

Data dictionary on **law enforcement referrals related to pregnancy substance use**

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The data we compiled [here](#) includes the following fields:

**State:** Includes the names of U.S. states and Washington, D.C.

**Referral policy category:** The Marshall Project classified each state's child welfare policies into one of three categories depending on the circumstances that would lead a child welfare agency to share information about alleged pregnancy drug use with law enforcement. The categories are states where referrals to law enforcement always happen; occur under certain circumstances; or only happen if other abuse, neglect or criminal concerns arise.

**State policy summary:** The Marshall Project wrote short summaries of each state's child welfare policy for law enforcement referrals and gave each state's child welfare agency an opportunity to review for accuracy before publication. The summaries were adjusted as necessary based on feedback from state officials. When state agencies did not confirm policies, The Marshall Project relied on publicly available child welfare policies and laws.

**Total referred to law enforcement:** The total number of cases of alleged pregnancy substance use that child welfare agencies shared with law enforcement, such as police or prosecutors, throughout the six years of data analyzed by The Marshall Project. Data was not available for the full six-year period in all states.

**Percent of cases referred:** The percent of cases of alleged pregnancy substance use accepted for review by child welfare agencies that those agencies shared with law enforcement. The values cover the six years of data analyzed by The Marshall Project. Data was not available for the full six-year period in all states.

**Referral frequency:** Using birth figures from the Centers for Disease Control and Prevention's CDC WONDER database, The Marshall Project calculated the frequency of referrals per state based on the number of live births in that state over the same time period.

**Years of data:** The number of federal fiscal years that The Marshall Project obtained full or partial data for in each state, up to a maximum of six years.

**Fiscal year:** Includes federal fiscal years 2018 - 2023. Each year covers Oct. 1 to Sept. 30.

**Nonvictims referred to law enforcement:** The totals represent "nonvictims" of alleged substance use during pregnancy whose cases were referred by child welfare authorities to law enforcement. Child welfare agencies can deem a child a nonvictim if they find that claims of abuse or neglect are unsubstantiated or if they redirect the case to "alternative response," which connects families with support services rather than triggering a formal child welfare investigation. Some states require all allegations of child maltreatment to be forwarded to law enforcement, even if they find no evidence of abuse or don't open a formal investigation. Referrals can take place before or after child welfare investigations are complete, depending on state policies.

**Victims referred to law enforcement:** The totals represent "victims" of alleged substance use during pregnancy whose cases were referred by child welfare authorities to law enforcement. Child welfare agencies can classify a child as a victim if they deem abuse or neglect is suspected or substantiated. In some states, illicit drug use during

pregnancy is enough for a finding of child abuse or neglect, while in others, an infant must show signs of being “affected by” the substances, such as withdrawal symptoms. Referrals can take place before or after child welfare investigations are complete, depending on state policies.

**Total cases of alleged substance use in pregnancy:** The totals are counts of newborns who were reported by medical providers to child welfare authorities over concerns they were exposed to substances in the womb. In some states, this contact constitutes a report of child abuse or neglect, triggering a child welfare investigation. In other states, it’s considered a notification — not a child abuse report — and triggers an assessment that is focused on supporting the family’s needs rather than determining whether a child was maltreated.

You can read our [methodology here](#) and request a data consultation for your newsroom or classroom [here](#).