

---

# CHILD MALTREATMENT AND GUN VIOLENCE: INTERSECTIONS AND INTERVENTIONS

USD Children's Advocacy Institute's White Paper Proposal to the Hope and Heal Fund

---

## BRIEF BACKGROUND:

Gun violence is one of the most critical public health issues of our time, with guns now being the leading cause of death for our country's children and youth. From mass shootings in schools and public places to the role firearms play in suicides among children and young adults, gun violence has a profound impact on the health and wellbeing of children around the country. Permeating beyond the physical pain and suffering endured by direct victims of gun violence are the incalculable emotional and mental health implications for children and youth who witness or hear about these all-too-common tragedies.

The disparate impact gun violence has on communities of color adds further urgency to the issue. CDC data indicates that Black children are 17 times more likely than their white peers to be the victim of gun homicide. Latinx children are 2.7 times more likely to be a victim than white children of the same age. American Indian and Alaska Native children, who are dramatically overrepresented in the foster care population, have the highest firearm suicide rate among all racial and ethnic groups.

Children and youth who have experienced abuse and neglect are at increased risk of harming themselves and others. Studies have found a connection between childhood maltreatment and perpetrating violence, including domestic violence, as an adult. In fact, research indicates that simply observing intimate partner violence in childhood increases the risk of later perpetrating such violence. Furthermore, studies indicate that maltreated youth and those with a history of foster care experience higher rates of suicidality through early adulthood than the general population.

Efforts to end the epidemic of gun violence in our communities, especially efforts utilizing a public health approach, would benefit from data, research, and analysis regarding the possible link between childhood maltreatment, foster care, and perpetrating harm using firearms. Current research has not explored whether such a correlation exists, and therefore specific efforts to address risks of gun violence among this population are lacking. Establishing this link and better understanding it provides an opportunity to identify effective interventions that may reduce the incidence of gun violence broadly and among this vulnerable population.

## SCOPE OF THE PROJECT:

The University of San Diego School of Law's Children's Advocacy Institute (CAI) will produce a white paper presenting data and findings regarding the intersection of gun violence and child maltreatment and experiences in foster care. The report will provide a foundation for the development of strategies to reduce gun violence through interventions directed at this subset of individuals. CAI will develop the white paper through a comprehensive analysis of the following:

- 1) **The potential link between experiencing maltreatment and foster care as a child and perpetrating gun violence later in life.** CAI will identify, review, and document any existing research exploring the potential link between gun violence (including self-harm and harming others) and an individual's history of abuse or neglect and experience within the foster care system.

CAI staff attorneys and student researchers will expand upon any existing research by investigating questions such as how experiences of abuse, neglect and trauma in childhood impact the manifestation of physical violence; whether particular types of child maltreatment (*e.g.*, physical abuse, exposure to domestic violence, abandonment, etc.) have a stronger association with later violence, specifically gun violence, as an adult; whether specific experiences within the foster care system correlate with increased risk of violence and self-harm, specifically using firearms; whether and why there is a disparate impact on communities of color; whether a correlation exists between an individual's access to firearms and a history of child maltreatment and foster care.

- 2) **Interventions.** CAI will review existing gun violence prevention interventions applied to high-risk groups to explore the potential impact these or similar interventions could have for maltreated and foster youth. In addition, the white paper will explore the role child welfare agencies and child abuse prevention programs could contribute to the reduction of gun violence among foster youth.

## BRIEF BUDGET NARRATIVE:

CAI is proposing two options to accomplish the above task:

### **Option 1: Six-month duration, \$33,600**

Option 1 would allow CAI to engage in robust data and intervention research and analysis. Option 1 would allow CAI to devote 20% of Melanie Delgado, CAI Senior Staff Attorney, to research and write the white paper and oversee the project; retain the research assistance and expertise of Jessica Heldman, Fellmeth-Peterson Associate Professor in Child Rights at the USD School of Law; hire a USD Law student to assist with research and analysis; and contract with external data researcher(s)/consultant(s) to help identify and analyze the connection between a history of child maltreatment and foster care and later gun violence.

### **Option 2: Six-month duration, \$26,100**

Option 2 would provide all of the elements of Option 1 other than funding for external data researcher(s)/consultant(s).

## ORGANIZATIONAL OVERVIEW

Created in 1989, CAI works to improve the status and well-being of children and youth by engaging in the academic and clinical training of law students in child advocacy; providing continuing education for attorneys and other professionals on child- and youth-related areas of practice; conducting research on child-related issues; engaging in public education about the status of children and of the performance of the state and federal governments to advance their interests; and directly advocating before state and federal courts, agencies, and legislatures to seek leveraged results for the benefit of children and youth.

In its academic component, CAI instructs and trains USD law students on all issues relevant to child advocacy and provides them with the unique opportunity to represent children in three distinct ways: (1) through its Dependency Clinic, CAI interns assist attorneys in the representation of abused and neglected children; (2) through its Youth Justice Clinic, CAI interns assist attorneys in advocating on behalf of youth involved with the juvenile justice system; and (3) through its Policy Clinic, CAI interns pursue research, writing, public education, and/or policy advocacy projects at the local, state or federal level on issues such as foster care, child safety, youth justice, and education, CAI has also prepared and conducted continuing

education programs for attorneys, social workers, probation officers, judicial officers, and other professionals engaged in Juvenile Court proceedings.

CAI has robust research, policy advocacy and public education components. CAI's current campaigns address issue areas such as improving outcomes for transition age foster youth (by, among other things, ensuring that youth have access to benefits to which they are entitled), improving child welfare agencies' public disclosure of information regarding child abuse and neglect fatalities and near fatalities, so the public can identify and resolve systemic failures in the child welfare system; ensuring that children are represented by competent, trained legal counsel in proceedings that impact their lives and well-being; ensuring that states and the federal government provide adequate funding and engage in appropriate oversight and enforcement of child welfare laws and regulations; protecting children from the harms associated with social media, including facilitating the sale of unlawful firearms such as ghost guns; and promoting racial justice and equity in child-serving systems.

CAI's advocacy has led to several significant policy changes, such as legislation declaring that each child who is the subject of a dependency proceeding is a party to that proceeding, and as such is entitled to competent counsel, among other things; the Children's Firearm Accident Prevention Act, making a gun owner criminally liable if he/she leaves a loaded firearm in a place accessible by a child, and the child accidentally injures himself/herself or others with the gun; enactment of legislation improving California's public disclosure policy governing the release of information regarding cases of child abuse or neglect that result in the death of a child; implementation of the Kids' Plates personalized license plate program (license plates featuring a heart, star, plus sign, or child's handprint), which raises millions of dollars each year for child health and safety programs; enactment of several health and safety measures, including the Swimming Pool Safety Act, requiring residential swimming pools to have specified safeguards; the Bicycle Helmet Law, requiring helmets for kids under 18; and the Unattended Child in Motor Vehicle Safety Act, making it an infraction for the parent, legal guardian, or other person responsible for a child who is six years of age or younger to leave that child inside a motor vehicle, as specified.

---