

Child Protective Services: Planning & Conducting a Practice Assessment of Community Response to Domestic Violence--a two-part series
Part 1: Advocating for Enhancements to Child Protective Services Response to Battering

Olga Trujillo and Maren Woods, Praxis International

with Rose Thelen, Praxis CCR Technical Assistance Partner, Gender Violence Institute

November 3, 2015

- **[Voiceover]** I'll pass it to her to go over some important participation tips right now, thanks Maren.

- **[Voiceover]** Thank you Olga and welcome to everybody. So there might be some folks who are participating today by audio only and we want you to feel free to ask your questions, although since the lines are muted you won't be able to ask them verbally. So if you do have questions or comments that you'd like to get into this discussion today, please email me at M-A-R-E-N at Praxis International dot org. And I'll interject with Olga and Rose to get your question answered. For those of you who are connected by the webinar, find the chat feature in the lower left hand corner of your window, of your webinar window and go ahead and chat a hello and where you're calling from, participating from and if you have people listening in with you today just so we get a sense, so you have some practice with the chat feature. And I don't see anybody doing that yet but go ahead and chat in a hello, I'll do that now too. Lower left hand corner of your screen. Michael did it already, hello Michael, there we go. Also if you have any technical difficulties today or you need to ask a question privately to one of the speakers, you can go to the private tab which is just to the right of the public tab and you can find individuals listed who are participating today and you can message them privately there. If for some reason after we get started here today you lose webinar or phone connection, our number one advice to you is to go back to the initial join link from the email invitation that you received after you registered and click on that join link to reconnect via the webinar. If you got disconnected from the phone connection, call back into the conference line, five-one-two-six-two- three-five-one-one-four and then enter the participant's code which is five-two-five-three-three-pound. Or if none of those things work please feel free to email me and I will try to troubleshoot with you in the background to get you reconnected. Our session today is recorded and it will be made available on our website a couple days following the event. And we'll send out a link to that, where it's hosted on our website afterwards so you can share this recording, this webinar with your colleagues or if you have to leave before the call is over you can finish listening to it there. I think that's all I have Olga so I'll toss it back over to you.

- **[Voiceover]** Great, thanks a lot Maren. So and today and next month as well we're gonna be exploring the Child Welfare response to domestic violence and we're gonna be reviewing a new tool that we here at Praxis have been developing to assist communities to examine and enhance their work with battered women and their children. We're very fortunate to have Rose Thelen with us today and I'll introduce her in just a minute. You should've received an email reminder about today's webinar and also the PowerPoint. The tool that we're gonna be discussing today is being finalized after having been tested in a community, and that'll be part of the discussion next week, next month. And that tool will be available after the first of the year. So don't go lookin' for it right away, this'll just kinda give you an idea of what's

coming. Before we get started I wanted to check and see. So we're gonna practice raising our hand but I'm gonna ask you first if you're a DV person, so if you work in a domestic violence agency, community-based agency, if you would go ahead and raise your hand.

- **[Voiceover]** So and this is Maren, you can raise your hand in the upper left hand, oh look it everybody's so--

- **[Voiceover]** Yay, look at them man. (chuckles)

- **[Voiceover]** If you don't you can find it in the upper left hand area, you'll see a hand print. Good, it looks like 9 of 27 people have raised their hand, Olga.

- **[Voiceover]** Okay, now Maren how can people unraise their hand?

- **[Voiceover]** I'm gonna clear the hand status. Lower all hands, okay go ahead.

- **[Voiceover]** Okay so then raise your hand if you work for Child Protection.

- **[Voiceover]** Go ahead and press that hand print in the upper left hand corner of the webinar if you work in Child Protection. Looks like 3 of 29 so we've got non-joiners, they may be other disciplines. If you're an other discipline go ahead and chat in your discipline so we can--

- **[Voiceover]** Yeah that would be great.

- **[Voiceover]** Where folks are coming from.

- **[Voiceover]** Yeah and I'm actually seeing in the chat quite a few people that I've met around the country. There's Gloria from Madras, hi Gloria. Sorry I'm not gonna say hi to everyone, just couldn't help myself there. (laughs) All right. So Maren let us know what gets chatted in, okay?

- **[Voiceover]** Sure yeah, Legal Aid, CA provider with Child Welfare and Domestic Violence, Confidential Victim Advocate, again Program Manager.

- **[Voiceover]** Great.

- **[Voiceover]** If you're not a Child Welfare worker or a community-based advocate, go ahead and chat in your discipline.

- **[Voiceover]** All right.

- **[Voiceover]** That'll be all for right now.

- **[Voiceover]** Yeah that sounds great, thanks so much for participating everyone. So planning and conducting a practice assessment of community response to domestic violence focusing on Child Protective Services was created by Praxis International in partnership with the National Council of Juvenile and Family Court Judges and the Center For the Study of Social Policy. Using the Praxis institutional analysis process, this guide is designed for use by community teams of advocates, Child

Protection representatives and other stakeholders to collaboratively assess their Child Protective Services response to the co-occurrence of domestic violence and child abuse. The process helps communities seek answers to some critical questions that are faced every day by Child Welfare workers. Do we know when battering is a factor in child maltreatment cases and its impact on the child and mother? What do we know about her strategies to protect her children? Does our intervention enhance or diminish her capacity to protect her children? Does our intervention increase or decrease risk of harm from the batterer? Is there more we can do to stop the batterer? The tools included in the guide direct inter-agency teams to assess their current response for recommended frameworks, principles, policies and practices that enhance Child Protective Services' response to and strengthen linkages with community-based advocacy programs and other community agencies on behalf of battered women and their children. Today we'll explore the practice assessment for child protection. To help us do so, we have Rose Thelen with us today. Hi Rose.

- **[Voiceover]** Hi Olga, thanks for having me on.

- **[Voiceover]** Sure, I'm gonna read your little bio here so everybody knows just a little bit about your experience and then we'll get started.

- **[Voiceover]** Okay that sounds good.

- **[Voiceover]** Rose has been an advocate I'll just say since 1979 and I won't say how old I was in , Rose. (laughs)

- **[Voiceover]** I was only 10 myself. (laughs)

- **[Voiceover]** She is a Praxis Technical Assistance Partner providing training and technical assistance on coordinated community responses. She really is the kind of coordinated community guru. She founded and coordinated a criminal justice system CCR for 10 years, served as Legislative Coordinator for the Minnesota Coalition for Battered Women and is a co-founder of the Gender Violence Institute in . She has implemented multi-jurisdictional CCRs with tribal reservation advocacy programs and worked to develop jurisdictional collaborations among advocates, law enforcement and prostitution--

- **[Voiceover]** Is anybody listening? That's what we wanna know.

- **[Voiceover]** Yeah. (laughs) Maybe we should have people raise their hand if they're listening, no no no.

- **[Voiceover]** It's some years so it's been goin' for quite awhile.

- **[Voiceover]** Yeah it's gonna be, so over the past few years Rose was involved in the development and the testing of the Practice Assessment Guide, welcome Rose and thanks so much for being on the webinar today.

- **[Voiceover]** Your welcome, it's great to be here.

- **[Voiceover]** Great, if you're working with Child Protection or an advocate working with women who are dealing with Child Protection, this is your chance to learn more about the issues involved and to

learn about this new guide. Please feel free at any point in time to chat questions that come up as your listening. We'll keep track and that's what Maren's gonna be doing. And as she said she'll jump in with questions as they come up if there's a good opening, and we'll also take breaks for questions. So please feel free to jump in. Child Welfare's opportunity to assist the children and the mothers in domestic violence cases is real. We know that Child Welfare workers are kind-hearted people with a mission to protect children from abuse. Just like us, they take their jobs seriously and have good intentions to do their jobs well and help families. And oftentimes there's tension that comes up when Child Welfare workers are involved between the case workers and the domestic violence advocates or the battered mothers with whom they're working. And Rose, I kinda wanted us to start there and see how this tension comes up.

- **[Voiceover]** Well Olga, I think that you put your finger on the issue which is that there has been this tension about on the one hand, I think that Child Protection workers will think, oh you're all for the women and then on the other hand you have advocates saying you don't care about the battered mother and you're just for the kids. And startin' out a long time ago, I mean this was pretty classic in our community and it was through the advent of the safety and accountability audits and the work that Ellen Pence did to kinda take a look at how are people organized to do their work that there has been sort of a breakthrough in understanding. That it's not about whether people care for either the child or either the mother and that those two things are incompatible. I think it's the fact that people are organized differently within their own agencies to intervene on a problem. They're organized, their policies, their procedures, their assessments et cetera to take action in a particular way. And the Child Protection system wasn't designed to account for domestic violence and in that way proved similar to the work that we've done in the criminal justice system to the extent that there are tools that are needed in order to be able to account for the violence. You know right now the system was currently crafted, let's say the Child Protection system, to take a look at neglect cases. Of course in neglect cases somebody's gotta step up to the plate and generally that's gonna be the mom. But when those same practices, when they're applied in the case of domestic violence, if they aren't taking into consideration what is the impact of that abusing parent's abuse on the victim and how does that impact her capacity to comply with certain requirements that Child Protection might be erecting? I know that's a mouthful but generally I mean what we see is that when the system was designed it really was based on some sort of theoretically assumption that battering is a relationship issue. That there are things that she can do to stop it and there are things that she needs to do in order to stop it in order to protect her children. And primarily what we see is that generally she's acted upon in some way to leave the batterer, let's say. And so she may not be able to do that, in fact that may put here and the children at greater risk. Which is another issue that we see is that often times if she doesn't leave the batterer or if she is with the batterer, stays with him or had the misfortune of getting to know him at all, there's this assumption that her recalcitrance and her failure to do what's wanted by the system is viewed as being her failure to protect those children. And so you know, and without an understanding of that she may be doing all kinds of things to protect those children and what might they be? In fact staying with the batterer might be an effort to protect the children. The other thing I think that's really important, and these issues have come up in conversations over I would say the last 25 years as Child Protection workers and advocates got together and said what's operating here, what's goin' on and what can we do? How can we work

together to make some changes? And what we know is generally when the system is organized to operate on that victim to get her to leave in order to prove that she's protecting those children and the focus becomes all about the victim, the adult victim in that case, what we see is often the offender becomes invisible and the system is not designed with many practices or linkages or procedures or assessment tools to actually intervene directly on that batterer. So Child Protection's hands are tied in a way in that in lieu of being able to get him to stop and intervene on him directly, get him to leave or you know, I wanna say put the screws to him but I don't think that's the right term to use on this call but it seems like it's coming to my mind right now. But you know that really the biggest issue that we've seen is how can we do more to intervene directly on that batterer and how can we work with her to become an ally? To have her direct the efforts to do what's necessary to protect those children. So anyway one of the things that we see in a lot of places is that victims are often threatened that either they leave or they're gonna remove the children, or in fact they actually do remove the children. So that's sort of the background and I wanted to say before I interrupted you with my bio, I actually learned quite a lot about this when I was a County Commissioner for four years in the county in which I live and in that process got to know the people in the Child Protection Agency at Wright County and they become the collaborators on the grant. And they'll be in the next session that you're conducting. So anyway there is some of the basic foundation for what's goin' on with domestic violence in the system.

- **[Voiceover]** Yeah thanks Rose and thanks again. Thanks for bringin' up the Wright County Commissioner. I forgot that as I was goin' through your bio. And I'm curious to see, I wonder if, well we're gonna try the hand raising again so I wanna see how many of you are seeing failure to protect claims charged against women in your community? So women who are in relationships where her partner is battering her and Child Welfare has been called in and they're looking at her as the problem for not leaving to protect. Yeah, so quite a few people Rose.

- **[Voiceover]** Right, and that's what I'm hearing as I do technical assistance to programs in rural communities and I'm hearing that all over the place. And it isn't, again the problem seems to be structural and how workers are organized to take action on a case. And I think that's what's cool about this particular assessment tool is it combats those pieces.

- **[Voiceover]** Yeah I like it a lot too because like you said, you know Ellen kind of in the I-A and Institutional Analysis process, instead of focusing on the individual workers as being kind of the problem, it did look at kind of how does this institution organize their work? And that takes all the personal stuff out of it. I love that and I'll say like I've been involved with this issue in particular for a fairly long time considering that I'm so much younger than you are, Rose. (laughs)

- **[Voiceover]** You're not ageist are you, Olga?

- **[Voiceover]** No, not at all. (laughs) I'm not as wise as you, I would say. (laughs) So I started my work when I was at the U.S. Department of Justice in the Office For Victims of Crime and we were one of the original funders of the Greenbook Initiative. And I'm just curious to see how many folks, if you don't mind raising your hand again I'd really like to see here. One it helps me to know that I'm just droning on and two, it's nice to interact with folks that are on the call. So how many of you've heard of the

Greenbook Initiative? It's also referred to as Effective Intervention in Domestic Violence and Maltreatment Cases, Guidelines for Policy and Practice. Yeah, so there's a number of people that have and a number of people who haven't. So let me tell you a little bit about it. When I was at the Department of Justice it was the National Council of Juvenile and Family Court Judges that came to us and said we wanna try to put together guidance for the field. And their particular audience was dependency court judges. But they figured if they were talkin' to judges that Child Welfare workers and hopefully domestic violence advocates would also pay attention. And they wanted to have guidelines around the co-occurrence of domestic violence and child maltreatment. So the way this worked was in there were a series of three to four very large meetings and I wanna say they were two to three day meetings that were pretty well facilitated. And they involved experts in the fields of Child Welfare, domestic violence advocates from across the country and judges and administrators from dependency court. And we were discussing the Child Welfare response to domestic violence and really kind of looking at what happens and then looking at the dynamics of domestic violence. And so we came up with through the series of these three to four meetings we came up with some key principles to hopefully provide some guidance to the field around how to deal with this kind of co-occurrence of domestic violence and child maltreatment. So one, it set forth the need to identify the impact of the batterer's violence on the child. Also the victim's protective and help-seeking strategies, giving due consideration to the impact the violence has had on her options and methods to hold the offender accountable for ending the violence. So really the guidelines that this put together, and I wanna say there were like 60 different recommendations but it focused more accountability on the offender and then using the dynamics of domestic violence, giving a view of how the victim's protective actions and help-seeking strategies look differently than what people might expect.

- **[Voiceover]** You know Olga, the way I like to talk about it too is that there's just you know, what the Child Protection agencies are seeking to do now as they seek to address these problems and create solutions is to be able to make more visible how that batterer is standing between them, the Child Protection Agency, and that woman and her children. And it's so interesting that the organizational structures to the point of making some of these changes, and of course there's many to be made still, but how they didn't see that the batterer was confounding all of their capacity to do what they wanted to do for that child as well as the mother.

- **[Voiceover]** Yeah it was really interesting for me too. And you know what I forgot to mention when we were asking about failure to protect is that I know at least one state, West Virginia, over the past few years, I wanna say seven to five years have eliminated failure to protect off the books so it's not something that can be charged anymore or found against mothers in domestic violence. Which I thought was really interesting and the women who were with the coalition at the time that really worked, the domestic violence coalition that really worked this were all involved in the Greenbook when it was being developed. So their voices were right there at the table early on.

- **[Voiceover]** Yeah and in the assessment that we did in Wright County that was one of the things we looked at. Not only did they make it that you couldn't charge failure to protect in domestic violence cases but they also developed a methodology for ascertaining is this a woman who you know, what are

her protective strategies? Is this a person who knows her kids are being harmed, she's harmed herself but just doesn't care and isn't doing anything? That might be somebody who's failing to protect. Or is this the second category, is this a woman who is doing all kinds of things to protect those children and are reasonable given the violence that she's experiencing? And the other kinds of control that this person is exerting because that's the other thing that the system fails to see is that the violence is just one piece of it. The power and control continues even after she's leaving. The threat of violence is always there. So the second category, is she doing a lot, is she doing what she possibly can to protect those children? And of course when she's not meeting in that case, but that may be part of her protective strategies. And then the third category is the one where they're trying to determine okay, is this a woman where the violence is so extreme that there is nothing she can do? And so in the second category the Child Protection worker will work with that woman and they'll be co-petitioners on a Protection Order hearing. In the third category the protection agency itself will apply for a Protection Order with no fault to the victim. So they're really, really accounting and making visible the violence and how that operates in the world of the woman and her children. So that's pretty cool and that's one of the things that the assessment allowed us to do is to take a look at what are some things that are working in other places and would this fix this particular problem? So anyway just thought I'd interrupt--

- **[Voiceover]** Yeah, no that's great Rose. Those are really great examples of kind of the kinds of changes that Child Welfare can make to really make that big difference in the lives of women who are experiencing domestic violence. And it fits right along with one of the guidelines, which is to protect the child by protecting the mother. And that seemed like the simplest point. Like it just made sense to me and it was just amazing that that was one of the things that it took a lot to get to in terms of the Greenbook.

- **[Voiceover]** Yes indeed.

- **[Voiceover]** So then also we had some guiding principles that so in anything that we did and any of therecommendations that were made, safety, well-being and stability for children and families had to be central. Priority is given to children remaining in the care of their non-offending parent. Batterers, not their victims should be held accountable for stopping their violence and coercively controlling behavior.

- **[Voiceover]** Lemme just reiterate, this is one of the principles that really confounds the system. How do they do that? Anyway, yeah.

- **[Voiceover]** Yeah that's exactly right 'cause you know batterers are so good at looking like very reasonable, very kind and caring you know and can unbeknownst to some of the people in the system can end up colluding with them in their abuse of victims. In Child Protection in particular we see this all the time where batterers are threatening women that if they leave that they're gonna call Child Welfare and allege abuse and they're gonna take the kids.

- **[Voiceover]** Right yeah, go ahead keep going.

- **[Voiceover]** So it's just a tactic that a lot of Child Welfare workers without you know kind of, what you guys created in Wright County really gives them an opportunity to be able to respond in ways that'll be more effective. So it's that collusive part that can be really painful.

- **[Voiceover]** I think you're talkin' about a particular batterer too who maybe comes in and schmoozes and charms and stuff. Most of the Child Protection workers I knew knew what he was up to and they weren't fooled. But they didn't have the linkages and the mechanisms in place to be able to get sort of a legal hold on him or to in some ways make him do certain things in order to stop the violence essentially. So I think that's where we really aligned as advocates and Child Protection workers through these processes and that's where West Virginia was helpful too in what they were doing is that Child Protection workers, I think the first day we all met on this assessment tool, they said we know that we right away become adversaries with the victims but there's nothin' we can do. You know we gotta get her to leave because we can't make him stop. So she's the one that we're relying on to do that and of course everybody also knew as the conversation continued that she was least able, the person least able to make him stop and that there was considerable risk when she tried to do so.

- **[Voiceover]** Right and all the effort, all the emphasis is on her.

- **[Voiceover]** Yes, yes. So anyway one of the things about the assessment tool is it really facilitates these kinds of conversations and you're able to reduce your kinda misunderstanding and find places where you agree and then how can we do things to shift this whole focus and prepare these structural issues that are confounding everybody's capacity to produce better outcomes?

- **[Voiceover]** Yeah, so then the last two points that the Greenbook Initiative kind of offered was one, the community service systems should offer many points of entry to fair and capable services for people of diverse backgrounds and a differential response should be available that doesn't require opening a Child Protection investigation or finding of maltreatment in order to access help. So yeah, so I mean that's all kind of pretty consistent with some of the things that you talked about. And I'm wondering, I kinda wanna stop here for a second and just check in just to see if there's any questions. Maren, there seems to be a lot of activity in the chat.

- **[Voiceover]** Yeah there's a couple different things. Not questions per se but just some comments and some reflections on what's happening in different communities. So somebody who I know is in Colorado is seeing that what happens most around these kinds of issues is that the parent who has the most money to hire the best attorney is usually the one who wins in terms of the custody dispute that might be co-occurring with Child Welfare intervention. Somebody else was saying that they've shifted their practice, which in the past has been labeling the victim as not protecting the children to a label of mental abuse against the abuser of the children who are exposed--

- **[Voiceover]** Oh nice.

- **[Voiceover]** However and that's better but it's very, very difficult for them to prove that mental abuse has occurred without a certified clinician being able to prove.

- **[Voiceover]** Yeah.

- **[Voiceover]** And then we have Sarah Smith on from the National Council of Juvenile and Family Court Judges who I just got to meet, Rose and I got to meet with a couple of weeks ago, maybe it was a couple of months ago now who is reminding in the chat, and I'm guessing that you're gonna get to this at some point either today or in December's webinar, but about the West Virginia model that allows for mothers to co-file petitions against batterers.

- **[Voiceover]** Exactly.

- **[Voiceover]** So there's probably a lot that you could comment on that but I just wanted to kind of share what was coming up in the chat and then I put a lot of links to the West Virginia model in the chat too.

- **[Voiceover]** Great.

- **[Voiceover]** And that was what I was just talkin' about when they have those three categories and that if you're a woman, an adult victim who is doing whatever she can given the violence that the Child Protection agency and the woman can co-file a petition for an Order for Protection. And then if the violence is so extreme that there's really nothing she can do, then the Child Protection agency itself will file that petition but it'll be no fault to her because the understanding is that she is at risk when she does so. And I think that's the beauty too of the West Virginia model and the assessment is that what Child Protection doesn't always see is that they may be putting her at greater, significantly greater risk when they require and mandate these particular things to occur. And you know this is maybe outside of what's on our slides here Olga but I'm thinkin' that if people are saying that they're hearing a lot from women who are in fact being threatened with removal of their children or are in fact having their children removed, that the best thing that the advocacy program can do at this point is to document that.

- **[Voiceover]** Right.

- **[Voiceover]** To start you know, getting testimony about what happened and why and what was that like and how did that either enhance her and her children's safety or make things worse? Because as you start to look into these cases, what the Child Protection agency may not know is that that didn't necessarily make her life and the children's life better. In fact she may have had a whole different set of assumptions and requirements. If she was married let's say and there became a custody case and all of a sudden everything shifts again.

- **[Voiceover]** Exactly.

- **[Voiceover]** The more we can make visible what these interventions are doing to the adult victim and the children, I think the more allies we build as well. And again to reinforce over and over and over again that this whole focus on removal of the children, threatening it or actually doing it is a structural flaw. It's one of the few things I think that Child Protection can do at that particular juncture. Without doing

some changes to the system itself, and that's of course what the whole assessment tool is about, what can we change in order to make a difference and produce better outcomes?

- **[Voiceover]** Yeah exactly, and you know one of the things just to mention, because this came up in a comment and connecting to what you're saying Rose and going back again to West Virginia, not that they're the only place that has done some really impressive work to enhance their Child Protection response, but one of the things that they have done is that even when a battered woman is able to safely leave or they've been able to remove him from the home with an Order for Protection, they continue to investigate. So some places, Child Welfare will then stop investigating and close the case because the child is considered safe. But they'll continue investigating against the batterer and will substantiate against him so that way when if there are divorce proceedings and child custody cases, there isn't an argument when she alleges that he's abusive. That there's something to substantiate that.

- **[Voiceover]** Right, yeah and this is where Child Protection workers and advocates can become such huge allies--

- **[Voiceover]** Yeah.

- **[Voiceover]** Child Protection needs a certain number of things from law enforcement and they also need certain things from the courts to be able to assist them. And everybody wants to get him to stop. How we get there is where the finessing comes in. You know I was actually involved with the Greenbook stuff somewhat in that there was a New York City lawsuit. It was late s I believe and it was a class action suit on behalf of women whose children were removed and there's great expert testimony done by Evan Stark. So Google that and check it out because in that proceeding, it was a multi-million dollar settlement, one of the things the judge said was Child Protective Services of New York was ordered to find out what in their system went awry so that they were in fact acting on these cases in this particular way. And so there was a Greenbook meeting, I believe it was in Las Vegas or Reno, and the Director of New York City came to that meeting and we looked at a number of psychological reports and other assessment tools and the Director herself was completely astounded by how much those particular assessment tools more or less put the onus on the victim and made her look like she was crazy and helpless and paranoid and all these things. And further work on that did some work on those particular kinds of psychological assessments but I think that the good news is that there's just people all over who are really on the case of this stuff. And hopefully this assessment tool will advance us and I suppose we should be gettin' to it, huh?

- **[Voiceover]** Yeah we should, lemme just mention because in the chat someone was able to give us the name of the case and that was the Nicholson versus Copetta case.

- **[Voiceover]** Right, right.

- **[Voiceover]** Yeah so let's do that. So lemme just mention briefly that you know with the Greenbook, once the Greenbook was published and stuff, the Federal government kinda pulled resources from a number of different offices and money was pulled for demonstration sites. And there were I think five or six demonstration sites, I can never remember whether it's five or six. And I'll just say that I worked with

just about all the sites and it was really powerful to see the collaboration between domestic violence and Child Protection and also to have the dependency courts right there. But I have to say that I found the biggest change, and for me I became an I-A geek when we started using, when Ellen got involved and we started using the Safety and Accountability Tool at these different sites. So I know it was Santa Clara County in California, St. Louis County in Missouri and El Paso County in Colorado. Those are the ones that I remember that did these institutional assessments and they were able to come up with really concrete changes to some of the things that were happening. So with that I'm gonna go ahead and quickly turn it over to you Rose so we can talk a little bit about the assessment tool.

- **[Voiceover]** Yeah and I wanted to mention too that St. Louis County, Missouri, one of the changes I remember they made is that in any case file where there was a psychological assessment one of the things they decided they would require is that for every statement made about the victim and her psychological state, there was supposed to be put into the record the very real conditions that might give rise to that. For example if the assessment suggested or the psyche assessment suggested that she was paranoid, they would have to also put in there the fact of the matter is that he's trying to get the kids. Child Protection is on her case, the judge might be, the judge is comin' down on her and so is she paranoid or has she just got heightened awareness of some very real things that are goin' on around her?

- **[Voiceover]** Right.

- **[Voiceover]** Wanted to again make visible the conditions that are goin' on around her. She's not operating in a void. Everything that she's demonstrating is influenced by this violence that she is subject to. So anyway you wanted me to talk some about the history of this assessment, right?

- **[Voiceover]** Right yeah, I know there was a lot of thought put into before the tool was kind of developed. I know that the National Council on Family Court Judges had participated in a think tank and then there was some discussion with some other Greenbook participants and child welfare and DV experts. But yeah so I know there's a certain point that the tool was being developed and where you came in and I think with Wright County, is that right?

- **[Voiceover]** Yeah right, I think people have been beside themselves for quite awhile now trying to figure out what can we do here? And I myself worked as an advocate and then I did the CCR work and I was a batterer's, I ran batterer's groups among a number of other things. And I realized how effectively the batterers were using the kids against their victims and they would talk about it and how they would say to her, you know you call the cops, well Child Protective's gonna get involved and they'll see what kind of mother you are and you're gonna lose those kids. And so you know how the batterer was using this system as his co-conspirator against her. And so in St. Paul, Minnesota I started to raise kind of a ruckus and tried to get people really interested in this and what I saw was that you know, and I started to say how badly this was impacting the children and what quickly become apparent was that instead of us all joining together en masse and making him stop the violence was that the onus became upon her again. So I was really excited when Praxis got involved in doing some of these safety audits and involved with the Greenbook. The Greenbook was lauded as being a very good foundational document but also

was critiqued that it didn't have enough practical implications or implementation strategies. And so hence came about these demonstration sites. But anyway Ellen Pence was my mentor and my friend and one of the things that she did and is now dead, but before she died she did work on this quite strenuously and got together with a bunch of people periodically who were from the social welfare field and the advocacy arena and they thought about what can we do to shift this system so that it can produce better outcomes? So it can consider the safety of the victim and the offender, sorry the adult victim and the children together. And you know all the ways that we can do something to make a difference and to make the Child Protection system helpful to adult victims, to battered women in their efforts to protect their children. So anyway like you say a bunch of people got together, they created an initial draft. The initial draft was reviewed by a bunch of people in the National Council on Juvenile and Family Court Judges, the Center for the Study of Social Policy, David Mandel and Associates and the Dean County Child Protection Services and you know, a rural community in Maine who had successfully co-located advocates and Child Protection workers. That's all by way of saying that this is a really well thought-out and well designed tool. And how we got involved in Wright County was that I was involved as a County Commissioner on this team of social workers, judges, prosecutors, foster care parents, advocates who comprised the group called the Children's Justice Initiative. And it was nice to get to know everybody in that kind of setting. Probably particularly nice because I had so much power as the County Commissioner.

- **[Voiceover]** Yeah. (laughs)

- **[Voiceover]** I supported Child Protection and Human Services at our very conservative County Board. But anyway I knew that Praxis was engaged in developing this and so said to them when I was leaving that my first term in office I said, you know I want to come back. I know Praxis is doing this draft and when it gets ready to be tested I'm gonna come back around and see if you're interested in participating. And everybody said yeah let's do that and so when it became time to do so, we became a test site. And I approached Wright County Child Protection and Human Services and also Rivers of Hope, which is the advocacy program in the area. As you'll see from this slide there were two goals in become a test site. The first one was we wanted to see how well it worked to actually enhance the Child Protection and I would say advocacy response to co-occurrence of child maltreatment and battering in Wright County. And then also secondarily was to recommend what changes should be made to this draft guide for a final version so it could be used nationally. Now I'm not gonna talk too much about the specifics of what we came up with or what we did and all those sorts of things because that's the subject of next time. But in essence the assessment tool itself, to describe it, is a fairly weighty tome I guess you'd call it. It's maybe got about 60 pages with numerous, limitless links and resources to guide further in-depth exploration of the various topics that are being raised. And then it's got six tools primarily that a team will utilize and will go through in order to take a look at all the things that occur within that Child Protection system. All the steps in case processing from that first report to the screening in to the various assessment processes that are put in place to the recommendations, and all of those sorts of things that you know, what happens at each of these interventions that enables the Child Protection worker to do the things that are foundational, that we talked about? Like how well in each of these steps does the case consider the safety of the child and the safety of the mother together? How well

does the case take a look at her protective strategies or does it just assume that if she is battered, she's failing to protect? How does domestic violence operate in that case in order to either, in most cases to confound the efforts of that victim to protect her children and-or of the system to protect those children and the mother? And then how well and where is the system able to hold that batterer directly accountable? So through these six tools that you see on the screen we were able to take an in-depth look at what was going on in the case. Now before we got into these tools there were a number of things, and this is also in the assessment tool itself, there was a number of things that needed to be done to assess readiness. You know like is, and there were a number of strategies for being able to address readiness. You know questions to ask yourself if you're an advocacy program about the particular relationship that exists. How strong is your foundation, your footing? How much do you about what's happening to victims in that Child Protection system? And that's why if any of you on the line are thinking about using this tool, it's really worth having a clear sense of what is currently happening. And not just anecdotally but actually sitting down, doin' a focus group with a number of women who have been involved with the Child Protection system. Focus groups and how to do them are also included in the assessment tool. Now Wright County was hampered, as much as it was enhanced by the relationships that I had built, it had good relationships with the advocacy program. But the advocacy program's very small and it's in the neighboring county and it had a huge turnover. So the advocacy program wasn't probably in a very strong position to lead this but as an advocate myself I was the advocacy voice. But I also had an independent relationship with the Child Protection workers so, but I think there's a number of questions to ask yourself as Child Protection agencies which you will be guided to do through this whole process in the assessment tool which is about assessing your readiness. Once you've assessed your readiness and you know, there's a number of things that it talks about relative to having conversations with people in the Child Protection system. And so that's all about laying the groundwork. You know, who are your allies in that system? What do you know about victims' experiences? What do you know when talking I would say in very small groups with the appropriate personnel about what you're seeing in those systems? What do they know, what do they think? What might they think about engaging in this particular process? So anyway there's quite a bit to be done before you get to these actual tools and so I think there's questions for the advocacy programs to ask themselves about who's gonna do this within our own agency? Who's gonna be responsible for coordinating this? How much time will it take? We worked I think it was over nine months time. We had a series of like 15 meetings but there was about 60 hours of work that I did outside of those meetings just to be prepping for those meetings. You know following up from those meetings, compiling the results of those meetings. So it is somewhat labor-intensive but I think it's worth it and of course there's funding that can be brought to the table and there's probably other resources that you can take a look at. But anyway let's just go through some of these tools. Do you have any other questions before I get into some of these particular tools, Olga?

- **[Voiceover]** Yeah, let's check and see. There might be some questions, let's check in with Maren just to make sure we don't have any questions and then we'll come back to the tools. That sound okay?

- **[Voiceover]** Yeah.

- **[Voiceover]** Yeah so there is a specific scenario-based question and so it feels like we could save that question until the end but it's probably a scenario that's on people's minds and maybe I can throw it out there Rose and you can figure out how to weave it into what we did in Wright County, it's that kinda tool, as a way to address these kinds of things. So the scenario involved Child Protection accompanying police officers to remove children from the non-offending parent while they were at the shelter, the domestic violence shelter.

- **[Voiceover]** Oh wow.

- **[Voiceover]** The battered mother had filed a Protection Order against the father but because he had a lawyer in a custody case and the mother did not. And so as an advocacy program who's working with this mother who's battered and escaping, the removal of her children, her children have been removed from their care. I mean that's a very specific case that's being described here but maybe you could respond to this specific case. But then also how a tool like this for collaborations, you know more proactive collaborations between advocacy programs and Child Protection can help to inform responses like this or maybe stop responses like this from happening. (coughing)

- **[Voiceover]** Excuse me, wow.

- **[Voiceover]** Yeah.

- **[Voiceover]** You know first of all I mean, it sounds like a really bad response but I mean I think that the first thing I would do, and of course I don't know who this is or what the relationship is like but I think that might be, and Olga you jump in here too. It might be a cause for having a meeting with a decision maker in that institution to talk about all the ways that that is problematic, right?

- **[Voiceover]** Yeah exactly.

- **[Voiceover]** And it may be the first step in setting up the potential for utilizing this particular assessment tool.

- **[Voiceover]** Yeah that's exactly what I'm thinkin' too Rose and that situation, it's almost like that situation, there wasn't kind of the good relationships or the communication beforehand so this would be the kind of thing that you'd say okay, we can't have this happen again. Let's start talkin' and meeting together about these kinds of issues.

- **[Voiceover]** Yeah let's take a look at this and maybe even in the case you just say we can bring somebody in to help us think about this, think this through. Maybe there's an audio conference we could have. Maybe we could phone Olga in or somebody to discuss some of these issues. I think you said it was a custody thing and so this gets into this whole thing with West Virginia. There's a really good webinar on Battered Women's Justice Project about women who are stuck between the Child Protection system and the custody arena. But one of the things that came out in our assessment as we were going through this and this'll get us into this some more but it came up in this discussion series was that Child Protection workers were realizing the problems that were created by the custody arena, who had a

whole different set of things that they were lookin' at. And also they found that they were having problems as well with what we call guardians here that were making decisions that they thought were not in the best interests of the child. Now you know this is a scenario and maybe the person can call later for follow-up conversation about this but I mean it's got layers and layers of issues--

- **[Voiceover]** Yeah it does.

- **[Voiceover]** Involved here but Olga is that the sort of thing that you might field, a question like this?

- **[Voiceover]** Yeah I mean it's one of those situations that you know, like if there were some better relationships there they might've gotten a call before they were coming out. And to me this is the exact kind of situation that a community would stop and pause and say okay so we gotta, I mean 'cause you have a custody, you have an order from the court, you know you have to comply with it. So it's just painful to have it enforced in that manner. So to me that would be the perfect community to try to start, use that incident to start having conversations.

- **[Voiceover]** Yeah, yeah, and you won't get maybe necessarily not right in the context of these tools right here which I'll talk about but again--

- **[Voiceover]** The discussion series though.

- **[Voiceover]** Well yeah discussion series is some of these general things. I mean it sounds like it's gonna be a fairly, it sounds like this particular issue sounds like it's pretty intense so maybe I would field that and then get to the general problems that give rise to this kind of problem in a broader discussion series. So lookin' at these tools again, this discussion series I thought was really effective for exploring some of the issues related to considering the needs of the mother and the child together. Holding the offender directly accountable, lookin' at detecting strategies and also lookin' at the impact on the kids. You know what kinds of things come into play? What sort of resiliency factors are there? How do we tease out these cases so they're not one size fits all. And so the discussion series was like, you know we had I think there were six topics that we were guided to discuss. These are really excellent ways to sit down and discuss 'em. For example the topics were, the first one talked about the Greenbook principles. And you know it was a good starting place 'cause everybody agreed with those principles. So it was a way of saying okay, we're in this together. We may have our differences but let's establish this foundation of where we agree. And so that was very useful, the first one and I think that was really compelling for me because I had been the trainer for the state of Minnesota, Child Protection State of Minnesota at the Department of Human Services about domestic violence for a couple years. And I was already aware of how beleaguered I think Child Protection workers felt in these cases because I would talk about the importance of turning to the woman and saying what do you need from us? And hearing again and again that Child Protection workers would say to me well I'm not gonna ask her that question because I don't have what she needs.

- **[Voiceover]** Yeah.

- **[Voiceover]** I know that she needs him to stop and I am not really well positioned to do that. The only thing I can do is press you into doing what I think might make a difference and in my heart of hearts I know it doesn't necessarily. So anyway that was really a good topic. The other thing we talked about, the other topic for what is safety? What is safety for the children, what is safety for the mother? How can we consider them together? How do batterers use the children? That was a big one and I think that there's a new Power and Control Wheel that talks about how batterers use the kids. And I've found in other settings as well, the more the system realizes that they are collaborating and are a part of this batterer's system of power and control, I think the more they go okay well that's not what we wanted to happen. Looking at battered mothers' protective strategies, I think that again is something that's invisible in the system that says if she's with him, she's not protecting them. And be able to expand our understanding to say okay, what is she doing? And again we mentioned that with the West Virginia processes that they've put into place. But that's something that was really clearly absent in the rest of the tools that we used and these were all by way again of setting up what we felt would be comin' up to follow. And then the last one that we discussed was what was the information that people needed and what was the understanding that they needed in order to be able to gather information and to understand, was battering occurring? What was the impact and how should the response be different dependent upon what was going on in that particular case? And then how can we be an ally with the battered mother to stop the violence?

- **[Voiceover]** Yeah, Rose I'm curious you know. One of the tools that I use when I do trainings for Child Protection or multi-disciplinary audience with Child Protection and DV advocates is the booklet Repairing the Harm that was done here, wow years ago now about like ways in which people can help mothers with their children. Did you all use that at all in your discussions?

- **[Voiceover]** Darn it, I wish I'd talked to you before because that is a great booklet and I didn't think about it. But there was a guide for each of these discussion series. There were handouts, there was supporting documentation. There were film clips you could use and that may have been listed as a resource but if it wasn't we should add that in the final copy of the assessment tool. But yeah that's a real good one and again it seemed like this was a real good way to find out where we agreed. We had some moments of contention. ACEs came up, Adverse Childhood Experiences and so we spent some time talkin' about that. You know, maybe we do have to take these kids away if she isn't gonna do it because of the impact on the kids. And then just trying to get more nuanced about that. Because one of the things that came out of the New York lawsuit was that okay what happens when you take a child away from maybe the only person that loves them and put them into a foster care situation with somebody where there may actually be violence occurring? So what does that do to the child? So all these and what support does she need in order to be able to make this Child Protection system really work for her? So okay, I'll go through the rest of these and then that'll be a good segue into talkin' about what's gonna be comin' up the next time, huh?

- **[Voiceover]** Yeah it'll be great, thanks Rose.

- **[Voiceover]** Yeah okay so mapping. And for those of you who know the Safety and Accountability Audit methodology this was where we created a map of, and this was very instructive because it really

demonstrated how complex the Child Protection system is. So we had a map that talked about okay, a report comes in. Every person who gets their hands on that case and what do they do, you know? So from the moment the case came in to the moment it was decided that it would be screened in to the moment it went on either one of two tracks, either an investigation or an assessment, to the various other components down the line. And Maren was with me on that one and we filled the whole wall with this chart and these arrows going hither and beyond and the question at each of these points was people were startin' to think about okay, do we do anything here about findin' out protection strategies? Or what about is there a way we can hold them accountable here or are we assessing what's happening to the child as a result of this? So that was one of, we did a couple of sessions on that and then we looked at every policy, protocol, procedure, form, checklist, assessment tool that guided what every practitioner did at every point on that map. And that was a couple of sessions as well. And so that was where we again looked at what does the law say about this? What does our policy say, what do our screens say? And not only what do they say but what do they direct us to do and how could we strengthen them to be able to shift this response into the outcomes that we were lookin' for? So that was very instructive as well. I believe we looked at about, oh 25 or 30 documents, texts, laws, policies, guidelines et cetera to see where was the attention to domestic violence? And not surprisingly, well I guess I was a little surprised, there wasn't much about domestic violence in these general standards for how to respond in a Child Protection case. There wasn't much guidance about what to do specifically. In Minnesota in about 2000 there was actually some guidelines that were put together for Child Protection workers for responding to the dual issues of child maltreatment and domestic violence. But it was interesting because that wasn't visible except as a footnote in their general screening guidelines. And the people in Wright County, they didn't really use it at all and I talked to other Child Protection Directors in other counties and they'd never heard of it. So and I remember at the time I was working with a bunch of people to put those guidelines together in the early days and I remember thinking well this is just gonna sit on the shelf because what we knew at the time was first of all it was not mandated and secondarily it wasn't used. These guidelines weren't used to determine how would everybody's jobs change as a result of these? Anyway so that was the kind of policy and text analysis we did and then probably the biggest, well I think the meatiest part of it was we looked at case files. And of course this is what becomes the official record of this victim's life and the extent to which they did or didn't incorporate attention to domestic violence. How was domestic violence represented? And we spent a few days on this and we were guided in a particular, again with the assessment tool provided, a way of looking at these cases to identify what was or wasn't in them. And I think it really yielded a lot of results and it was painful too because over and over again we saw that there was really some incapacity to be able to hold the offender accountable, to really protect the victim. And we also saw that poverty and disparity of opportunity and disparity issues themselves came up as well. So anyway from those proceedings we made recommendations and that was the last of the six activities. And we put together what our findings were from these things and then we also put together what we recommended for changes and we made recommendations on a number of levels which we'll go into in the next session. There were also additional activities and that was to meet with, we couldn't pull together a number of focus groups in Wright County but I met with a number of women and reviewed a number of case files from the advocacy angle of women who were involved in the Child Protection process who were

battered. So that was it, now a final activity which is not on here was when we also, we wrote up a report and that will be available soon to people if they wanna look at it. And finally we also made a whole bunch of recommendations to Praxis about how to change your final assessment tool which I think Olga you said will be available. Or I should know this too, right?

- **[Voiceover]** Yeah, after the first of the year yeah.

- **[Voiceover]** So rushin' through that and this is all by hopin' people come back the next time to dig deeper into it.

- **[Voiceover]** Yeah, you know so that's a thing. Next time we are going to be talking about the Wright County test of this practice assessment tool focusing on Child Welfare and that will be on, oh actually I think I had it right here. That'll be on December First and it's Part Two, Examining Child Protection Responses to Battering. Testing the Practice Assessment. And of course if you have any questions or need any information you can go to our website. We'll have the link for signing up for that webinar and then finally you can always email or call me and I'm Olga at Praxis International dot org or you can reach me at 651-699-8000 extension 23. Rose, thank you so much for takin' the time to talk with us today about your experience with the practice assessment and thank you for being willing to do this again next month. And next month we're gonna have some folks from the Domestic Violence Program as well as Child Protection with you and I'll just be hosting next time. Anything else you wanna say about that, Rose?

- **[Voiceover]** Well no, thank you everybody for joining and I'm sure there's huge, probably as many questions were raised as were answered and please don't hesitate to follow up. It's a very complicated issue but I think there's gonna be, there's great promise with this assessment tool. So thanks for tunin' in.

- **[Voiceover]** Yeah thanks very much and have a good evening and again I think when you sign off you'll have a chance to do an evaluation of our call. We hope that you'll do that. They help us to make these calls better, so thank you very much. Maren, is there anything else?

- **[Voiceover]** That's all, thanks. Thanks Olga for organizing this webinar and to Rose and to all of you who are interested in this issue. I mean it's just a very, very big issue across the country and we're so happy to have you on to introduce this new tool that will be coming up and please contact us and let us know if you think your community might be ready for a tool like this. And we really look forward to describing it in more detail, actual practice with the Wright County experience on December First so register for that webinar as well. Thanks everybody.

- **[Voiceover]** Great.

This event is supported by Grant No. 2011-TA-AX-K051 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions and recommendations expressed during this event are those of the presenter(s) and do not necessarily reflect the views of the U.S. Department of Justice.