



**National Resource Center for
Family-Centered Practice and Permanency Planning**
at the Hunter College School of Social Work

***INFORMATION PACKET:
Domestic Violence and its Role in
Child Welfare***

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It is commonly understood that there is a direct link between domestic violence and issues around child welfare. However, this link is not always seen in the relationship between the two agencies that are designed to address these issues. “Until recently, programs and policies for family violence or abuse have responded to its two forms — child maltreatment and woman battering — through two entirely different service systems, child protective services and domestic violence programs” (Aron & Olson, 1997).

But what exactly constitutes abuse when domestic violence is a factor? The rules regarding this matter are up to interpretation, however children’s exposure to domestic violence typically falls into three primary categories: “(1) Hearing a violent event; (2) Being directly involved as an eyewitness, intervening, or being used as a part of a violent event (e.g., being used as a shield against abusive actions); and (3) Experiencing the aftermath of a violent event” (Bragg 2003). However, does this mean that the simple exposure to domestic violence indicates a form of child maltreatment (Postmus and Ortega, 2004)? This is essentially the basis for many clashes between child welfare and domestic violence agencies. In general, child welfare agencies have tended to view the mother's role in child abuse in which the male partner was the perpetrator of the abuse, as "failure to protect" the child, rather than acknowledging that the child's safety might depend on addressing a situation that endangers both mother and child which is an assumption that makes it increasingly difficult for child welfare agencies and domestic violence agencies to work together. (Aron & Olson, 1997).

One of the dilemmas of domestic violence and child abuse cases is how to keep children safe without penalizing the non-offending parent (Oregon Department of Human Services 2005). This information pack will look at the research that has been conducted on the subject and also examine effective practices that combine both fields in existence today. It is imperative that child welfare workers identify and use interventions that protect families from domestic violence and

eliminate harm to children without further stigmatizing victimized individuals (Postmus and Ortega, 2004).

Domestic Violence and Child Maltreatment:

Bragg (2003) notes that an estimated 3.3 to 10 million children a year are at risk for witnessing or being exposed to domestic violence. In addition, the childhood problems associated with exposure to domestic violence fall into three primary categories:

- “Behavioral, social, and emotional problems: Higher levels of aggression, anger, hostility, oppositional behavior, and disobedience; fear, anxiety, withdrawal, and depression; poor peer, sibling, and social relationships; and low self-esteem.
- Cognitive and attitudinal problems: Lower cognitive functioning, poor school performance, lack of conflict resolution skills, limited problem solving skills, pro-violence attitudes, and belief in rigid gender stereotypes and male privilege.
- Long-term problems: Higher levels of adult depression and trauma symptoms and increased tolerance for and use of violence in adult relationships.” (National Adoption Information Clearinghouse 2003)

“It is estimated that 30 to 60 percent of the families where either domestic violence or child maltreatment is identified, it is likely that both forms of abuse exist.” (Bragg 2003)

When evaluating the risk of harm resulting from exposure to domestic violence it is important to understand the degree to which a child is involved in violent events, and the documented level of child maltreatment and emotional harm. (Edelson 2004)

Bragg offers pertinent research that shows that the impact of domestic violence on children can be moderated by certain factors, including:

- “The nature of the violence. Children who witness frequent and severe forms of violence perceive the violence as their fault. Because they fail to observe their caretakers resolving conflict, these children may undergo more distress than children who witness fewer incidences of physical violence. The frequency with which they witness positive interactions between their caregivers also affects them.”
- Coping strategies and skills. Children with poor coping skills are more likely to experience problems than children with strong coping skills and supportive social networks. Children who utilize problem-solving strategies targeted directly at the source of disagreement demonstrate fewer maladaptive symptoms. Emotion-focused strategies, however, are less desirable because they often target internal responses to a stressful situation, which can result in less effective coping methods (e.g., children fantasizing that their parent's are "getting along").
- The age of the child. Younger children appear to exhibit higher levels of emotional and psychological distress than older children. Age-related differences might result from older children's more fully developed cognitive abilities to understand the violence and select various coping strategies to alleviate upsetting emotions.” (Bragg 2003)

Legal Precedent:

Postmus and Ortega (2004) highlight a specific lawsuit in which issues around domestic violence and its effect on child welfare were confronted:

The practice of removing children when they are exposed to domestic violence led to a 2002 class action lawsuit in New York City: *Nicholson v. Scopetta*. The lawsuit alleged that New York City’s child protection agency was removing children from homes in

which domestic violence was taking place and charging the mothers with neglect. The judge ruled in his findings that “government may not penalize a mother, not otherwise unfit, who is battered by her partner, by separating her from her children; nor may children be separated from the mother, in effect visiting upon them the sins of their mother’s batterer” (Carter, 2002, p. 3).

Policies/Practice Applications

According to the National Adoption Information Clearinghouse (2003) child welfare advocates and service providers share areas of common ground that can bridge the gap between them, including:

- Ending violence against adults and children.
- Ensuring children’s safety.
- Protecting adult victims so their children are not harmed by the violence.
- Promoting parents’ strengths.
- Deferring child protection services intervention, if possible, and referring adult victims and children to community based services.

Postmus and Ortega (2004) note that although there are times when child protective services must file petitions in juvenile court or place children away from their mother, the following actions all continue to keep power away from the adult victim:

- Labeling the adult victim as the perpetrator through “failure to protect.”
- Telling the victim the children will be removed if the violence happens again.
- Placing children away from their mother.
- Mandating restraining orders.
- Mandating services that could be voluntary.
- Filing petitions in juvenile court.

The following policies in child protection practice are necessary to adequately address the interaction between child abuse and domestic violence:

- Identifying and assessing domestic violence in child welfare cases are critical to the safety of children;
- Services to families where domestic violence has been identified (even if child abuse has not been substantiated) must include helping abused women protect themselves and their children, using non-coercive, supportive, and empowering interventions whenever possible;
- Holding perpetrators of domestic violence accountable for stopping the violent behavior is essential to protecting children. Carter & Schecter (1997)

A Review of Policies and Legislation

Violence Against Women Act 1994:

- Community- coordinated responses that brought together for the first time, the criminal justice system, the social services system, and private nonprofit organizations responding to domestic violence and sexual assault
- Recognition and support for the efforts of domestic violence shelters, rape crisis centers, and other community organizations nationwide working everyday to end this violence
- Federal prosecution of interstate domestic violence and sexual assault crimes
- Federal guarantees of interstate enforcement of protection orders
- Protections for battered immigrants
- A new focus on underserved populations and Native victims of domestic violence and sexual assault

Violence Against Women Act Reauthorization (2000):

- Identifying the additional related crimes of dating violence and stalking
- The creation of a legal assistance program for victims of domestic violence and sexual assault
- Promoting supervised visitation programs for families experiencing violence
- Further protecting immigrants experiencing domestic violence, dating violence, sexual assault or stalking, by establishing U- and T- visas (which are non-immigrant visas for noncitizen victims of crimes) and by focusing on trafficking of persons. National Network to End Domestic Violence (2004)

Adoption and Safe Families Act (1997)

Provides federal assurance that a child's safety and permanence remains the principal focus while involved in the child welfare system. Prioritizes child safety over family preservation and refocuses funding for supportive services to include time-limited reunification services and adoption services. Guterman & Taylor (2005)

Promising Practices

The National Clearinghouse on Child Abuse and Neglect Information (2003) identifies some examples of promising practice approaches:

- Co-locating domestic violence advocates in child welfare offices for case consultation and supportive services.
- Developing cross-system protocols and partnerships to ensure coordinated services and responses to families.
- Instituting family court models that address overlapping domestic violence and child abuse cases.

- Cross training domestic violence and child welfare advocates.
- Creating domestic violence units in child welfare agencies.
- The Temporary Assistance for Needy Families Program provides funding, services, exceptions from work requirements, and other waivers, under the Family Violence Option, for families experiencing domestic violence.

There have been a number of successful programs in the United States that have been created to address the different aspects of domestic violence and its impact on child welfare. These programs have evolved from a joint participation and collaboration among child protective services, domestic violence, and the court system. These models for best practice have definitely influenced programs in other states and have impacted the way in which domestic violence and victimhood is regarded in the United States. Bragg (2003) has presented descriptions of some of the more successful programs:

Domestic Violence Unit (DVU) and Domestic Violence Protocol—Massachusetts Department of Social Services

The Massachusetts Department of Social Services (DSS) was the first CPS agency to hire a service provider to provide education and consultation to CPS staff. This practice integration model has expanded into the establishment of an internal Domestic Violence Unit (DVU) consisting of specialized service providers staffed throughout local area offices. The DVU provides case consultation, direct advocacy, liaison and referral information, and other assistance to CPS staff. In addition, the Massachusetts DSS Domestic Violence Protocol was the first protocol in the country for CPS caseworkers and has been replicated by numerous State and county child welfare agencies. This protocol provides guidance to caseworkers regarding procedures for assessing risk, interviewing, intervention strategies, and service planning. For more information: <http://www.aspe.hhs.gov/hsp/cyp/dv/pt4.htm>.

"Domestic Violence: A National Curriculum for Child Protective Services"—Family Violence Prevention Fund, San Francisco, California

The Family Violence Prevention Fund, a national domestic violence advocacy and public policy organization, developed the first national cross-training curriculum regarding the overlap between domestic violence and child abuse. This training curriculum provides practical information, guidelines, and tools for identifying, assessing, and intervening

with families who are experiencing domestic abuse and child maltreatment. For more information: <http://www.endabuse.org>.

Community Partnerships for Protecting Children—Jacksonville, Florida, and Cedar Rapids, Iowa

Sponsored by the Edna McConnell-Clark Foundation, Jacksonville, Florida, and Cedar Rapids, Iowa, are two of four sites that are implementing a community-based, child protection response to domestic violence. In this model, formal and informal community networks, such as CPS agencies, domestic violence programs, substance abuse facilities, neighborhood centers, and community residents, share the responsibility for protecting children and strengthening families. In Cedar Rapids, domestic violence and CPS staff are located in neighborhood-based centers to provide onsite consultation, support, and advocacy to families affected by violence. Hubbard House, in Jacksonville, is one of the first domestic violence shelters to train CPS caseworkers, who then come onsite to interview the victim and children. CPS and domestic violence workers also "shadow" one another, participate in cross-training, and pair off on consultation teams. For more information: <http://www.emcf.org/programs/children/index.htm>.

Advocacy for Women and Kids (AWAKE) Program—Boston Children's Hospital, Boston, Massachusetts

Boston Children's Hospital was one of the first organizations that identified the link between child maltreatment and domestic violence. Subsequently, this discovery led to the establishment of the Advocacy for Women and Kids (AWAKE) Program. The AWAKE Program incorporates domestic violence advocacy in a pediatric setting and offers services to victims and their abused children. AWAKE also provides training and case consultation to Children's Hospital staff on domestic violence and child abuse. For more information: http://www.aecf.org/tarc/resource/show.php?object=example&id=196&topic_id=21.

The Child Development–Community Policing (CDCP) Program—New Haven, Connecticut

The Child Development–Community Policing Intervention (CDCP) Program was created in 1992 by the Child Study Center at Yale University School of Medicine and the New Haven Police Department. This initiative convenes community police officers, service providers, and mental health clinicians to provide joint responses to victims of domestic violence and their children. Law enforcement officers are trained to identify children exposed to violence and refer them to mental health providers for further assessment. Police officers also connect victims with domestic violence services. For more information: <http://www.info.med.yale.edu/chldstidy/CDCP>.

Dependency Court Intervention Program for Family Violence (DCIPFV)—Miami-Dade County, Florida

The Dependency Court Intervention Program for Family Violence (DCIPFV), located in the 11th Judicial Circuit Court of Florida, was the first national demonstration project to develop a coordinated approach to victims and children involved in child protection and dependency court proceedings. The judiciary, along with other key systems, employs a two-pronged approach to enhance the safety and well-being of children and victims involved with CPS and experiencing domestic violence. DCIPFV locates staff at juvenile court proceedings where domestic violence service workers are available for assessment and referral. They also provide support to victims and their children. DCIPFV staff assists victims in navigating the child welfare and juvenile court systems and helps them obtain civil protection orders. For more information:
<http://www.frca.org/lcenter/showtopic.php?action=viewprog&categoryid=7>.

It is important to note the variations seen in efforts done across the U.S. are entirely up to the jurisdiction of the locality. Thus every program is designed to meet the needs of the population that it serves. Aron & Olson (1997) also highlight innovative practices in several cities and states.

Michigan

Michigan incorporated a domestic violence component into its family preservation program, Families First, in 1993. In conjunction with the Family Violence Prevention Fund, the state developed and instituted a training curriculum for family preservation workers and created a program to provide family preservation services to at-risk families in battered women's shelters. For more information:
http://www.michigan.gov/dhs/0,1607,7-124-5460_7261-15002--,00.html

San Diego, CA

In San Diego County, California, the county child welfare agency — the Children's Services Bureau — and Adult Probation together established a separate administrative unit to handle all cases active in both departments. Cases in the unit include some of the county's most violent families, who are managed by a two-person social worker-probation officer team. For more information: <http://familyjusticecenter.org/main.htm>

Hilo, Hawaii

In Hilo, Hawaii, the East Hawaii CPS intake and investigative unit is concerned about domestic violence in its caseload and has established close relationships with the judiciary. East Hawaii has a semi-unified family court that allows the same judge to

oversee all cases involving temporary restraining orders, divorce, juvenile justice, and child protection. This judge actively screens restraining order petitions for child abuse and neglect, and refers appropriate cases to CPS. For more information:
<http://www.hawaii.gov/dhs>

Oregon

Oregon's State Office for Services to Children and Families (SCF) is attempting to change case practice throughout the state by cross-training child protection workers and domestic violence workers about the relationship between the two forms of abuse. Oregon also recently ran pilot programs that placed domestic violence advocates in two local SCF offices. For more information:
http://arcweb.sos.state.or.us/rules/OARS_400/OAR_413/413_060.html

Websites and Resources

Effective Interventions in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice—The Greenbook Project

<http://www.thegreenbook.info>.

This document offers a set of principles and guidelines for designing comprehensive approaches to co-occurring domestic violence and child abuse.

Families in Society: The Journal of Contemporary Social Services

<http://www.familiesinsociety.org/>

Resource that centers around the policy, research and practice of the social service workers.

Family Violence Prevention Fund <http://endabuse.org/>

Online resource that is dedicated to ending violence within the home and in communities.

Provides assistance to those suffering from abuse.

Minnesota Center Against Violence and Abuse <http://www.mincava.umn.edu/>

Database of research, education, and violence related resources.

National Institute of Child Health and Human Development <http://www.nichd.nih.gov/>

Provides vital resources as well as statistics and research pertaining to child development and well being.

Office of Family Assistance <http://www.acf.hhs.gov/programs/ofa/>

United States Department of Health and Human Services, Administration for Children and Families and oversees the Temporary Assistance for Needy Families (TANF) Program which was created by the Welfare Reform Law of 1996.

Office of Justice Programs <http://www.ojp.usdoj.gov/>

The Office of Justice Programs provides federal leadership in developing the nation's capacity to prevent and control crime, improve the criminal and juvenile justice systems, increase knowledge about crime and related issues, and assist crime victims. It is part of the Department of Justice.

VAVNET National Online Resource Center on Violence Against Women

<http://www.vawnet.org/>

Provides an online resource for advocates working to end domestic violence, sexual assault, and other violence in the lives of women and their children.

Violence Against Women Online Resources <http://www.vaw.umn.edu/>

VAWOR is a collaborative project between the Minnesota Center Against Violence and Abuse (MINCAVA), a center within the School of Social Work at the University of Minnesota, and the Office on Violence Against Women (OVW), U.S. Department of Justice. This resource provides materials on domestic violence, sexual assault, and stalking.

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Aron, L.Y., & Olson, K.K. (1997) Efforts by Child Welfare Agencies to Address Domestic

Violence. Urban Institute. Retrieved online on March 5, 2006 from

<http://www.urban.org/url.cfm?ID=406798&renderforprint=1>

This article offers several case studies of agencies in states that have undertaken comprehensive programs that jointly address the needs of populations that are experiencing domestic violence and child maltreatment. Programs in Massachusetts, Michigan, San Diego (California), Hilo (Hawaii), and Oregon were highlighted for their innovative programs.

Bragg, H.L.& United States. (2003) Child Protection in Families Experiencing Domestic

Violence. Washington, D.C.: U.S. Dept. of Health and Human Services, Administration for Children and Families, Administration on Children, Youth, and Families, Children's

Bureau, Office on Child Abuse and Neglect. Retrieved online on March 5, 2006 from

<http://nccanch.acf.hhs.gov/pubs/usermanuals/domesticviolence/domesticviolence.pdf>

This is one of the most comprehensive reports about domestic violence and child maltreatment. This manual addresses the overlap between child maltreatment and domestic violence in terms of definitions and services. The manual also offers practical policy solutions and suggestions for best practices, specifically advocating building a collaborative response for families experiencing domestic violence.

Carter, J.,& Schechter, S. (1997) Child Abuse and Domestic Violence: Creating Community

Partnerships For Safe Families Suggested Components of an Effective Child Welfare

Response to Domestic Violence. Family Violence Prevention Fund with support from the

Edna McConnell Clark Foundation. Minnesota Center Against Violence and Abuse.

Retrieved online on March 5, 2006 from

<http://www.mincava.umn.edu/link/documents/fvpf1/fvpf1.shtml>

This article discusses the potential for partnership between child welfare and domestic violence agencies. This article features more information about abuse factors and results. This articles ends with the offering of best practice methods and policy recommendations. They specifically highlight tips for screening cases and evaluation.

Edleson, J.L. Ph.D. (2004). Should childhood exposure to adult domestic violence be defined as child maltreatment under the law? Minnesota Center Against Violence & Abuse. Published as a chapter in Jaffe, P.G., Baker, L.L. & Cunningham, A. (2004). (Eds.).Protecting Children From Domestic Violence: Strategies for Community Intervention. New York, NY: Guilford Press. Retrieved online on March 5, 2006 from <http://www.mincava.umn.edu/link/documents/shouldch/shouldch.shtml>

This article provides detailed information about the definition and background of domestic violence, and its effect on the progress of children. The article goes into depth about the potential experiences that children that are witness to domestic violence experience. The article also highlights the different legislation that several states have passed that has addressed the problem.

National Clearinghouse on Child Abuse and Neglect Information National Adoption Information Clearinghouse. (2003) Children and Domestic Violence: A Bulletin for Professionals. U.S. Department of Health and Human Services Administration for Children and Families Administration on Children, Youth and Families Children's Bureau. Retrieved online on March 7, 2006 from <http://nccanch.acf.hhs.gov/pubs/factsheets/domesticviolence.pdf>

This seminal article discusses the impact of domestic violence on child welfare and offers better practice methods to professionals. The article offers succinct information on the reactions of children exposed to domestic violence.

Oregon Department of Human Services. (2005) Child Welfare Practice for Cases with Domestic Violence. Retrieved online on March 15, 2006 from <http://dhsforms.hr.state.or.us/Forms/Served/CE9200.pdf>

This is the third edition of Child Welfare Practice for Cases with Domestic Violence, developed as part of an overall effort to increase the safety of adults and children through collaboration of domestic violence services and child protective services.

Postmus, J.L. & Ortega, D. (2004) Serving two masters: When domestic violence and child abuse overlap. Families in Society: The Journal of Contemporary Social Services Volume 86, No. 4. Retrieved online on March 9, 2006 from <http://www.familiesinsociety.org/CE4Therapists.asp?docid=3453>

This is an informative article which posits the question of whether domestic violence is itself a form of child maltreatment. They discuss the factors involved in the decision-making process of child welfare supervisors in domestic violence cases, and offer statistical data about the at-risk population. They advocate for a change in the fundamental policies that guide child welfare workers as well as a greater and more in depth understanding of domestic violence and its causes and characteristics.

Schechter, S., & Edleson, J.L. (1994) In the Best Interest of Women and Children: A Call for Collaboration Between Child Welfare and Domestic Violence Constituencies. Minnesota Center Against Violence and Abuse. Retrieved online on March 5, 2006 from <http://www.mincava.umn.edu/documents/wingsp/wingsp.html>

Edleson and Schechter are frequently cited authors about domestic violence within the context of child welfare. This article stresses the importance of cooperation between the agencies designed to help battered women and abused or neglected children. The article talks about the overlap between the child welfare movement and the violence against women movement.

Schechter, S. & Edleson, J.L. (1999) Effective Intervention in Domestic Violence & Child Maltreatment Cases: Guidelines for Policy and Practice. Retrieved online on March 2, 2006 from <http://www.vaw.umn.edu/documents/executvi/executvi.pdf>

This article was designed to be a resource of practitioners and offers a more comprehensive set of responses to eliminate or decrease the enormous risks that individual battered mothers, caseworkers, and judges must take on behalf of children in abusive situations.

U.S. Department of Justice. (2005) Office of Justice Programs. Bureau of Justice Statistics. National Criminal Justice Reference Service. Family Violence Statistics Including

Statistics on Strangers and Acquaintances. Retrieved online on March 15, 2006 from
<http://www.ojp.usdoj.gov/bjs/pub/pdf/fvs.pdf>

This resource offered statistical analysis of many different factors associated with child welfare and domestic violence. This compendium offers the most recent family violence statistics from these sources: surveys conducted by the Bureau of Justice Statistics (BJS), the BJS database of Federal statistics, and two statistical databases maintained by the FBI. These statistics offer a clear view of family violence at each stage in the justice system.

Workshop on Children Exposed to Violence: Current Status, Gaps, and Research Priorities.

Washington, D.C. July 24-26, 2002. National Institute of Child Health and Human Development (NICHD). Retrieved online on March 5, 2006 from

http://www.nichd.nih.gov/crmc/cdb/Workshop_on_ChildrenViolence.pdf

This is summary of a workshop that was focused on research that was done about the relationship between domestic violence and child welfare. Specifically, the article highlighted the issues surrounding children exposed to domestic violence; children exposed to community violence, children exposed to war and terrorism. The workshop brought together researchers, practitioners, and policymakers to provide perspectives on issues regarding children who are exposed to violence, and to identify research gaps and promising avenues for future research.

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Vermont's Partnership Between Domestic Violence Programs and Child Protective Services Publication #5 The Confidentiality Series Vol. 3. Retrieved online on March 7, 2006 from

<http://www.vawnet.org/DomesticViolence/PublicPolicy/Children/VTNetworkDV-CPSPub5.pdf>

Edleson, J.L. (1999) The Overlap Between Child Maltreatment and Woman Abuse

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<http://www.thegreenbook.info/documents/greenbook.pdf>
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<http://www.vaw.umn.edu/documents/dvcps/dvcps.html>