



THE GREENBOOK QUARTERLY

Mandated Reporter Guidelines Updated

Collaboration between County Counsel and Domestic Violence Advocacy Agencies

County Counsel's mandated reporter guidelines for children exposed to domestic violence caused alarm among domestic violence agency staff at the Greenbook quarterly meeting January, 31 2003. Many domestic violence agency representatives remarked that if the guidelines were to be interpreted literally, they would have to report every child that entered their services and shelters. In an effort to bring the two systems together on this issue, a meeting was held between County Counsel and the domestic violence agencies to review the mandated reporter guidelines. At the meeting, the agencies and County Council were able to collaborate and negotiate more specific guidelines for mandated reporters.

"The question of when to report domestic violence to

Child Protective Services has generated heated discussion across the nation in recent years. Some argue that all children exposed to domestic violence should be reported to CPS. Others argue that such an approach discourages women from seeking protection from police and further victimizes the mother and child. I believe these guidelines appropriately balance the competing concerns in a manner consistent with California reporting law," stated Mike Clark, Lead Deputy County Counsel.

Mike Clark also commented that, "It has been a pleasure to work with the child protection and domestic violence communities on this complex issue. I have been impressed with their respective expertise, their common passion to assist all victims of family violence, and their willing-

ness to learn from one another."

Erin O'Brien, Chief Executive Officer at Community Solutions for Children Families and Communities stated that, "It was very gratifying to work with Mike Clark and the office of County Counsel on this issue. We began from positions which seemed to be completely polarized and were able to work together, productively and amicably, to create a document and policies which everyone was able to support."

Updated guidelines can be found on page 2.

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*Erin O'Brien
CEO, Community Solutions*



and we will miss her very much," stated the Honorable Katherine Lucero, RCCI co-chair.

RCCI has convened four meetings with community leaders to strategize ways to raise awareness and accountability on the overlap of domestic violence and child abuse in the community. These meetings provide an opportunity for community leaders and service providers to work together to prevent domestic violence.

Zonia Sandoval Waldon, RCCI Co-chair, Retires after 31 years of Service at DFCS

Zonia Sandoval Waldon, former Deputy Director of the Department of Family and Children's Services, Social Services Agency, played an instrumental role in the success of the Respect Culture and Community Initiative Committee as the co-chair for the past 1 1/2 years.

The RCCI Committee would like to thank Zonia for her

leadership, vision and commitment. Zonia recently retired from the Department of Family and Children's Services after 31 years of service.

"Zonia was always willing to go that extra mile on behalf of families and children in our diverse communities. Her leadership led to the success of RCCI's accomplishments

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WHEN TO CONTACT CHILD PROTECTIVE SERVICES (CPS) IN DOMESTIC VIOLENCE CASES: A GUIDE FOR MANDATED REPORTERS

Revised May 2003

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1. Under California law a mandated reporter must report, among other things, willful child endangerment or the willful infliction of unjustifiable physical pain or mental suffering on a child. See Penal Code § 11165.3. In the context of domestic violence, a mandated reporter must consider whether there is a risk of physical or emotional harm to the child. The fact that a child's parent or guardian has been the victim of domestic violence is not in and of itself a sufficient basis for reporting suspected child abuse or neglect. Further, a child's exposure to a domestic violence incident in and of itself is not a sufficient basis for reporting suspected abuse or neglect. Other factors must exist which lead the mandated reporter to reasonably suspect that the child's physical or emotional health **is endangered** as the result of domestic violence. Mandated reporters in Santa Clara County may consult with a screener at the CPS Hotline at 408-299-2071 to determine whether a report is required.

2. A mandated reporter must report suspected child abuse or neglect to Child Protective Services (CPS) in the following domestic violence cases:

a. A domestic violence incident which caused physical injury to the child or created a serious risk of physical injury to the child.

Factors to consider in determining whether a domestic violence incident created a serious risk of physical injury to the child include, but are not limited to the following: Were objects thrown or broken in the presence of the child? Did the perpetrator threaten to harm or conceal the child? Did the perpetrator strike a victim who was holding a child or did the perpetrator hold a child while striking the victim? Did the child physically intervene in the domestic violence? Did the perpetrator threaten to kill or commit suicide? Did the perpetrator threaten the victim with a gun, knife or other weapon? Did the perpetrator kick or bite or hit the victim with a fist? Did the perpetrator hit or attempt to hit the victim with an object? Did the perpetrator choke or strangle the victim? Did the perpetrator stalk the victim or child?

OR

b. A domestic violence incident which caused serious emotional damage to the child or created a substantial risk of serious emotional damage to the child.

Serious emotional damage (SED) in the context of child protection law means the child exhibits severe anxiety, depression, withdrawal, untoward aggressive behavior toward self or others, as the result of the conduct of a parent or whose parent is incapable of providing appropriate care. (See Welfare and Institutions Code § 300, subd. (c).) A report should be made if the child's SED was caused by domestic violence perpetrated by a parent. Regardless of who the perpetrator is, a report also should be made if the parent who is a victim of domestic violence is: (a) incapable of providing for the child's treatment or care for SED caused by domestic violence; or (b) unable to protect the child from repeated exposure to domestic violence even with the assistance of community and child welfare services.

3. A report to CPS does not mean that the child will be removed from the domestic violence victim's home. The CPS social worker must consider the complexities of each case and determine the impact of the domestic violence incident (and other indications of maltreatment) on the child. The law requires that CPS make a reasonable effort to prevent the need for removal of any child and keep the child in the care of a non-offending parent whenever possible. The child's safety will be assessed in terms of "the nature and severity of past violence, the risk of violence in the future, the child's degree of exposure and resilience, the presence of protective factors in the immediate and extended family, and available support from the community." (See *Effective Intervention in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice* ("Green Book"), National Council of Juvenile and Family Court Judges, 1999, p. 64.)

Greenbook Project Committee Updates

Respect Culture & Community Initiative (RCCI)

Chairs: Hon. Katherine Lucero

The goal of this committee is to develop outreach plans and conduct an assessment to identify needs of families impacted by domestic violence and child maltreatment.

Initiative members are currently convening community leaders and gatekeepers to identify community needs, educate leaders on resources for families and create an ongoing dialogue on domestic violence and child maltreatment. In addition, the initiative is committed to addressing the overrepresentation of children of color in CPS.

*Meetings held 1st Tuesday,
12-1:30 p.m.*

*Kids in Common, 1046 W. Taylor
St, San Jose*

Project 1 Development and Training of Domestic Violence Advocates

Chair: Nancy Marshall

This project has developed a protocol for placing domestic violence advocates in child protective services. The domestic violence advocate will follow the client throughout the life of the case in an effort to encourage positive outcomes for the victim and children.

*Meetings held quarterly
2nd Friday of the month
Next meeting January 9, 2004
12:15-1:45 p.m.*

*Next Door Solutions
1181 N. Fourth St, Suite A, San Jose*

Project 2 Cross Training

Chair: Commissioner Shawna Schwarz

This project commits to researching and developing training for social workers, domestic violence service providers, court and law enforcement personnel on: i) the dynamics of child abuse and domestic violence; ii) how to screen/assess for domestic violence; and iii) services

and resources available in the community.

The committee is conducting their second training for community based organizations on the role of the child welfare and juvenile dependency court system.

*Meetings held 3rd Monday,
12-1:30p.m.
115 Terrain St, Dept. 70, San Jose*

Project 3 Batterer Accountability & Services

The Greenbook Project and the Batterer's Intervention Committee of the Domestic Violence Council will collaborate to improve batterer accountability and services for batterers in Santa Clara County.

*Meetings held 3rd Tuesday
7:30-8:30 a.m.
70 W. Hedding St,
West Wing, 4th Floor, San Jose*

Project 4 Multidisciplinary Response

Chairs: Lt. Peter Decena and Sgt. Jim Stephens

This project commits to assisting in the creation and implementation of a multidisciplinary response team consisting of law enforcement, child protection and domestic violence advocates that will respond to domestic violence and child maltreatment cases at the initial scene.

*Meetings held 1st Thursday,
8:30-10:00 a.m.
Rotating meeting location between
Sheriff's Office, 55 W. Younger Ave,
San Jose and Family Violence Center,
125 E. Gish Rd, San Jose*

Project 5 Changing Agency Policy & Worker Practice

Chair: Ken Borelli

This project commits to developing policies and procedures within DFCS to keep the non-abusive parent and child together whenever possible, hold the perpetrator accountable, identify service needs of all family members, and create clear, detailed visitation guidelines which focus on safe exchanges and safe environment for visits.

*Meetings held 4th Friday,
3:00-4:30 p.m.,
DFCS, Union Ave, San Jose*

Project 6 Courts

The Greenbook Project and the Court Systems Committee of the Domestic Violence Council will collaborate on: researching an improved coordinated system between juvenile, family and criminal courts; creating a Domestic Violence Dependency Court modeled after Drug Court; and will research how family court and dependency court can consistently provide supervised visitation to facilitate normalized relationships.

*Meetings held 3rd Tuesday
12:15-1:15 p.m.
115 Terraine St, Dept 67, San Jose*



**For more information or to join a committee please
contact Cindi Hunter, Greenbook Project Coordinator at
408.882.0900 x13 or
chunter@kidsincommon.org**

Upcoming Conferences and Events

Greenbook Quarterly Implementation Team Meeting

Friday, November 14, 2003

8:30 a.m.—2:00 p.m.

Location: United Way
1922 The Alameda, Room 107
San Jose

Join the Greenbook Project for the next quarterly meeting. Network with fellow Greenbook Implementation Team members, hear presentations on county-based domestic violence and child maltreatment programs and updates on the progress of the Greenbook Project. Please call 408.882.0900 x13 or email chunter@kidsincommon.org to RSVP or for more information.

Enhancing Judicial Skills in Domestic Violence Cases

November 9-12, 2003
Portland, OR

December 7-10, 2003
Santa Fe, NM

April 25-28, 2004
Chicago, IL

October 24-27, 2004
Philadelphia, PA

For Judges, a joint project of the National Council of Juvenile and Family Court Judges and the Family Violence Prevention Fund. Visit www.ncjfcj.org/dept/fvd/train_conf/. Please contact Cindi Hunter to attend at 408.882.0900 x13 or chunter@kidsincommon.org.



USPS Family Violence Stamp

Santa Clara County Receives Arrest Grant Award Office on Violence Against Women Funds Advocacy Programs

September 2003 The Office of Justice Programs awarded Santa Clara County's application for funding under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

Three programs will be funded under this grant: the South County Domestic Violence Response Team (DVRT), the North County Response to Family Violence, and a Language Bank for Asian immigrant victims of domestic violence.

The Office of the County Executive submitted the grant application on behalf of domestic violence community based organizations, law enforcement agencies and the Department of Family and Children's Services, Social Services Agency.

The goals of the South County Domestic Violence

Response Team (DVRT) are to provide support, information and resources to victims of domestic violence and divert families from the child welfare system whenever possible. DVRT will provide an immediate response team for domestic violence victims and their children, consisting of an officer, a victim advocate and a social worker (when children reside in the home). The Social Services Agency, Department of Family and Children's Services, Community Solutions, Gilroy Police Department, Morgan Hill Police Department and the Office of the Sheriff will implement the DVRT multidisciplinary immediate response team.






The goals of the North County Response to Family Violence are: (1) to reach domestic violence and child

abuse victims in order to inform and educate them on the available support, assistance and resources in Santa Clara County; (2) to assist and empower victims of domestic violence crimes by providing support through court accompaniments and education about the criminal justice system; and (3) to advocate for clients with police departments, attorneys, courts, district attorney's office, probation department, and other agencies. The Support Network for Battered Women, Sunnyvale Public Safety, Mountain View and Palo Alto Police Departments will implement the Response to Family Violence program.

The goal of the Language Bank is to connect Asian immigrant victims with linguistically and culturally competent advocacy services.

The Language Bank advocate will provide access to services such as peer counseling, emergency shelter, support groups, social services, household establishment, employment assistance, and legal and immigration assistance. Asian Americans for Community Involvement (AACI) and Maitri will implement the Language Bank utilizing their existing infrastructure. Law enforcement, as the first responder, will be able to connect Asian immigrant monolingual victims with an advocate that speaks their language.



October			1	2 Project 4 8:30-10am Sheriff's Office	3
	6	7	8	9 Domestic Violence Prevention Symposium 9am-12pm Mexican Heritage Plaza	10
	13	14 Project Oversight Committee 12-1:30pm Juvenile Court, Dept. 67 Aftercare Subcommittee 4-5pm SNBW	15	16	17
	20	21	22	23	24 Project 5 DFCS Union Ave 3-4:30pm
	27 Children's Exposure Symposium planning meeting 8:45am Next Door	28	29	30	31 
November	3	4 RCCI 12-1:30pm Kids in Common Aftercare Subcommittee 3:30-5pm SNBW	5	6 Project 4 8:30-10am Family Violence Center	7
	10	11 Project Oversight Committee CANCELLED 	12	13	14 Greenbook Implementation Team Meeting 8:30-2:00pm United Way 1922 The Alameda
	17	18	19	20	21 Project 5 DFCS Union Ave 3-4:30pm
	24 Children's Exposure Symposium 8:45am Next Door	25	26	27 	28
December	1	2 RCCI 12-1:30pm Kids in Common	3	4 Project 4 8:30-10am Sheriff's Office	5
	8	9 Project Oversight Committee 12-1:30pm Juvenile Court, Dept. 67 Aftercare Subcommittee 3:30-5pm SNBW	10	11	12
	15	16	17	18	19
	22	23	24	25 	26 
	29	30	31		



**Santa Clara County
Greenbook Project**

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We're on the web!
www.thegreenbook.info

This October, during Domestic Violence Awareness Month, the U.S. Postal Service (USPS) issued the first ever *Stop Family Violence* stamp. Known as a semipostal, the stamp will raise money to help prevent domestic violence. Stamps went on sale at post offices around the country on October 11. "The Postal Service is pleased to announce the availability of the *Stop Family Violence* stamp," said Donna Peak, controller and vice president of Finance, USPS, when she dedicated the stamp. "The Postal Service has a proud tradition of issuing stamps to help raise awareness of social issues. The *Stop Family Violence* stamp takes this wonderful tradition a step further by

USPS Launches Domestic Violence Awareness Stamp

providing funds for a worthy cause. We encourage everyone to purchase and use the *Stop Family Violence* stamp on their cards and letters."

For the stamp's design, the USPS selected artwork by a young girl that expresses the pain and sadness that domestic violence causes children and families. The stamp features her picture of a crying child raising her arms in the air. It reads, "*Stop Family Violence*," in yellow, and has the look of a chalk or crayon drawing.

Funds raised from the sale of *Stop Family Violence* stamps will be transferred to the U.S. Department of Health and Hu-

man Services (HHS) to assist domestic violence programs. The stamps will be sold for 45 cents. The difference between the sale price and the First-Class Mail rate, minus costs to the USPS, will be donated to the HHS. Stamps are scheduled to remain on sale through December 31, 2006.

The *Stop Family Violence* stamp is the third U.S. stamp to have its net proceeds earmarked for a specified cause. The first semipostal – the Breast Cancer Research stamp – was issued in 1998. The Heroes of 2001 semipostal was issued in 2002. The *Stop Family Violence* stamps are available at post

offices or from vending machines at postal and non-postal locations. They also can be ordered by toll-free telephone at

1-800 STAMP-24 or online at

www.usps.com/shop

Reprinted and adapted from 'News Flash' (<http://www.fvvpf.org/newsflash>), an online newsletter of the Family Violence Prevention Fund.

The Greenbook Quarterly, compiled by Kids in Common, invites you to submit news and feedback. Please send submissions and comments to:

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**Feedback and
Submissions**