

**EL PASO COUNTY  
DEPARTMENT OF HUMAN SERVICES**



**GUIDELINES**

*FOR RESPONDING TO  
THE CO-OCCURRENCE OF  
CHILD MALTREATMENT & DOMESTIC VIOLENCE*

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## **INTRODUCTION**

*T*here is a high incidence of co-occurring domestic violence in child abuse and child neglect cases. Domestic violence can be a risk factor to child safety and a careful assessment is necessary to determine the level of risk. Domestic violence cases should be handled in the same manner as other cases in which children are at risk for potentially being harmed. Increasing the protection of the victimized partner and holding the abusive partner accountable for his or her behavior may increase the child's safety.

## **PURPOSE OF MANUAL**

*I*n 2003, a Safety and Accountability Audit (Pence & Lizdas, 1998) was completed of child protection cases by a team of community partners and DHS employees. During the audit it was found that many caseworkers and supervisors believe guidelines would be helpful when handling child maltreatment cases that have domestic violence dynamics.

The purpose of this manual is to provide guidance to staff when managing cases involving domestic violence, especially during investigation, assessment and service planning. This protocol is not designed to replace any existing protocols, but to build upon them.

Investigation, assessment and service planning with families can be difficult and complicated. This manual is designed to assist in assessing the strengths and needs of the family as a whole and for the individuals within the family unit. The purpose of this manual is not to label any particular person but to identify the behaviors and concerns that need to be addressed. This manual should be used to complement the Parents' Handbook, which gives an overview of the child welfare process and describes rights and responsibilities for families.



## **EPCDHS MISSION & PHILOSOPHY REGARDING DOMESTIC VIOLENCE**

*Our mission is to strengthen families, to assure safety, to promote self-sufficiency, to eliminate poverty and to improve the quality of life in our community.*

### **Definition**

*Domestic violence is the use or threatened use of violence by one partner in an intimate or formerly intimate relationship, in order to control, intimidate or coerce the*

We assert that the intimate partner violence component (e.g., domestic violence) of family violence can be emotionally, psychologically and developmentally traumatizing for child witnesses and may require intervention, assessment, adequate treatment, planning and appropriate community referrals.

## **EPCDHS ROLE IN DOMESTIC VIOLENCE CASES**

*The primary focus of human services intervention in domestic violence cases is the ongoing assessment of the risk posed to children by the presence of domestic violence. The best way to protect children in most domestic violence cases is to join with the victimized partner in safety planning. Successful intervention is also dependent upon the caseworker continuously utilizing available resources within the agency and the community.*

These agencies include, but are not limited to, T·E·S·S·A (the local domestic violence/sexual assault victim services agency), Colorado Springs Police Department, El Paso County Sheriff's Office, Court Appointed Special Advocates (CASA), Children's Advocacy Center (CAC), Domestic Violence Enhanced Response Team (DVERT), Family Independence Program Services, other community programs, treatment providers, the court system (including criminal and juvenile), and probation.



1. My dad would hit me if I did something wrong.  
2. I wish I wouldn't have to spend time w/ my dad, only if I wanted to.

## CONFIDENTIALITY ISSUES

Generally speaking, client information cannot be shared by a caseworker with any other agency or individual unless there is a signed Release of Information. If you have a question or doubt regarding the sharing of client information with another professional, ask if the client is willing to sign a release naming the specific individual or agency with whom you intend to share information. Once a release is signed, caseworkers must balance the need to provide information to keep the children safe with the need of the victimized partner to stay safe.

State statutes govern community-based victim advocates from sharing information about clients with whom they work. C.R.S. 13-90-107 (1) (k) allows for victim-advocate privilege. This means T·E·S·S·A staff and volunteers cannot share any information on the client, including whether or not the person is a client. A client with a signed consent form can waive this privilege. Other exceptions to confidentiality include mandatory reporting of child abuse or neglect, duty to warn and protect, and danger to self or others.

Communication among involved professionals is the utmost factor in providing safety for victimized partners and their children and for holding abusive partners accountable.

## CULTURAL COMPETENCE

### Definition

Cultural Competence is defined as “behaviors, attitudes and policies that reflect a consistency in our words and actions that enables a system, agency, or group of people to work effectively in cross-cultural situations (Cross, Bazron, Dennis & Isaacs, 1989; Davis & Donald, 1997).”

It is important to be sensitive to the needs of individuals and families within their cultural context. A broad knowledge base about diverse communities and information about the specific family helps caseworkers assess the cultural influences on relationships within each family.

Caseworkers must become aware of their own culturally based assumptions and avoid using these assumptions. It is important to remember that domestic violence occurs in all ethnic and racial groups as well as in gay and lesbian relationships, and all socio-economic and educational levels. Race and ethnicity is not an indicator of potential violence.

Caseworkers should explore culturally specific resources and supports with each family to use when addressing abusive behaviors. It is critical that monolingual families be interviewed and engaged in their primary language. This is best done by trained, skilled professionals who are bilingual.

In all cases where bilingual staff is not available, a professional interpreter should always assist in the service. Interpreters within the agency and the community should be used when a client prefers to speak in his or her language of origin in order to maximize understanding and clarification.



## CASEWORKER SAFETY

Working with cases that involve domestic violence dynamics can increase the safety concerns for caseworkers. Worker safety is always first and foremost. It is important to acknowledge any safety concerns that may arise during the course of the case. These concerns for worker safety should be discussed with agency administrative staff. Actions can be taken that minimize risks to workers.

- ! •
  - Caseworkers should not put themselves at unnecessary risk. Determine caseworker safety needs throughout the assessment.
  - Set ground rules for caseworker safety and follow them. Ask for extra support and build in safety precautions when you are working on domestic violence cases. For example, you could meet the abusive partner in the office or at another public place if you do not feel safe. Visit the home with a supervisor or call for law enforcement escort. Call into the office more frequently, leave the address for where you will be and carry a cellular phone.
- It is common for caseworkers to experience frustration when they have done a lot of support work for a victimized partner and NO CHANGES ARE VISIBLE. Understand that casework may be having an extremely important, positive effect even though results may not be seen.
- Remember that domestic violence intervention can be extremely painful and difficult yet rewarding work. Frequently seek support and guidance from peers and supervisors.



## SCREENING OVERVIEW

### Definition

Screening is the process through which a family is assessed for further investigation regarding child abuse and neglect allegations.

When a community member calls the Child Abuse Hotline reporting concerns of child abuse and neglect, an assessment is made of each report. Certain protocols are followed for the assessment for each report to determine if further follow-up is needed. Screeners should:

- Ask about the presence of domestic violence as a risk factor in all reports of child abuse and/or neglect. In addition, they should ask how the domestic violence affects the child.
- Attempt to identify issues of power and control, isolation, intimidation, threats of homicide or suicide, sexual assault, stalking, weapons, and violence increasing in frequency or severity. Screening questions should also explore other life stresses the family may be experiencing (e.g., loss of job, financial troubles).
- Give information about domestic violence prevention and intervention resources to persons reporting child maltreatment when the presence of domestic violence is identified. When indicated, screeners should tailor the information to the family's cultural needs and interests.



### Sample Questions for Screening on All Reported Child Maltreatment

- Do you know if anyone else in the family has been hurt or abused/assaulted?
- Do you know if anyone has made threats to hurt or kill another family member, self or pets?

- Do you know if weapons have been used to threaten or harm anyone? Weapons don't necessarily have to be guns and/or knives; other objects can be used as well.
- Have the police ever been called to the house? Have arrests been made?
- Has anyone threatened to flee with the children?
- Has any family member stalked another family member? Has anyone held a family member against his or her will?
- Do you know who is protecting the children right now?
- Are family members using drugs or alcohol? If so, what kind? How often?

## ? Sample Questions when the Call is Specifically About Domestic Violence

- What happened during the most recent incident? Were there injuries?
  - Were police involved? If so, what happened?
  - Where was the child during the violence? Does the child typically try to intervene? Have the children ever been injured during the course of a domestic violence episode?
  - How have you seen the domestic violence affect the children?
  - Does the victimized partner have contact with other family or community members?
  - Is the victimized partner scared or fearful for his or her life?
  - Do you know if the victimized partner has sought assistance? What assistance have other people or agencies provided to the family?
- Tell me what you think will happen if we contact the family. Do you think contacting the family will be safe? What do you think will happen if we go out with law enforcement?

## ASSESSMENT OVERVIEW

An assessment of each family's needs and strengths is made to determine services that may need to be put into place to protect the children from continued abuse or neglect or to prevent possible future abuse or neglect. The assessment must be used to evaluate all the dynamics that may be affecting the family unit and must be utilized on a continuous basis for changing needs.

- Ask about the existence of domestic violence with every family member in every case, regardless of allegations. This inquiry should be done **separately** in confidential sessions with parents and/or partners and the children.
- Ongoing assessment of safety is critical in domestic violence cases. For example, though a victimized partner may be in a safe house when the case is opened, by the time of follow-up he or she may have returned to the abuser. Cases that involve domestic violence will need constant **re-assessment** over the life of the case.
- Be aware in some cases a victimized partner may be self-defending (e.g., to defend against the abuse directed toward them or the children). Review of historical reports and individual, confidential interviews with the victimized partner, the children and the abusive partner are a few ways to assess for this.
- Assess whether the victimized partner poses a maltreatment threat to the child not related to domestic violence.
- Assess the victimized partner's capacity to protect self and the children by asking the victimized partner about protective behaviors that he or she has been using to reduce the risk of harm. Also ask the victimized partner what protective behaviors that have not been used that may reduce the risk of harm (e.g., protective orders, going to the safe house). Balance the issues of safety and risk with the strengths and protective capacity of the victimized partner.



- No victimized partner should ever be encouraged to stay in a situation that is abusive or dangerous. However, many families want to stay together and many times the victimized partner will stay in the relationship with a hope the situation will change.
- Assess the lethality of the abusive partner's violent behaviors to determine the level of intervention needed. (See Lethality Assessment Indicators on page 20.)
- Coordinate assessment efforts with law enforcement, domestic violence services and the court system to protect victimized partners and to hold the abusive partner accountable for the violence.
- Remember that any involvement with DHS or other agencies may increase the risk for harm within the family unit.

## Assessment Tools

### Guidelines for Interviewing Families about Domestic Violence

- Whenever possible, friends, children or relatives should not be present during the assessment of domestic violence.
- If the victimized partner tells the caseworker about domestic violence, this information should be kept confidential and should not be shared with the abusive partner. Immediately assist the victimized partner to make a safety plan. (See Safety Planning with the Victimized Partner on page 22.)
- Interventions that require discussion of the domestic violence with both parties present (such as couples counseling and mediation) should not be initially utilized or recommended by the caseworker as such interventions can increase the danger to the victimized partner. These interventions must not be implemented until the victimized partner is safe.
- Victimized partners may be reluctant to talk with caseworkers because of fears of losing their children and of being punished by the abusive partner. By focusing on the safety concerns of the victimized partner as well as the child, the caseworker may be able to build an alliance with the victimized partner.

Also, some victimized partners minimize and/or deny the violence as a way to survive the abuse. Make stronger connections with victimized partners by informing them they do not deserve the abuse, they and the children may be in danger, and the caseworker will assist them in developing a safety plan.

- It is common for victimized partners to feel fearful, scattered, indecisive, illogical, and anxious due to the violence. The caseworker needs to be sensitive and understanding of the victimized partner. If the victimized partner is pushed to do something prematurely he or she may fail to follow through.
- Ask the victimized partner if he or she will feel endangered by caseworker interviews of the abusive partner. Tell the victimized partner how and when the worker will conduct an interview with the abusive partner. Ask the victimized partner about possible consequences of such interviews. If it appears an interview with the alleged abusive partner will endanger the victimized partner or the children, delay it until their safety is secured.
- Abusive partners often present as calm, composed, subdued and describe their experience as a victim of their partner. When interviewing abusive partners, encourage them to disclose their own abusive behaviors. Do not try to force disclosure, but move on to other subjects. Professional confrontations with an angry abusive partner can result in retaliation against the children or victimized partner.
- If the abusive partner reveals information that indicates an imminent threat of violence or danger to a known victimized partner, then the caseworker is in a duty-to-warn situation; the victimized partner and appropriate authorities, including your supervisor (to assist in determining the appropriate agency response), must be notified.
- Remember that it is common for victimized partners to leave the abusive relationship multiple times before they can make a final break. It is important to remember when a victimized partner leaves a relationship the risk for physical injury or death increases for the victimized partner and the children.

- Using the subject of the safety of the children is a good way to begin to develop rapport with each parent. Acknowledge the parenting role each partner plays regardless of the relationship to each other. Emphasize the impact the violence has on the children and how important it is for them to be respectful toward each other.
- Oftentimes abusive and victimized partners are mistrusting and fearful of a “system” response. By explaining the process, their rights and responsibilities and what they can expect from the process, you may help ease their tension.
- Many times abusive partners will minimize and deny the incidents of abusive behavior and may blame the victim and drug and/or alcohol use as a way to explain away their behavior. Document these types of responses to show the abusive partner’s level of commitment to change.

## Safety Assessment Questions

These questions are designed to be used as a guide, not as a checklist, to develop a better understanding of the family dynamics. It is important to have empathy and to build trust with families when helping them assess their needs.

When interviewing the abusive partner, use information provided by collateral sources (police reports, court records, other community information) and, if possible, avoid using information that the victimized partner has provided.

- ?
- Interview of Victimized Partner**
- Tell me about your relationship.
  - How has your relationship changed since you first met?
  - How are decisions made in your relationship? (e.g., financial decisions, discipline of the children, etc.)
  - Are you comfortable with the way decisions are made?
  - Do you feel free to do, think, and believe what you want?

- What happens if you and your partner disagree?
- Do you feel safe to verbalize your disagreement with your partner?
- What happens in an argument?
- What happens when your partner is jealous?
- Have you ever felt afraid of your partner? In what ways?
- Has your partner ever physically used force on you?
- Have you ever been afraid for the safety of your children?

The following questions can help assess the severity of the violence and/or severe control. Determine if the pattern of incidents is changing, if the abuse is escalating in frequency, and if the victimized partner is in danger. Again, these questions should be used to help facilitate a discussion and not be used as a checklist.

- ?
- Has your partner:**
- prevented you from going to work/school/church?
  - prevented you from seeing friends or family?
  - listened in on your phone calls or violated your privacy in other ways?
  - humiliated you at home? In public?
  - followed you?
  - accused you of being unfaithful?
  - controlled or stolen your money?



The following questions will help identify patterns of verbal, emotional, physical and sexual abuse.

- ?**
- Has your partner:**
- destroyed your possessions (e.g., clothes, photographs)?
  - broken furniture?
  - pulled the telephone out of the wall?
  - threatened to injure or kill you, self, your children, or other family members?
  - threatened to use a weapon or used a weapon?
  - hurt your pets?
  - engaged in reckless behavior (e.g., drove too fast with you and the kids in the car)?
  - behaved violently in public?
  - been arrested for violent crimes?
  - pressured you or forced you to participate in sexual acts?
  - prevented you from using birth control?
  - withheld sex?
  - hurt you during pregnancy?
  - forced you to use drugs?
  - withheld daily living needs? (e.g., food, clothing, shelter, etc.)

The next group of questions will help assess the level of risk to the children.

- ?**
- Has your partner:**
- called your child degrading names?
  - threatened to take the children from your care?
  - called, or threatened to call, a child protection agency?
  - accused you of being an unfit parent?
  - hurt you in front of the children?
  - assaulted you while you were holding your child?
  - hit your child with belts, straps or other objects?

- touched your child in a way that made you or them feel uncomfortable?
- asked your child to tell them what you do during the day?
- treated one child significantly different from another?
- forced your children to participate in the abuse of you?

- ?**
- Have your children:**
- overheard the yelling and/or violence?
  - behaved in ways that remind you of your partner?
  - physically hurt you or other family members?
  - tried to protect you?
  - tried to stop the violence?
  - hurt him/herself?
  - hurt pets?
  - been fearful of leaving you alone?
  - exhibited physical/behavioral problems at home/school/day care?

The last section of questions will help understand the victimized partner's efforts to seek help.

- ?**
- Have you:**
- told anyone about the abuse? What happened?
  - seen a counselor? What happened?
  - left home as a result of the abuse? Where did you go? Did you take the children? If not, why?
  - called the police? What happened?
  - assisted in pressing criminal charges? What happened?
  - filed a protection order? What happened (e.g., did your partner respect the order)?
  - used a battered person's group or shelter? Was it helpful?
  - fought back? What happened?
  - ***What do you believe would help keep you and your children safe?***

Once the victimized partner's interview is complete, there should be a better understanding of the power structure within the family.



**If there is extreme danger for the victimized partner, and the child has learned to survive by identifying with the abusive partner, then direct questioning of the child may be postponed until safety can be achieved.**



### **Interview of the Children**

Older children are more likely to minimize reports of parental fighting out of loyalty to parents. Younger children may be more spontaneous and less guarded with their reports.

#### **?** **Questions**

- What happens when your parents are upset with each other?
- What do you do when this is going on?
- What do you think about when this is happening?
- Do you ever get hit or hurt when your parents are fighting?

#### **?** **Assessment of Impact of Exposure**

- How does it make you feel when your parents are upset?
- What do you think about?
- When do you think about it?

- Do you ever have trouble sleeping at night? Do you have nightmares?
- What would you like them to do to make it better?
- Are you afraid to go home?

If the children do not have an idea of whom to call, the caseworker should help them develop a plan about where they could go if their parents are fighting or engaged in assaultive behavior. As long as the child's safety will not be compromised, it may be necessary to tell both partners how their behaviors can and have been impacting the children.

### **Interview of the Abusive Partner**

#### **?** *Proceed with the following preliminary line of questioning to determine the abusive partner's perception of the problem.*

- Tell me about your relationship. How has your relationship changed since you first met?
- How are decisions made? (e.g. financial decisions, discipline of the children, etc.)
- How does your family handle conflict?
- What happens if you and your partner disagree?
- What happens in an argument?
- How do you act when you are angry or upset?
- What kinds of things do you expect from your partner/family?
- What do you do when you don't get your own way?
- Have you ever been so angry that you wanted to physically hurt someone?
- Have you ever physically hurt your partner?
- Can you think of a time that you have been emotionally/verbally hurtful to your partner?
- Have you ever forced or pressured your partner to participate in sexual activities that he or she may not have wanted to participate in or that made him or her feel uncomfortable?

- Have you ever prevented your partner from seeing friends or family?
- Have you ever been arrested for violent crimes?
- Have you had protection orders placed against you?
- Have you ever used a weapon during a disagreement?

● The next group of questions will help assess the level of risk to the children.

- Have you hurt your partner in front of the children?
- Have the children overheard you and your partner fighting?
- Have the children tried to stop the fighting?
- Do the children exhibit physical/behavioral problems at home/school/day care?
- Do you ask the children to tell you what your partner is doing when you aren't around?
- Do any of your children hurt her/himself or family pets?
- How do your children know when they have done something you do not like?
- How do you think the fighting has affected your children?

## ENGAGING ABUSIVE PARTNERS

It is important to not focus completely on the victimized partner by placing all the responsibility on him or her to make changes. Having ongoing contact with both partners may increase the motivation to make changes, and allow the caseworker to gauge the parenting skills of each partner and continue to assess the level of abuse within the family unit. The issues of parenthood are a strong motivator for the abusive partner to change behavior. Although it is helpful for parents to learn appropriate parenting skills there are other issues that must also be addressed in order to stop the abusive behavior perpetrated on both the victimized partner and the children. Abusive partners that are interested in having positive relationships with their children can be engaged in several ways.

- Recognize that abusive behavior is learned.
- Since behaviors are learned, they could be replaced with more productive, positive behaviors.
- Even abusive partners aspire to be good parents and they tie success in parenthood to a positive sense of well-being.
- The impact of domestic violence on children could be used to educate abusive partners about their behaviors, which could lead to motivation to change. They need to understand that children need time and space to recover from the traumatizing events in order to rebuild trust.
- Abusive partners must recognize their use of control over their partner and children is a way to meet their own needs. It is important for them to understand that their insecurities and sense of entitlement create an environment for the family in which they are being used to meet the abusive partner's needs.
- Oftentimes abusive partners feel frustrated and confused about proper parenting roles and what they should expect from their partner and children. They may have a difficult time admitting and expressing that they are struggling with this.

## LETHALITY ASSESSMENT INDICATORS

### Lethality Indicators

Assessing for lethality is not a sure way to determine future behavior. Every case is difficult and complex and must be assessed individually. All cases have the potential for serious results, but the majority of cases do not end in this manner. The following is a guideline of indicators to assess an abusive partner's potential to be lethal.

This list is designed to help assess for signs of potential danger but the absence of these characteristics does not mean the person does not have the potential to be lethal. Nor does the presence of these characteristics indicate the person will be lethal. It is important for a caseworker to consult with a supervisor about his or her concerns regarding an abusive partner.

- Depression (especially if loss of the partner represents total loss of hope for a positive future)
- Fantasies of homicide/suicide (seen as the only solution)
- Threats/attempts of homicide or suicide
- Use, threat of use, possession, or access to weapons
- Criminal activity/violation of protection order—may indicate little concern for consequence of arrest/jail time; hostile towards authority
- History of violence with partner/children/pets/others—evaluate severity, frequency, duration (the longer, more frequent, and/or severe, the higher the risk)
- Status of the relationship (most life-endangering rage erupts when the abusive partner believes the victimized partner has just left the relationship or is about to leave)
- Amount and types of drug and/or alcohol consumption
- Other life stresses including loss of employment, financial troubles, etc.
- Obsessiveness about partner or family



- Cannot tolerate separation from the partner (e.g., “If I can’t have you, no one will!”)
- Derives pleasure out of creating pain and inflicts severe pain or torture (such as burning, starving, or beating for hours) without warning
- Takes offense easily—a look, a question, or even reasonable/mild attempt at limit setting by others can trigger a violent response

## SAFETY PLANNING WITH THE VICTIMIZED PARTNER

**! This safety plan may not be appropriate for all victimized partners to take home because the information it contains may increase risk to the family if the abuser becomes aware of the plan.**

Safety planning will vary depending on the status of the relationship. It is important to plan with the victimized partner and the children according to his or her safety needs.

- Always have a list of important phone numbers and memorize it. Include:
  - ✓ crisis line/shelter
  - ✓ police/sheriff
  - ✓ friends
  - ✓ family members
  - ✓ church
  - ✓ hospital
  - ✓ advocate
- Always have change for pay phones or calling cards hidden.
- If possible always carry a cell phone.
- Put aside extra money (e.g., write a check for groceries over the amount and destroy the receipt or have travelers checks hidden).
- If possible, open a separate personal account at a separate bank. Avoid having mail sent from the bank to your home address.
- Put jewelry or other valuables in a safety deposit box; hide the key.
- Always have personal items packed and ready for you and your children. Remember medications you and your children may need. Hide everything in a central place—garage, closet, overnight bag, exercise bag, etc.
- Have extra house and car keys ready and out of sight. Give extra keys to a neighbor, family member or a friend.

- If you need eyeglasses to drive, keep an extra pair in the car.
- Have important documents copied and available:
  - ✓ bank account information
  - ✓ social security numbers
  - ✓ insurance policies information
  - ✓ birth certificates
  - ✓ marriage license
  - ✓ employer/public assistance information
  - ✓ work permit/green card
  - ✓ passport/visa
  - ✓ rental lease/deed
  - ✓ medical records for you and your children
  - ✓ school records
  - ✓ car registration/insurance papers
  - ✓ divorce/custody information
  - ✓ credit card/checkbook/passbook
  - ✓ driver's license
  - ✓ partner's driver's license number
- Always have a copy of your restraining order with you! Make extra copies to keep in the car, for family, friends, employer, day care, school (anyplace you and the children are likely to be).
- Establish a code for communication with family, friends or neighbors in case of emergency.
- Get rid of weapons in the house.
- Have a plan for getting out of the house and be sure your children know what to do and where to meet if you are separated.
- Always be aware of your surroundings and where you are located in case you need to call 911.

### Safety Planning for When the Relationship is Over

- Plan to change locks, install security system, or an outdoor lighting system. Install smoke detectors.
- Inform people your partner no longer lives in the home and to

- notify you or the police if abusive partner is seen in the area.
- Tell those who care for the children (e.g., caregivers, day care providers) who has permission to pick up the children. Supply them with copies of any court papers ordering the abuser to stay away. If necessary, provide a photo of the abusive partner.
- Avoid locations where you may run into the abusive partner: bank, stores, and restaurants.
- Make a plan to contact someone for support, such as a friend or family member. Call a hotline and/or attend a support group when feeling down or ready to return to a potentially abusive situation.
- Arrange a meeting in a public place when exchanging the children for visitation.

### Safety Planning for the Children

- Call 911 for police help if you are afraid you or someone else will be hurt.
- Tell the police where you are and give the address.
- Tell the police who is being hurt and who else is involved.
- Stay on the line, if you can, to be sure they have the address.
- Practice how to get out of your house safely. Which doors, windows or stairs would be best?
- Which neighbors do you know that you can go to for help?
- Don't get in the fight!
- If you are afraid of being hurt tell a teacher, a counselor or a school nurse.
- Tell any adult you trust.

**WHEN PEOPLE  
ARE FIGHTING . . .  
REMEMBER TO STAY  
SAFE**

Stay out of the fight  
Ask for help  
Find an adult who will listen  
Everyone knows it is not your fault





## **SUPERVISOR'S ROLE IN CASE SUPERVISION**

Regular consultation with a supervisor during the course of the case is necessary for several reasons but the following are guidelines to assist caseworkers specifically when working with cases that have domestic violence dynamics. A supervisor can assist a caseworker by:

- Developing a plan regarding the effects of DHS involvement with a family and the safety concerns that may arise from it.
- Addressing any caseworker safety concerns.
- Advising the caseworker of options for a treatment plan that addresses the safety of the victimized partner and the children but also holds the abusive partner accountable.
- Encouraging collaborative efforts with other agencies and community partners.
- Being involved with the CPT process and other staffings when necessary.

## **CONFIRMING ON CHILD ABUSE & NEGLECT CASES WHEN DOMESTIC VIOLENCE IS A FACTOR**

*Decisions to confirm should be based in, and supported by, statute. Caseworkers and supervisors should make confirmation decisions jointly. When consensus cannot be reached a child protection team (CPT) should review the case. It is also necessary to have a CPT review on all founded or confirmed child abuse cases involving domestic violence (see CPT guidelines).*

Investigations of allegations of child maltreatment should be confirmed on the person responsible for the abuse or neglect:

- When physical abuse of the child occurs during a domestic violence incident. (e.g., when the victimized partner is pushed while holding the child and the child is injured.) CRS 19-1-103 (1)(a)(I).

- When emotional maltreatment occurs, this means “an identifiable and substantial impairment of the child’s intellectual or psychological functioning or development or a substantial risk of impairment of the child’s intellectual functioning or development.” CRS 19-1-103 (IV).
- Other abuse, neglect, or unlawful sexual behavior has occurred, as defined by Colorado Statute. CRS 19-1-103 (1)(a)(II).
- Child(ren) is/are living in an injurious environment. CRS 19-1-103 (1)(a)(III).

## **EXAMPLES OF OVERALL TREATMENT PLAN GOALS**

It is always best to offer treatment in a voluntary manner before considering taking a case to court. However, it is necessary to have multi-agency communication and cooperation, including the courts, to assist in holding an abusive partner accountable for changing his or her behaviors and completing the treatment plan.

- To provide a protective and healthy environment for the children.
- For the family to gain an understanding of the dynamics and impact of domestic violence upon individual members.
- To enable each family member to feel safe, secure and protected within the family unit without court involvement.
- Using counseling and casework resources to build upon the family strengths.
- To ensure that partner and child abuse does not occur in the family.
- To ensure services are provided that are in the best interests of the family and in the least restrictive environment.

## **GENERAL CONSIDERATIONS FOR DOMESTIC VIOLENCE RELATED TREATMENT PLAN**

The caseworker should seek orders for the abusive partner to:

- Leave the family residence due to continued threat of harm to victimized partner and children.
- Stop all verbal, emotional, physical and sexual abuse of all family members.
- Comply with all court ordered protection orders.
- Not interfere with his or her partner’s efforts to parent and shall cooperate with custody arrangements.
- Complete and follow the recommendations of a domestic violence evaluation.

- Complete 36-weeks (or longer) domestic violence treatment with a state-certified treatment provider when the offender has criminal charges. Attempt to use a state-certified provider if there are no criminal charges pending.
- Cover the costs for his or her own treatment.
- Pay child support or provide other supportive resources needed for the children.
- Remove all weapons from the home.
- When treatment is contested and/or no criminal charges or proceedings are running concurrently with civil Dependency and Neglect (D&N) process, an abusive partner evaluation/assessment should be completed (abusive partner to bear cost).
- Family interventions (mediation or couple therapy) should not be used until the victimized partner's safety can be assessed.

**Engage the Abusive Partner to Hold Him or Her Accountable By:**

- Expecting the abusive partner to acknowledge and address the impact of his or her behavior on the children.
- Demonstrate nonviolent parenting.
- Creating a separate case plan specific to the abusive partner's behavior and responsibilities (abusive partners should not be included in case planning for victimized partners).
- Supporting legal/criminal actions that hold the abusive partner accountable.
- Supporting orders in family court that make detailed findings explaining how a custody or visitation award is consistent with the well-being and physical safety of the children and non-abusive parent.
- Considering a petition alleging the abusive partner is contributing to the need for protection status for the children.
- Coordinate services with law enforcement, court services, adult corrections and other community agencies to gather information and to review treatment progress.

- Providing opportunities for abusive partners to give safe, positive and supportive interactions and contributions to their families. (e.g., practice letter writing in therapy, monitored phone calls, observe visitation, etc.)

Anger management interventions are not appropriate to address the dynamics of domestic violence. It is necessary to have a release of information for all treatment providers, evaluators, probation officers and any other community partners that may be involved with the abusive partner in order to gauge compliance with the treatment plan. This will help assess the level of change that is occurring for both the safety of the children and the victimized partner and for accountability of the abusive partner's behaviors. Although substance abuse may be a contributing factor to domestic violence, substance abuse treatment alone is not sufficient to address domestic violence.

**Victimized Partner**

- Victimized partner should be offered, but not mandated, to attend domestic violence awareness and/or counseling to address the impact of violence on self and children, safety planning, self-esteem issues and general recovery issues.
- Caseworkers should encourage the victimized partner, if he or she chooses, to work with a confidential victim advocate from T·E·S·S·A for assistance in obtaining protection orders, safety planning and for ongoing support.
- Ask for protection order through D&N if the victimized partner agrees to one.

**Children**

- Children may require trauma assessments to establish nature and degree of traumatization and recommended course of treatment.
- Children may need to be placed into counseling to address the impact of witnessing domestic violence between their parents.



## VISITATION

Many factors must be considered when making recommendations about visitation between the abusive partner and the children. Perpetrating spousal abuse does not automatically preclude the abusive partner from having contact with the children. However, prior to recommending contact, assessments should be completed regarding imminent safety concerns, presence of psychological trauma, risk for the children to continue to be exposed to violence, and the abusive partner's lethality.

### Considerations for "No Contact"

- It may be appropriate to have a no contact order until the abusive partner can be assessed for lethality and willingness to cooperate with treatment.
- Children will manifest their trauma in different ways and will have differing needs and desires regarding contact with the abusive partner.
- Children may benefit from a "time out" from the abusive partner. This time period can be used to help the victimized partner and the children establish a sense of safety, while working on individual and family issues in therapy.



Questions to consider before allowing contact:

- Were the children hurt during the domestic violence episode, or has the abusive partner abused the children separate from a domestic violence incident?
- Is there imminent risk of physical danger for the children, in the presence of the offender?
- Has the abusive partner demonstrated a tendency to use the children as pawns and present as an imminent flight risk?
- Are there immediate safety concerns related to drug/alcohol abuse?
- Is there reason to believe the children may have been severely traumatized by the domestic violence?

### **Supervised Contact**

- When the children are assessed by a treatment provider to be ready for contact with the abusive partner, either through some degree of resolution of trauma, and/or indicating a desire to see the abusive partner, supervised contact may now be appropriate. The victimized partner should not supervise the visits.
- When the children are assessed by a treatment provider to have a reasonably sound relationship with the abusive partner, and there is no indication of extreme trauma or fear of the abusive partner, it may be appropriate to start immediately with supervised visitation.

### **Unsupervised Contact**

Conditions that should be present when allowing unsupervised contact, and possibly allowing the children to live with the abusive partner would include:

- low risk of lethality
- abusive partner is in domestic violence offender treatment and making good progress or has completed successfully
- abusive partner is cooperating with other aspects of treatment plan
- good relational bond between children and abusive partner
- supports are in place to reduce risk of re-offense
- abusive partner does not create a conflicting environment by speaking badly about other parent or controlling the children's freedom to talk about or have access to the other parent

There are many factors to consider when making decisions about returning children to the custody of an abusive partner. Since custody decisions in domestic violence cases are very complex, it is advisable to utilize supervisory guidance and a team approach.

## **COURT INVOLVEMENT**

- File Dependency and Neglect court petitions on domestic violence when there are substantial safety risks to the children caused by the domestic violence, the safety risks cannot be reduced by voluntary intervention, and the victimized partner does not have the necessary supports available to protect the children without such intervention.
- Write court petition allegations in language that is not victim blaming. Write statements that inform the court the abusive partner is the one creating an unsafe environment for both the victimized partner and the children instead of "the parent has failed to protect."
- Document any possible behavioral signs of the domestic violence in the children, especially statements that they are afraid of the abusive partner or demonstrate concrete evidence of a developmental impairment due to the abuse.
- Use reports and other documents to make a case for protection of the children. Avoid asking the victimized partner to speak about the abusive partner's behaviors in court.
- Ask the court for separate hearings to allow the victimized partner to speak openly about his or her concerns.
- Ask the court to place appropriate restrictions on the abusive partner's visitation with the children and order the abusive partner to complete services.

## **CASE CLOSING**

- Ensure all participating community partners are aware of and involved with the decision to close the DHS case.
- Assess whether the abusive partner has successfully completed treatment and the degree to which the risk of domestic abuse and child maltreatment has been alleviated.
- The period of time in which there has been a reduction in risk should be of sufficient duration to suggest safety has been well established.
- Engage informal supports and/or offer community referrals to address any ongoing safety needs or concerns.

## REFERENCES

- Cross T., Bazron, B., Dennis, K., & Isaacs, M. (1989). Towards a Culturally Competent System of Care, Volume I. Washington, D.C.: Georgetown University Child Development Center, CASSP Technical Assistance Center.
- Child Welfare Practice for Cases with Domestic Violence. Oregon Department of Human Services.
- Colorado Revised Statutes: Title 19 The Children's Code August 2003.
- Davis, P., & Donald, B. (1997). Multicultural Counseling Competencies: Assessment, Evaluation, Education and Training, and Supervision. Thousand Oaks, CA: Sage Publications.
- Domestic Violence: Policies and Resources Manual—El Paso County Department of Human Services (2001).
- Guidelines for Responding to the Co-occurrence of Child Maltreatment and Domestic Violence—Minnesota Department of Human Services.
- Mederos, Fernando with the Massachusetts Department of Social Services Domestic Violence Unit. Accountability and Connection with Abusive Men. A Child Protection Response to Increasing Family Safety.
- Pence, E., & Lizdas, K. (1998). The Duluth Safety and Accountability Audit: A Guide to Assessing Institutional Responses to Domestic Violence. Duluth, MN: Minnesota Program Development, Inc.
- Scott, Katreena L.—Ontario Institute for Studies in Education/University of Toronto, & Crooks, Claire V.—University of Western Ontario Center for Research on Violence Against Women and Children (2005). Effecting Changes in Maltreating Fathers: Critical Principles for Intervention Planning. 2005 American Psychological Association D12.



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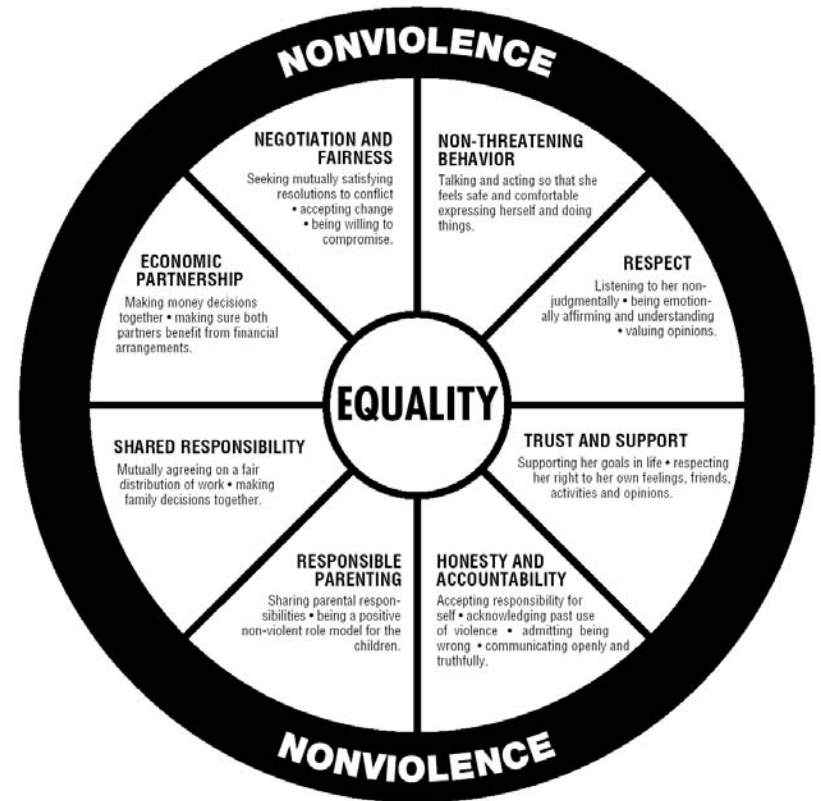
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