

APPENDIX 3: DOMESTIC ABUSE

There is a significant overlap between domestic abuse and child maltreatment: in families where one form of family violence exists, there is a likelihood that the other does, too. The majority of research studies over the past two decades reveal that in an estimated 30 to 60 percent of families where either domestic violence or child maltreatment is identified, it is likely that both forms of abuse exist. Good CPS practice will address this co-occurrence.

For more information beyond this appendix, see the [Domestic Violence Handbook for Wisconsin Child Welfare Professionals](#).

Access

Interviewing the Reporter to Assess for the Presence of Domestic Violence

As a routine part of gathering information during the Access process, Access professionals should ask questions of the reporter about the possibility of domestic violence in the home. Information gathered at Access will help determine if the report is screened-in as a CPS report. Information about the family will help determine if intervention is needed and at what level. Collecting comprehensive information about possible violence, including reports from law enforcement, is also critical regarding the CPS professional's safety.

The following sample questions can help determine if the reporter has information about domestic violence and can be adapted to your interviewing style.

- Do you know if anyone else in the home besides the child has been hurt or assaulted? If yes, who?
- Have the police ever been called to the house to stop fighting among the family members? If yes, tell me about that.
- Have the children said that one of their caregivers is a victim of violence or is acting violently in the home?
- Do family members appear to be afraid of or intimidated by the alleged maltreater?

If the answers to the above four questions indicate the presence of domestic violence in the home, or if it appears that a family member is violent, aggressive, or controlling, these additional questions can assist with assessing the risk of danger to family members.

- Has the violence changed or increased over time? How often does it happen?
- Has anyone made threats to hurt or kill him/herself, another family member or pets?
- Do you know if there are any weapons in the home? If yes, what kinds? Who had access?
- Has the violent parent or caregiver threatened to run off with the child(ren) or threatened to take full custody of the child(ren)?
- Are you aware of circumstances in which the parent/caregiver has been criticized or threatened for seeking help or community resources, such as medical, mental health, parenting assistance, childcare, legal action etc.?
- Has a family member stalked another family member? Has anyone ever taken a family member hostage?

Screening of the Report

The presence of domestic violence does not in and of itself indicate that a report should be screened-in for Initial Assessment. Although many children suffer when they are exposed to domestic violence, not every child exposed is in need of child protective services. As with all reports to a local child welfare agency, a decision must be made during the point of Access if information supports a suspicion that the child may be unsafe, may have been abused or neglected, or may be at risk of abuse or neglect (threatened harm).

Absent a direct allegation of abuse or neglect to a child, a report of children exposed to domestic violence should be screened-in as a CPS report according to the following criteria:

- A report is made in which there is reasonable cause to suspect there is current domestic violence or the abuser has a history of domestic violence, *and*
 - there is reason to suspect the child is intervening or will intervene, placing him or her at risk of injury, or
 - the child is likely to be injured during the violence (e.g., being held during the violence, physically restrained from leaving), or
 - the alleged perpetrator does not allow the protective parent and child access to basic needs impacting their health or safety, or
 - the alleged maltreater has killed, substantially harmed or is making a believable threat to do so to anyone in the family, including extended family members and pets, or
 - the child exhibits observable behavioral, emotional or psychological effects.

Other factors to consider in making a decision to screen-in a report include:

- There is serious injury to the non-offending parent (e.g. broken bones, internal injuries, suffocating, strangulation, etc.), limiting protective capacity.
- Violence is increasing in frequency or severity.
- Weapons were used or threatened.
- Threats of kidnapping, suicide, or homicide.

If the information does not rise to the level of a CPS report, the agency may decide to screen the report as a services intake to offer resource and referral assistance to the family or the alleged victim. The offer of services should be made carefully with the consideration that any intervention may be viewed by the abuser as a challenge to their authority and may increase the risk of harm to the children or the adult victim.

Initial Assessment

The dynamics of domestic abuse are based on the abuser maintaining power and control over his or her partner. Domestic abuse is not limited to physical violence, and many victims report that emotional abuse, threats, and coercion can be more debilitating than physical assaults. Challenges to a domestic abuser's power and control, including a CPS Initial Assessment, may increase the likelihood of escalating violence. In addition, a victim faces an increased risk of being harassed, seriously harmed, or killed when an abuser's control is challenged or when the abused leaves the abuser. Children are also more at risk during this time. When domestic abuse is known

or suspected, plan the Initial Assessment carefully and always take into consideration that the Initial Assessment may increase the risk of harm to the child and the adult victim. CPS professionals should routinely inquire about domestic abuse during Initial Assessment interviews, whether or not there are allegations of domestic abuse. Domestic violence can occur in heterosexual or same sex relationships and may be perpetrated by males or females.

General Practice Considerations

- Safety for both the child and the adult victim should be a top priority when CPS professionals conduct an Initial Assessment where domestic abuse may be present.
- Assess for domestic abuse by looking for patterns of power, control, entitlement, and intimidation, in addition to physical violence.
- If there are allegations that the violence is mutual, look at the history of who has been the predominant aggressor. Although Wisconsin law discourages such practice, there are times when both parties may be arrested in a domestic abuse incident. Some things to consider include who is afraid of whom; who controls or makes decisions in the relationship; who is more socially isolated; and who has more access to financial and economic resources. Keep in mind that there are times when a domestic abuse victim may act in self-defense.
- Try to do the assessment with the adult victim when the domestic abuser is not home. If possible, call first to see who is at home and how safe it is to go out. Consider meeting the adult victim in a safe and neutral place. Being unable to talk to an adult victim alone may be a signal of danger and related to the level of control the abuser has over the family. CPS professionals should consult with a supervisor as to how to proceed.
- Do not leave domestic abuse resource information, letters, or voice mail messages asking to speak with the adult victim about the abuse. Such information can jeopardize the victim's safety.
- When domestic abuse is suspected or known, develop a plan for interviewing family members that takes into account the safety of all family members. Be aware of any aspects of the timing of interviews that may put a victim at more risk and help them plan for safety accordingly.
- In each culture there are values, traditions, and practices that facilitate abusive and coercive relationships, and values, traditions, and practices that support and promote functional and respectful relationships. It is important for CPS professionals to become familiar with these aspects of culture and to be able to use the protective resources of diverse cultures in their interventions with families⁴.
- Racial and cultural differences in how women and men experience, explain, or justify domestic abuse challenge CPS professionals to become aware of their own culturally based assumptions about domestic abuse and to avoid applying these assumptions with diverse populations.

⁴ Mederos, Fernando et al, (2004) *Accountability and Connection with Abusive Men*. Family Violence Prevention Fund, San Francisco, CA.

Interviewing Children About Domestic Abuse

- As developmentally appropriate, ask children questions about what happens when adults in their families disagree.
- Provide an atmosphere that supports children's comfort in discussing domestic abuse. Children receive messages, either directly or indirectly, that domestic abuse is a "family secret." It is usually uncomfortable or frightening for children to talk about the domestic abuse. Some children may be afraid that discussing domestic abuse may cause problems at home or lead to their removal from their home.
- Be aware that some children may align with the abuser or attempt to protect them by not discussing the abuse or by blaming the victim. Assure the child that the domestic abuse is not his/her fault or the adult victim's.
- If an interview with a child reveals domestic abuse, it is important that you contact the adult victim as soon as possible. If the child informs the abuser about this disclosure, the adult victim may be at increased risk for violence and retaliation. The victim needs to have this information and help (if necessary) in planning for safety.
- Tell the child what information you will be sharing and what might happen next.

Sample Questions⁵

Adapt your questions to the developmental age of the child. If children are old enough, questions can be asked of them, including those below. It can be helpful to start with a broad-based statement before asking specific questions about the child's family. For example, "Sometimes when moms and dads (or boyfriends and girlfriends) fight, they get angry. Sometimes even too angry and they may start to yell at each other or even hit. I know fights can be scary. I want to ask you a few questions about when your parents fight and what you think about it".

- What kind of things do mom and dad (or girlfriend or boyfriend) fight about?
- What happens when they argue? How does it make you feel?
- Does anyone ever hit another person? What do they hit with?
- How often do your mom and dad argue or hit?
- Have the police ever come to your home? Why?
- Did you ever see your mom or dad get hurt? What happened?
- Have you ever been hit or hurt when mom and dad (or girlfriend or boyfriend) are fighting? Has your brother or sister ever been hit or hurt during a fight?
- What do you do when they start arguing or when someone starts hitting?
- Do you often worry about mom and dad (or girlfriend or boyfriend) fighting a lot?
- On a scale of 1-10, where one equals very safe and 10 equals very unsafe, how safe do you feel at home?

⁵ Questions adapted from "[Child Protection in Families Experiencing Domestic Violence](#)", U.S. Dept. of Health and Human Services, Administration for Children and Families, Children's Bureau.

Interviewing the Suspected Adult Victim of Domestic Abuse

- Never ask a victim about domestic abuse in front of their partner. It will not be safe for them to disclose if their partner is in the vicinity.
- If preliminary information suggests that the perpetrator is dangerous, CPS professionals should take appropriate measures to protect their own safety.
- Ask open-ended questions about the adult victim's well-being to start the conversation. However, express concern and ask questions about bruises or other visible injuries.
- Recognize that some victims may initially deny or minimize the abuse or may not identify their experiences as abuse. CPS professionals can build trust and rapport over time to create an atmosphere in which a victim feels comfortable talking about their experiences.
- Affirm to the adult victim that they does not deserve to be abused and that the abuse is not their fault. Point out the abuser's responsibility for the violence. Express concerns for their safety and the safety of their children.
- Ask the adult victim about what strategies she uses to reduce the risk of harm to the child(ren). While personal resources vary among victims, many have developed survival skills, and most have taken action to protect their children. Strategies that look like poor parenting may, in fact, be efforts by the victim to protect their family, based on their assessment of the situation. For example, a victim may comply with the perpetrator to reduce risk to the child.
- An adult victim may have had past experience with agencies or helping professionals that blame them for the abuse, discount the seriousness of their situation, or revictimize them in other ways. This may make CPS intervention more difficult. It may be useful to ask them about previous attempts to get help and the results.
- Avoid "victim blaming" questions or statements that deepen a victim's feelings of shame, guilt, or responsibility for the alleged abuser's behaviors. Examples of victim blaming questions include: "Why don't you leave?"; "Why did you go back?"; "What did you do to make your partner so mad?"; or "Why do you put up with the abuse?"
- Adult victims may be reluctant to talk with CPS because of fears of losing their children and/or retaliation by the batterer. Many times, CPS intervention is the first time that domestic violence is revealed. This is often forced disclosure, not by the victim's choice. Progress in the interview will require open-ended questions, patience, support, and education.
- Work with the adult victim on developing safe alternatives for themselves and their children. Do not demand that the victim leave the abusive relationship. Leaving can increase the risk to victims and their children as abusers can become increasingly violent during times of separation. Safety options can include obtaining a restraining order, working and consulting with a domestic abuse advocate, seeking shelter at a domestic abuse program, or developing a Safety Plan that details the steps to take if the abuser becomes threatening or violent.
- Revealing information that the adult victim shares with you to their partner may be dangerous to them. Consult with a supervisor about how to handle and document information that may put them or the children at increased risk.

- Let the adult victim know what will happen with the information gathered during the CPS Initial Assessment. A victim of domestic abuse may be particularly concerned about safety and privacy. Let them know that CPS may be required to share information about their situation in court proceedings should the CPS professional be subpoenaed, or that the results of the Initial Assessment may be shared with the alleged maltreater. Consult with a supervisor about how to handle and document information that may put them or the children at increased risk.

Sample Questions to Ask in All Interviews⁶

The following are some sample questions to ask the adult victim for a general assessment of domestic abuse. Adapt these questions to your style and the situation. For a more thorough assessment of the forms and impact of domestic abuse, see the [Domestic Abuse Handbook](#).

- Tell me about your relationship.
- How do decisions get made?
- What happens when you and your partner disagree?
- How does your partner treat your pet? Your property?
- What happens when your partner feels jealous or possessive?
- Have you ever felt afraid of your partner? Tell me about that.
- Has your partner ever threatened to kill or harm themselves, you, the children or a pet? Tell me about that.
- Has your partner threatened to take the children from your care if you leave them?
- Has your partner ever used force against you? Pushed? Shoved? Hit? Strangled or choked? If so, tell me about a time that stands out in your mind. Has the violence escalated over time?
- Has your partner pressured or forced you to engage in sexual activity? Tell me about that.
- Most people think of weapons as guns or knives, but other objects can be used to hurt someone. Has your partner used a weapon to threaten or harm someone in the family? Does your partner have access to a dangerous weapon or gun? If yes, tell me about that.
- On a scale of 1-10, where one equals very safe and 10 equals very unsafe, how safe do you feel in your relationship with your partner?

Interviewing the Alleged Maltreater About Domestic Violence

- Do not ask the alleged maltreater about domestic abuse in front of their partner. Do not tell the alleged maltreater any information given by the victim or a child.
- Caution must be exercised regarding information obtained from the victim or the children and redisclosure of that information to the abuser.

⁶ Questions adapted from [Child Welfare Practices for Cases with Domestic Violence](#), Oregon Department of Human Services.

- The abuser may not be a reliable source of information about their violent behavior or their use of power and control tactics. Better sources of information include the adult and child victims, police reports, medical reports, and collateral contacts.
- Be aware that perpetrators of domestic abuse often appear very believable and controlled, especially during initial interviews. An abuser may also present themselves as a victim of domestic abuse.
- Interview the domestic abuser in a way that encourages disclosure of abusive conduct. Domestic abusers routinely deny, minimize, or blame the victim for their violent behaviors. Ask specific questions about behaviors, as a perpetrator may not think of their actions as violent or abusive. For example, he may believe that "violence" refers to a serious injury requiring medical attention, whereas pushing, slapping or hitting is simply "arguing" or "disagreeing."
- If an alleged maltreater denies domestic abuse, do not try to force disclosure, but move on to other subjects. Angry confrontations with domestic abuse perpetrators can result in retaliation against the child or adult victim. You do not need the perpetrator's disclosure to confirm that domestic abuse has occurred. Such confirmation comes from adult and child victim statements, CPS professional observations and other agency reports.

Sample Questions.⁷

The following are some sample questions to ask the alleged maltreater. You may want to reassure the individual that the domestic violence questions are a routine part of family assessment. These questions can also be used to screen for domestic abuse when it was not part of the allegation.

- Tell me about your relationship.
- How do decisions get made in your relationship?
- What happens when you and your partner disagree?
- Does your partner ever seem afraid of you?
- Do you or your partner use alcohol or drugs? How often? How much do you use?
- Has your partner ever been hurt during an argument? What happened?
- Have you ever used force against your partner? Pushed them? Shoved them? Hit them? Choked or strangled them? Bit them?
- If so, tell me about the worst episode. What was the most recent episode? How frequently does this happen?
- Where are the children usually when you and your partner fight?
- Have the children ever been hurt?
- On a scale of 1-10, where one is very safe and ten very unsafe, how safe do you feel in your family? How safe do you think your partner feels? Your children?

⁷ Questions adapted from [Child Welfare Practices for Cases with Domestic Violence](#), Oregon Department of Human Services.