

COLORADO DOMESTIC VIOLENCE AND CHILD PROTECTION SERVICES SURVEYS: UPDATE

July 2009

Background Information:

The Domestic Violence (DV) and Child Protection Services (CPS) Coordinating Council (“Coordinating Council”) have been working and meeting regularly since spring of 2006.

The Coordinating Council is a “*collaboration of stakeholders in the areas of domestic violence and child protection with the purpose of supporting agency coordination to enhance the safety of and services to families where domestic violence and child protection overlap.*”

The Coordinating Council is comprised of state and county staff, system and non-governmental advocates, and other stakeholders. Additionally staff of the Colorado (State) Department of Human Services, Domestic Violence Program and Child Protection Services is represented. The CC has focused on tasks and relationship building to address the overlapping issue of domestic violence and child protection services in Colorado. In March of 2007, the CC set two priorities of which, the first was to survey communities and counties on best practices and assessment of needs specific to child protection and domestic violence.

In the summer of 2008, the Coordinating Council began the process of developing a survey and eventually distributed to both entities in a web-based format in January 2009. The raw results were collected and provided to the Coordinating Council in March 2009. Of those who responded to the survey 62 individuals identified as domestic violence advocates and 247 individuals identified as child protection staff. This report provides a brief initial analysis of the survey results. Please note that a detailed analysis of the data will be conducted very soon but is not available at this time.

Initial Brief Analysis:

The Coordinating Council has met to discuss the results of the survey and found three primary themes upon initial review and analysis.

- The first theme focuses on the struggle to support non-offending parents without blaming them for the offender’s actions. CPS is able to do this through recognizing non-offending parent’s strengths, but if offenders are not held properly accountable, victims feel overburdened with responsibility for the violence. When victims are blamed they will not want to share information, due to the fear that it will be seen as failure to protect.

- The second theme centers on the struggles to hold the offending parent accountable. This issue involves not just CPS and domestic violence programs, but also the criminal justice system including law enforcement, county attorneys, probation, and offender treatment.

For example, offender treatment may not address parenting issues. Or, CPS may choose not to hold the offender accountable because the offender is not a parent to the child.

- The third theme focuses on the issue of reporting to CPS when domestic violence is present. The responses to the survey made it apparent that CPS wants domestic violence programs to continue to report, but that confidentiality was a barrier regarding steps taken after a report is made. Several CPS workers also noted concerns around law enforcement reporting to CPS. It is obvious that law enforcement exercises a great deal of discretion in this area. Without a set of clear definitions to be applied to cases where domestic violence is present, it is not clear when domestic violence rises to the level of child maltreatment.

As a result of the initial review, it appears the concerns noted throughout the survey may be addressed through a combination of policy development, training, and enhanced communication between CPS and domestic violence programs. The Coordinating Council intends to further review and conduct a more in depth assessment of the survey in the coming months, with the intent of developing a report to include recommendations.

For More Information:

Coordinating Council Chair, Brooke Ely-Milen (Brooke.ElyMilen@state.co.us) (303) 866-3321

Preliminary Summary of DV / CPS Survey Results:

The data highlights below only provide a sampling/representation of the full survey results and cannot be used or analyzed outside of the context of the entire survey results. The full report on the survey results will be available soon.

DOMESTIC VIOLENCE ADVOCATES

Quantitative Questions Asked of Domestic Violence Advocates and Responses:

Domestic violence advocates were asked to choose the role/title that most closely describes their responsibilities/job. Of the 62 responses, 37% identified as serving a rural community, and 63% identified with serving an urban community. The majority of responses were from managers/directors of domestic violence programs (54%), and almost one-quarter was from advocates (24%), while the remainder identified other roles¹.

Domestic violence advocates were asked if their program has written policies regarding the reporting of child abuse and neglect to child PROTECTION services in domestic violence cases, and 95% responded in the affirmative to this question. When asked under what circumstances they make a report to CPS when children are exposed to domestic violence at home², responses indicated that nearly all would do so when children are injured (89%) or are in imminent danger (92%). 21% indicated they would make a report when children hear domestic violence and 23% indicated they would make a report when children live in the home.

Qualitative Responses from Domestic Violence Advocates:

Question: What is the typical response your program receives from non-offending parents when a report is made to CPS? Responses: Many of the responses indicated that victims were relieved and understanding that advocates were mandated reporters. Victims were cooperative and worked with the advocate to make the report and welcomed the opportunity to work with CPS to keep their children safe and possibility get help for the offending parent. Some responses were negative such as victims fear that the offending parent will retaliate, fear that their children will be removed, mistrust of the system, belief that they will be forced to reconcile with the offending parent,

Question: What is the typical response your program receives from CPS when making a report? Responses: Many of the responses indicated that domestic violence advocates have positive interactions with CPS workers, which were described as cooperative, informative, friendly, open, polite, professional, courteous, and helpful. Several responses indicated that CPS does not seem to investigate, or if they do, the reporter is not aware, or it is difficult to get the information in a timely manner. Several responses indicated that CPS would only investigate if the child is in imminent danger or is injured. Some of the negative responses were described as the CPS acting overworked, busy, inconvenienced (on-call staff), resistant to taking a report, and showing a lack of empathy. Many domestic violence advocates commented that CPS staff may not have proper domestic violence training and/or don't screen for domestic violence. Inexperienced workers don't understand the dynamics of abusive relationships, how to protect children when domestic

¹ Not all respondents answered every question, so the number of responses for each question varies.

² Respondents could select more than one answer in this question, so totals will not equal 100%.

violence is present, or the backlash victims and children will suffer if CPS does not hold the offending parent accountable.

Question: What other comments would you like to make regarding the issues of CPS involvement? Responses: For the most part, these comments focused on concerns the domestic violence advocates have with CPS in general and specifically when it comes to how CPS handles cases where child maltreatment and domestic violence overlap. Several of the comments mentioned that more collaboration is needed, which should involve not just domestic violence advocates and CPS, but others as well such as visitation centers, guardian *ad litem*s, courts, county attorneys, child support, child family investigators, and others. A few comments suggested that collaborations would only be successful if supervisors and administrators give their support. A number of comments focused on training for CPS workers, which were driven from concerns regarding overworked staff and high turnover rates. Some suggested ongoing mandated domestic violence training for both new and experienced employees since even experienced workers may not have been properly trained. Several comments were concerned about the policies and procedures CPS has regarding overlapping cases, and that a statewide assessment would provide more information about this.

CHILD PROTECTION SERVICES STAFF

Quantitative Questions Asked of Child Protection Services Staff and Responses:

CPS staff were asked to choose the role/title that most closely describes their responsibilities/job. Of the 247 responses, 44% identified with rural and 56% identified with urban. 46% of responses indicated they were “ongoing,” 28% said they were “intake,” and 26% said they were “generalist.”³ 66% identified as a caseworker, 25% as a supervisor, and 9% as administration. A small majority (54%) of respondents had been on the job five or more years, with 30% on the job for more than ten years. 20% were on the job zero to 18 months, and 26% were on the job 19 months to five years. A majority (58%) of respondents have monthly caseloads between 11 and 30, while 35% have zero to ten cases per month, and 7% have more than 30.

When asked under what circumstances do you expect domestic violence programs/shelters to make a CPS report when children are being subjected to domestic violence, respondents indicated that they expect domestic violence programs to make reports when children see (92%), hear (84%), intervening (93%), living in the home (78%), being injured (97%), and are in imminent danger (94%)⁴. 1% of respondents indicated they weren’t sure. Staff was asked if they maintain ongoing communication regarding domestic violence offenders with various agencies in cases where domestic violence is present. 87% indicated mental health provider, 81% indicated substance abuse provider, 79% indicated probation, and 70% indicated law enforcement.

When asked when their agency screens for domestic violence, 93% selected “at assessment, investigation, safety planning,” 77% selected “at referral,” and 72% selected during case service planning. 3% indicated they do not screen for domestic violence. When asked when their agency coordinates services with community domestic violence victim service programs, 90%

³ Not all respondents answered every question, so the number of responses for each question varies.

⁴ Respondents could select more than one answer in this question, so totals will not equal 100%.

said “at assessment, investigation, safety planning,” and 87% said, “during case service planning.” 2% said they do not coordinate services.

When asked what concerns they have regarding how domestic violence victim advocate programs handle child abuse and neglect, 46% indicated “not making child abuse or neglect reports,” 43% indicated “prioritizing parents’ needs over child’s needs,” and 42% indicated “program ability to adequately address family treatment needs.” When asked to rank the top three factors that drive their agency’s decision making in domestic violence cases, number one was safety (99%), number two was risk (90%), and number three was federal rules/statutes (52%). When asked what feedback they have received from non-offending parents who were reported to CPS (by a domestic violence program), 71% selected “non-offending parent did not understand why their parenting was being assessed or questioned,” 52% selected “non-offending parent felt blamed by CPS,” and 38% selected “non-offending parent had a positive experience in the DV program.”

Qualitative Responses from Child Protection Services Staff:

Question: What concerns do you have regarding how domestic violence victim advocate programs handle child abuse and neglect? Responses: The vast majority of these responses indicated frustration with working with domestic violence advocates around the issues of confidentiality and communication. Several noted that the advocates refuse to provide information about families in shelter, do not use or honor releases of information, are resistant to providing information to CPS even with a release, and do not provide attendance records for court-ordered therapy. A number of concerns focused on how the domestic violence advocates handle overlapping cases and indicated the advocates do not properly assess for child protection issues or the non-offending parent’s ability to stay free of abuse.

Question: What feedback have you received from non-offending parents who were reported to CPS? Responses: The responses to this question were very mixed. Several noted that the non-offending parent is defensive of the offending parent, denied the need for services from CPS, or is in denial about the effect of domestic violence on their children. Some commented that non-offending parents might want to modify no-contact orders and often return to an unsafe situation because of financial issues or other reasons. A few observed that non-offending parents often are faced with their own set of issues such as mental illness or substance abuse and find it difficult to meet responsibilities and pressures expected of them. A number remarked that non-offending parents feel betrayed or re-victimized, by not just CPS, but also victim advocates (who may have made report) and the criminal justice system. They do not understand why their parenting is being questioned and feel that the offender is not being held accountable. On the positive side, some non-offending parents are invested in working with CPS, thankful for the support CPS can provide them in creating a safer environment, and appreciate the positive feedback from CPS concerning their strengths and ability to protect their children.

Question: What training would you like to have to assist you in providing the best interventions in overlapping cases? Responses: CPS workers noted their desire to receive training in the following areas: laws regarding CPS involvement with domestic violence families; safe interventions when the offender/victim reunite; non-physical dynamics of domestic violence; working with law enforcement, victim advocates and domestic violence programs; getting past the “artificial” confidentiality barriers; how to assist and understand the non-offending parent’s

decision-making process; safety planning with victims and children; and review mandated reporting laws.

Question: Is there anything else you would like to add that you felt this survey did not cover regarding the domestic violence and CPS overlap? Responses: Several responses mentioned concerns regarding clear standards when it comes to reporting of domestic violence when children are present; that there is not a clear definition of when to report. One noted that if all domestic violence cases where children are involved were reported, CPS would need additional staff. A number observed that they have a hard time working with non-offending parents who are not protecting their children and remain with the perpetrator. Yet another noted that many of their domestic violence cases are resolved at intake if the non-offending parent is appropriately protection. Communication barriers were mentioned several times, noting that systems must talk with each other, especially when services are compartmentalized, and that confidentiality may be an issue when working with domestic violence advocates. Some noted that the Colorado Standards for Offender Treatment are insufficient for CPS treatment plans and often work at cross-purposes for CPS treatment plans. Several commented that cross training is helpful for domestic violence programs to understand the role CPS has to play and that training for foster parents to help children who are placed from a domestic violence home would also be helpful.