

APPENDIX B

ASSESSMENT OF RISK POSED TO CHILDREN BY DOMESTIC VIOLENCE

Anne L. Ganley, Ph.D.

- Assessment of Domestic Violence for Child Protective Services (CPS) Decision Making
- Guidelines for Interviewing Families About Domestic Violence
- Domestic Violence: Sample Initial Interview Comments and Questions
- Interview Questions for Assessing Domestic Violence Perpetrator's Pattern of Assaultive and Coercive Behavior
- Interview Questions for Assessing the Impact of Domestic Violence on the Adult Victim
- Interview Questions for Assessing the Impact of Domestic Violence on Children
- Information to Consider in Assessing Protective Factors
- Interview Questions for Assessing the Outcome of the victim's Past Help-Seeking
- Assessing the Lethality Risk of Domestic Violence
- Domestic Violence Lethality Assessment: Factors to Consider
- Criteria to Consider in Determining High Risk to Children in CPS Domestic Violence Cases

This material was adapted from the Family Violence Prevention Fund's publication *Domestic Violence: A National Curriculum for Child Protective Services, 1996*, written by Anne L. Ganley, Ph.D. and Susan Schechter, M.S.W.

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Family Violence Prevention Fund
383 Rhode Island, Suite 304
San Francisco, CA 94103-5133
Phone (415) 252-8900
Fax (415) 252-8991

<http://endabuse.org/>

ASSESSMENT OF DOMESTIC VIOLENCE FOR CPS DECISION MAKING

1. Is the child in danger?
2. What is the nature of the risk to the child?
3. Who is responsible for causing the child to be in danger?
4. Is emergency intervention necessary?
5. When is further assessment needed?
6. Which interventions would ensure the safety of the child?
7. How best can the risk to the child be monitored over time?

ASSESSMENT OF DOMESTIC VIOLENCE FOR CPS DECISION MAKING

Information Needed for Risk Assessment of Domestic Violence in CPS Cases:

1. Domestic Violence Perpetrator's Assaultive and Coercive Conduct
2. Impact of the Domestic Violence on the Adult Victim
3. Impact of the Domestic Violence on the Children
4. Protective Factors
5. Lethality Risk of the Domestic Violence
6. Additional Risk Factors to Consider for CPS Service Planning

GUIDELINES FOR INTERVIEWING FAMILIES ABOUT DOMESTIC VIOLENCE

1. Safety for the child and the adult victim is the priority when CPS workers conduct domestic violence interviews.
2. Routinely inquire about domestic violence during the initial reports and in assessment interviews with every adult family member, whether or not there are allegations of domestic violence, and whether or not an adult male lives in the household. Interview adult victims and perpetrators separately when inquiring about domestic violence. Explain calmly that CPS routinely asks questions about domestic violence with all families on the caseload.
3. Whenever possible, children, friends, and other relatives should not be present during assessment interviews because of the need to inquire about domestic violence.
4. When domestic violence is revealed, the worker should immediately make a safety plan for the adult and child victims.
5. Tell adult victims about their confidentiality rights, as well as limits to those rights. Explain that information shared by adult domestic violence victims will not be shared with the domestic violence perpetrator unless a court requires disclosure. Give adult victims contact numbers for victim advocacy services where victims can discuss domestic violence issues confidentially. However, also explain to adult victims that CPS is required to protect children from harm and that victim disclosures will be used to plan for the children's safety.
6. When domestic violence is suspected or known, interview family members in the following order if possible. First, interview the adult victim (unless the worker believes that this will cause risk to child victims. If so, begin with the children). Next, interview the children. End by interviewing the domestic violence perpetrator.
7. If domestic violence is disclosed during a session with other family members present, acknowledge concern for family members' safety. Try to determine if persons are at immediate risk and plan for their safety. If there is no immediate safety concern, explore the disclosure in separate, individual sessions with family members.

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HANDOUT 4—3

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8. Adult victims may be reluctant to talk with CPS because of fears of losing their children and/or of being punished by the batterers. By focusing on the safety concerns, the worker can build an alliance with the adult victim. Also, some adult victims minimize and/or deny the violence as a way to survive the abuse. Make stronger connections with adult victims by informing them that they do not deserve the abuse, that they and the children are in danger, and that the CPS worker will try to help the woman protect herself and her children.
9. In interviews with the adult victims and older children, explain any CPS requirement about interviewing the domestic violence perpetrators. Ask adult victims if they will feel endangered by worker interviews of the perpetrators. If the worker already knows about the domestic violence through police, CPS and other agency reports, explain to the adult victim that only information received from these sources will be shared with the perpetrator. Tell an adult victim how and when the worker will conduct an interview with the domestic violence perpetrator. Ask the victims about possible consequences to them and the children of such interviews with the perpetrator. Plan for victim safety. If it appears that an interview about domestic violence with the alleged perpetrator will endanger adult victims or the children, delay it until their safety is secured.
10. Interview the domestic violence perpetrator in a way that encourages him to disclose his own abusive conduct. ***Do not confront the domestic violence perpetrator with information provided by a victim.*** While workers can sometimes use police reports or other agency reports about the domestic violence in the interviews with perpetrators, do not use any information from a victim's statements.
11. If an identified perpetrator denies domestic violence, do not try to force disclosure, but move on to other subjects. Angry confrontations with the domestic violence perpetrators often result in retaliation against the child or adult victims. The worker does not need the perpetrator's disclosure to confirm that domestic violence occurred. Such confirmation comes from adult and child victim statements, worker observations, and other agency reports.
12. If the domestic violence perpetrator reveals information that indicates imminent danger or harm to a known victim, then the worker is in a duty-to-warn situation; the adult victim and appropriate authorities must be notified. Workers should notify their supervisors and follow their agencies' policies and procedures.

DOMESTIC VIOLENCE: SAMPLE INITIAL INTERVIEW COMMENTS AND QUESTIONS

- a. All families disagree and have conflicts. I am interested in how your family resolves conflict. I am interested in how you and your partner communicate when upset.
- b. What happens when you or your partner disagree and your partner wants to get his/her way?
- c. Have you ever been hurt or injured in an argument? Has your partner ever used physical force against you or anyone else or broken or destroyed property during an argument? Have you ever felt threatened or intimidated by your partner? How?
- d. If your partner uses physical force against a person or property, tell me about one time that happened. Tell me about the worst or most violent episode. What was the most recent episode? Are you afraid of being harmed or injured?
- e. Have you ever used physical force against your partner? If so, tell me about the worst episode. What was the most recent episode? Is your partner afraid of you?
- f. Have the children ever been hurt or injured in any of these episodes? Have the children been present? Are the children afraid of your partner? Afraid of you?
- g. How frequently do the violent episodes occur? Have there been any changes in the frequency or severity of the abuse in the last month or the last year? Is any of the abuse (physical, sexual, psychological) getting worse or happening more often? Have the police or any other agency been involved?

INTERVIEW QUESTIONS FOR ASSESSING DOMESTIC VIOLENCE PERPETRATOR'S PATTERN OF ASSAULTIVE AND COERCIVE BEHAVIORS

For each question listed below, if the adult victim (or domestic violence perpetrator) answers yes, encourage a description of exactly what happened. Monitor responses as they unfold and adjust your inquiries accordingly; you do not have to ask every suggested question. For example, sometimes in telling a story of an episode, the victim or perpetrator will supply many illustrations of domestic violence tactics inventoried below.

1. Physical Assaults

- a. Has your partner used physical force against you? (Have you... against your partner?)
- b. Has your partner pushed, shoved, grabbed, shaken you? (Have you...your partner?)
- c. Has your partner restrained you, blocked your way, pinned you down? (Have you...your partner?)
- d. Has you partner hit you? Open hand? Closed hand? Struck you with object? (Have you...?)
- e. Has your partner choked you? Used weapons against you? (Have you...?)
- f. Has your partner assaulted you physically in any other way? (Have you...?)

2. Sexual Assaults

- a. Has your partner pressured you for sex when you did not want it? If so, describe how. (Have you...?)
- b. Has your partner manipulated or coerced you into sex at a time or in a way that you did not want? If so, how? (Have you...?)
- c. Has your partner physically forced you to have sex at a time or in a way that you did not want? Has your partner injured you sexually? Forced you to have unsafe sex? Prevented you from using birth control? (Have you...?)

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HANDOUT 4—5

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3. Psychological Assaults

- a. Has your partner threatened violence against you, the children, others or self? (Have you...?)
- b. Has your partner used violence against the children, family, friends, or others? (Have you...?)
- c. Has your partner attacked property or pets, stalked, harassed, or intimidated you in any other way? Has your partner threatened to harm you? How does your partner frighten you? (Have you...?)
- d. Has your partner humiliated you? In what ways does your partner hurt you emotionally? What names or put-downs does your partner use against you? (Have you...?)
- e. Does your partner attempt to isolate you? Attempt to control your time, your activities, your friends? Does he follow you, listen to phone calls, open mail? (Do you...?)

4. Economic coercion

- a. Who makes the financial decisions? How are finances handled?
- b. Has your partner tried to control you through money? If so, how? (Have you...?)

5. Use of children to control partner

- a. Has your partner threatened or used violence against the children? Sexual abuse against children?
- b. Does your partner use the children against you? If so, how?
- c. Does your partner sabotage your parenting? Obstruct visitation?
- d. Has your partner taken or threatened to take the children?
- e. Has your partner threatened to harm the children? Interfered with your care for the children?
- f. Has your partner made the children watch or participate in your being abused? Made the children spy on you?
- g. Has your partner ever threatened to report you to Child Protective Services? Have you reported your partner to CPS?
- h. Have you done any of the above?

INTERVIEW QUESTIONS FOR ASSESSING THE IMPACT OF DOMESTIC VIOLENCE ON THE ADULT VICTIM

When a victim or perpetrator acknowledges domestic violence, ask for elaboration as follows:

- 1. What kinds of injuries or health problems have you (has your partner) had due to the domestic violence?**
 - a. Loss of appetite or excessive eating? Sleep disturbances? Increased use of alcohol or drugs? Headaches, pain?
 - b. Increased illnesses or medical problems?
- 2. What kind of psychological and emotional problems are you (is your partner) having?**
 - a. Difficulties concentrating, depression, anxiety, fears, feelings of being numb, nightmares? Are you (is your partner) taking any medications for these problems?
 - b. Have you (has your partner) tried to hurt or thought about hurting yourself (herself)? Do you (does your partner) have a plan? Do you (does your partner) have a sense of failure?
 - c. Have you (your partner) thought of hurting or harming your partner (you)? Do you (your partner) have a plan? Do you (or your partner) have thoughts of hurting someone else?
 - d. Are you having trouble caring for the children?
- 3. In what ways does your partner control you? (Do you control your partner in any of the following ways?)**
 - a. Do you have to get your partner's permission (or does your partner have to get your permission) for any of the following:
 - what you wear?
 - what time you go to bed? your daily schedule?
 - who you see? what appointments you have?
 - your discipline of the children? where you work?

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HANDOUT 4—6

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- how you spend your money?
 - how much time you spend with him?
 - talking with CPS?
- b. What would happen if you (she) did something he (you) opposed? What would happen if CPS wanted you (her) to do something he (you) opposed?

INTERVIEW QUESTIONS FOR ASSESSING THE IMPACT OF THE DOMESTIC VIOLENCE ON THE CHILDREN

1. Injuries or health impact to children?

What kinds of health issues does your child have? Medical problems due to the domestic violence? Injuries or other health effects? Bruises, broken bones, black eyes, burns, pain, unconsciousness due to hitting or choking? Injuries from weapons? Has your child's health changed in recent months?

2. Psychological and emotional Impact?

Have there been any emotional changes? Withdrawal, depression, increased irritability, anxiety, nightmares? Are you aware of any suicidal thoughts or acts by the child?

3. Behavioral Problems?

Have your children had behavior problems in family, school, and peer relationships? Have your children used physical force or threats of physical force against you or others? Are the children dealing with anger in ways that disturb you? Problems in eating, sleeping, running away, alcohol or drug abuse, cutting themselves, harming animals, destroying toys?

4. Social Problems?

Have your children suffered social disruption due to the domestic violence: moves, changing schools, isolation from friends, loss of family members, etc.? Social relationships with family, peers, other adults? Problems in learning?

5. Now does the domestic violence impact the adult victim's parenting of the children?

Is the domestic violence interfering with your ability to take care of the child, to consider the child's best interests, to keep the child safe? Do you feel supported in parenting the child? By the perpetrator? By others?

6. How does the domestic violence impact the parenting of the domestic violence perpetrator?

Is the perpetrator able to take care of the child, to consider the child's best interests, to keep the child safe? Does the perpetrator support the parenting of the adult victim? Does the perpetrator undermine the parenting of the victim or expect the victim to be the sole parent? Does the perpetrator use the children to control the adult victim? Does the perpetrator use physical force against the children?

INFORMATION TO CONSIDER IN ASSESSING PROTECTIVE FACTORS

Gather information about protective factors from all sources, including adult victims, perpetrators, and others with knowledge of family and community.

1. Victim resources include factors such as the victim's

- a. resistance to the perpetrator's or community's victim-blaming.
- b. belief in herself and/or her children.
- c. willingness to seek help.
- d. use of available money, time, and material goods.
- e. work skills.
- f. parenting skills.
- g. ability to plan for the children's safety.
- h. knowledge of the abuser and the situation.
- i. health and physical strength.
- j. use of safety strategies for herself and the children.

2. Children's resources include such factors as the children's

- a. age and developmental stage.
- b. positive relationships with adult victim, siblings, other family members, and neighbors.
- c. actions during violence.
- d. help-seeking behavior.
- e. instructions from the adult victim or perpetrator about what to do.
- f. ability to carry out safety plans.

3. Community resources for victim safety and perpetrator accountability include

- a. victim advocacy/support services.
- b. effective criminal justice response to domestic violence (police, prosecutors, courts, and corrections).

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- c. effective civil or family court response to domestic violence.
- d. welfare and social services.
- e. effective health care.
- f. safe housing.
- g. community of faith.
- h. family/friends of the victim and/or perpetrator.
- i. rehabilitation programs for domestic violence perpetrators.
- j. accessible substance abuse treatment.

4. A perpetrator's resources to stop the abuse include

- a. halting abuse of the victim or children during the CI'S process.
- b. acknowledgement of abusive behavior as a problem.
- c. acknowledgement of responsibility for stopping abuse.
- d. cooperation with current efforts to address abusive behavior.
- e. awareness of the negative consequences of abusive behaviors on the victim, children, and the abuser's physical well-being, self-image, legal status, social relationships, and employment.
- f. cooperation during the interviews.
- g. commitment to victim safety.
- h. demonstration of ability to comply with court orders.
- i. successfully stopping abuse in the past.
- j. respect for limits set by victim and/or other agencies.
- k. support for parenting efforts of adult victim.
- l. consideration of children's best interests over parental rights.

INTERVIEW QUESTIONS FOR ASSESSING THE OUTCOME OF THE VICTIM'S PAST HELP-SEEKING

These questions are directed primarily to the adult victim, although modified versions can be posed to the perpetrator or the children.

1. Does the extended family know about the violence? Who knows? What has been the response? Do you feel safe in talking with them about the problem?
2. Is there anyone outside the family (friends, co-workers, clergy) who knows about the violence? How have they responded? Have you felt supported? Do you feel it is safe to talk with them?
3. Have the police been called? Who called them? What was their response? Did that help you?
4. Have you gone to court for a protection order? To press charges? To get a divorce? What was the experience like for you?
5. Have you ever left home to protect yourself or the children? What happened? Was this helpful to you? Were you able to take the children?
6. Have you ever gone to a counselor or to medical personnel for help with this issue? What happened?
7. Have you ever used a battered women's services program? What happened?
8. Has your partner ever gone to counseling or to a program for the domestic violence? What happened?

ASSESSING THE LETHALITY RISK OF DOMESTIC VIOLENCE

Domestic Violence can pose risk of injury or death to

1. adult victim
2. children
3. community members
4. perpetrators

Due to the behaviors of

1. perpetrator
2. adult victim
3. children

Gather information from

1. adult victim
2. children
3. other family members
4. perpetrator
5. others (probation, police, counselors, anyone having contact with family)

DOMESTIC VIOLENCE LETHALITY ASSESSMENT: FACTORS TO CONSIDER

- 1. Domestic violence perpetrators access to the victim**
- 2. Pattern of the perpetrators abuse**
 - a. frequency/severity of the abuse in current, concurrent, past relationships
 - b. use and presence of weapons
 - c. threats to kill
 - d. hostage taking, stalking
 - e. past criminal record
- 3. Perpetrators state of mind**
 - a. obsession with victim, jealousy
 - b. ignoring negative consequences of his violence
 - c. depression/desperation
- 4. Individual factors that reduce behavioral controls of either victim or perpetrator**
 - a. substance abuse
 - b. certain medications
 - c. psychosis, other major mental illnesses
 - d. brain damage
- 5. Suicidality of victim, children, or perpetrator**
- 6. Adult victims' use of physical force**
- 7. Children's use of violence**
- 8. Situational factors**
 - a. separation violence/victim autonomy
 - b. presence of other major stresses
- 9. Past failures of systems to respond appropriately**

CRITERIA TO CONSIDER IN DETERMINING HIGH RISK TO CHILDREN IN CPS DOMESTIC VIOLENCE CASES

In determining high risk and the need for immediate response, workers should consider the following as additional risk factors where domestic violence is present.

1. Domestic violence related injuries to an adult or child.
2. Severe or frequent domestic violence assaults or escalation of severity and frequency.
3. Display or use of weapons during domestic violence assault.
4. Perpetrator's threats to kill or seriously harm himself or others.
5. Perpetrator stalking of adult victim and/or children.
6. Menacing conduct of domestic violence perpetrator and risk to child of being assaulted or snatched.
7. Substance abuse problem in the family.
8. Non-abusive parent forced to flee and leave children with perpetrator. Or non-abusing parent and children have fled, without a place to go.
9. Adult victim unable to care for child due to the trauma of a recent assault or to the trauma from a series of multiple incidents.
10. Risk increases when the perpetrator has ongoing access to adult victim and/or children.