
Cook County Minnesota Woman/Child Safety Project Protocol

Cook County

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Introduction

There is growing evidence of the co-occurrence of adult domestic violence and child maltreatment. Child protective services must begin to develop protocols that formally address both of these issues. Best practice in the intervention and treatment of child maltreatment should address the co-occurrence of domestic violence. The purpose of these guidelines is to provide direction to agencies that respond to situations in which child maltreatment and domestic violence are both occurring.

Mission Statement

Acknowledging that most solutions to the issues of family violence (domestic violence and child maltreatment) come from within the family, our mission is to respond appropriately and cooperatively to any report of family violence in order to assist the family in reaching resolution.

Guiding Principles

1. All family members should be safe from harm.
2. Abused parents will be assisted to protect themselves and their children using non-coercive and supportive interventions.
3. The abusive partner, not the adult victim, will be held responsible for stopping the abusive behavior.
4. Children will have safe and stable relationships with nurturing parent(s) or caretaker(s).
5. The incidence of child maltreatment caused by domestic violence will be reduced.

Definition of Domestic Violence

Domestic violence is the establishment of control and fear in a relationship through the use of violence and other forms of abuse. The adult committing domestic violence may use physical, emotional, sexual abuse, economic oppression, isolation, threats, intimidation and maltreatment of children to control the other person. Relationships involving domestic violence may differ in terms of the severity or pattern of abuse but control is the primary goal of all abusive partners.

Note: This is a common practice definition of domestic violence and does not fully parallel Minnesota Statute.

Target Population

Children and adolescents at risk of child maltreatment where domestic violence is reported or a risk of repeated domestic violence exists.

Background statistics

- Women and children in the same families are often both maltreated. Studies over the past 25 years show a median co-occurrence of woman abuse and child maltreatment of 41% (Appel and Holden, 1998) and the majority of studies reveal an overlap of 30% to 60% depending on the families studies (Edelson, 1999a).
- Many children exposed to adult domestic violence also exhibit behavioral, emotional, and cognitive problems (Edelson, 1999b). The impact of exposure and the presence of other risk and protective factors (Edelson, 2001).
- Exposure to violence in the home has been found to be one of the most significant predictors of an adolescent's later use of violence in the community (Singer, Et al., 1998).
- Women are 7-14 times more likely than men to report suffering severe physical assaults by an intimate partner (NIJCDC Report, 1998).

Guiding Principles

The primary focus of child protection intervention in domestic violence cases is the ongoing safety of children. The preferred way to protect children in most domestic violence cases is to join with the adult victim in safety planning and to hold the abusive partner accountable. It is important to work closely with battered women's programs, the criminal justice system, and the batterer's treatment providers, while protecting the privacy of involved individual are required by law.

Confidentiality Procedures

- A. Procedures will comply with state statutes and case law governing what information child protection and domestic violence programs can share with whom.
- B. The Violence Prevention Center will have a written policy in place to keep records confidential as required by the Victim's of Crime Acts (VOCA).
- C. If law enforcement or cps is asking the whereabouts of a woman whom they think The Violence Prevention Center is working with. VPC will reply that, if they speak with that woman, they will give her the message.

D. Anytime releases are utilized, information to be shared will be explicit, have direct relevance to the case, and include Tennessee warnings (see attached).

Cook County Child Protection (will):

A. Screening

1. Using questions listed in the MN Department of Human Services, *Guidelines for Responding to the Co-occurrence of Child Maltreatment and Domestic Violence (hereafter DHS Guidelines)* all referrals will be screened for domestic violence. If CPS identifies domestic violence, adult victims will be advised of specific options and domestic violence resources.
2. Contact law enforcement to determine whether previous incidents of domestic abuse have been reported.
3. The child protection worker will make every attempt possible to ensure that victims are provided culturally appropriate resources, referrals, etc.

B. Assessment

1. Using questions taken from the DHS Guidelines, every referral will be screened for domestic violence.
2. The child protection worker will make every attempt possible to ensure that victims are provided culturally appropriate resources, referrals, etc.
3. CPS worker will formally and informally assess for domestic violence throughout all phases of involvement with a family.

C. Interviewing the Adult Victim

1. The worker will use questions from the DHS Guidelines, when interviewing the non-abusive parent.
2. When possible, adult victim will be interviewed separately without the abusive partner's knowledge and outside of his presence to assess the level of dangerousness. Difficulty in interviewing the adult victim may be a signal of the level of control by the abusive partner.
3. All referrals to domestic violence services will be considered voluntary.

D. Interviewing the Children

The worker will use questions from the DHS Guidelines when interviewing the children.

E. Interviewing the Abusive Partner

1. When interviewing the abusive partner, the purpose will be to assess for domestic violence and the impact of the violence on the adult victim and on the children.
2. If the abusive partner is questioned, the worker will use questions from the MN DHS Guidelines to assess for domestic violence to assess the level of dangerousness and to determine lethality.

F. Service planning for the adult victim and children

1. CPS will refer adult victims to The Violence Prevention Center or to Wii Dooka Wada at Grand Portage for assistance in safety planning. Referrals to these agencies will be voluntary.
2. The CPS worker will not compel an adult victim to select any safety plan option and will reinforce effective safety strategies used in the past.
3. Specific services plan tasks will be written for the adult victim, the child and the abusive partner.
 - a. Specified services for the adult victim may include:
 - b. Individual or group support
 - c. Counseling
 - d. Legal representation when CPS initiates court action
 - e. Referrals to legal representatives, when needed
 - f. Housing assistance
 - g. Emergency financial assistance
 - h. Supervised visitation services for the children
 - i. Assessment for effects of domestic violence on children and adult victim
 - j. Day care for children while victim seeks assistance and employment.
 - k. Education for the adult victim about the dynamics of abuse and the effects of domestic violence on herself and her children.
4. Caseworkers will not assign case plan tasks that the victim feels will increase danger for her or her children. These recommendations may include but will not be limited to:
 - a. Mediation
 - b. Couples counseling
 - c. Anger management groups

d. Family group counseling

5. The adult victim and the children will be offered services regardless of whether the adult victim chooses to stay with the abusive partner.
6. Every effort will be made to help the victim of domestic violence protect him/her self and to hold the abusive partner accountable. If these measures do not serve to stop abuse of the children, it will be necessary for Cook County Child Protection workers to temporarily place the children in a safer environment. In that event, all reasonable efforts will be made to cite the abusive partner for endangering the children.

G. Service planning for the abusive partner

1. Leave the home or residence of the adult victim and her children.
2. Require that the abusive partner participate in a batterers program and following all recommendations, attend, complete and pay for the program.
3. Require that he not act in a manner that is verbally, emotionally, sexually or physically abusive toward his partner and/or the children.
4. Require that he not involve the children in attempts to control his/her partner or force them to witness or participate in abusive tactics.
5. Recommend to the prosecutor that the abusive partner be educated regarding the effects of domestic violence on children.
6. Stipulate that the abusive partner follow all conditions of court orders and probation.
7. Whenever possible, CPS will substantiate cases against unmarried or residing abusive partners of abused women the same way as cases against any other caretaker of the children could be substantiated.

The Violence Prevention Center (will):

1. Explain rights and legal issues to women involved in the child protection system.
2. Provide advocacy to battered women including advocate attendance at meetings and court hearings regarding the child protection case, at her request.
3. Provide safety-planning options for battered women and their children, inform her about services that are available to her, including individual and group support for children and women, legal advocacy, emergency housing, crisis intervention, assistance with filing and OFP and other services as available.
4. Assist and provide some of those services to the battered woman that could help prevent and out-of-home placement. For example, support and education groups for the adult victim and her

children, safety planning and parenting education groups that focus on the effects of violence on children and parenting in a crisis. Assist with making concrete changes, like changing locks on doors, windows, food and safe shelter.

5. Where appropriate and requested by the woman, provide input to child protection regarding assessment, investigation, service, case planning and the possibility that an action on their part may increase risk.
6. Assist a woman in determining whether she and/children are eligible for services and, when appropriate, in seeing a situation as an opportunity to receive services that might benefit the entire family. For example, mental health or developmental disability services for children with behavior problems.
7. Inform her of the risks and benefits of agreeing to voluntary placement.
8. If an out-of-home placement is necessary, help find relatives or family friends who may take the child on a temporary basis to prevent juvenile court involvement and in an emergency, help parent enforce their right to visitation with their child.
9. Assist a battered woman in asking for a re-determination of finding of maltreatment or, if that fails, advise/assist her with seeking counsel to appeal a decision.
10. An advocate will:
 - a. Help a parent determine if his/her child is enrolled or if they are eligible for enrollment in an Indian tribe.
 - b. Refer abused Native American parents to the reservation domestic violence program if she wishes to be referred.
 - c. Contact the Indian Child Welfare worker assigned to that tribe to determine what help is available.
 - d. Contact ombudsman authorized to investigate concerns involving African American, American Indian, Asian-Pacific, and Chicano/Latino children when there are complaints regarding child protection and those communities.
 - e. Contact the compliance review team established to investigate complaints of non-compliance with ICWA and MN Indian Family Preservation Act.
11. Provide information to battered women about the effects of violence on children and what constitutes child maltreatment.
12. Create supportive interventions for battered women who maltreat their children via abuse or neglect.

13. Consult with child protection liaison or other child protection expert who has in-depth understanding of the multiple and complex problems that arise in families where there is suspected overlap to answer questions regarding a particular case, while adhering to strict confidentiality requirements.
14. Utilizing auxiliary forms, which provide context for battered women's experience when making mandatory reports to child protection (see Advocate Report Form).
15. Develop and make available to child protection brochures/information packets regarding available services for battered women involved in the child protection system for distribution to battered women.

Cook County Sheriff's Department (will):

1. Contact or make a referral to The Violence Prevention Center or Wii Dooka Wada at Grand Portage within _____ hours of a report of domestic violence and child maltreatment related crimes. (Deputy Sheriff) will be responsible for making that contact.
2. Share arrest and non-arrest reports on all domestic violence and child maltreatment calls.
3. Hold suspects in custody until the first court appearance or as allowed by statute (i.e. 36/48/72 hours).
4. Keep statistics on all domestic violence/child maltreatment calls, both arrest and non-arrest. Maintain computerized data when possible.

Violence Prevention Center, Cook County Child Protection, and Cook County Sheriff's Department (together will):

1. Provide and participate in annual cross training that will cover new laws, mandates and statutes that affect the team's work.
2. Contact persons to serve as a liaison to the other agencies including:
 - a. Any advocate at Violence Prevention Center
 - b. The child protection worker or the child protection supervisor at Cook County Public Health and Human Services.
 - c. The Chief Deputy at Cook County Sheriff's Department
3. Participate in monthly interagency check-ins regarding the collaborative effort.
4. Include provisions that articulate the regulations governing confidentiality for each agency, including the types of information on families that will be shared between the child protection agency and local domestic violence programs.

5. At least annually, share information regarding individual services, joint efforts, new initiatives and innovations being tried locally and elsewhere.
6. Update guidelines for conflict resolution.
7. Meet annually and with new staff members in all systems to review, evaluate, and update the protocol.