the circumstances described in this subsection does not require that a person have care or custody of the child or vulnerable adult...</p>	<p>manufacturing a dangerous drug as defined in § 13-3401.</p> <p>(c) A determination by a health professional that a newborn infant was exposed prenatally to a drug or substance listed in § 13-3401 and that this exposure was not the result of a medical treatment administered to the mother or the newborn infant by a health professional. This subdivision does not expand a health professional's duty to report neglect based on prenatal exposure to a drug or substance listed in § 13-3401 beyond the requirements prescribed pursuant to § 13-3620, subsection E. The determination by the health professional shall be based on one or more of the following:</p> <ol style="list-style-type: none"> (i) Clinical indicators in the prenatal period including maternal and newborn presentation. (ii) History of substance use or abuse. (iii) Medical history. (iv) Results of a toxicology or other laboratory test on the mother or the newborn infant. <p>(d) Diagnosis by a health professional of an infant under one year of age with clinical findings consistent with fetal alcohol syndrome or fetal alcohol effects.</p> <p>(e) Deliberate exposure of a child by a parent, guardian or custodian to sexual conduct as defined in § 13-3551 or to sexual contact, oral sexual contact or sexual intercourse as defined in § 13-1401, bestiality as prescribed in § 13-1411 or explicit sexual materials as defined in § 13-3507.</p> <p>(f) Any of the following acts committed by the child's parent, guardian or custodian with reckless disregard as to whether the child is physically present:</p> <ol style="list-style-type: none"> (i) Sexual contact as defined in § 13-1401. (ii) Oral sexual contact as defined in § 13-1401. (iii) Sexual intercourse as defined in § 13-1401. (iv) Bestiality as prescribed in § 13-1411.
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<p>Arkansas</p>	<p>Endangering welfare of minor - Ark. Code Ann. § 5-27-205</p> <p>(a) A person commits the offense of endangering the welfare of a minor in the first degree if, being a parent, guardian, person legally charged with care or custody of a minor, or a person charged with supervision of a minor, he or she purposely:</p> <p>(1) Engages in conduct creating a substantial risk of death or serious physical injury to a minor; or</p> <p>(2) Deserts a minor less than ten (10) years old under circumstances creating a substantial risk of death or serious physical injury.</p>	<p>Definitions - Ark. Code Ann. § 9-30-103(4)</p> <p>“Neglect” means:</p> <p>(A) Failure to provide, by those legally responsible for:</p> <p>(i) The care and maintenance of the child and the proper or necessary support;</p> <p>(ii) Education, as required by law; or</p> <p>(iii) Medical, surgical, or any other care necessary for his or her well-being; or</p> <p>(B)(i) Any maltreatment of the child.</p> <p>(ii) The term includes both acts and omissions. This chapter shall not be construed to mean a child is neglected or abused for the sole reason he or she is being provided treatment by spiritual means through prayer alone in accordance with the tenets or practices of a recognized church or religious denomination by a duly accredited practitioner thereof in lieu of medical or surgical treatment;</p> <p>Definitions - Ark. Code Ann. § 12-18-103</p> <p>(14)(A) “Neglect” means those acts or omissions of a parent, guardian, custodian, foster parent, or any person who is entrusted with the child's care by a parent, custodian, guardian, or foster parent, including, but not limited to, an agent or employee of a public or private residential home, child care facility, public or private school, or any person legally responsible under state law for the child's welfare, but excluding the spouse of a minor and the parents of the married minor, which constitute:</p> <p>(i) Failure or refusal to prevent the abuse of the child when the person knows or has reasonable cause to know the child is or has been abused;</p> <p>(ii) Failure or refusal to provide necessary food, clothing, shelter, or medical treatment necessary for the child's well-being, except when the failure or refusal is caused primarily by the financial inability of the person legally responsible and no services for relief have been offered;</p> <p>(iii) Failure to take reasonable action to protect the child from abandonment, abuse, sexual abuse, sexual exploitation, neglect, or parental unfitness when the existence of the condition was known or should have been known;</p> <p>(iv) Failure or irremediable inability to provide for the essential and necessary physical, mental, or emotional needs of the child, including</p>
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<p>Arkansas (Cont.)</p>		<p>the failure to provide a shelter that does not pose a risk to the health or safety of the child;</p> <p>(v) Failure to provide for the child's care and maintenance, proper or necessary support, or medical, surgical, or other necessary care;</p> <p>(vi) Failure, although able, to assume responsibility for the care and custody of the child or to participate in a plan to assume such responsibility;</p> <p>(vii) Failure to appropriately supervise the child that results in the child's being left alone:</p> <p>(a) At an inappropriate age creating a dangerous situation or a situation that puts the child at risk of harm; or</p> <p>(b) In inappropriate circumstances creating a dangerous situation or a situation that puts the child at risk of harm;</p> <p>(viii) Failure to appropriately supervise the child that results in the child's being placed in:</p> <p>(a) Inappropriate circumstances creating a dangerous situation; or</p> <p>(b) A situation that puts the child at risk of harm; or</p> <p>(ix) Failure to ensure a child between six (6) years of age and seventeen (17) years of age is enrolled in school or is being legally home schooled or as a result of an act or omission by the child's parent or guardian, the child is habitually and without justification absent from school.</p> <p>(B)(i) "Neglect" shall also include:</p> <p>(a) Causing a child to be born with an illegal substance present in the child's bodily fluids or bodily substances as a result of the pregnant mother's knowingly using an illegal substance before the birth of the child; or</p> <p>(b) At the time of the birth of a child, the presence of an illegal substance in the mother's bodily fluids or bodily substances as a result of the pregnant mother's knowingly using an illegal substance before the birth of the child.</p>
<p>California</p>	<p>Willful harm or injury to child - Cal. Penal Code § 273a</p> <p>(a) Any person who, under circumstances or conditions <i>likely to produce great bodily harm or death</i>, willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of that child to be injured, or willfully causes or permits that child to be placed in a situation where his or her person or health is endangered.</p>	<p>Neglect, severe neglect, and general neglect - Cal. Penal Code § 11165.2</p> <p>Neglect" means the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. The term includes both acts and omissions on the part of the responsible person</p> <p>(a) "Severe neglect" means the negligent failure of a person having the care or custody of a child to protect the child from severe malnutrition or medically diagnosed nonorganic failure to thrive. "Severe neglect" also means those</p>

	<p>(b) Any person who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of that child to be injured, or willfully causes or permits that child to be placed in a situation where his or her person or health may be endangered, is guilty of a misdemeanor.</p>	<p>situations of neglect where any person having the care or custody of a child willfully causes or permits the person or health of the child to be placed in a situation such that his or her person or health is endangered, as proscribed by Section 11165.3, including the intentional failure to provide adequate food, clothing, shelter, or medical care.</p> <p>(b) “General neglect” means the negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred.</p>
<p>Colorado</p>	<p><i>Colorado’s endangerment statute applies to all persons.</i></p> <p>Reckless endangerment - Colo. Rev. Stat. Ann. §18-3-208 A person who recklessly engages in conduct which creates a substantial risk of serious bodily injury to another person commits reckless endangerment, which is a class 3 misdemeanor.</p> <p>Child abuse- Colo. Rev. Stat. Ann. § 18-6-401(1)(a) (1)(a) A person commits child abuse if such person causes an injury to a child's life or health, or permits a child to be unreasonably placed in a situation that poses a threat of injury to the child's life or health, or engages in a continued pattern of conduct that results in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries that ultimately results in the death of a child or serious bodily injury to a child.</p>	<p>Neglected or dependent child - Colo. Rev. Stat. Ann. § 19-3-102</p> <p>(1) A child is neglected or dependent if:</p> <p>(a) A parent, guardian, or legal custodian has abandoned the child or has subjected him or her to mistreatment or abuse or a parent, guardian, or legal custodian has suffered or allowed another to mistreat or abuse the child without taking lawful means to stop such mistreatment or abuse and prevent it from recurring;</p> <p>(b) The child lacks proper parental care through the actions or omissions of the parent, guardian, or legal custodian;</p> <p>(c) The child's environment is injurious to his or her welfare;</p> <p>(d) A parent, guardian, or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care, or any other care necessary for his or her health, guidance, or well-being;</p> <p>(e) The child is homeless, without proper care, or not domiciled with his or her parent, guardian, or legal custodian through no fault of such parent, guardian, or legal custodian;</p> <p>(f) The child has run away from home or is otherwise beyond the control of his or her parent, guardian, or legal custodian;</p> <p>(g) The child tests positive at birth for either a schedule I controlled substance, as defined in section 18-18-203, C.R.S., or a schedule II controlled substance, as defined in section 18-18-204, C.R.S., unless the child tests positive for a schedule II controlled substance as a result of the mother's lawful intake of such substance as prescribed.</p> <p>(2) A child is neglected or dependent if:</p> <p>(a) A parent, guardian, or legal custodian has subjected another child or children to an identifiable pattern of habitual abuse; and</p> <p>(b) Such parent, guardian, or legal custodian has been the respondent in another proceeding</p>

<p>Colorado (Cont.)</p>		<p>under this article in which a court has adjudicated another child to be neglected or dependent based upon allegations of sexual or physical abuse, or a court of competent jurisdiction has determined that such parent's, guardian's, or legal custodian's abuse or neglect has caused the death of another child; and</p> <p>(c) The pattern of habitual abuse described in paragraph (a) of this subsection (2) and the type of abuse described in the allegations specified in paragraph (b) of this subsection (2) pose a current threat to the child.</p>
<p>Connecticut</p>	<p>Injury or risk to, or impairing morals of, children - Conn. Gen. Stat. Ann. § 53-21</p> <p>(a) Any person who</p> <p>(1) wilfully or unlawfully causes or permits any child under the age of sixteen years to be placed in such a situation that the life or limb of such child is endangered, the health of such child is likely to be injured or the morals of such child are likely to be impaired, or does any act likely to impair the health or morals of any such child, or (2) has contact with the intimate parts, as defined in section 53a-65, of a child under the age of sixteen years or subjects a child under sixteen years of age to contact with the intimate parts of such person, in a sexual and indecent manner likely to impair the health or morals of such child, or (3) permanently transfers the legal or physical custody of a child under the age of sixteen years to another person for money or other valuable consideration or acquires or receives the legal or physical custody of a child under the age of sixteen years from another person upon payment of money or other valuable consideration to such other person or a third person, except in connection with an adoption proceeding that complies with the provisions of chapter 803,¹ shall be guilty of (A) a class C felony for a violation of subdivision (1) or (3) of this subsection, and (B) a class B felony for a violation of subdivision (2) of this subsection, except that, if the violation is of subdivision (2) of this subsection and the victim of the offense is under thirteen years of age, such person shall be sentenced to a term</p>	<p>Definitions - Conn. Gen. Stat. Ann. §46b-120(6)</p> <p>(6) A child or youth may be found “neglected” who, for reasons other than being impoverished, (A) has been abandoned, (B) is being denied proper care and attention, physically, educationally, emotionally or morally, or (C) is being permitted to live under conditions, circumstances or associations injurious to the well-being of the child or youth.</p>

	of imprisonment of which five years of the sentence imposed may not be suspended or reduced by the court.	
Delaware Delaware (Cont.)	<p>Endangering the welfare of a child - Del. Code Ann. tit. 11, § 1102</p> <p>(a) A person is guilty of endangering the welfare of a child when:</p> <p>(1) Being a parent, guardian or any other person who has assumed responsibility for the care or supervision of a child the person:</p> <p>a. Intentionally, knowingly or recklessly acts in a manner likely to be injurious to the physical, mental or moral welfare of the child; or</p> <p>b. Intentionally, knowingly or recklessly does or fails to do any act, including failing to report a missing child, with the result that the child becomes a neglected or abused child.</p> <p>(2) The person knowingly contributes to the delinquency of any child less than 18 years old by doing or failing to do any act with the result, alone or in conjunction with other acts or circumstances, that the child becomes a delinquent child; or</p> <p>(3) The person knowingly encourages, aids, abets or conspires with the child to run away from the home of the child's parents, guardian or custodian; or the person knowingly and illegally harbors a child who has run away from home; or</p> <p>(4) The person commits any violent felony, or reckless endangering second degree, assault third degree, terroristic threatening, unlawful imprisonment second degree, or child abuse third degree against a victim, knowing that such felony or misdemeanor was witnessed, either by sight or sound, by a child less than 18 years of age who is a member of the person's family or the victim's family; or</p> <p>(5) The person commits the offense of driving under the influence as set forth in § 4177 of Title 21, or the offense of operating a vessel or boat under the influence as set forth in § 2302 of Title 23, and during the commission of the offense knowingly permits a child less than 18 years of age to be a passenger in or on such vehicle, vessel or boat; or</p> <p>(6) The person commits any offense set forth in Chapter 47 of Title 16 in any dwelling, knowing that any child less than 18 years of age is present in the dwelling at the time; or</p> <p>(7) The person provides or permits a child to consume or inhale any substance not prescribed to the child by a physician, as defined in § 4714, 4716, 4718, 4720, and 4722 of Title 16.</p>	<p>Definitions - Del. Code Ann. tit. 10, § 901(18) (18) "Neglect" or "neglected child" means that a person:</p> <p>a. Is responsible for the care, custody, and/or control of the child; and</p> <p>b. Has the ability and financial means to provide for the care of the child; and</p> <p>1. Fails to provide necessary care with regard to: food, clothing, shelter, education, health, medical or other care necessary for the child's emotional, physical, or mental health, or safety and general well-being; or</p> <p>2. Chronically and severely abuses alcohol or a controlled substance, is not active in treatment for such abuse, and the abuse threatens the child's ability to receive care necessary for that child's safety and general well-being; or</p> <p>3. Fails to provide necessary supervision appropriate for a child when the child is unable to care for that child's own basic needs or safety, after considering such factors as the child's age, mental ability, physical condition, the length of the caretaker's absence, and the context of the child's environment.</p>

<p>District of Columbia</p> <p>District of Columbia (Cont.)</p>	<p>D.C. does not have a specific child endangerment statute. D.C. has a crime of cruelty to children.</p> <p>Definition and penalty - D.C. Code Ann. § 22-1101</p> <p>(a) A person commits the crime of cruelty to children in the first degree if that person intentionally, knowingly, or recklessly tortures, beats, or otherwise willfully maltreats a child under 18 years of age or engages in conduct which creates a grave risk of bodily injury to a child, and thereby causes bodily injury.</p> <p>(b) A person commits the crime of cruelty to children in the second degree if that person intentionally, knowingly, or recklessly:</p> <p>(1) Maltreats a child or engages in conduct which causes a grave risk of bodily injury to a child; or</p> <p>(2) Exposes a child, or aids and abets in exposing a child in any highway, street, field house, outhouse or other place, with intent to abandon the child.</p>	<p>Definitions - D.C. Code Ann. § 16-2301(9)(A)</p> <p>(9)(A) The term “neglected child” means a child:</p> <p>(i) who has been abandoned or abused by his or her parent, guardian, or custodian, or whose parent, guardian, or custodian has failed to make reasonable efforts to prevent the infliction of abuse upon the child. For the purposes of this sub-subparagraph, the term “reasonable efforts” includes filing a petition for civil protection from intrafamily violence pursuant to section 16-1003;</p> <p>(ii) who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his or her physical, mental, or emotional health, and the deprivation is not due to the lack of financial means of his or her parent, guardian, or custodian;</p> <p>(iii) whose parent, guardian, or custodian is unable to discharge his or her responsibilities to and for the child because of incarceration, hospitalization, or other physical or mental incapacity;</p> <p>(iv) whose parent, guardian, or custodian refuses or is unable to assume the responsibility for the child's care, control, or subsistence and the person or institution which is providing for the child states an intention to discontinue such care;</p> <p>(v) who is in imminent danger of being abused and another child living in the same household or under the care of the same parent, guardian, or custodian has been abused;</p> <p>(vi) who has received negligent treatment or maltreatment from his or her parent, guardian, or custodian;</p> <p>(vii) who has resided in a hospital located in the District of Columbia for at least 10 calendar days following the birth of the child, despite a medical determination that the child is ready for discharge from the hospital, and the parent, guardian, or custodian of the child has not taken any action or made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child;</p> <p>(viii) who is born addicted or dependent on a controlled substance or has a significant presence of a controlled substance in his or her system at birth;</p> <p>(ix) in whose body there is a controlled substance as a direct and foreseeable consequence of the acts or omissions of the child's parent, guardian, or custodian; or</p> <p>(x) who is regularly exposed to illegal drug-related activity in the home.</p>
<p>Florida</p>	<p><i>Florida does not have any endangerment statutes, aside from the 330.41. Unmanned</i></p>	<p>Abuse, aggravated abuse, and neglect of a child - Fla. Stat. Ann. § 827.03</p>

<p>Florida (Cont.)</p>	<p><i>Aircraft Systems Act, FL ST § 330.41 and 327.33. Reckless or careless operation of vessel, FL ST § 327.33.</i></p>	<p>(e) “Neglect of a child” means:</p> <ol style="list-style-type: none"> 1. A caregiver's failure or omission to provide a child with the care, supervision, and services necessary to maintain the child's physical and mental health, including, but not limited to, food, nutrition, clothing, shelter, supervision, medicine, and medical services that a prudent person would consider essential for the well-being of the child; or 2. A caregiver's failure to make a reasonable effort to protect a child from abuse, neglect, or exploitation by another person. <p>Except as otherwise provided in this section, neglect of a child may be based on repeated conduct or on a single incident or omission that results in, or could reasonably be expected to result in, serious physical or mental injury, or a substantial risk of death, to a child.</p>
<p>Georgia</p>	<p>Reports by physicians, treating personnel, institutions and others as to child abuse - Ga. Code Ann. § 19-7-5(6.1) “Endangering a child” means:</p> <ol style="list-style-type: none"> (A) Any act described by subsection (d) of Code Section 16-5-70; (B) Any act described by Code Section 16-5-73; (C) Any act described by subsection (l) of Code Section 40-6-391; or (D) Prenatal abuse, as such term is defined in Code Section 15-11-2. 	<p>Definitions - Ga. Code Ann., § 15-11-2(48) (48) “Neglect” means:</p> <ol style="list-style-type: none"> (A) The failure to provide proper parental care or control, subsistence, education as required by law, or other care or control necessary for a child's physical, mental, or emotional health or morals; (B) The failure to provide a child with adequate supervision necessary for such child's well-being; or (C) The abandonment of a child by his or her parent, guardian, or legal custodian.
<p>Hawaii</p>	<p><i>Hawaii’s endangerment laws all relate to environmental hazards, such as pollution and asbestos.</i></p>	<p>Definitions - Haw. Rev. Stat. § 350-1 “Child abuse or neglect” means:</p> <ol style="list-style-type: none"> (1) The acts or omissions of any person who, or legal entity which, is in any manner or degree related to the child, is residing with the child, or is otherwise responsible for the child's care, that have resulted in the physical or psychological health or welfare of the child, who is under the age of eighteen, to be harmed, or to be subject to any reasonably foreseeable, substantial risk of being harmed. The acts or omissions are indicated for the purposes of reports by circumstances that include but are not limited to: <ol style="list-style-type: none"> (A) When the child exhibits evidence of: <ol style="list-style-type: none"> (i) Substantial or multiple skin bruising or any other internal bleeding; (ii) Any injury to skin causing substantial bleeding; (iii) Malnutrition; (iv) Failure to thrive; (v) Burn or burns; (vi) Poisoning;

<p>Hawaii (Cont.)</p>		<p>(vii) Fracture of any bone; (viii) Subdural hematoma; (ix) Soft tissue swelling; (x) Extreme pain; (xi) Extreme mental distress; (xii) Gross degradation; or (xiii) Death; and such injury is not justifiably explained, or when the history given concerning such condition or death is at variance with the degree or type of such condition or death, or circumstances indicate that such condition or death may not be the product of an accidental occurrence; (B) When the child has been the victim of sexual contact or conduct, including but not limited to sexual assault as defined in the Penal Code, molestation, sexual fondling, incest, or prostitution; obscene or pornographic photographing, filming, or depiction; or other similar forms of sexual exploitation, including but not limited to acts that constitute an offense pursuant to section 712-1202(1)(b); (C) When there exists injury to the psychological capacity of a child as is evidenced by an observable and substantial impairment in the child's ability to function; (D) When the child is not provided in a timely manner with adequate food, clothing, shelter, psychological care, physical care, medical care, or supervision; (E) When the child is provided with dangerous, harmful, or detrimental drugs as defined by section 712-1240; provided that this subparagraph shall not apply when such drugs are provided to the child pursuant to the direction or prescription of a practitioner, as defined in section 712-1240; or (F) When the child has been the victim of labor trafficking under chapter 707; or (2) The acts or omissions of any person that have resulted in sex trafficking or severe forms of trafficking in persons; provided that no finding by the department pursuant to this chapter shall be used as conclusive evidence that a person has committed an offense under part VIII of chapter 707 or section 712-1202.</p>
<p>Idaho</p>	<p>Injury to children - Idaho Code Ann. § 18.501 (1) Any person who, under circumstances or conditions likely to produce great bodily harm or death, willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of such child to be injured, or</p>	<p>Definitions - Idaho Code Ann. § 16-1602 (31) "Neglected" means a child: (a) Who is without proper parental care and control, or subsistence, medical or other care or control necessary for his well-being because of the conduct or omission of his parents, guardian or other custodian or their neglect or refusal to provide them; however, no child whose parent or</p>

<p>Idaho (Cont.)</p>	<p>willfully causes or permits such child to be placed in such situation that its person or health is endangered, is punishable by imprisonment in the county jail not exceeding one (1) year, or in the state prison for not less than one (1) year nor more than ten (10) years.</p> <p>(2) Any person who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of such child to be injured, or willfully causes or permits such child to be placed in such situation that its person or health may be endangered, is guilty of a misdemeanor...</p> <p>(5) As used in this section, “willfully” means acting or failing to act where a reasonable person would know the act or failure to act is likely to result in injury or harm or is likely to endanger the person, health, safety or well-being of the child.</p>	<p>guardian chooses for such child treatment by prayers through spiritual means alone in lieu of medical treatment shall be deemed for that reason alone to be neglected or lack parental care necessary for his health and well-being, but this subsection shall not prevent the court from acting pursuant to section 16-1627, Idaho Code; or</p> <p>(b) Whose parents, guardian or other custodian are unable to discharge their responsibilities to and for the child and, as a result of such inability, the child lacks the parental care necessary for his health, safety or well-being; or</p> <p>(c) Who has been placed for care or adoption in violation of law; or</p> <p>(d) Who is without proper education because of the failure to comply with section 33-202, Idaho Code.</p>
<p>Illinois</p>	<p>Endangering the life or health of a child - 720 Ill. Comp. Stat. Ann. 5/12c-5</p> <p>(a) A person commits endangering the life or health of a child when he or she knowingly: (1) causes or permits the life or health of a child under the age of 18 to be endangered; or (2) causes or permits a child to be placed in circumstances that endanger the child's life or health. It is not a violation of this Section for a person to relinquish a child in accordance with the Abandoned Newborn Infant Protection Act.</p> <p>(b) A trier of fact may infer that a child 6 years of age or younger is unattended if that child is left in a motor vehicle for more than 10 minutes.</p> <p>(c) “Unattended” means either: (i) not accompanied by a person 14 years of age or older; or (ii) if accompanied by a person 14 years of age or older, out of sight of that person.</p>	<p>Definitions - 750 Ill. Comp. Stat. 50/1</p> <p>Q. “Neglected child” means any child whose parent or other person responsible for the child's welfare withholds or denies nourishment or medically indicated treatment including food or care denied solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise does not provide the proper or necessary support, education as required by law, or medical or other remedial care recognized under State law as necessary for a child's well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or who is abandoned by his or her parents or other person responsible for the child's welfare.</p>
<p>Indiana</p>	<p><i>Knowingly or intentionally endangering a child is included in the Indiana neglect statute.</i></p>	<p>Neglect of a dependent³ - Ind. Code Ann. § 35-46-1-4</p> <p>Sec. 4. (a) A person having the care of a dependent, whether assumed voluntarily or because of a legal obligation, who knowingly or intentionally:</p> <p>(1) places the dependent in a situation that endangers the dependent's life or health;</p> <p>(2) abandons or cruelly confines the dependent;</p>

³ IND. CODE ANN. § 35-46-1-1 (West 2018) (defining a “dependent” as “an unemancipated person” under 18 years old).

		<p>(3) deprives the dependent of necessary support; or (4) deprives the dependent of education as required by law; commits neglect of a dependent, a Level 6 felony...</p>
<p>Iowa</p>	<p>Child endangerment - Iowa Code Ann. § 726.6 1. A person who is the parent, guardian, or person having custody or control over a child or a minor under the age of eighteen with a mental or physical disability, or a person who is a member of the household in which a child or such a minor resides, commits child endangerment when the person does any of the following:</p> <p>a. Knowingly acts in a manner that creates a substantial risk to a child or minor's physical, mental or emotional health or safety.</p> <p>b. By an intentional act or series of intentional acts, uses unreasonable force, torture or cruelty that results in bodily injury, or that is intended to cause serious injury.</p> <p>c. By an intentional act or series of intentional acts, evidences unreasonable force, torture or cruelty which causes substantial mental or emotional harm to a child or minor.</p> <p>d. Willfully deprives a child or minor of necessary food, clothing, shelter, health care or supervision appropriate to the child or minor's age, when the person is reasonably able to make the necessary provisions and which deprivation substantially harms the child or minor's physical, mental or emotional health. For purposes of this paragraph, the failure to provide specific medical treatment shall not for that reason alone be considered willful deprivation of health care if the person can show that such treatment would conflict with the tenets and practice of a recognized religious denomination of which the person is an adherent or member. This exception does not in any manner restrict the right of an interested party to petition the court on behalf of the best interest of the child or minor.</p> <p>e. Knowingly permits the continuing physical or sexual abuse of a child or minor. However, it is an affirmative defense to this subsection if the person had a reasonable apprehension that any action to stop the continuing abuse would result in substantial bodily harm to the person or the child or minor.</p> <p>f. Abandons the child or minor to fend for the child or minor's self, knowing that the child or minor is unable to do so.</p> <p>g. Knowingly permits a child or minor to be present at a location where amphetamine, its</p>	<p>Neglect or abandonment of a dependent person - Iowa Code Ann. §726.3 A person who is the father, mother, or some other person having custody of a child, or of any other person who by reason of mental or physical disability is not able to care for the person's self, who knowingly or recklessly exposes such person to a hazard or danger against which such person cannot reasonably be expected to protect such person's self or who deserts or abandons such person, knowing or having reason to believe that the person will be exposed to such hazard or danger, commits a class "C" felony.</p> <p>Definitions - Iowa Code Ann. § 232.2 42. "Physical abuse or neglect" or "abuse or neglect" means any nonaccidental physical injury suffered by a child as the result of the acts or omissions of the child's parent, guardian, or custodian or other person legally responsible for the child.</p>
<p>Iowa (Cont.)</p>		

<p>Iowa (Cont.)</p>	<p>salts, isomers, or salts of isomers, or methamphetamine, its salts, isomers, or salts of isomers, is manufactured in violation of section 124.401, subsection 1, or where a product is possessed in violation of section 124.401, subsection 4.</p> <p>h. Knowingly allows a person custody or control of, or unsupervised access to a child or a minor after knowing the person is required to register or is on the sex offender registry as a sex offender under chapter 692A. However, this paragraph does not apply to a person who is a parent or guardian of a child or a minor, who is required to register as a sex offender, or to a person who is married to and living with a person required to register as a sex offender.</p> <p>i. Knowingly provides direct supervision of a person under section 724.22, subsection 5, while intoxicated as provided under the conditions set out in section 321J.2, subsection 1 , paragraph “a”, “b”, or “c”.</p>	
<p>Kansas</p>	<p>Endangering a child - Kan. Stat. Ann. § 21-5601 (a) Endangering a child is knowingly and unreasonably causing or permitting a child under the age of 18 years to be placed in a situation in which the child's life, body or health may be endangered.</p> <p>(b) Aggravated endangering a child is:</p> <p>(1) Recklessly causing or permitting a child under the age of 18 years to be placed in a situation in which the child's life, body or health is endangered;</p> <p>(2) causing or permitting such child to be in an environment where the person knows or reasonably should know that any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture any methamphetamine, or analog thereof, as defined by subsection (d)(3) or (f)(1) of K.S.A. 65-4107, and amendments thereto; or</p> <p>(3) causing or permitting such child to be in an environment where the person knows or reasonably should know that drug paraphernalia or volatile, toxic or flammable chemicals are stored for the purpose of manufacturing or attempting to manufacture any methamphetamine, or analog thereof, as defined by subsection (d)(3) or (f)(1) of K.S.A. 65-4107, and amendments thereto.</p>	<p>Definitions - Kan. Stat. Ann. § 38-2202 (t) “Neglect” means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:</p> <p>(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;</p> <p>(2) failure to provide adequate supervision of a child or to remove a child from a situation which requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or</p> <p>(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall not for that reason be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to K.S.A. 38-2217(a)(2), and amendments thereto.</p>
<p>Kentucky</p>	<p>Endangerment of Persons included children - Wanton endangerment in the first degree - Ky. Rev. Stat. Ann. § 508.060</p>	<p>Definitions - Ky. Rev. Stat. Ann. §600.020</p>

<p>Kentucky (Cont.)</p>	<p>(1) A person is guilty of wanton endangerment in the first degree when, under circumstances manifesting extreme indifference to the value of human life, he wantonly engages in conduct which creates a substantial danger of death or serious physical injury to another person...</p> <p>Wanton endangerment in the second degree - Ky. Rev. Stat. Ann. § 508.070 (1) A person is guilty of wanton endangerment in the second degree when he wantonly engages in conduct which creates a substantial danger of physical injury to another person.</p> <p>Controlled substance endangerment to a child in the first degree - Ky. Rev. Stat. Ann. §218A.1441 (1) A person is guilty of controlled substance endangerment to a child in the first degree when he or she knowingly causes or permits a child to be present when any person is illegally manufacturing a controlled substance or methamphetamine or possesses a hazardous chemical substance with intent to illegally manufacture a controlled substance or methamphetamine under circumstances that place a child in danger of serious physical injury or death, if the child dies as a result of the commission of the offense.</p> <p>Controlled substance endangerment to a child in the second degree -- Penalty - Ky. Rev. Stat. Ann. §218A.1442 (1) A person is guilty of controlled substance endangerment to a child in the second degree when he or she knowingly causes or permits a child to be present when any person is illegally manufacturing a controlled substance or methamphetamine or possesses a hazardous chemical substance with intent to illegally manufacture a controlled substance or methamphetamine under circumstances that place a child in danger of serious physical injury or death, if the child receives serious physical injury as a result of the commission of the offense. (2) Controlled substance endangerment to a child in the second degree is a Class B felony.</p> <p>Controlled substance endangerment to a child in the third degree – Penalty - Ky. Rev. Stat.</p>	<p>(1) “Abused or neglected child” means a child whose health or welfare is harmed or threatened with harm when: (a) His or her parent, guardian, person in a position of authority or special trust, as defined in KRS 532.045, or other person exercising custodial control or supervision of the child: 1. Inflicts or allows to be inflicted upon the child physical or emotional injury as defined in this section by other than accidental means; 2. Creates or allows to be created a risk of physical or emotional injury as defined in this section to the child by other than accidental means; 3. Engages in a pattern of conduct that renders the parent incapable of caring for the immediate and ongoing needs of the child including, but not limited to, parental incapacity due to alcohol and other drug abuse as defined in KRS 222.005; 4. Continuously or repeatedly fails or refuses to provide essential parental care and protection for the child, considering the age of the child; 5. Commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon the child; 6. Creates or allows to be created a risk that an act of sexual abuse, sexual exploitation, or prostitution will be committed upon the child; 7. Abandons or exploits the child; 8. Does not provide the child with adequate care, supervision, food, clothing, shelter, and education or medical care necessary for the child's well-being. A parent or other person exercising custodial control or supervision of the child legitimately practicing the person's religious beliefs shall not be considered a negligent parent solely because of failure to provide specified medical treatment for a child for that reason alone. This exception shall not preclude a court from ordering necessary medical services for a child; 9. Fails to make sufficient progress toward identified goals as set forth in the court-approved case plan to allow for the safe return of the child to the parent that results in the child remaining committed to the cabinet and remaining in foster care for fifteen (15) of the most recent twenty-two (22) months; or (b) A person twenty-one (21) years of age or older commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon a child less than sixteen (16) years of age...</p>
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<p>Kentucky (Cont.)</p>	<p>Ann. § 218A.1443 (1) A person is guilty of controlled substance endangerment to a child in the third degree when he or she knowingly causes or permits a child to be present when any person is illegally manufacturing a controlled substance or methamphetamine or possesses a hazardous chemical substance with intent to illegally manufacture a controlled substance or methamphetamine under circumstances that place a child in danger of serious physical injury or death, if the child receives physical injury as a result of the commission of the offense. (2) Controlled substance endangerment to a child in the third degree is a Class C felony.</p> <p>Controlled substance endangerment to a child in the fourth degree -- Penalty. - Ky. Rev. Stat. Ann. § 218A.1444 (1) A person is guilty of controlled substance endangerment to a child in the fourth degree when he or she knowingly causes or permits a child to be present when any person is illegally manufacturing a controlled substance or methamphetamine or possesses a hazardous chemical substance with intent to illegally manufacture a controlled substance or methamphetamine under circumstances that place a child in danger of serious physical injury or death, if the child is not injured as a result of the commission of the offense. (2) Controlled substance endangerment to a child in the fourth degree is a Class D felony.</p>	
<p>Louisiana</p>	<p>Child desertion - La. Rev. Stat. § 14:93.2.1 A. Child desertion is the intentional or criminally negligent exposure of a child under the age of ten years, by a person who has the care, custody, or control of the child, to a hazard or danger against which the child cannot reasonably be expected to protect himself, or the desertion or abandonment of such child, knowing or having reason to believe that the child could be exposed to such hazard or danger.</p>	<p>Definitions - La. Child. Code Ann. art. 603 (18) “Neglect” means the refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment, or counseling for any injury, illness, or condition of the child, as a result of which the child's physical, mental, or emotional health and safety is substantially threatened or impaired. Neglect includes prenatal neglect. Consistent with Article 606(B), the inability of a parent or caretaker to provide for a child due to inadequate financial resources shall not, for that reason alone, be considered neglect. Whenever, in lieu of medical care, a child is being provided treatment in accordance with the tenets of a well-recognized religious method of healing which has a reasonable, proven record of success, the child shall not, for that reason alone, be considered to be neglected or maltreated. However, nothing herein shall prohibit the court from ordering medical services for the child when there is</p>

		substantial risk of harm to the child's health or welfare.
Maine	<p>Endangering the welfare of a child - Me. Rev. Stat. Ann. tit. 17, § 554</p> <p>1. A person is guilty of endangering the welfare of a child if that person:</p> <p>A. Knowingly permits a child to enter or remain in a house of prostitution. Violation of this paragraph is a Class D crime;</p> <p>B. Knowingly sells, furnishes, gives away or offers to sell, furnish or give away to a child under 16 years of age any intoxicating liquor, cigarettes, tobacco, air rifles, gunpowder, smokeless powder or ammunition for firearms. Violation of this paragraph is a Class D crime;</p> <p>B-2. Being a parent, foster parent, guardian or other person responsible for the long-term general care and welfare of a child, recklessly fails to take reasonable measures to protect the child from the risk of further bodily injury after knowing:</p> <p>(1) That the child had, in fact, sustained serious bodily injury or bodily injury under circumstances posing a substantial risk of serious bodily injury; and</p> <p>(2) That such bodily injury was, in fact, caused by the unlawful use of physical force by another person.</p> <p>Violation of this paragraph is a Class C crime;</p> <p>B-3. Being the parent, foster parent, guardian or other person having the care and custody of a child, knowingly deprives the child of necessary health care, with a result that the child is placed in danger of serious harm. Violation of this paragraph is a Class D crime; or</p> <p>C. Otherwise recklessly endangers the health, safety or welfare of the child by violating a duty of care or protection. Violation of this paragraph is a Class D crime.</p>	<p>Definitions - Me. Rev. Stat. Ann. tit. 22, § 4002(1)</p> <p>“Abuse or neglect” means a threat to a child's health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation including under Title 17-A, sections 282, 852, 853 and 855, deprivation of essential needs or lack of protection from these or failure to ensure compliance with school attendance requirements under Title 20-A, section 3272, subsection 2, paragraph B or section 5051-A, subsection 1, paragraph C, by a person responsible for the child.</p>
Maine (Cont.)		
Maryland	<p><i>Maryland's endangerment statute includes all persons including children.</i></p> <p>Reckless endangerment- Md. Code Ann., Crim. Law § 3-204</p> <p>(a) A person may not recklessly:</p> <p>(1) engage in conduct that creates a substantial risk of death or serious physical injury to another; or</p> <p>(2) discharge a firearm from a motor vehicle in a manner that creates a substantial risk of death or serious physical injury to another.</p>	<p>Definitions - Md. Code Ann., Fam. Law § 5-701(s)</p> <p>(s) “Neglect” means the leaving of a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances that indicate:</p> <p>(1) that the child's health or welfare is harmed or placed at substantial risk of harm; or</p> <p>(2) mental injury to the child or a substantial risk of mental injury.</p>

<p>Massachusetts</p>	<p>Wanton or reckless behavior creating a risk of serious bodily injury or sexual abuse to a child - Mass. Gen. Laws ch. 265, § 13L Whoever wantonly or recklessly engages in conduct that creates a substantial risk of serious bodily injury or sexual abuse to a child or wantonly or recklessly fails to take reasonable steps to alleviate such risk where there is a duty to act shall be punished by imprisonment in the house of correction for not more than 2 ½ years. For the purposes of this section, such wanton or reckless behavior occurs when a person is aware of and consciously disregards a substantial and unjustifiable risk that his acts, or omissions where there is a duty to act, would result in serious bodily injury or sexual abuse to a child. The risk must be of such nature and degree that disregard of the risk constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.</p>	<p>Glossary - 110 Mass. Code Regs. 2.00 Neglect means failure <i>by a caretaker</i>, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care; provided, however, that such inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition. This definition is <i>not</i> dependent upon location (<i>i.e.</i>, neglect can occur while the child is in an out-of-home or in-home setting.)</p>
<p>Michigan</p>	<p>Definitions; child abuse; degrees; penalties; exception; affirmative defense – Mich. Penal Code § 750.136b (2) A person is guilty of child abuse in the first degree if the person knowingly or intentionally causes serious physical or serious mental harm to a child. Child abuse in the first degree is a felony punishable by imprisonment for life or any term of years. (3) A person is guilty of child abuse in the second degree if any of the following apply: (a) The person's omission causes serious physical harm or serious mental harm to a child or if the person's reckless act causes serious physical harm or serious mental harm to a child. (b) The person knowingly or intentionally commits an act likely to cause serious physical or mental harm to a child regardless of whether harm results. (c) The person knowingly or intentionally commits an act that is cruel to a child regardless of whether harm results. (d) The person or a licensee as licensee is defined in section 1 of 1973 PA 116, MCL 722.111, violates section 15(2) of 1993 PA 218, MCL 722.125. (4) Child abuse in the second degree is a felony punishable by imprisonment as follows: (a) For a first offense, not more than 10 years. (b) For a second or subsequent offense, not more than 20 years. (5) A person is guilty of child abuse in the third degree if any of the following apply:</p>	<p>Definitions - Mich. Comp. Laws § 722.602 (d) “Neglect” means harm to a child's health or welfare by a person responsible for the child's health or welfare which occurs through negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.</p>

<p>Michigan (Cont.)</p>	<p>(a) The person knowingly or intentionally causes physical harm to a child.</p> <p>(b) The person knowingly or intentionally commits an act that under the circumstances poses an unreasonable risk of harm or injury to a child, and the act results in physical harm to a child.</p> <p>(6) Child abuse in the third degree is a felony punishable by imprisonment for not more than 2 years.</p> <p>(7) A person is guilty of child abuse in the fourth degree if any of the following apply:</p> <p>(a) The person's omission or reckless act causes physical harm to a child.</p> <p>(b) The person knowingly or intentionally commits an act that under the circumstances poses an unreasonable risk of harm or injury to a child, regardless of whether physical harm results.</p> <p>(8) Child abuse in the fourth degree is a misdemeanor punishable by imprisonment for not more than 1 year.</p> <p>(9) This section does not prohibit a parent or guardian, or other person permitted by law or authorized by the parent or guardian, from taking steps to reasonably discipline a child, including the use of reasonable force.</p>	
<p>Minnesota</p>	<p>Neglect or endangerment of child- Minn. Stat. Ann. § 609.378</p> <p>(b) A parent, legal guardian, or caretaker who endangers the child's person or health by:</p> <p>(1) intentionally or recklessly causing or permitting a child to be placed in a situation likely to substantially harm the child's physical, mental, or emotional health or cause the child's death; or</p> <p>(2) knowingly causing or permitting the child to be present where any person is selling, manufacturing, possessing immediate precursors or chemical substances with intent to manufacture, or possessing a controlled substance, as defined in section 152.01, subdivision 4, in violation of section 152.021, 152.022, 152.023, 152.024, or 152.0262; is guilty of child endangerment and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.</p> <p>If the endangerment results in substantial harm to the child's physical, mental, or emotional health, the person may be sentenced to imprisonment for not more than five years or to</p>	<p>Neglect or endangerment of child - Minn. Stat. Ann. § 609.378</p> <p>(a)(1) A parent, legal guardian, or caretaker who willfully deprives a child of necessary food, clothing, shelter, health care, or supervision appropriate to the child's age, when the parent, guardian, or caretaker is reasonably able to make the necessary provisions and the deprivation harms or is likely to substantially harm the child's physical, mental, or emotional health is guilty of neglect of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both. If the deprivation results in substantial harm to the child's physical, mental, or emotional health, the person may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both. If a parent, guardian, or caretaker responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child, this treatment or care is "health care," for purposes of this clause.</p> <p>(2) A parent, legal guardian, or caretaker who knowingly permits the continuing physical or</p>

<p>Minnesota (Cont.)</p>	<p>payment of a fine of not more than \$10,000, or both.</p> <p>This paragraph does not prevent a parent, legal guardian, or caretaker from causing or permitting a child to engage in activities that are appropriate to the child's age, stage of development, and experience, or from selecting health care as defined in subdivision 1, paragraph (a).</p> <p>(c) A person who intentionally or recklessly causes a child under 14 years of age to be placed in a situation likely to substantially harm the child's physical health or cause the child's death as a result of the child's access to a loaded firearm is guilty of child endangerment and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.</p> <p>If the endangerment results in substantial harm to the child's physical health, the person may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.</p>	<p>sexual abuse of a child is guilty of neglect of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.</p>
<p>Mississippi</p>	<p>Child neglect, delinquency or abuse - Miss. Code Ann. § 97-5-39</p> <p>(4)(a) A parent, legal guardian or caretaker who endangers a child's person or health by knowingly causing or permitting the child to be present where any person is selling, manufacturing or possessing immediate precursors or chemical substances with intent to manufacture, sell or possess a controlled substance as prohibited under Section 41-29-139 or 41-29-313, is guilty of child endangerment and may be sentenced to imprisonment for not more than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.</p> <p>(b) If the endangerment results in substantial harm to the child's physical, mental or emotional health, the person may be sentenced to imprisonment for not more than twenty (20) years or to payment of a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.</p>	<p>Deserting, neglecting or refusing to support child - Miss. Code Ann. §97-5-3</p> <p>Any parent who shall desert or wilfully neglect or refuse to provide for the support and maintenance of his or her child or children, including the natural parent of an illegitimate child or children wherein paternity has been established by law or when the natural parent has acknowledged paternity in writing, while said child or children are under the age of eighteen (18) years shall be guilty of a felony...</p> <p>Child neglect, delinquency or abuse- Miss. Code Ann. § 97-5-39</p> <p>(1)(a) Except as otherwise provided in this section, any parent, guardian or other person who intentionally, knowingly or recklessly commits any act or omits the performance of any duty, which act or omission contributes to or tends to contribute to the neglect or delinquency of any child or which act or omission results in the abuse of any child, as defined in Section 43-21-105(m) of the Youth Court Law, or who knowingly aids any child in escaping or absenting himself from the guardianship or custody of any person, agency or institution, or knowingly harbors or conceals, or aids in harboring or concealing, any child who has absented himself without permission from the guardianship or custody of any person, agency or institution to which the child shall have been</p>

		<p>committed by the youth court shall be guilty of a misdemeanor...</p> <p>(e) A parent, legal guardian or other person who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child...</p>
Missouri	<p>Endangering the welfare of a child in the first degree - Mo. Ann. Stat. § 568.045</p> <p>1. A person commits the offense of endangering the welfare of a child in the first degree if he or she:</p> <p>(1) Knowingly acts in a manner that creates a substantial risk to the life, body, or health of a child less than seventeen years of age; or</p> <p>(2) Knowingly engages in sexual conduct with a person under the age of seventeen years over whom the person is a parent, guardian, or otherwise charged with the care and custody;</p> <p>(3) Knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which violates the provisions of chapter 579;</p> <p>(4) In the presence of a child less than seventeen years of age or in a residence where a child less than seventeen years of age resides, unlawfully manufactures, or attempts to manufacture compounds, possesses, produces, prepares, sells, transports, tests or analyzes amphetamine or methamphetamine or any of their analogues.</p> <p>Endangering the welfare of a child in the second degree, penalties - Mo. Ann. Stat. § 568.050 — 1. A person commits the offense of endangering the welfare of a child in the second degree if he or she:</p> <p>(1) With criminal negligence acts in a manner that creates a substantial risk to the life, body or health of a child less than seventeen years of age; or</p> <p>(2) Knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which causes or tends to cause the child to come within the provisions of paragraph (d) of subdivision (2) of subsection 1 or subdivision (3) of subsection 1 of section 211.031; or</p> <p>(3) Being a parent, guardian or other person legally charged with the care or custody of a child less than seventeen years of age, recklessly fails or refuses to exercise reasonable diligence in the care or control of such child to prevent him or her from coming within the provisions of paragraph (c) of subdivision (1) of subsection 1 or</p>	<p>Abuse or neglect of a child - Mo. Ann. Stat. § 568.060</p> <p>(4) “Neglect”, the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result...</p>

<p>Missouri (Cont.)</p>	<p>paragraph (d) of subdivision (2) of subsection 1 or subdivision (3) of subsection 1 of section 211.031; or</p> <p>(4) Knowingly encourages, aids or causes a child less than seventeen years of age to enter into any room, building or other structure which is a public nuisance as defined in section 579.105.</p> <p>2. Nothing in this section shall be construed to mean the welfare of a child is endangered for the sole reason that he or she is being provided nonmedical remedial treatment recognized and permitted under the laws of this state.</p> <p>3. The offense of endangering the welfare of a child in the second degree is a class A misdemeanor unless the offense is committed as part of an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity, in which case the offense is a class E felony.</p>	
<p>Montana</p>	<p><i>Montana’s state law definition of endangerment is less severe than neglect.</i></p> <p>Endangering welfare of children - Mont. Code Ann. § 45-5-622 A parent, guardian, or other person supervising the welfare of a child less than 18 years old commits the offense of endangering the welfare of children if the parent, guardian, or other person knowingly endangers the child's welfare by violating a duty of care, protection, or support...</p>	<p>Definitions - Mont. Code Ann. § 41-3-102</p> <p>(3) “Abused or neglected” means the state or condition of a child who has suffered child abuse or neglect...</p> <p>(7)(a) “Child abuse or neglect” means:</p> <p>(i) Actual physical or psychological harm to a child;</p> <p>(ii) Substantial risk of physical or psychological harm to a child; or</p> <p>(iii) Abandonment...</p> <p>(20) “Physical neglect” means either failure to provide basic necessities, including but not limited to appropriate and adequate nutrition, protective shelter from the elements, and appropriate clothing related to weather conditions, or failure to provide cleanliness and general supervision, or both, or exposing or allowing the child to be exposed to an unreasonable physical or psychological risk to the child...</p> <p>(23)(a) “Psychological abuse or neglect” means severe maltreatment through acts or omissions that are injurious to the child's emotional, intellectual, or psychological capacity to function, including the commission of acts of violence against another person residing in the child's home...</p>
<p>Nebraska</p>	<p><i>Nebraska’s state law has the same definition for endangerment and neglect.</i></p>	<p>Article 7. Offenses Involving the Family Relation - Act, how cited; terms, defined - Neb. Rev. Stat. Ann. §28-710</p> <p>(b) Child abuse or neglect means knowingly, intentionally, or negligently causing or permitting a minor child to be:</p>

		<ul style="list-style-type: none"> (i) Placed in a situation that endangers his or her life or physical or mental health; (ii) Cruelly confined or cruelly punished; (iii) Deprived of necessary food, clothing, shelter, or care; (iv) Left unattended in a motor vehicle if such minor child is six years of age or younger; (v) Sexually abused; or (vi) Sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions...
<p>Nevada</p>	<p><i>Nevada's definition of endangerment is less severe than neglect.</i></p> <p>Abuse, neglect or endangerment of child: Penalties, definitions. - Nev. Rev. Stat. § 200.508</p> <p>1. A person who willfully causes a child who is less than 18 years of age to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect or to be placed in a situation where the child may suffer physical pain or mental suffering as the result of abuse or neglect:</p> <p style="padding-left: 20px;">(a) If substantial bodily or mental harm results to the child:</p> <p style="padding-left: 40px;">(1) If the child is less than 14 years of age and the harm is the result of sexual abuse or exploitation, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served; or</p> <p style="padding-left: 40px;">(2) In all other such cases to which subparagraph (1) does not apply, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years; or</p> <p style="padding-left: 20px;">(b) If substantial bodily or mental harm does not result to the child:</p> <p style="padding-left: 40px;">(1) If the person has not previously been convicted of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years; or</p> <p style="padding-left: 40px;">(2) If the person has previously been convicted of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct, is guilty of</p>	<p>Termination of Parental Rights - Nev. Rev. Stat. § 128.014</p> <p>“Neglected child” includes a child:</p> <ul style="list-style-type: none"> Who lacks the proper parental care by reason of the fault or habits of his or her parent, guardian or custodian; Whose parent, guardian or custodian neglects or refuses to provide proper or necessary subsistence, education, medical or surgical care, or other care necessary for the child’s health, morals or well-being; Whose parent, guardian or custodian neglects or refuses to provide the special care made necessary by the child’s physical or mental condition; Who is found in a disreputable place, or who is permitted to associate with vagrants or vicious or immoral persons; or Who engages or is in a situation dangerous to life or limb, or injurious to health or morals of the child or others

<p>Nevada (Cont.)</p>	<p>a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, È unless a more severe penalty is prescribed by law for an act or omission that brings about the abuse or neglect.</p> <p>2. A person who is responsible for the safety or welfare of a child pursuant to NRS 432B.130 and who permits or allows that child to suffer unjustifiable physical pain or mental suffering as a result of abuse or neglect or to be placed in a situation where the child may suffer physical pain or mental suffering as the result of abuse or neglect:</p> <p>(a) If substantial bodily or mental harm results to the child:</p> <p>(1) If the child is less than 14 years of age and the harm is the result of sexual abuse or exploitation, is guilty of a category A felony and shall be punished by imprisonment in the state prison for life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served; or</p> <p>(2) In all other such cases to which subparagraph (1) does not apply, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 20 years; or</p> <p>(b) If substantial bodily or mental harm does not result to the child:</p> <p>(1) If the person has not previously been convicted of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct, is guilty of a gross misdemeanor; or</p> <p>(2) If the person has previously been convicted of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct, is guilty of a category C felony and shall be punished as provided in NRS 193.130, È unless a more severe penalty is prescribed by law for an act or omission that brings about the abuse or neglect.</p> <p>3. A person does not commit a violation of subsection 1 or 2 by virtue of the sole fact that the person delivers or allows the delivery of a child to a provider of emergency services pursuant to NRS 432B.630.</p> <p>4. As used in this section:</p> <p>(a) “Abuse or neglect” means physical or mental injury of a nonaccidental nature, sexual</p>	
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<p>Nevada (Cont.)</p>	<p>abuse, sexual exploitation, negligent treatment or maltreatment of a child under the age of 18 years, as set forth in paragraph (d) and NRS 432B.070, 432B.100, 432B.110, 432B.140 and 432B.150, under circumstances which indicate that the child’s health or welfare is harmed or threatened with harm.</p> <p>(b) “Allow” means to do nothing to prevent or stop the abuse or neglect of a child in circumstances where the person knows or has reason to know that the child is abused or neglected.</p> <p>(c) “Permit” means permission that a reasonable person would not grant and which amounts to a neglect of responsibility attending the care, custody and control of a minor child.</p> <p>(d) “Physical injury” means:</p> <p>(1) Permanent or temporary disfigurement; or</p> <p>(2) Impairment of any bodily function or organ of the body.</p> <p>(e) “Substantial mental harm” means an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior.</p>	
<p>New Hampshire</p>	<p>Endangering Welfare of Child or Incompetent - N.H. Rev. Stat. § 639:3</p> <p>Knowingly endangers the welfare of a child under 18 years of age or of an incompetent person by purposely violating a duty of care, protection or support he owes to such child or incompetent, or by inducing such child or incompetent to engage in conduct that endangers his health or safety.</p>	<p>Child Protection Act - N.H. Rev. Stat. § 169-C:3</p> <p>“Neglected child” means a child:</p> <p>(a) Who has been abandoned by his parents, guardian, or custodian; or</p> <p>(b) Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, when it is established that his health has suffered or is very likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian or custodian; or</p> <p>(c) Whose parents, guardian or custodian are unable to discharge their responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity</p>
<p>New Jersey</p>	<p>Endangering welfare of children -N.J.S.A. 2C:24-4</p> <p>a. (1) Any person having a legal duty for the care of a child or who has assumed responsibility for the care of a child who engages in sexual conduct which would impair or debauch the morals of the child is guilty of a crime of the second degree. Any other person who engages in conduct or who causes harm as described in this</p>	<p>Abuse, Abandonment, Cruelty and Neglect of Child - N.J.S.A. § 9:6-1</p> <p>Neglect of a child shall consist in any of the following acts, by anyone having the custody or control of the child: (a) willfully failing to provide proper and sufficient food, clothing, maintenance, regular school education as required by law, medical attendance or surgical treatment, and a clean and proper home, or (b) failure to do or</p>

<p>New Jersey (Cont.)</p>	<p>paragraph to a child is guilty of a crime of the third degree.</p> <p>(2) Any person having a legal duty for the care of a child or who has assumed responsibility for the care of a child who causes the child harm that would make the child an abused or neglected child as defined in R.S.9:6-1, R.S.9:6-3 and P.L.1974, c. 119, § 1 (C.9:6-8.21)</p>	<p>permit to be done any act necessary for the child's physical or moral well-being. Neglect also means the continued inappropriate placement of a child in an institution, as defined in section 1 of P.L.1974, c. 119 (C. 9:6-8.21), with the knowledge that the placement has resulted and may continue to result in harm to the child's mental or physical well-being</p> <p>c. "Abused or neglected child" means a child less than 18 years of age whose parent or guardian, as herein defined, (1) inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; (2) creates or allows to be created a substantial or ongoing risk of physical injury to such child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted loss or impairment of the function of any bodily organ; (3) commits or allows to be committed an act of sexual abuse against the child; (4) or a child whose physical, mental, or emotional condition has been impaired or is in imminent danger of becoming impaired as the result of the failure of his parent or guardian, as herein defined, to exercise a minimum degree of care (a) in supplying the child with adequate food, clothing, shelter, education, medical or surgical care though financially able to do so or though offered financial or other reasonable means to do so, or (b) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or substantial risk thereof, including the infliction of excessive corporal punishment; or by any other acts of a similarly serious nature requiring the aid of the court; (5) or a child who has been willfully abandoned by his parent or guardian, as herein defined; (6) or a child upon whom excessive physical restraint has been used under circumstances which do not indicate that the child's behavior is harmful to himself, others, or property; (7) or a child who is in an institution and (a) has been placed there inappropriately for a continued period of time with the knowledge that the placement has resulted or may continue to result in harm to the child's mental or physical well-being or (b) who has been willfully isolated</p>
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		<p>from ordinary social contact under circumstances which indicate emotional or social deprivation.</p> <p>A child shall not be considered abused or neglected pursuant to paragraph (7) of subsection c. of this section if the acts or omissions described therein occur in a day school as defined in this section</p>
<p>New Mexico</p> <p>New Mexico (Cont.)</p>	<p>Abandonment or abuse of a child – N.M. Stat. Ann. § 30-6-1</p> <p>B. Abandonment of a child consists of the parent, guardian or custodian of a child intentionally leaving or abandoning the child under circumstances whereby the child may or does suffer neglect. A person who commits abandonment of a child is guilty of a misdemeanor, unless the abandonment results in the child's death or great bodily harm, in which case the person is guilty of a second degree felony.</p> <p>D. Abuse of a child consists of a person knowingly, intentionally or negligently, and without justifiable cause, causing or permitting a child to be:</p> <ol style="list-style-type: none"> (1) placed in a situation that may <i>endanger</i> the child's life or health; (2) tortured, cruelly confined or cruelly punished; or (3) exposed to the inclemency of the weather. <p>E. A person who commits abuse of a child that does not result in the child's death or great bodily harm is, for a first offense, guilty of a third degree felony and for second and subsequent offenses is guilty of a second degree felony. If the abuse results in great bodily harm to the child, the person is guilty of a first degree felony.</p> <p>F. A person who commits negligent abuse of a child that results in the death of the child is guilty of a first degree felony.</p> <p>G. A person who commits intentional abuse of a child twelve to eighteen years of age that results in the death of the child is guilty of a first degree felony.</p> <p>H. A person who commits intentional abuse of a child less than twelve years of age that results in the death of the child is guilty of a first degree felony resulting in the death of a child.</p> <p>I. Evidence that demonstrates that a child has been knowingly, intentionally or negligently allowed to enter or remain in a motor vehicle, building or any other premises that contains chemicals and equipment used or intended for use in the manufacture of a controlled substance shall</p>	<p>Children's code - N.M. Stat. Ann. § 32A-4-2</p> <p>“Neglected child” means a child:</p> <ul style="list-style-type: none"> • who has been abandoned by the child's parent, guardian or custodian; • who is without proper parental care and control or subsistence, education, medical or other care or control necessary for the child's well-being because of the faults or habits of the child's parent, guardian or custodian or the failure or refusal of the parent, guardian or custodian, when able to do so, to provide them; • who has been physically or sexually abused, when the child's parent, guardian or custodian knew or should have known of the abuse and failed to take reasonable steps to protect the child from further harm; • whose parent, guardian or custodian is unable to discharge that person's responsibilities to and for the child because of incarceration, hospitalization or physical or mental disorder or incapacity; or <p>who has been placed for care or adoption in violation of the law; provided that nothing in the Children's Code shall be construed to imply that a child who is being provided with treatment by spiritual means alone through prayer, in accordance with the tenets and practices of a recognized church or religious denomination, by a duly accredited practitioner thereof is for that reason alone a neglected child within the meaning of the Children's Code; and further provided that no child shall be denied the protection afforded to all children under the Children's Code</p>

	be deemed prima facie evidence of abuse of the child.	
New York	<p>Endangering the welfare of a child - McKinney’s Penal Law § 260.10</p> <p>He or she knowingly acts in a manner likely to be injurious to the physical, mental or moral welfare of a child less than seventeen years old or directs or authorizes such child to engage in an occupation involving a substantial risk of danger to his or her life or health;</p>	<p>N.Y. Family Court Act § 1012(f)</p> <p>(f) “Neglected child” means a child less than eighteen years of age</p> <p>(i) whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his parent or other person legally responsible for his care to exercise a minimum degree of care</p> <p>(A) in supplying the child with adequate food, clothing, shelter or education in accordance with the provisions of part one of article sixty-five of the education law, or medical, dental, optometrical or surgical care, though financially able to do so or offered financial or other reasonable means to do so; or</p> <p>(B) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by misusing a drug or drugs; or by misusing alcoholic beverages to the extent that he loses self-control of his actions; or by any other acts of a similarly serious nature requiring the aid of the court; provided, however, that where the respondent is voluntarily and regularly participating in a rehabilitative program, evidence that the respondent has repeatedly misused a drug or drugs or alcoholic beverages to the extent that he loses self-control of his actions shall not establish that the child is a neglected child in the absence of evidence establishing that the child's physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as set forth in paragraph (i) of this subdivision; or</p> <p>(ii) who has been abandoned, in accordance with the definition and other criteria set forth in subdivision five of section three hundred eighty-four-b of the social services law, by his parents or other person legally responsible for his care</p>
New York (Cont.)		
North Carolina	<p><i>North Carolina’s state law defines endangerment as less severe than neglect.</i></p> <p>Child abuse a felony – N.C. Gen. Stat. § 14-318.4</p> <p>(a) A parent or any other person providing care to or supervision of a child less</p>	<p>Juvenile Code - N.C. Gen. Stat. §§ 7B-101 (15), (19a)</p> <ul style="list-style-type: none"> • Neglected juvenile.--A juvenile who does not receive proper care, supervision, or discipline from the juvenile's parent, guardian, custodian, or caretaker; or

<p>North Carolina (Cont.)</p>	<p>than 16 years of age who intentionally inflicts any serious physical injury upon or to the child or who intentionally commits an assault upon the child which results in any serious physical injury to the child is guilty of a Class D felony, except as otherwise provided in subsection (a3) of this section.</p> <p>(a1) Any parent of a child less than 16 years of age, or any other person providing care to or supervision of the child, who commits, permits, or encourages any act of prostitution with or by the child is guilty of child abuse and shall be punished as a Class D felon.</p> <p>(a2) Any parent or legal guardian of a child less than 16 years of age who commits or allows the commission of any sexual act upon the child is guilty of a Class D felony.</p> <p>(a3) A parent or any other person providing care to or supervision of a child less than 16 years of age who intentionally inflicts any serious bodily injury to the child or who intentionally commits an assault upon the child which results in any serious bodily injury to the child, or which results in permanent or protracted loss or impairment of any mental or emotional function of the child, is guilty of a Class B2 felony.</p> <p>(a4) A parent or any other person providing care to or supervision of a child less than 16 years of age whose willful act or grossly negligent omission in the care of the child shows a reckless disregard for human life is guilty of a Class E felony if the act or omission results in serious bodily injury to the child.</p> <p>(a5) A parent or any other person providing care to or supervision of a child less than 16 years of age whose willful act or grossly negligent omission in the care of the child shows a reckless disregard for human life is guilty of a Class G felony if the act or omission results in serious physical injury to the child.</p> <p>(a6) For purposes of this section, a "grossly negligent omission" in providing care to or supervision of a child includes the failure to report a child as missing to law enforcement as provided in G.S. 14-318.5(b).</p> <p>(b) The felony of child abuse is an offense additional to other civil and criminal provisions and is not intended to repeal or preclude any other sanctions or remedies.</p> <p>(c) Abandonment of an infant less than seven days of age pursuant to G.S. 14-322.3 may be treated as a mitigating factor in sentencing for</p>	<ul style="list-style-type: none"> • Who has been abandoned; or who is not provided necessary medical care; or who is not provided necessary remedial care; or • who lives in an environment injurious to the juvenile's welfare; or the custody of whom has been unlawfully transferred under G.S. 14-321.2; or • Who has been placed for care or adoption in violation of law. In determining whether a juvenile is a neglected juvenile, it is relevant whether that juvenile lives in a home where another juvenile has died as a result of suspected abuse or neglect or lives in a home where another juvenile has been subjected to abuse or neglect by an adult who regularly lives in the home. <p>Serious neglect. --Conduct, behavior, or inaction of the juvenile's parent, guardian, custodian, or caretaker that evidences a disregard of consequences of such magnitude that the conduct, behavior, or inaction constitutes an unequivocal danger to the juvenile's health, welfare, or safety, but does not constitute abuse.</p>
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	<p>a conviction under this section involving that infant.</p> <p>(d) The following definitions apply in this section:</p> <p>(1) Serious bodily injury. - Bodily injury that creates a substantial risk of death or that causes serious permanent disfigurement, coma, a permanent or protracted condition that causes extreme pain, or permanent or protracted loss or impairment of the function of any bodily member or organ, or that results in prolonged hospitalization.</p> <p>(2) Serious physical injury. - Physical injury that causes great pain and suffering. The term includes serious mental injury.</p>	
<p>North Dakota</p>	<p><i>The North Dakota endangerment statute includes all persons including children.</i></p> <p>Reckless endangerment – N.D. Cent. Code § 12.1-17-03</p> <p>A person is guilty of an offense if he creates a substantial risk of serious bodily injury or death to another. The offense is a class C felony if the circumstances manifest his extreme indifference to the value of human life. Otherwise it is a class A misdemeanor. There is risk within the meaning of this section if the potential for harm exists, whether or not a particular person's safety is actually jeopardized.</p>	<p>Domestic Relations and Persons - N.D. Cent. Code § 14-09-22.1</p> <p>A parent, adult family or household member, guardian, or other custodian of any child, who willfully commits any of the following offenses is guilty of a class C felony:</p> <ul style="list-style-type: none"> • Fails to provide proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child's physical, mental, or emotional health, or morals. • Permits the child to be, or fails to exercise reasonable diligence in preventing the child from being, in a disreputable place or associating with vagrants or vicious or immoral persons. <p>Permits the child to engage in, or fails to exercise reasonable diligence in preventing the child from engaging in, an occupation forbidden by the laws of this state or an occupation injurious to the child's health or morals or the health or morals of others</p>
<p>Ohio</p>	<p>Endangering children - R.C. § 2919.22</p> <p>(A) No person, who is the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child under eighteen years of age or a mentally or physically handicapped child under twenty-one years of age, shall create a substantial risk to the health or safety of the child, by violating a duty of care,</p>	<p>Neglected child defined – failure to provide medical or surgical care for religious reasons - R.C. § 2151.03</p> <p>(A) As used in this chapter, "neglected child" includes any child:</p> <p>(1) Who is abandoned by the child's parents, guardian, or custodian;</p>

<p>Ohio (Cont.)</p>	<p>protection, or support. It is not a violation of a duty of care, protection, or support under this division when the parent, guardian, custodian, or person having custody or control of a child treats the physical or mental illness or defect of the child by spiritual means through prayer alone, in accordance with the tenets of a recognized religious body.</p> <p>(B) No person shall do any of the following to a child under eighteen years of age or a mentally or physically handicapped child under twenty-one years of age:</p> <p>(1) Abuse the child;</p> <p>(2) Torture or cruelly abuse the child;</p> <p>(3) Administer corporal punishment or other physical disciplinary measure, or physically restrain the child in a cruel manner or for a prolonged period, which punishment, discipline, or restraint is excessive under the circumstances and creates a substantial risk of serious physical harm to the child;</p> <p>(4) Repeatedly administer unwarranted disciplinary measures to the child, when there is a substantial risk that such conduct, if continued, will seriously impair or retard the child's mental health or development;</p> <p>(5) Entice, coerce, permit, encourage, compel, hire, employ, use, or allow the child to act, model, or in any other way participate in, or be photographed for, the production, presentation, dissemination, or advertisement of any material or performance that the offender knows or reasonably should know is obscene, is sexually oriented matter, or is nudity-oriented matter;</p>	<p>(2) Who lacks adequate parental care because of the faults or habits of the child's parents, guardian, or custodian;</p> <p>(3) Whose parents, guardian, or custodian neglects the child or refuses to provide proper or necessary subsistence, education, medical or surgical care or treatment, or other care necessary for the child's health, morals, or well-being;</p> <p>(4) Whose parents, guardian, or custodian neglects the child or refuses to provide the special care made necessary by the child's mental condition;</p> <p>(5) Whose parents, legal guardian, or custodian have placed or attempted to place the child in violation of sections 5103.16 and 5103.17 of the Revised Code;</p> <p>(6) Who, because of the omission of the child's parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child's health or welfare?</p>
<p>Oklahoma</p>	<p><i>Oklahoma does not have child endangerment definition.</i></p>	<p>Oklahoma Children's Code - Okla. Stat. tit. 10A, § 1-1-105</p> <p>“Neglect” means the failure or omission to provide any of the following:</p> <ul style="list-style-type: none"> • adequate nurturance and affection, food, clothing, shelter, sanitation, hygiene, or appropriate education, • medical, dental, or behavioral health care, • supervision or appropriate caretakers, or • special care made necessary by the physical or mental condition of the child, • the failure or omission to protect a child from exposure to any of the following: <ul style="list-style-type: none"> ○ the use, possession, sale, or manufacture of illegal drugs, ○ illegal activities, or • sexual acts or materials that are not age-appropriate, or • abandonment.

		<p>Oklahoma Guardianship and Conservatorship Act - Okla. Stat. tit. 30, § 1-11 “Neglect” means the failure to provide protection for an incapacitated person, a partially incapacitated person, or a minor who is unable to protect the person's own interest; or the failure to provide adequate shelter or clothing; or the harming or threatening with harm through action or inaction by either another individual or through the person's own action or inaction because of a lack of awareness, incompetence, or incapacity, which has resulted or may result in physical or mental injury</p>
<p>Oregon</p>	<p>Endangering the welfare of a minor - O.R.S. § 163.575 (1) A person commits the offense of endangering the welfare of a minor if the person knowingly: (a) Induces, causes or permits an unmarried person under 18 years of age to witness an act of sexual conduct or sadomasochistic abuse as defined in ORS 167.060; (b) Permits a person under 18 years of age to enter or remain in a place where unlawful activity involving controlled substances or cannabis is maintained or conducted; (c) Induces, causes or permits a person under 18 years of age to participate in gambling as defined in ORS 167.117; (d) Distributes, sells or allows to be sold tobacco in any form to a person under 18 years of age; (e) Distributes, sells or allows to be sold an inhalant delivery system, as defined in ORS 431A.175, to a person under 18 years of age; or (f) Sells to a person under 18 years of age any device in which tobacco, cannabis, cocaine or any controlled substance, as defined in ORS 475.005, is burned and the principal design and use of which is directly or indirectly to deliver tobacco smoke, cannabis smoke, cocaine smoke or smoke from any controlled substance into the human body including but not limited to: (A) Pipes, water pipes, hookahs, wooden pipes, carburetor pipes, electric pipes, air driven pipes, corncob pipes, meerschaum pipes and ceramic pipes, with or without screens, permanent screens, hashish heads or punctured metal bowls; (B) Carburetion tubes and devices, including carburetion masks; (C) Bong;</p>	<p>Child neglect in the second degree -O.R.S. § 163.545 (1) A person having custody or control of a child under 10 years of age if the person leaves the child unattended in or at any place for such period of time as may be likely to endanger the health or welfare of such child</p>

<p>Oregon (Cont.)</p>	<p>(D) Chillums; (E) Ice pipes or chillers; (F) Cigarette rolling papers and rolling machines; and (G) Cocaine free basing kits.</p>	
<p>Pennsylvania</p>	<p>Endangering welfare of children -18 Pa.C.S.A. § 4304 1) A parent, guardian or other person supervising the welfare of a child under 18 years of age, or a person that employs or supervises such a person, commits an offense if he knowingly endangers the welfare of the child by violating a duty of care, protection or support.</p>	<p>Definitions Title 23 Pa.C.S.A. Domestic Relations (Refs & Annos) - 23 Pa.C.S.A. § 6303</p> <p>“Neglect.” The failure to provide for oneself or the failure of a caretaker to provide goods or services essential to avoid a clear and serious threat to physical or mental health. An older adult who does not consent to the provision of protective services shall not be found to be neglected solely on the grounds of environmental factors which are beyond the control of the older adult or the caretaker, such as inadequate housing, furnishings, income, clothing or medical care.</p>
<p>Rhode Island</p>	<p><i>Rhode Island does not have an endangerment statute.</i></p>	<p>Delinquent and Dependent Children - R.I. Gen. Laws § 14-1-3</p> <ul style="list-style-type: none"> • “Neglect” means a child who requires the protection and assistance of the court when his or her physical or mental health or welfare is harmed, or threatened with harm, when the parents or guardian: • Fails to supply the child with adequate food, clothing, shelter, or medical care, though financially able to do so or offered financial or other reasonable means to do so; • Fails to provide the child proper education as required by law; or <p>Abandons and/or deserts the child.</p>
<p>South Carolina</p>	<p>Unlawful conduct toward a child -S.C. Code Ann. § 63-5-70</p> <p>(A) It is unlawful for a person who has charge or custody of a child, or who is the parent or guardian of a child, or who is responsible for the welfare of a child as defined in Section 63-7-20 to:</p> <p>(1) place the child at unreasonable risk of harm affecting the child’s life, physical or mental health, or safety;</p> <p>(2) do or cause to be done unlawfully or maliciously any bodily harm to the child so that</p>	<p>South Carolina Children's Code - S.C. Code Ann. § 63-7-20(6)</p> <p>“Child abuse or neglect” or “harm” occurs when the parent, guardian, or other person responsible for the child's welfare:</p> <ul style="list-style-type: none"> • inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including injuries sustained as a result of excessive corporal punishment, • commits or allows to be committed against the child a sexual offense as defined by the laws of this State or

<p>South Carolina (Cont.)</p>	<p>the life or health of the child is endangered or likely to be endangered; or</p>	<p>engages in acts or omissions that present a substantial risk that a sexual offense as defined in the laws of this State would be committed against the child;</p> <ul style="list-style-type: none"> • fails to supply the child with adequate food, clothing, shelter, or education as required under Article 1 of Chapter 65 of Title 59, supervision appropriate to the child's age and development, or health care though financially able to do so or offered financial or other reasonable means to do so and the failure to do so has caused or presents a substantial risk of causing physical or mental injury. However, a child's absences from school may not be considered abuse or neglect unless the school has made efforts to bring about the child's attendance, and those efforts were unsuccessful because of the parents' refusal to cooperate. For the purpose of this chapter "adequate health care" includes any medical or nonmedical remedial health care permitted or authorized under state law; • abandons the child; <p>encourages, condones, or approves the commission of delinquent acts by the child including, but not limited to, sexual trafficking or exploitation, and the commission of the acts are shown to be the result of the encouragement, condonation, or approval; or</p>
<p>South Dakota</p>	<p><i>The South Dakota statute regarding endangerment refers to situations where involving hunting.</i></p>	<p>Protection of Children from Abuse or Neglect - Abused or neglected child defined – S.D. Codified Laws § 26-8A-2</p> <p>The term, abused or neglected child, means a child:</p> <ul style="list-style-type: none"> • Whose parent, guardian, or custodian has abandoned the child or has subjected the child to mistreatment or abuse; • Who lacks proper parental care through the actions or omissions of the child's parent, guardian, or custodian; • Whose environment is injurious to the child's welfare; • Whose parent, guardian, or custodian fails or refuses to provide proper or necessary subsistence, supervision, education, medical care, or any other care necessary for the child's health, guidance, or well-being; • Who is homeless, without proper care, or not domiciled with the child's parent, guardian, or custodian through no fault of the child's parent, guardian, or custodian; • Who is threatened with substantial harm;

<p>South Dakota (Cont.)</p>		<ul style="list-style-type: none"> • Who has sustained emotional harm or mental injury as indicated by an injury to the child's intellectual or psychological capacity evidenced by an observable and substantial impairment in the child's ability to function within the child's normal range of performance and behavior, with due regard to the child's culture; • Who is subject to sexual abuse, sexual molestation, or sexual exploitation by the child's parent, guardian, custodian, or any other person responsible for the child's care; • Who was subject to prenatal exposure to abusive use of alcohol, marijuana, or any controlled drug or substance not lawfully prescribed by a practitioner as authorized by chapters 22-42 and 34-20B; or <p>Whose parent, guardian, or custodian knowingly exposes the child to an environment that is being used for the manufacture, use, or distribution of methamphetamines or any other unlawfully manufactured controlled drug or substance.</p>
<p>Tennessee</p>	<p>Child abuse and child neglect or endangerment - Tenn. Code Ann. § 35-15-401 (c)</p> <p>(1) A parent or custodian of a child eight (8) years of age or less commits child endangerment who knowingly exposes such child to or knowingly fails to protect such child from abuse or neglect resulting in physical injury or imminent danger to the child.</p> <p>(2) For purposes of this subsection (c):</p> <p>(A) "Imminent danger" means the existence of any condition or practice that could reasonably be expected to cause death or serious bodily injury;</p> <p>(B) "Knowingly" means the person knew, or should have known upon a reasonable inquiry, that abuse to or neglect of the child would occur which would result in physical injury to the child. The risk must be of such a nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that an ordinary parent or legal custodian of a child eight (8) years of age or less would exercise under all the circumstances as viewed from the defendant's standpoint; and</p>	<p>Juvenile Courts and Proceedings - Tenn. Code Ann. § 37-1-102</p> <p>“neglected child” means a child:</p> <ul style="list-style-type: none"> • Who is without a parent, guardian or legal custodian; • Whose parent, guardian or person with whom the child lives, by reason of cruelty, mental incapacity, immorality or depravity is unfit to properly care for such child; • Who is under unlawful or improper care, supervision, custody or restraint by any person, corporation, agency, association, institution, society or other organization or who is unlawfully kept out of school; • Whose parent, guardian or custodian neglects or refuses to provide necessary medical, surgical, institutional or hospital care for such child; • Who, because of lack of proper supervision, is found in any place the existence of which is in violation of law; • Who is in such condition of want or suffering or is under such improper guardianship or control as to injure or endanger the morals or health of such child or others; • Who is suffering from abuse or neglect;

<p>Tennessee (Cont.)</p>		<ul style="list-style-type: none"> • Who has been in the care and control of one (1) or more agency or person not related to such child by blood or marriage for a continuous period of six (6) months or longer in the absence of a power of attorney or court order, and such person or agency has not initiated judicial proceedings seeking either legal custody or adoption of the child; • Who is or has been allowed, encouraged or permitted to engage in prostitution or obscene or pornographic photographing, filming, posing, or similar activity and whose parent, guardian or other custodian neglects or refuses to protect such child from further such activity; or • Who has willfully been left in the sole financial care and sole physical care of a related caregiver for not less than eighteen (18) consecutive months by the child's parent, parents or legal custodian to the related caregiver, and the child will suffer substantial harm if removed from the continuous care of such relative. <p>Child abuse and child neglect or endangerment. - Part 4 Children - Tenn. Code Ann. § 39-15-401.</p> <p>(b) Any person who knowingly abuses or neglects a child under eighteen (18) years of age, so as to adversely affect the child's health and welfare, commits a Class A misdemeanor; provided, that, if the abused or neglected child is eight (8) years of age or less, the penalty is a Class E felony.</p>
<p>Texas</p>	<p>Abandoning or Endangering Child - Tex. Penal Code § 22.041</p> <p>(c) A person commits an offense if he intentionally, knowingly, recklessly, or with criminal negligence, by act or omission, engages in conduct that places a child younger than 15 years in imminent danger of death, bodily injury, or physical or mental impairment.</p>	<p>Investigation of report of child abuse or neglect - Tex. Fam. Code Ann. § 261.001</p> <p>“neglected child” means a child:</p> <ul style="list-style-type: none"> • Who is without a parent, guardian or legal custodian; • Whose parent, guardian or person with whom the child lives, by reason of cruelty, mental incapacity, immorality or depravity is unfit to properly care for such child; • Who is under unlawful or improper care, supervision, custody or restraint by any person, corporation, agency, association, institution, society or other organization or who is unlawfully kept out of school; • Whose parent, guardian or custodian neglects or refuses to provide necessary

<p>Texas (Cont.)</p>		<p>medical, surgical, institutional or hospital care for such child;</p> <ul style="list-style-type: none"> • Who, because of lack of proper supervision, is found in any place the existence of which is in violation of law; • Who is in such condition of want or suffering or is under such improper guardianship or control as to injure or endanger the morals or health of such child or others; • Who is suffering from abuse or neglect; • Who has been in the care and control of one (1) or more agency or person not related to such child by blood or marriage for a continuous period of six (6) months or longer in the absence of a power of attorney or court order, and such person or agency has not initiated judicial proceedings seeking either legal custody or adoption of the child; • Who is or has been allowed, encouraged or permitted to engage in prostitution or obscene or pornographic photographing, filming, posing, or similar activity and whose parent, guardian or other custodian neglects or refuses to protect such child from further such activity; or • Who has willfully been left in the sole financial care and sole physical care of a related caregiver for not less than eighteen (18) consecutive months by the child's parent, parents or legal custodian to the related caregiver, and the child will suffer substantial harm if removed from the continuous care of such relative <p>“Neglect”: includes:</p> <ul style="list-style-type: none"> • the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child; • the following acts or omissions by a person: • placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;
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<p>Texas (Cont.)</p>		<ul style="list-style-type: none"> • failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child; • the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused; • placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or • placing a child in or failing to remove the child from a situation in which the child would be exposed to acts or omissions that constitute abuse under Subdivision (1)(E), (F), (G), (H), or (K) committed against another child; • the failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away; or a negligent act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program, including failure to comply with an individual treatment plan, plan of care, or individualized service plan, that causes or may cause substantial emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy; and
<p>Utah</p>	<p><i>The state law definition of endangerment is less severe than neglect.</i></p> <p>Endangerment of a child or vulnerable adult – Utah Code Ann. § 76-5-112.5 (1) As used in this section: (a) (i) "Chemical substance" means: (A) a substance intended to be used as a precursor in the manufacture of a controlled substance; (B) a substance intended to be used in the manufacture of a controlled substance; or (C) any fumes or by-product resulting from the manufacture of a controlled substance. (ii) Intent under this Subsection (1)(a)</p>	<p>Juvenile Court General provisions – Utah Code Ann. § 78A-6-105</p> <ul style="list-style-type: none"> • (27)(a) "Neglect" means action or inaction causing: • abandonment of a child, except as provided in Title 62A, Chapter 4a, Part 8, Safe Relinquishment of a Newborn Child; • lack of proper parental care of a child by reason of the fault or habits of the parent, guardian, or custodian;

<p>Utah (Cont.)</p>	<p>may be demonstrated by: (A) the use, quantity, or manner of storage of the substance; or (B) the proximity of the substance to other precursors or to manufacturing equipment. (b) "Child" means a human being who is under 18 years of age. (c) "Controlled substance" is as defined in Section 58-37-2. (d) "Drug paraphernalia" is as defined in Section 58-37a-3. (e) "Exposed to" means that the child or vulnerable adult: (i) is able to access or view an unlawfully possessed: (A) controlled substance; or (B) chemical substance; (ii) has the reasonable capacity to access drug paraphernalia; or (iii) is able to smell an odor produced during, or as a result of, the manufacture or production of a controlled substance. (f) "Prescription" is as defined in Section 58-37-2. (g) "Vulnerable adult" is as defined in Subsection 76-5-111(1). (2) Unless a greater penalty is otherwise provided by law: (a) except as provided in Subsection (2)(b) or (c), a person is guilty of a felony of the third degree if the person knowingly or intentionally causes or permits a child or a vulnerable adult to be exposed to, inhale, ingest, or have contact with a controlled substance, chemical substance, or drug paraphernalia; (b) except as provided in Subsection (2)(c), a person is guilty of a felony of the second degree, if: (i) the person engages in the conduct described in Subsection (2)(a); and (ii) as a result of the conduct described in Subsection (2)(a), a child or a vulnerable adult suffers bodily injury, substantial bodily injury, or serious bodily injury; or (c) a person is guilty of a felony of the first degree, if: (i) the person engages in the conduct described in Subsection (2)(a); and (ii) as a result of the conduct described in Subsection (2)(a), a child or a vulnerable adult dies. (3) It is an affirmative defense to a violation of this section that the controlled substance: (a) was obtained by lawful prescription; and (b) is used or possessed by the person to whom it was lawfully prescribed. (4) The penalties described in this section are separate from, and in addition to, the penalties and enhancements described in Title 58, Occupations and Professions.</p>	<ul style="list-style-type: none"> • failure or refusal of a parent, guardian, or custodian to provide proper or necessary subsistence, education, or medical care, or any other care necessary for the child's health, safety, morals, or well-being; • a child to be at risk of being neglected or abused because another child in the same home is neglected or abused; or • abandonment of a child through an unregulated custody transfer. <p>(28) "Neglected child" means a child who has been subjected to neglect.</p> <p>(38) "Severe neglect" means neglect that causes or threatens to cause serious harm to a child.</p>
<p>Vermont</p>	<p>Assessment and investigation - 33 Vt. Stat. Ann. § 4915.</p> <p>(d) The Department shall conduct an investigation when an accepted report involves allegations indicating substantial child endangerment. For purposes of this section, "substantial child endangerment" includes conduct by an adult involving or</p>	<p>Child welfare services - reporting abuse of children - Vt. Stat. Ann. tit. 33, § 4912</p> <ul style="list-style-type: none"> • "Abused or neglected child" means a child whose physical health, psychological growth and development, or welfare is harmed or is at substantial risk of harm by the acts or omissions of his or her parent or other person responsible for the child's welfare.

	<p>resulting in sexual abuse, and conduct by a person responsible for a child's welfare involving or resulting in abandonment, child fatality, malicious punishment, or abuse or neglect that causes serious physical injury. The Department may conduct an investigation of any report.</p>	<p>An “abused or neglected child” also means a child who is sexually abused or at substantial risk of sexual abuse by any person and a child who has died as a result of abuse or neglect.</p>
<p>Virginia</p>	<p><i>Virginia's endangerment statute does not pertain specifically to children.</i></p>	<p>Juvenile and domestic relations district courts - Va. Code Ann. § 63.2-100 “Abused or neglected child” means any child:</p> <ul style="list-style-type: none"> • Whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement or impairment of bodily or mental functions, including, but not limited to, a child who is with his parent or other person responsible for his care either (i) during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care, where such manufacture, or attempted manufacture or unlawful sale would constitute a felony violation of § 18.2-248; • Whose parents or other person responsible for his care neglects or refuses to provide care necessary for his health; however, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be an abused or neglected child; • Whose parents or other person responsible for his care abandons such child; • Whose parents or other person responsible for his care commits or allows to be committed any sexual act upon a child in violation of the law; • Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the child's parent, guardian, legal custodian, or other person standing in loco parentis;
<p>Virginia (Cont.)</p>		

		<ul style="list-style-type: none"> • Whose parents or other person responsible for his care creates a substantial risk of physical or mental injury by knowingly leaving the child alone in the same dwelling, including an apartment as defined in § 55-79.2, with a person to whom the child is not related by blood or marriage and who the parent or other person responsible for his care knows has been convicted of an offense against a minor for which registration is required as a violent sexual offender pursuant to § 9.1-902; or <p>Who has been identified as a victim of sex trafficking or severe forms of trafficking as defined in the Trafficking Victims Protection Act of 2000, 22 U.S.C § 7102 et seq., and in the Justice for Victims of Trafficking Act of 2015, 42 U.S.C. § 5101 et seq.</p>
<p>Washington</p>	<p>Applies to adults and children Reckless endangerment – Wash. Rev. Code Ann. § 9a.36.050 (1) A person is guilty of reckless endangerment when he or she recklessly engages in conduct not amounting to drive-by shooting but that creates a substantial risk of death or serious physical injury to another person. (2) Reckless endangerment is a gross misdemeanor.</p>	<p>Domestic relations - abuse of children - Wash. Rev. Code Ann. § 26.44.020 “Abuse or neglect” means sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100; or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.</p>
<p>West Virginia</p>	<p>West Virginia’s state law has the same definition for endangerment and neglect</p>	<p>Crimes and punishment - child abuse – W. Va. Code Ann. § 61-8D-1(7) “Neglect” means the unreasonable failure by a parent, guardian or custodian of a minor child to exercise a minimum degree of care to assure the minor child's physical safety or health. For purposes of this article, the following do not constitute “neglect” by a parent, guardian or custodian:</p> <ul style="list-style-type: none"> • Permitting a minor child to participate in athletic activities or other similar activities that if done properly are not inherently dangerous, regardless of whether that participation creates a risk of bodily injury; • Exercising discretion in choosing a lawful method of educating a minor child; or <p>Exercising discretion in making decisions regarding the nutrition and medical care provided to a minor child based upon religious conviction or reasonable personal belief.</p>

Wisconsin	Wisconsin does not have endangerment definition.	Social services - Children’s code - Wis. Stat. Ann. § 48.02(12g) “Neglect” means failure, refusal or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child
Wyoming	<p>Abandoning or endangering children; penalties; “child”; disclosure or publication of identifying information; “minor victim” - Wyo. Stat. § 6-4-403</p> <p>(b) No person shall knowingly: (...)</p> <p>(vi) Cause, encourage, aid or contribute to the endangering of a child's health, welfare or morals, by using, employing or permitting a child:</p> <p>(A) In any business enterprise which is injurious or dangerous to the health, morals, life or physical safety of the child;</p> <p>(B) In any place for purposes of begging;</p> <p>(C) To be exhibited for the purpose of displaying any deformity of a child, except to physicians, nurses or other health professionals; or</p> <p>(D) In a place used for prostitution.</p>	<p>Child Protective Services - Wyo. Stat. Ann. § 14-3-202</p> <ul style="list-style-type: none"> • “Neglect” means a failure or refusal by those responsible for the child's welfare to provide adequate care, maintenance, supervision, education or medical, surgical or any other care necessary for the child's wellbeing.