

## CHILDREN'S EXPOSURE TO DOMESTIC VIOLENCE CONSTITUTES CHILD ABUSE AND/OR NEGLECT

STATE	STATUTE	DEFINITION OF ABUSE AND /OR NEGLECT INCLUDES CHILD EXPOSED TO VIOLENCE
Alaska	§ 47.10.011 - 47.10.015	A court may find that a child is in need of aid if the court finds by a preponderance of the evidence that the child has been subjected to conduct or conditions created by the parent ... that have resulted in mental injury to the child or has placed the child at substantial risk of mental injury as a result of exposure to [domestic violence] by a household member against another household member or repeated exposure to [domestic violence] against another household member.
Connecticut	§ 17a-106b	The State of Connecticut finds that family violence can result in abuse and neglect of the children living in the household where such violence occurs and that the prevention of child abuse and neglect depends on coordination of domestic violence and child protective services. The Commissioner of Children and Families may consider the existence and the impact of family violence in any child abuse investigation and may assist family members in obtaining protection from family violence.

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Delaware	Tit. 11, § 1102	A person is guilty of endangering the welfare of a child when the person commits any violent felony, or second-degree reckless endangering, third-degree assault, terroristic threatening, or second-degree unlawful imprisonment against a victim, knowing that such felony or misdemeanor was witnessed, either by sight or sound, by a child younger than age 18 who is a member of the person's family or the victim's family.
Minnesota	§ 260C.007	A child in need of protection or services is a child who is in need of protection or services because the child is one whose behavior, condition, or environment is such as to be injurious or dangerous to the child or others. An injurious or dangerous environment may include, but is not limited to, the exposure of a child to criminal activity in the child's home.
Montana	§ 41-3-102	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.

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Utah	§ 76-5-109.1 U.A.C. R512-205	A person commits child abuse if the person commits an act of domestic violence in the presence of a child.
Washington	§ 26.44.020	Negligent treatment or maltreatment is defined as an act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction, that evidences a serious disregard of consequences.
West Virginia	§ 49-1-3	“Abused child” means a child whose health or welfare is harmed or threatened by domestic violence. “Battered parent” means a parent, guardian or other custodian who has been judicially determined not to have condoned the abuse or neglect and has not been able to stop the abuse or neglect of the child or children due to being the victim of domestic violence, which domestic violence was perpetrated by the person or persons determined to have abused or neglected the child or children

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