

Engage to Protect: Foundations for Supervised Visitation and Exchange

Crafting Policies that Account for Battering

Authors

Ellen Pence, Ph.D., and Jane Sadusky



Praxis International, Inc.

This project was supported by Award #2006-WT-AX-K040 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinion, findings, conclusions or recommendations expressed in this training curriculum are those of the author(s) and do not necessarily reflect the view of the U.S. Department of Justice.

Acknowledgments

This paper draws on eight years of wide-ranging discussions involving the Office on Violence Against Women, Praxis and other technical assistance providers, and visitation programs of all sizes and at all stages of development. We benefited from the contributions of many people who have a long history of working, researching, and training on issues related to domestic violence and to supervised visitation and the ways in which they intersect. In particular, the early work and experiences of the Safe Havens Demonstration Initiative sites—the South Bay Area, California; the City of Chicago, Illinois; the City of Kent, Washington; and the State of Michigan—helped focus our attention on the importance of crafting policies that account for battering.

We cannot begin to adequately thank the women who participated in focus group discussions and helped us explore the many facets and needs related to safety after leaving an abusive partner. We dedicate this work to them, and to the children, mothers, and fathers who everyday enter the doors of a visitation center. May our contribution help expand the possibilities of nonviolence and harmony for each family.

© 2009 Praxis International. All rights reserved.

Praxis International



206 West 4th St., Suite 207
Duluth, MN 55806-1604
Ph 218-525-0487
Fax 218-525-0445

179 Robie Street East, Suite 260
St. Paul, MN 55107
Ph 651-699-8000
Fax 651-699-8001

www.praxisinternational.org

Crafting Policies that Account for Battering Beyond Cut-and-Paste: 9 Tips to Successful Program and Service Policies

Ellen Pence and Jane Sadusky

© 2009 Praxis International, Inc.

This project was supported by Award #2006-WT-AX-K040 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinion, findings, conclusions or recommendations expressed in this article, are those of the author(s) and do not necessarily reflect the view of the U.S. Department of Justice.



Introduction

Starting a new program or receiving funds to revamp an existing program is an exciting challenge. Few of us have the opportunity to mold a service program into something we think it should be. Most of us work within agencies where we often think, “if only we could start over and do this differently.” Since 2002, Office on Violence Against Women (OVW) funding through the Safe Havens: Supervised Visitation and Safe Exchange Grant Program (Supervised Visitation Program) has provided many communities with just this opportunity.

But where to start? Why not simply take another visitation center’s policies and put them in place, especially those from an experienced program? Is that so bad? No; but then again, yes. While it is convenient to cut and paste, policies must belong to an organization. The *process* of policy making is crucial to an organization’s ability to successfully implement those very policies. We offer nine tips that can help a visitation program stay on course as it maneuvers through the complexities of policymaking. The tips are interrelated. They do not stand in isolation from each other, but they are not necessarily sequential.

The approach described in this paper has the Supervised Visitation Program’s Guiding Principles as its backdrop (see Appendix 1).¹ It has been written primarily for centers that have elected to operate within those principles. This approach to policymaking is also committed to following two fundamental tenets:

1. In every aspect of our work we must address the people before us in their complexities, identities, and life circumstances. We can stop organizing our response around the needs of some universal mother or father or child who seldom, if ever, enters our doors.
2. We must create an opposing experience to battering for every child, mother, and father who enters our doors. We can be the change we seek to create.

By using these principles and tenets to guide our visitation center’s policymaking and practice –and thereby focus our attention on safety, fairness, and grounding our work in the realities of domestic violence cases – we expand the possibilities of nonviolence and harmony for each family entering our doors.

Tip #1: Ground policy in the organization’s mission and values

A *policy*, as used here, is a directive by the board of directors.² As such it should reflect the organization’s mission and values. A service organization must be clear on who it serves. For visitation centers, this means asking: are we here in service to those who refer families to our center, to the families themselves, or to a larger mission of our own?

¹ The Guiding Principles were developed over a three-year period by a national steering committee, with coordination and guidance from the National Council of Juvenile and Family Court Judges. The Guiding Principles and related standards and practices, are available at www.praxisinternational.org.

² We are assuming that the organization is a community-based nonprofit, the structure of most OVW-funded visitation centers. Programs operated by tribal communities and local government agencies may have different structures, decision-making processes, and traditions. The tips and strategies included in this guide are broadly applicable, however.



Shaping mission and values: the Guiding Principles

Supervised Visitation Program (SVP) centers have a distinct point of view, as reflected in the Guiding Principles. That point of view is different from that of centers that prioritize safety for children but see themselves as having little role in protecting one parent from the other's abuse.

Centers that define their mission as “we’re here for the children,” without equal regard to the safety of adult victims, claim a neutral position in what is seen as an essentially balanced conflict between parents of similar standing and power in their relationship. In contrast, the Guiding Principles require a center to take a stand against violence and actively seek to protect adult victims of ongoing abuse, as well as children, from continued harm.

The Guiding Principles set forth additional expectations for visitation programs to: pay specific attention to and incorporate an understanding of domestic violence into their work; strive for respectful, fair interaction with every family member; value and build services that recognize and respond to people’s unique cultures and identities; work within a collaborative framework that emphasizes and builds community responsibility for ensuring safety; and link individual victims with effective advocacy, as well as identify broader advocacy needs and gaps in services.

A key task and challenge for any visitation center then is to decide who it will serve and how. This requires asking such questions as:

- Why are we here?
- How can we best use our limited resources to prevent further harm?
- How can we give children a safe and respectful place to be with a parent who has abused their other parent, drawn them into that abuse, and perhaps directly abused them as well?
- How can we act with others in the community to reduce the opportunities for abusers to continue their battering?
- How can we act in partnership with other organizations and the legal system to seek long term solutions for families where violence has caused so much harm?
- What do we value? What is our mission?

Shaping mission and values: accounting for battering

The Supervised Visitation Program was established to pay specific attention to issues of post-separation domestic violence, a period of heightened danger and concern.³ Under the SVP, part of the role of visitation centers is to recognize and account for battering, in particular, along with other

³ Leaving a battering partner is difficult, complex, and dangerous, as research by Carolyn Rebecca Block, Jacquelyn Campbell, Neil Websdale, and others has established. For example, for a summary of intimate partner homicide research, see *NIJ Journal*, National Institute of Justice, Issue 250 November 2003, available at www.ojp.usdoj.gov/nij.



forms of domestic violence.⁴ It is adult and child victims of battering who are most at risk in the volatile post-separation period.

To say that “we’re here for the children” without equal regard for the safety of adult victims, or to say that “we’re here to keep everyone safe during the visit or exchange,” falls short in cases of battering. The violence and related harm does not occur as a single event or incident or at a single point in time. It is woven into the fabric of the relationship, a relationship in which one person has used fear, pain, and the threat of more pain to control the other. The threat often involves the unbearable: losing one’s children. A visitation center is drawn into that relationship of coercion and control when it agrees to give a parent access to a child, whether that parent is the person who is battering or the one who is being battered.

Supporting **separation without harm** is a center’s key purpose in cases involving battering. That means helping batterers get through the separation process without using children to do more harm. That means being an integral part of a community response to protect battered women and their children from continued harm and to help repair the harm that has been done.

To account for battering, a visitation center must examine all service areas and points of interaction with each family member, such as (but not limited to): first contacts, first appointments, intake or orientation, first and ongoing visits or exchanges, staff intervention during a visit or exchange, and a center’s decision to reject a case for services or terminate services. Grounding policy in the values of the Guiding Principles requires attention to and specific policy language in all of these areas.

Shaping mission and values: location

By “location,” we mean the visitation center’s location as either a freestanding entity or as part of a larger organization with its own mission and values.

For visitation centers located in agencies where the center is one of several programs, the task is more complicated. The broader the scope of programming, the less direction the overall mission statement might provide to the visitation center. The broader the scope of programming, the more likely it is that a service such as supervised visitation and exchange might have a different role than that of other services under the same agency. For example, a domestic violence advocacy program typically does not provide services to men who batter. Opening a visitation center, however, puts it in just that role. When domestic violence advocacy programs also operate visitation centers they must create clear policy guidelines that distinguish their respective roles. Similarly, a counseling agency may avoid expressly trying to control a client’s behavior, seeing its role as offering options, skills, and tools for change while letting the person set the goals of change. In a visitation center at least one of the goals is predetermined: to reduce a batterer’s opportunity to harm. Such tensions

⁴ Domestic violence is a broad category that has come to include many kinds of violence and behaviors. **Battering** is an ongoing use of intimidation, coercion, violence, and other tactics **intended to control and dominate** an intimate partner. It involves patterns of physical, sexual, and emotional abuse. Battering is distinctive for the variety of coercive tactics, the level of fear it produces for adult victims and their children, and its potential lethality. It is not the same as hitting someone in a marriage. Battering has been and remains most characteristic of men’s use of violence in relationships. For a more complete discussion in the context of supervised visitation, see the *Engage to Protect* series paper, “Recognizing and Understanding Battering,” Ellen Pence and Jane Sadusky, 2009.



can be stumbling blocks for visitation programs in clarifying how they will engage with each family member.

Tip #2: Understand the full scope of the policy area or problem

Understanding the full scope of the policy area or problem to be addressed means that a visitation center's policymakers must go on a bit of a fishing expedition. Ask around, beginning with the people who will be most impacted by the policy under consideration. You want to understand how the issue you are trying to address is occurring and what about the center's current response is working well or working poorly for those you are trying to help.⁵

Program and service policies cover a wide range of issues brought to the visitation center and that emerge in the center, on a continuum of complexity and difficulty. These include: case selection, termination of services, orientation, scheduling, fees, late and cancelled visits, grievances and complaints, communication between a visiting parent and child, photographs, gifts, substance abuse, presence of other family members, documentation, confidentiality, security, and reporting child abuse.

For example, at the most complex end of the issue continuum is policymaking around responding to cases when the visiting parent is the victim of battering. This subject involves every aspect of a center's work, including: roles; documentation; engaging with mothers, fathers and children; use of advocates; staff capacity; and relationships with the courts and other referring agencies, such as child welfare. The response to visiting parents who are victims of battering is a controversial area of center work because it continues to be the central issue that questions assumptions of neutrality. It is a new area of policymaking for even the most seasoned visitation programs. It is one of those policy areas where one center truly cannot cut and paste from another.

Map out how a visitation and/or exchange case moves through the center.

Mapping the steps involved in processing a visitation or exchange "case" helps figure out where and how to focus policy attention. Not every point of action requires a policy or the same level of attention. Mapping the steps, together with talking with those impacted by a policy under consideration, also helps examine the implications of each step and action for victims of battering. At each step, ask:

- What happens here? What are the sub-steps involved at this point?
- What are the considerations at this step for:
 - Record-keeping?
 - Documentation?
 - Confidentiality?
 - Communication?
 - Reporting?
 - Safety and security?

⁵ See "Informing the Practice of Supervised Visitation," Melanie Shepard, Jane Sadusky, and Beth McNamara, 2009, in the *Engage to Protect* papers.



- How does this step account for battering?
- How does this step support equal regard for the safety of adult victims and children?
- How does this step work for people with diverse backgrounds and needs?
- Is there anything at this point of case processing that could be used against a victim of battering? In what ways?
- Do we need policy guidance at this step?

Appendix 3 is an example of a case processing map. To develop the map to more completely reflect the process in a specific visitation center, use an actual case and add or subtract steps accordingly. For example, use one or more cases of battered women who have lost custody and are using the center for supervised visitation or exchange. Use the map to highlight policy areas that need development or revision. Revisit the map with information learned from talking with those using and working in the center and key practitioners in the community, as described below.

Talk with those using and working in the center.

Continuing with the example of battered women as visiting parents, understanding the full scope of such a complex policy issue requires talking with mothers who are the visiting parents, center staff and volunteers who will carry out new policies, and fathers who are the custodial parents, but have also battered their children's mother. This can take the form of individual interviews or focus group discussions. The key is to listen and probe, not to look for what you think is going on. Seek to discover what you don't know. Women's stories and comments are like pointers to a center's overall program saying, "Here, look here; this is a place the policy needs to be made or re-made." Staff members and volunteers can often readily pinpoint places in the center's response and routines where they feel confused or conflicted about what to do. Conversations with men who batter can help a center learn how its policies inadvertently create opportunities for further harm or safety risks.

Talk with key practitioners in the community.

Talking with practitioners also provides insight into how a problem comes about and its impact on people in different circumstances. Continuing with the example of policy around the complex issue of victims of battering as visiting parents, a center would interview the following practitioners: one or more attorneys known for representing battered women in custody cases; judges who hear those cases; Guardians ad litem who advise the court on domestic violence cases; and experienced advocates who work with battered women facing contested custody or parental access decisions.

Such conversations help policymakers explore and better understand how women who are battered end up as visiting parents. A visitation center expands its understanding of how cases reach the center, the complexity of problems battered women face, and how the center responds and might respond differently to battered women's concerns about their own and their children's safety when they are the visiting parent. The practitioners' insights can help a visitation center see its own process more clearly, identify where in that process it needs to add or change policy, and anticipate unintended harmful consequences.



A visitation program can also draw on the expertise built in other settings to help it step out of its own routines and assumptions and take a fresh look at its own practices related to domestic violence and visitation services. Sources for such expertise include state and national organizations providing resources and technical assistance related to domestic violence and those addressing issues of cultural and disability accessibility.

Use visitation center staff meetings as a forum.

A visitation center can also use staff meetings to examine policy issues, with staff members presenting specific cases that raise policy-related issues and problems. For example, perhaps the issue of visiting mothers who are victims of battering has emerged as staff members voice their concerns about the women's experiences and center policies requiring non-custodial parents to arrive first; or, their concerns about allowing children more time to transition and say good-bye to their mother. The center director can use staff meetings to review each case involving visiting mothers where current policy seems inadequate or even harmful. A staff meeting can also be used to construct or revisit a case processing map in order to help pinpoint where center practices might be need to be changed.

Tip #3: Stay client-centered

This sounds good and perhaps does not seem that complicated. Yet the needs of the center typically prevail, while we lose sight of the person's needs. Most people who do not do well in visitation centers, i.e., those who drop out or are asked to leave, do so because they cannot adjust to the center's needs.

Visitation centers, like most human service organizations, strive for uniformity in case processing that benefits their operations. The standard approach to a visitation "case" sets an expectation of fairness to staff and families, ensures that workers follow service standards, helps the center manage limited resources, and promotes a measure of accountability between the agency and its clients and between the agency and its referral sources: "we treat like cases alike." However, this uniformity is ill-suited to meeting the unique and complex needs of individual mothers, fathers, and children. Standardized routines often create a gap between the realities in people's lives and the organization's response. This has been particularly true for victims of battering. Until recently, few human services, including supervised visitation, were designed with the unique characteristics of battering in mind.

For example, consider the following common visitation center rules and the questions that emerge when they are examined in the light of "real life," i.e., specific cases reflecting specific people, rather than a generic client.⁶

⁶ Questioning the application of policies to "real life" situations in this way could be an activity for a visitation center staff meeting (see Tip #2).



Visitation center policy

Impact in specific case/cases

Rule: *Custodial parent must arrive 5 minutes before start of scheduled visit.*

Meets center's needs for:

- Preventing direct contact between parents
- Managing multiple cases with limited staff by avoiding delays from case to case

Rule: *Communication and interactions with staff and others using the center must be respectful.*

- Calm environment
- Environment that feels safe for children and staff

Ms. Smith is a mother of four young children; she's without a car and travels by city bus; she has little or no spare funds each month. It's nearly impossible for her to arrive anywhere on time, week after week. Several visits have been shortened or cancelled because of her late arrival.

Mr. Smith now sees his children once a week for ninety minutes. Visits have been cancelled or shortened because "she" missed the bus. The last time he had to wait for a shorter visit he yelled at a worker ("you just do your job and get me my kids here on time!"); the visit was terminated. He stomped out and squealed his tires as he left the parking lot. He was banned from the center and a report sent to the court. Future visits were arranged at his mother's, a situation Ms. Smith wanted to avoid.

How does the rule governing Ms. Smith's arrival and departure at the center meet her needs for safety and security? How might the blanket application of the rule impede her safety and security? A center can easily lose sight of why a policy exists in the first place and begin to enforce the words, not the intention. A center's case management needs can easily push aside a person's needs. If we are to have equal regard for the safety of Ms. Smith and her children it may be important to continue supervised visitation and figure out how to make it work for her.

How does the rule governing Mr. Smith's communication and interaction with center staff help workers distinguish an emotional outburst from violence? How might blanket application of the rule – resulting in termination of supervised visitation – make it less safe for Ms. Smith? "Anger" has become a catchword for "violence" and it can be easy to confuse an emotional response with being violent. While Mr. Smith's behavior should not stand without discussion or consequence, terminating services may not be in the best interest of safety.

Policymaking must allow for human interaction to occur in the course of everyday routines and case processing. A center cannot take up the human experiences it encounters everyday if every possibility for interaction is governed by a rule set in a policy, divorced from the particulars of a specific case and lacking flexibility.

When writing "policy for people," keep these questions in mind:

1. If we were to achieve our goal of _____, who might be negatively affected? How? How can we achieve our goal without making our services out of reach from those who might benefit?



2. What does it mean for our organization to be accountable to victims of ongoing abuse when dealing with _____?
3. How are the organization's interests colliding here with the interests of people who use our services?

Tip #4: Account for people's diverse needs and experiences

People come through the doors of a visitation center with their whole selves and all of their complexities, identities, and life circumstances. Sound policy making requires accounting for the policy's impact on people with diverse needs and experiences. There is no single approach that accomplishes this and the policymaking tips presented here are not separate and distinct from one another, but are very much interconnected. Staying client-centered helps account for peoples' diverse needs and experiences; together they help a visitation center anticipate harmful, unintended consequences. Adequately addressing those consequences requires knowing who is using the center, what their needs and experiences are, and how any proposed or actual policy might affect them.

The ongoing work of the Supervised Visitation Program has produced ideas and strategies for centers to use in accounting for people's diverse needs and experiences, as illustrated in the following examples. Use them as preparation for sound policymaking and for ongoing guidance.

1. The published Guiding Principles include a standards and practice section with suggestions for building inclusive visitation services.⁷ The emphasis is on obtaining input from those served, as well as the visitation center's community partners; designing programming, physical space, and staff recruitment to promote and encourage diversity; and, developing strong relationships with culturally specific organizations.
2. The Chicago Supervised Visitation Program Demonstration Initiative took a close look at the question of accounting for culture in supervised visitation practices. That led to an examination of the idea of "cultural humility" as a framework for recognizing and meeting people's needs, and specific recommendations on how to put the idea into action. Recommendations that are particularly relevant to policymaking include: (1) structure adequate time and flexibility into all interactions; (2) invite diverse community organizations to walk through the center's space and procedures and provide a critique; (3) use staff meetings, ad hoc work groups, community members, and parents to help examine every aspect of the center's design and the implied and explicit messages about who is welcome and how they are valued; and, (4) build processes for expanding the center's understanding of families' experiences with the courts, police, welfare and other intervening institutions, both individually and historically.⁸
3. The Institute on Domestic Violence in The African American Community (IDVAAC) has published *Concepts in Creating Culturally Responsive Services for Supervised Visitation Centers*, based on interviews and surveys with center clients, professionals working on supervised visitation, and center staff and directors. The work outlines the characteristics of culturally responsive practitioners and organizations, identifies barriers, and suggests strategies and

⁷ See Appendix 1 for a summary of the Guiding Principles.

⁸ See "A Discussion of Accounting for Culture in Supervised Visitation Practices: The City of Chicago, Illinois Demonstration Site Experience," December 2005, available at www.praxisinternational.org.



approaches for helping supervised visitation center services connect with clients from diverse cultural groups. *Ozba Wabbeganniss*, a second IDVAAC publication, in partnership with Mending the Sacred Hoop, explores supervised visitation services in Native American communities. It illustrates the ways in which a visitation center can learn more deeply about people's cultural considerations and "an analysis of history and the cost of that history."⁹

Crafting policies that stay client-centered and account for people's diverse needs requires flexibility. It is admittedly easier to be rigid and absolute: "Here's the list of rules; everyone must follow them." This absolute approach appears to be fair, but fair does not mean treating everyone the same. Fair means treating each person with courtesy and respect. It means that the center will not act as an advocate for either parent in any court proceeding. It means that each parent will receive clear information about the center's expectations and policies and have their questions answered. Fair means that a center will seek the least intrusive approach to services and strive to mitigate its artificial environment, consistent with safety, level of risk, and people's cultural needs.

Tip #5: Seek broad ownership and buy-in

Program policies are made by a board of directors, but they are carried out in the day-to-day actions of visitation center administrators and staff. Generally and with some exceptions, program policies do not apply directly to the board, but they impact many others beyond the board's authority, such as referral sources, domestic violence programs, and program participants and their family members.

Involve each of these core consumer groups when developing policy. They do not need to be in on every policy and every word, or review or approve policy language, but they should be consulted about areas that will impact them or where they will have important insights to contribute. These core groups should be part of an ongoing process for informing visitation practices. For example, if a visitation center board is considering a policy requiring staff to make contact with parents at protection order hearings, the center's court and advocacy partners should be consulted.

When an organization seeks broad consultation on policymaking it accomplishes two things. First, it learns about possible stumbling blocks and anticipates problems before they occur. Second, seeking broad consultation builds support for the center. Each person consulted will be available to the center when it might need their help because of the connections built via the process.

Part of seeking broad ownership and buy-in is presenting policy in ways that fit the links between various consumers and the visitation center. Policies are formal statements by a board of directors and typically read something like:

The organization will provide physical safety measures for each participating family, which at a minimum will include x, y, and z. In addition, participants will be informed of additional safety measures and afforded them if requested at no expense, which shall include....

⁹ Both IDVAAC publications are available at www.dvinstitute.org.



To be useful to and understood by others, formal statements such as this need to be presented in common, everyday language and formats. Center clients might receive a brochure that says, “What you can expect from us.” Employees can receive a handbook or similar publication that states board policy, gives the rationale for it, and, provides some concrete examples.¹⁰ Community partners such as courts and domestic violence programs can receive a brief highlight of key policy points and implications for the relationship between the center and these consumer groups.

Tip # 6: Anticipate harmful unintended consequences

Many well-intended policies can do a tremendous amount of damage and be difficult to correct once put into place. This is particularly true in domestic violence cases where dozens of considerations need to be made in counteracting the seemingly endless ways abusers attempt to thwart the goals of intervention. One example is the common policy in visitation centers that non-custodial parents arrive fifteen minutes before the custodial parents and children. The purpose is to keep the visiting parent in the center and out of sight and contact with the custodial parent, thereby limiting opportunities to harass or attack the custodial parent. This works fairly well when the custodial parent is the victim of battering and not the perpetrator. Where the situation is reversed, however, and the visiting parent is also the battered parent, the policy gives the batterer easy access to the victim. Policies backfire and fail to protect more often because they are poorly designed rather than badly intentioned. To avoid harmful ‘boomerang’ effects, policymakers can:

- Test proposed policies against a wide range of applicable case scenarios to see how the policy might play out in practice.
- Use questions such as those found in Appendix 2, Policy Check, to examine the proposed policy in ways that help address the dynamics of battering and the ways batterers might use the policy against their former partners.
- Test the policy over a short period of time, e.g., six to twelve months, and bring the results back to the board for final approval.
- Use multiple approaches to gather feedback on proposed policies: interviews, focus groups, questionnaires, and staff case consultations.¹¹

Involve center staff in this testing and questioning. Most board members may have little expertise in dealing with battering and related forms of domestic violence, making it difficult to anticipate the implications of a policy under deliberation. Nevertheless, a board’s responsibility is to ask how a policy might backfire on clients and push for thoughtful answers. Anyone writing domestic-violence-related policy needs to be aware of five “fatal” flaws.

- 1) The policy does not distinguish among different types and levels of domestic violence: battering, resistive/responsive violence, and non-battering violence.¹²
- 2) The policy uses categories that lump dissimilar situations, people, or events into single groups.¹³

¹⁰ For a good illustration of such a publication for employees, see the “St. Louis County Deputy Sheriff’s Domestic Violence Handbook and Training Guide,” available at www.praxisinternational.org.

¹¹ See Note 5.

¹² See Note 4.



- 3) The policy is not written using precise, everyday language, but uses jargon and does not adequately define the terms used.
- 4) The policy does not commit to a client-centered approach to services and interagency work.
- 5) The policy is not grounded in the Guiding Principles.

It follows that when writing policy a board can avoid unintended consequences by taking the following measures.

- Be clear about the wide range of violence included in the term domestic violence.
- Use precise, clear language that avoids jargon, defines terms, and aims for brevity. Ask two or three readers to flag problematic language and lack of clarity.
- Pay attention to every category mentioned and ask, “Who or what did we just lump together as one thing, and should we be doing that?”
- Read every word from the perspective of adult and child victims of ongoing abuse and ask, “If I were in this person’s shoes, does the policy work for me?”
- Put every policy up against each of the six Guiding Principles and ask, “How does this policy meet or fall short of this principle? If it falls short, how can we fix that?”

Tip #7: Make the assumptions behind the policy transparent

Every policy must be clear to those who were not involved in writing it. Those directly involved will understand the thinking that supports the policy in ways that others will not. Policies often have introductions or accompanying documents that spell out the connections between the policy and the organization’s mission and stated principles or guiding values. Knowing the board’s intent is important when a policy comes into question or when the staff and administrators are trying to figure out how to implement it. Sometimes spelling out the assumptions underlying a policy forces the board to rethink how the policy is written. Or, it sparks a philosophical debate because articulating the assumptions brings out disagreements.

For example, a complex topic such as responding to battered women as visiting parents is likely to spark philosophical debate. Some board members may disagree that any distinction needs to be made and that all “custodial” parents must follow exactly the same rules. They may see making the distinction between visiting fathers who are batterers and visiting mothers who are victims of battering as beyond the center’s role. Other board members may be adamant that paying equal regard to the safety of adult and child victims requires the center to make the distinction.

¹³ For example, the category of *children who refuse to visit* lumps together children who are afraid of or angry with a battering parent with children who are angry with their mothers or fathers for leaving or not fixing their relationship, children who have never met and do not want to meet the visiting parent, and children who just want to go to the latest movie or a friend’s birthday party instead of the scheduled visitation; *victims of domestic violence* lumps together everyone who has been hit, scratched, bit, or pushed by a partner into a single group, regardless of the context of the action; *critical incident* lumps together incidents as varied as a parent who smells like alcohol or uses profanity with attempted child abduction; *adult conversation* lumps together all discussions children may want to have about what is going on between their parents into a forbidden zone of talking; *custodial parent* lumps victims of battering together with perpetrators.



In writing a policy on responding to cases where battered women are the visiting parents, making the assumptions transparent requires clearly stating the center's role in relationship to such cases. All policy should support that role. When staff read the policy, the first thing it should answer is the question, "What are we trying to accomplish?" Not all policies require such specific articulation of objectives and mission and goals, but more complex subjects call for the board to be clear on its intent and goals.

Policies that make their underlying assumptions transparent typically include a section that defines words or concepts that can easily have multiple interpretations. For example, when a policy says, *the staff shall make meaningful referrals to victims of abuse to appropriate advocacy programs*, the terms "appropriate advocacy programs" and "meaningful referrals" must be defined.

When the assumptions behind the policy are transparent, it helps those using the center understand the reasons why the policy exists. It makes clear that there is more to the policy than just following center rules. Namely, the policy provides context and a foundation for safe ways to parent children in the future, helps shift a batterer's attention away from controlling his children and their mother, and supports a new way to build safety.

Articulating the assumptions behind the policy also provides the court and other community partners with a larger understanding of safety needs post-separation and calls attention to those that should be addressed in order for battered women and children to safely move away from the center. Finally, such transparency makes it easier for staff to understand and explain policies and make appropriate adjustments when needed.

Tip #8: Keep policy distinct from operating procedures

A board of directors generally sets the policies of not-for-profit human service organizations, such as most visitation centers, although the level of actual involvement in crafting the policy language and taking all of the steps described in this guide differ across boards of directors. Public agencies such as a police department or child protective services may vest some policymaking in the police chief or agency administrator and have mandated policy elements under state law.

Regardless of the specific structure and approach to policymaking, avoid using policy to instruct employees on the daily routines of their jobs. *Policies* are changeable, but cannot be easily or frequently changed. Procedures, which are concrete instructions to employees and volunteers on how to go about a task or function of the agency, are best established by the organization's administrative body, such as the executive director or designee.

A *policy* is a statement by the board which says, "This is what the board has committed this agency to do. This is what it must do." A procedure is a defined process or guideline established by management to say, "This is how we will do what we must do." While writing policy, constantly ask the question: Is this a policy or an administrative procedure?

Tip #9: Establish implementation, accountability, and evaluation plans

Implementation



The penalties paid by organizations with good policies that workers did not follow, resulting in harm to someone, have built more than one law firm. Policies cannot stand apart from sound procedures, supervision, training, and accountability. Workers must have the knowledge, resources, and guidance necessary to implement a policy as the board intended. The following graphic depicts the eight core ways an organization guides and directs its workers to respond in accordance with the organization's authorized ways of handling cases, whether it is a visitation case, a domestic violence case, or child welfare case.¹⁴



The graphic is based on the premise that organizations do not allow workers to independently determine how to process each case. All public agencies and most service organizations assert that they organize and coordinate workers in the following ways.

- **Mission, Purpose, and Function:** mission of the *overall process*, such as family law or child protection; purpose of a *specific process*, such as granting custody or establishing service plans; and, function of a worker in a *specific context*, such as a family court judge or supervised visitation monitor.
- **Concepts and Theories:** language, categories, theories, assumptions, philosophical frameworks.
- **Rules and Regulations:** any directive that workers are required to follow, such as policies, laws, memorandum of understanding, and insurance regulations.
- **Administrative Practices:** any case management procedure, protocols, forms, documentary practices, intake processes, screening tools.

¹⁴ Graphic from *The Praxis Safety and Accountability Audit Tool Kit*, Ellen Pence and Jane Sadusky, Praxis International, Inc., 2005.



- **Resources:** worker case load, technology, staffing levels, availability of support services, and resources available to those whose cases are being processed.
- **Education and Training:** professional, academic, in-service, informal and formal.
- **Linkages:** links between, across, and beyond workers, plus links with clients and community interveners.
- **Accountability:** each of the ways that processes and workers are organized to be accountable to clients and to be accountable to each other.

These are not the only ways in which work within an agency is organized, but they include the most visible and influential methods. These methods of standardizing workers actions need to be put into place as a part of policy implementation. Organizations that announce policy and fail to fully incorporate it into the daily work routines of every worker find themselves in a policy nowhere-land that will inevitably result in someone getting hurt, especially in these very volatile cases involving battering and other forms of domestic violence.

Accountability

An organization that works with cases of battering and with other intervening agencies should have five levels of accountability built into its policies and administrative procedures.

1. *Accountability to victims of abuse* – A visitation center and wider community collaborative should be highly focused on what it means to be accountable to adult and child victims of ongoing abuse. Interagency accountability to victims requires a well-integrated system of advocacy and attention to the implications of various actions to each victim's safety, which is never one-dimensional. It is shaped by what a specific batterer is willing and capable of doing, by life circumstances and social standing, and by how some institutional actions might adversely impact her life. A policy that is accountable to victims is one that anticipates unintended consequences and incorporates the flexibility to avoid them.
2. *Accountability to an organization's own standards and principles* – A visitation center has a fundamental accountability to its own mission and purpose, as articulated in its policy. Where policy is routinely set aside or misused, the board and organization must reexamine, revise, and in some cases replace the policy.
3. *Accountability to other practitioners intervening in the case* – Workers in a visitation center must be accountable to other practitioners intervening in these cases, consistent with the center's principles and mission. A center's overall operating plan should provide ways for each intervening practitioner to state what is needed from the center and how the center can best respond. This does not mean the center will or must do those things. The center's mission is not the same as that of the courts, child protection, or a guardian ad litem. All interveners share some common goals in responding to domestic violence cases, however, and collaboration is necessary for each to be effective.
4. *Accountability to fair and respectful treatment of the battering parent* – This principle of accountability must be considered throughout supervised visitation and safe exchange in order to establish and sustain the entire effort to (1) address each person in all of their



complexities, identities, and life circumstances and (2) create an opposing experience to battering.

5. *Accountability of individual batterers to those who have been harmed* – This means that a batterer is unable to manipulate the visitation center and use it against the victim, and messages about responsibility for the use of violence emphasize the batterer’s actions, not the victim’s.

Evaluation

Sound policymaking requires ways of asking “how is it working?” and processes for revising existing policies. This requires a framework for ongoing evaluation. The emphasis is on an evaluation process that involves consulting those using the center, working in the center, and connected with the center via community referrals and collaboration. Methods of gathering information in an evaluation include: questionnaires and surveys, interviews, check-ins, focus group discussions, and case file reviews and consultations.¹⁵ Sound policymaking includes a schedule for an annual or other regular review of agency policies and related procedures. For example, a center could establish an ongoing policy review that examines one-third of its program and service policies every year.

Appendices:

1. Guiding Principles for Supervised Visitation and Safe Exchange
2. Policy Check: Anticipating and avoiding unintended negative consequences in supervised visitation program and service policies
3. Case Processing Map: How does a battered woman/mother who has lost custody move through a visitation center?

¹⁵ See Note 5.



Guiding Principles for Supervised Visitation and Safe Exchange

1: Equal Regard for the Safety of Child and Adult Victims

- Prioritize safety of children AND adult victims of battering.
- Keep adult victims' safety needs visible and acknowledged in all center practices.
- Hold a unique position in protecting adult and child victims from actual violence or from a batterer's attempts to use the center to continue the abuse

2: Valuing Multiculturalism and Diversity

- Reject "one-size-fits-all."
- Recognize, include, and respond to different cultures, backgrounds, and circumstances of individuals using center services.
- Be proactive and intentional.

3: Incorporating an Understanding of Domestic Violence into Center Services

- Understand dynamics of battering and its impact.
- Be alert to ways in which separation can increase danger and shift battering tactics, including attempts to use visitation center as a tool and to involve children.
- Recognize victims' fears and how protective behavior may be misinterpreted.

4: Respectful and Fair Interaction

- Recognize center's power and influence over families.
- Understand that treating individuals with respect and fairness does not mean being neutral toward the violence or overlooking abusive behavior.
- Recognize inherent power imbalance when one person is battering another.

5: Community Collaboration

- Emphasize shared responsibility—center and community—in responding to domestic violence.
- Recognize that broad support and community action help ensure safety during the process of separation.
- Provide services to individuals; identify and eliminate barriers to safety and stability.

6: Advocacy for Child and Adult Victims

- Link victims with knowledgeable domestic violence advocates; distinct from direct advocacy.
- Provide meaningful access, not passing out a brochure or phone number.
- Recognize that supervised visitation and safe exchange hold a unique position in identifying needs and gaps for individuals and in community at large.

Adapted from *Guiding Principles – Safe Havens: Supervised Visitation and Safe Exchange Grant Program*, U.S. Department of Justice, Office on Violence Against Women, December 2007. Download at www.praxisinternational.org.





Policy Check*

Anticipating and avoiding unintended negative consequences in supervised visitation program and service policies

- Yes:** The policy is on track to help the visitation center (1) address each person in all of their complexities, identities, and life circumstances and (2) create an opposing experience to battering.
- No:** How is this a problem and who is it a problem for? Go back to the policymaking drawing board. Talk with those affected by the policy, from parents using the center (and sometimes children) to staff and other practitioners in the community. How do we correct the problem? New language? Clarify supervision or decision-making authority? Provide more resources or training? Get rid of the policy and start over?
- Maybe:** What additional information do we need? Who should we talk with? Do we need to test it first?

Policy language:				
This policy ...	Yes	No	Maybe	Notes
1) Anticipates how batterers might circumvent its intent and find ways to use the policy against victims.				
2) Anticipates how it might be used against victims of battering by other interveners (e.g., custody evaluators, social workers, judges).				
3) Reflects an understanding that different levels of dangerousness and risk require different levels of response.				
4) Recognizes its different impacts on people depending on their cultural and social identities, and minimize harmful impacts accordingly.				
5) Relays an understanding of the distinction between battering, resistive violence, and other forms of domestic violence.				
6) Recognizes the gender differences in separation violence and the implications for risk and safety (i.e., stalking, sexually abusing children, & killing children are far more likely to be committed by fathers).				
7) Acknowledges how batterers draw children into the abuse of their mothers.				
8) Acknowledges how batterers undermine children's relationships with their mothers.				
9) Accounts for victim vulnerability to consequences and retaliation if a batterer sees an action as hostile or confrontational (e.g., limiting sweets for children or restricting gifts).				
10) Avoids inadvertently lumping dissimilar situations into the same category (e.g., treating all non-custodial parents as batterers).				

* Adapted from "Developing Policies and Protocols," Ellen L. Pence and Coral McDonnell, in *Coordinating Community Responses to Domestic Violence: Lessons from Duluth and Beyond*, Sage Publications, 1999.



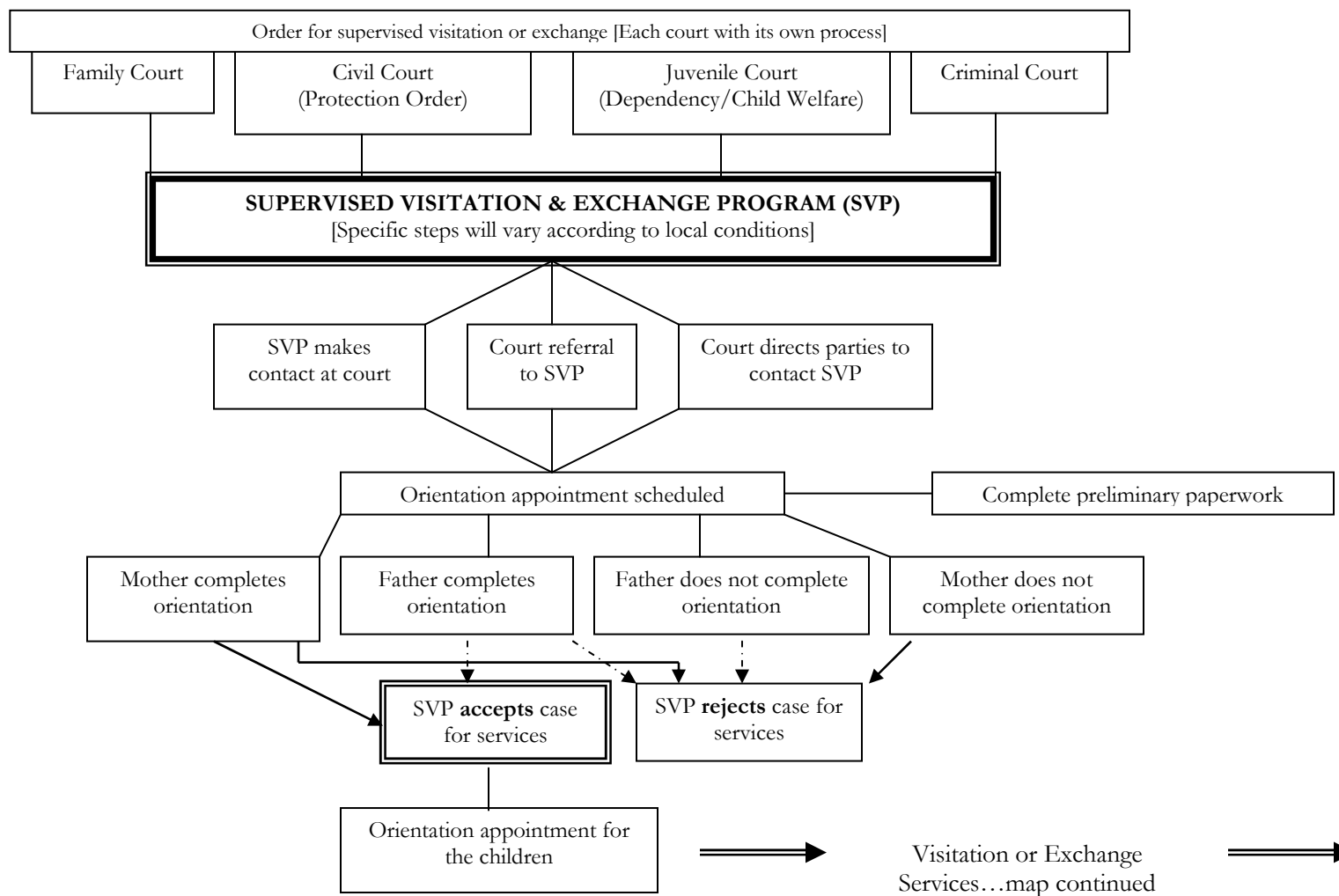
Policy language:				
This policy ...	Yes	No	Maybe	Notes
11) Limits how workers might get around or misuse it.				
12) Allows for flexibility when needed.				

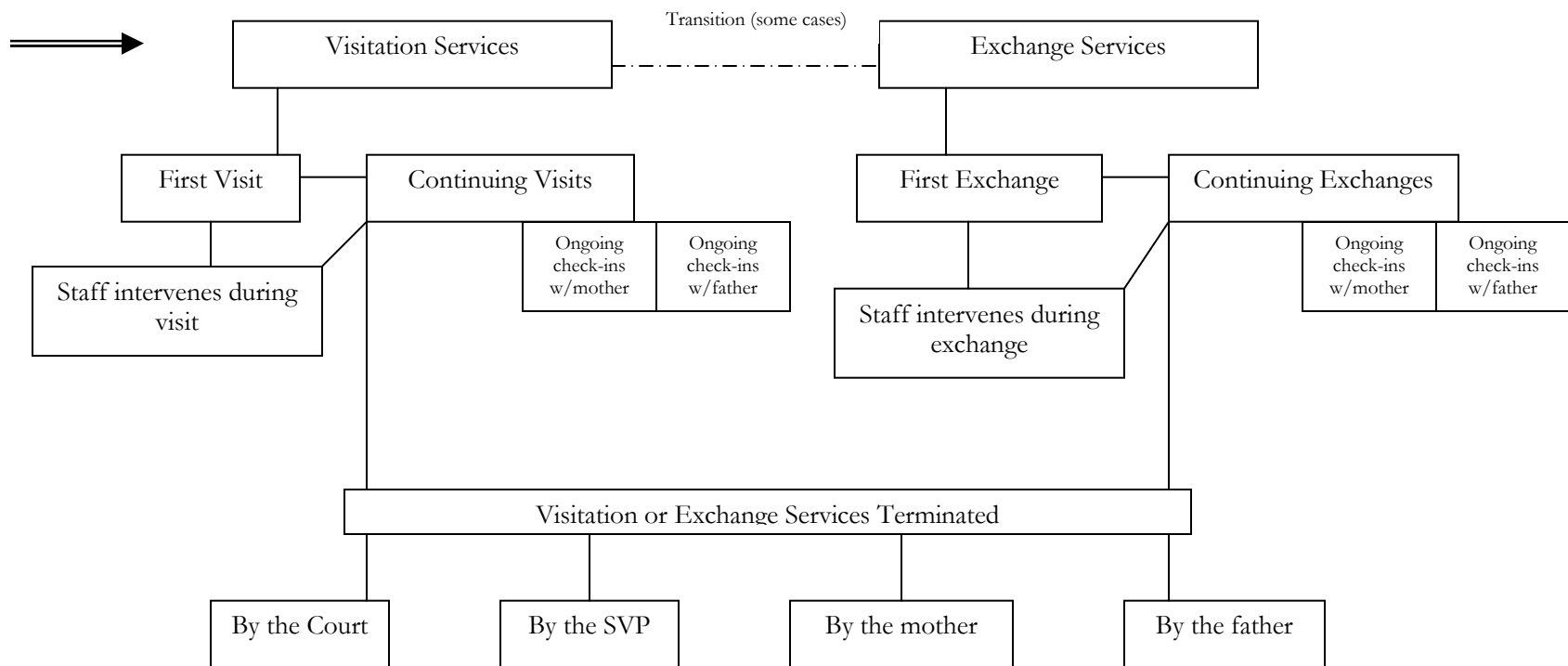




Case Processing Map

How does a battered woman/mother who has lost custody move through a visitation center?









Between 2002 and 2010, Praxis International worked in partnership with the Office on Violence Against Women to provide technical assistance and training to grantees in the Supervised Visitation Program. The following resources were developed during that partnership and are available at www.praxisinternational.org.

Safe Passage: Supervised Safe Exchange for Battered Women and Their Children, Jane Sadusky, March 2010

Engage to Protect: Foundations for Supervised Visitation and Exchange, 2009

“Recognizing and Understanding Battering,” Ellen Pence and Jane Sadusky

“Engaging with Battered Women,” Maren Hansen-Kramer, Julie Tilley, Beth McNamara, and Jane Sadusky

“Engaging with Men Who Batter,” Maren Hansen-Kramer, Julie Tilley, Beth McNamara, and Jane Sadusky

“Informing the Practice of Supervised Visitation,” Melanie Shepard, Jane Sadusky, and Beth McNamara

“Crafting Policies that Account for Battering – Beyond Cut-and-Paste: 9 Tips to Successful Program and Service Policies,” Ellen Pence and Jane Sadusky

On Safety’s Side: Protecting Those Vulnerable to Violence – Challenges to Notions of Neutrality in Supervised Visitation Centers, Martha McMahon and Ellen Pence, 2008

New Perspectives on Supervised Visitation and Safe Exchange: Orientation, Jane Sadusky, 2008

Building Safety, Repairing Harm: Lessons and Discoveries from the Safe Havens Demonstration Initiative, Jane Sadusky, 2008

Building the Practice of Orientation in Supervised Visitation and Safe Exchange: A Trainer’s Guide, Ellen Pence, Val Kalei Kanuha, Maren Hansen-Kramer, Jennifer Rose, Beth McNamara, Julie Tilley, and Jane Sadusky, 2008

The reports of the Safety and Accountability Audits conducted by the Safe Havens Demonstration Initiative sites, which addressed the following questions:

City of Kent, WA: How does a victim of battering who might benefit from supervised visitation services identify and access them? January 2007

South Bay Area, CA: How does the work of a visitation center produce or not produce safety for everyone involved? July 2004; Rev. February 2006

City of Chicago, IL: How does a visitation center account for peoples’ unique cultures and identities? December 2005

State of Michigan: What is the role of a supervised visitation center? July 2004

