

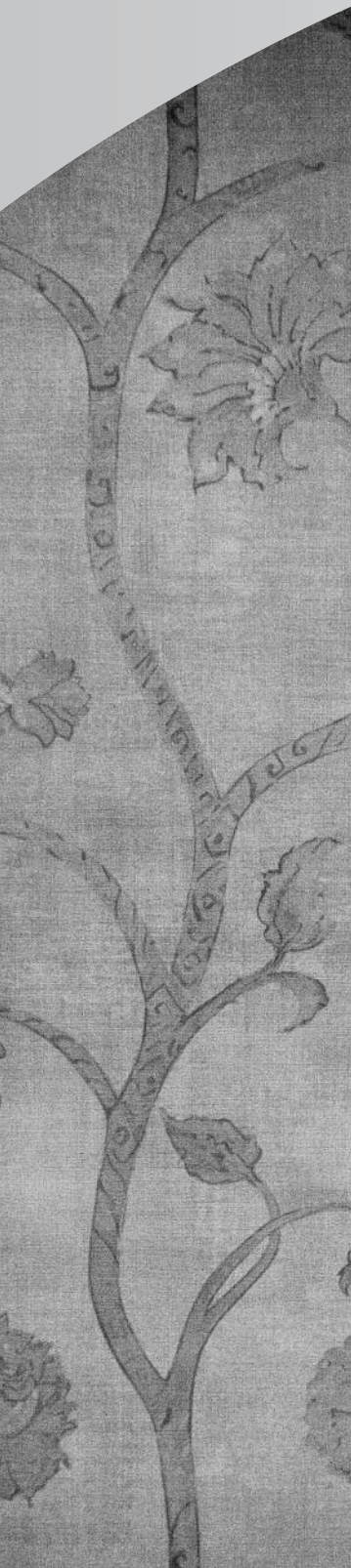
S A F E P A S S A G E :

Supervised Safe Exchange for Battered Women and Their Children

Written by

Jane Sadusky

for Praxis International



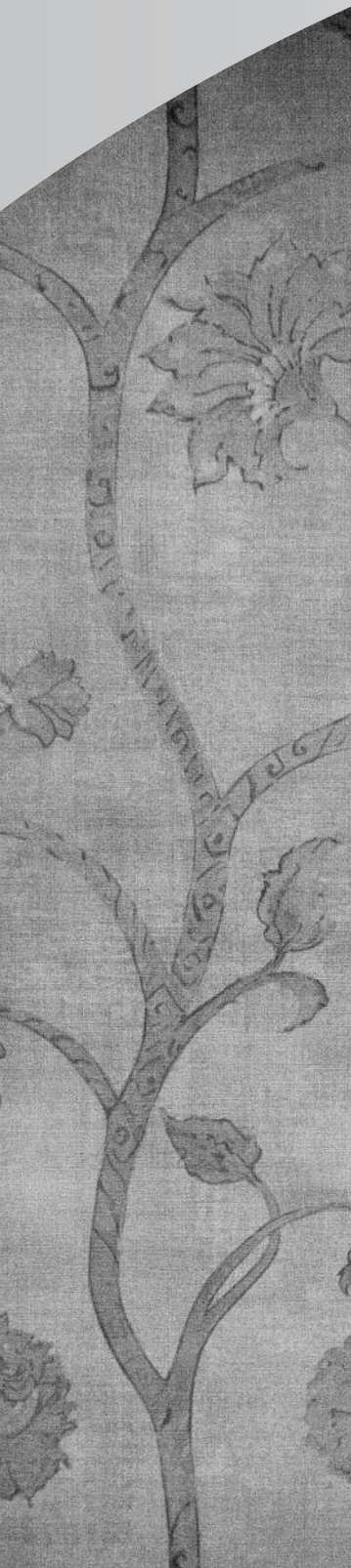


Acknowledgements

A roundtable discussion for grantees of the Supervised Visitation and Safe Exchange Grant Program, Office on Violence Against Women, was conducted in December 2009 in Tucson, AZ to explore safe exchanges at visitation centers. Over two days of spirited conversation and practice, nineteen participants from ten states and one tribe explored the many challenges related to safe exchange. We greatly appreciate their contributions to this thinking. The roundtable discussions and exercises designed by Beth McNamara, Jennifer Rose, and Melissa Scaia made this attention to safe exchange possible. They also took time and care to read drafts of the paper and provide critical commentary and suggestions.

Our thanks also to Michele Robinson with the National Council of Juvenile and Family Court Judges for joining the discussion, to Tracee Parker for continuing to ask key questions about the role of supervised visitation and safe exchange in a community response to domestic violence, and to Maren Hansen-Kramer, Praxis International, for final review.

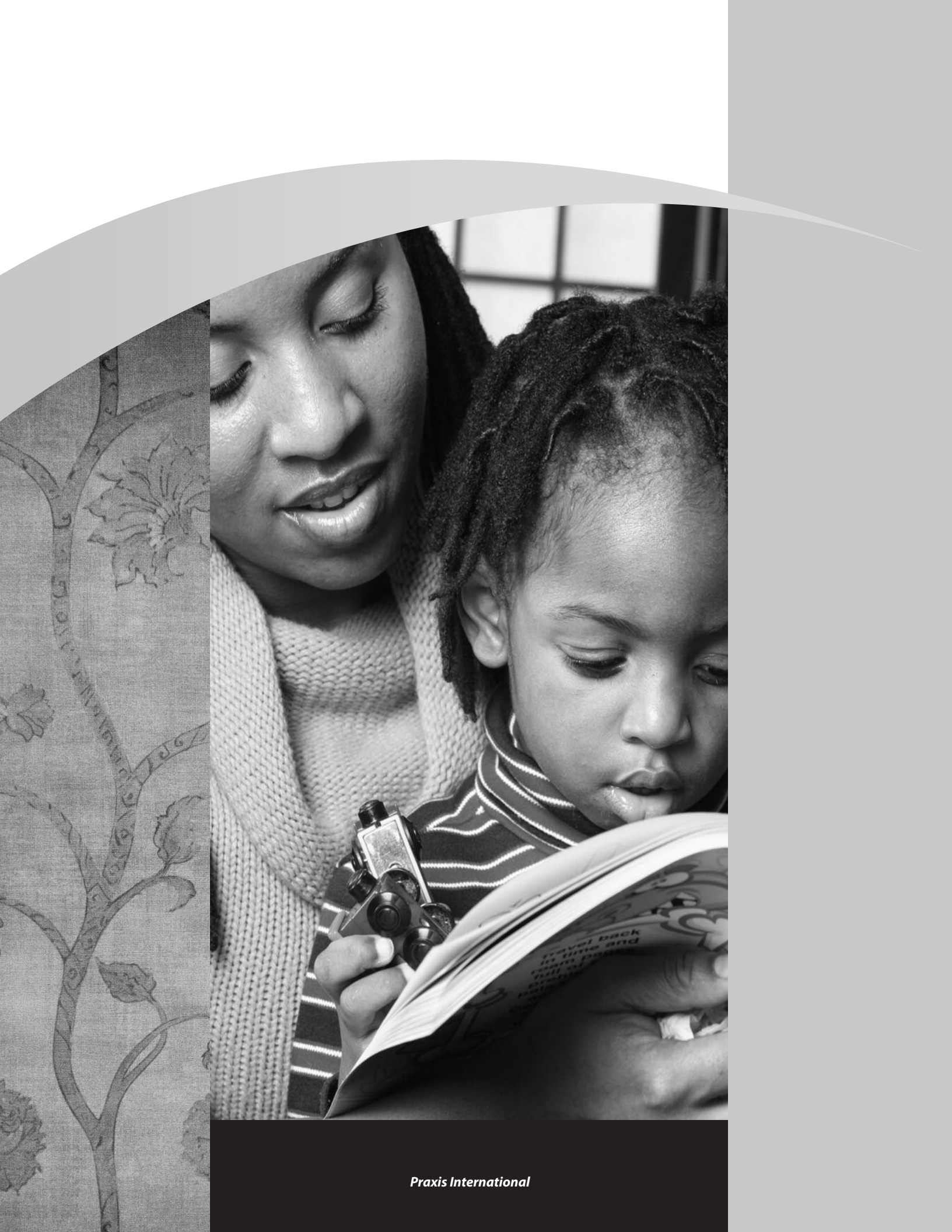
Over the eight years that Praxis International has provided technical assistance to grantees in the Supervised Visitation Program, many women have shared their experiences with us about living with battering. Mothers who have been beaten, raped, relentlessly intimidated, and emotionally degraded have shared their fears in sending their children unsupervised and unprotected to the person and parent who inflicted that harm. We thank them for their guidance.



INTRODUCTION	1
A note on definitions and terms	3
Referenced materials	5
RECOGNIZING POST-SEPARATION NEEDS OF BATTERED WOMEN	7
Leaving does not equal safety	7
Tactics of battering shift during and after separation	9
Making meaningful links with individual advocacy	14
Building a problem-solving, safety-oriented partnership	16
Building an effective community response	16
ACCURATE REFERRAL + ENGAGEMENT = INCREASED LIKELIHOOD OF SAFE EXCHANGE	19
Accurate referrals	23
Engagement	27

Table of Contents

31	PRACTICE CHALLENGES
32	Responding to a batterer's aggression, intimidation, and manipulation
34	Scheduling
36	Facility design
40	Police response and involvement
42	Third-party involvement
44	Children's reluctance or refusal around exchanges
46	Documentation
49	CONCLUSION
51	APPENDICES



Introduction

Supervised visitation...safe exchange

“Safe exchange” has been the phrase that follows supervised visitation since the Supervised Visitation Program was first established through the Office on Violence Against Women in 2002.¹ It is a service associated with supervised visitation centers, but one that has been largely overshadowed by the attention to supervised visits. Supervised visits are difficult enough. Visitation centers, with their defined physical space where everyone stays put in a center and a room, make it easier to focus on the visitation aspect of their work.² Supervised exchange, however, occurs with parents and children quickly coming and going from the center and acting almost entirely beyond the reach of those charged with keeping children and their abused parent safe. The stakes are high in exchanges; stories of abductions, homicides, and ongoing intimidation and violence are unfortunately easy to find. Supervised exchange can also be a setting for attempts to draw the center into ongoing post-separation abuse.

Visitation centers themselves are the first to acknowledge that ensuring safe exchange is one of the most challenging aspects of their work. In a roundtable discussion convened to explore safe exchange, representatives from visitation programs of all sizes, geographic regions, and stages of development summed up some of the challenges:

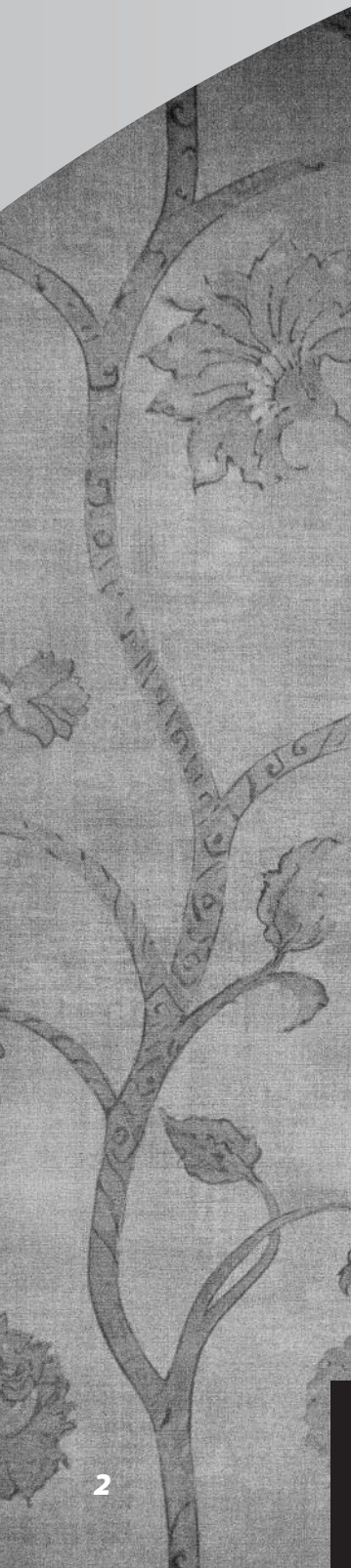
There's a widespread perception that exchange cases are less dangerous, but they're often the MOST dangerous...Exchanges are often an afterthought by the court...Who's ordered to supervised visitation and who gets exchanges seem to be random decisions... Who has the best legal representation seems to determine whether it's a visit or exchange, not the risk...They're almost always a logistical challenge, between scheduling and late returns and space... Exchanges seem to test the Guiding Principles more than anything!

At the same time as they voice such frustrations, visitation programs readily acknowledge that becoming more skilled in organizing and providing this aspect of service is one of the best contributions that they can make to fulfill the spirit of the Supervised Visitation Program Guiding Principles.³ Providing

1. The Safe Havens: Supervised Visitation and Safe Exchange Grant Program, established by the Violence Against Women Act of 2000, is administered by the U. S. Department of Justice Office on Violence Against Women.

2. “Visitation center” is used throughout this paper to represent supervised visitation and safe exchange services.

3. The Guiding Principles include: (1) equal regard for the safety of child and adult victims; (2) valuing multiculturalism and diversity; (3) incorporating an understanding of domestic violence into center services; (4) respectful and fair interaction; (5) community collaboration; and (6) advocacy for child and adult victims. Download the complete Guiding Principles at www.praxisinternational.org.



skilled safe exchange is also one of the best ways they can be of use to the families using visitation-related services. Safe exchange done well is another tool for a visitation program, but also for the broader community goal of protecting child and adult victims. It contributes to a collective response that seeks to undo the harm caused by battering and work with fathers and mothers toward achieving nonviolence and safety over the span of time beyond separation and before their children reach adulthood.

The goals of *Safe Passage: Supervised Safe Exchange for Battered Women and Their Children* (hereafter *Safe Passage*) are to (1) sum up key issues in supervised safe exchange, (2) present strategies to address those issues, and (3) suggest policy and procedure changes that will help visitation programs deliver this critical service as skillfully and safely as possible.

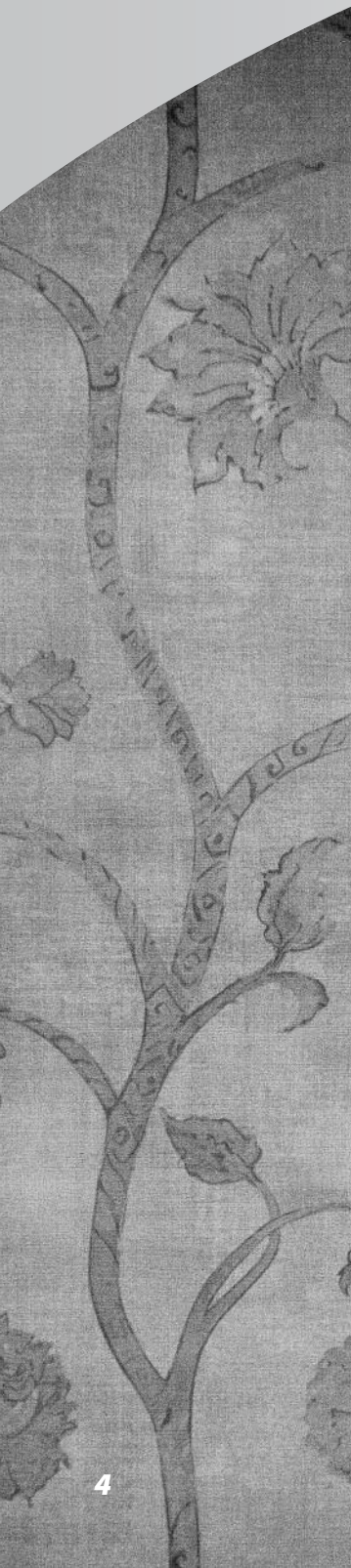
A note on definitions and terms

“Battering” is a term that has historically described men’s violence toward and domination of women in intimate partner relationships. While it does not take the same form and pattern in every country and culture, “violence against women by their male partners is common, widespread and far-reaching in its impact” and a “major contributor to the ill-health of women.”⁴ In light of this reality, this paper often refers to batterers as *he* and victims of battering as *she*, while acknowledging that a supervised visitation and safe exchange program may encounter individual situations where the characterization does not fit.

The paper generally refers to a battering parent as *father* and a battered parent as *mother*, again with the same caution that individual circumstances may differ. In this we concur with Bancroft and Silverman: “We find this gender ascription to be accurate for most cases in which a professional is required to evaluate a batterer’s parenting, and it is reflected both in our clinical experience and in most published research...our gendered language does not apply to lesbian and gay male relationships, but recent literature addressing the prevalence, causes, and dynamics of same-sex domestic violence suggests considerable parallel to heterosexual battering...but professionals should be aware of their need for further education about the particular dynamics of domestic violence in these communities...”⁵

4. Claudia Garcia-Moreno, Henrica A.F.M. Jansen, et al., *WHO Multi-country Study on Women’s Health and Domestic Violence Against Women*, World Health Organization, 2005.

5. Lundy Bancroft and Jay G. Silverman, *The Batterer as Parent: Addressing the Impact of Domestic Violence on Family Dynamics*, Sage Publications, 2002.



Finally, *Safe Passage* is grounded in the following definitions:

Safety is the protection of adult and child victims of battering from continued physical, sexual, and emotional harm, coercion, and threats over the span of time.

Battering describes a pattern of physical, sexual, and emotional violence, intimidation, and coercion used to establish or maintain control over an intimate partner. While a wide range of behavior is often lumped under the category of “domestic violence,” battering is distinctive for the variety of coercive tactics used and the level of fear it produces for adult victims and their children, as well as its potential lethality.

Culture is the complex, symbolic frame of reference shared by a group of people. It takes in the totality of worldview, behavior patterns, art, beliefs, language, institutions, and other products of human work and thought. Its many aspects are dynamic, diverse, and often misperceived by those inside and outside the group. It is contradictory, carrying values that can be both oppressive and nurturing. Culture develops and continues to evolve in relation to changing social and political contexts, based on race, ethnicity, national origin, sexuality, gender, religion, age, class, disability status, immigration status, education, geography, special interests, and time.

Referenced materials

In writing *Safe Passage*, Praxis International and the author drew on a body of work that began to develop with the Supervised Visitation Program Demonstration Initiative.⁶ Since 2002, we have discussed and debated and worked and trained with visitation centers, advocates, judges, and others involved in decisions related to custody and visitation when domestic violence is involved. This intense and active look at many issues related to supervised visitation and exchange produced an integrated analysis and a body of work that has been useful in this examination of safe exchange. It includes the following Praxis publications:

- *On Safety's Side: Protecting Those Vulnerable to Violence – Challenges to Notions of Neutrality in Supervised Visitation Centers*
- *New Perspectives on Supervised Visitation and Safe Exchange: Orientation*
- *Building Safety, Repairing Harm: Lessons and Discoveries from the Supervised Visitation Program Demonstration Initiative*
- *Building the Practice of Orientation in Supervised Visitation and Safe Exchange: A Trainer's Guide*
- The series of papers included in *Engage to Protect: Foundations for Supervised Visitation and Exchange*: (1) Recognizing and Understanding Battering, (2) Engaging with Battered Women in Supervised Visitation, (3) Engaging with Men Who Batter in Supervised Visitation, (4) Informing the Practice of Supervised Visitation, and (5) Crafting Policies that Account for Battering.
- The reports of the Safety and Accountability Audits conducted by the Supervised Visitation Program Demonstration Initiative sites: the State of Michigan (exploring the role of a visitation center); Chicago, Illinois (exploring how visitation centers account for peoples' cultures and identities); the South Bay Area, California (exploring how a visitation centers ensure safety); and Kent, Washington (exploring access and decisions related to visitation programs by victims of battering)

6. Praxis International, Inc. is a nonprofit research and training organization that works toward the elimination of violence in the lives of women and children. From 2002 – 2010, Praxis worked in partnership with the Office on Violence Against Women to provide technical assistance and training for the Safe Havens: Supervised Visitation and Safe Exchange Grant Program, including its Demonstration Initiative.

These materials are referenced throughout the discussion and complete citations can be found in appendix 7.



Recognizing post-separation needs of battered women

Leaving does not equal safety

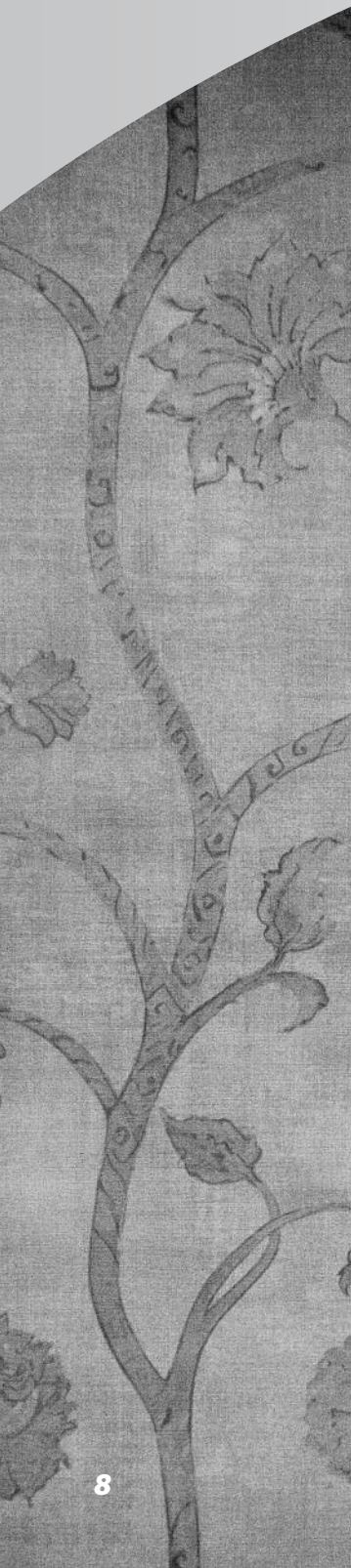
Every year thousands of battered women make decisions to leave their abusive partners and make new and better lives for themselves and their children. Leaving an abusive relationship is often a very difficult, complex, and dangerous process. “Why doesn’t she just leave?” is a question a battered woman hears in many variations from many people in many settings, from friends, family members, and professionals. The question suggests a simple solution, but leaving a relationship with a batterer safely (i.e., without continued physical, sexual, and emotional harm, coercion, and threats) can rarely be accomplished without great struggle. To leave safely requires resources, a good measure of luck, and intervening systems, from police to family courts to supervised visitation programs, that understand the dynamics of battering and its distinctive tactics of coercion and control, as well as its potential for lethality.

Leaving means that battered women must continuously weigh and reweigh the risks to themselves and their children. The risks are many and complex. There are the risks generated directly by the batterer, including physical, sexual, and emotional harm to a woman and her children. There are risks associated with her immediate circumstances—e.g., immigration status, income, disability—that can increase vulnerability and may be used by the batterer to coerce and control her. The system response itself can present risks and reinforce a batterer’s control, with such actions as forcing her into divorce mediation, coercing her to get a protection order, and all manner of decisions related to supervised and unsupervised visitation and exchange. (See Appendix 1, *Risks for Battered Women & Their Children*).⁷

Nearly half of domestic violence homicides occur a month or more after a couple has separated.⁸ Battered women often carry this reality with them when they arrive at a visitation center, supervised exchange orders in hand. They have left in spite of all of the risks and in spite of the threats. Convene any focus group with battered women and they will describe a

7. Jill Davies’s work is particularly useful in learning about the complexities of risk and safety. See “When Battered Women Stay... Advocacy Beyond Leaving,” June 2008, Publication #20 in the National Resource Center on Domestic Violence series, *Building Comprehensive Solutions to Domestic Violence*; also (with Eleanor Lyon and Diane Monti-Catania), *Safety Planning with Battered Women: Complex Lives/Difficult Choices*, Sage Publications, 1998.

8. Jacquelyn Campbell, Daniel Webster, et al., “Assessing Risk Factors for Intimate Partner Homicide,” *NIJ Journal*, 2003.



similar refrain of threats: “I’ll never let you go” or “if you try to leave, I’ll kill those kids” or “you’re never going to see those kids again” or “I’ll fight for custody and you know I’ll win.” Such threats are the backdrop for every interaction many battered women have with the visitation center. Each woman’s experience and needs are unique, however. **Perhaps a battered woman’s most primary post-separation need is to know that the visitation center understands the complex realities of living with and leaving a batterer and will structure safe exchange and other services accordingly.**

The Supervised Visitation Program is grounded in the recognition that the process of separating from and leaving an abusive partner can increase rather than diminish danger for victims of battering and their children. It is grounded in an understanding that batterers often use visitation and exchange of children as an opportunity to inflict additional emotional, physical, and/or psychological abuse. It counters the pervasive and powerful assumption that leaving or separation equals safety: i.e. the thinking that “she’s gone, he’s not beating her, so she’s safe.”

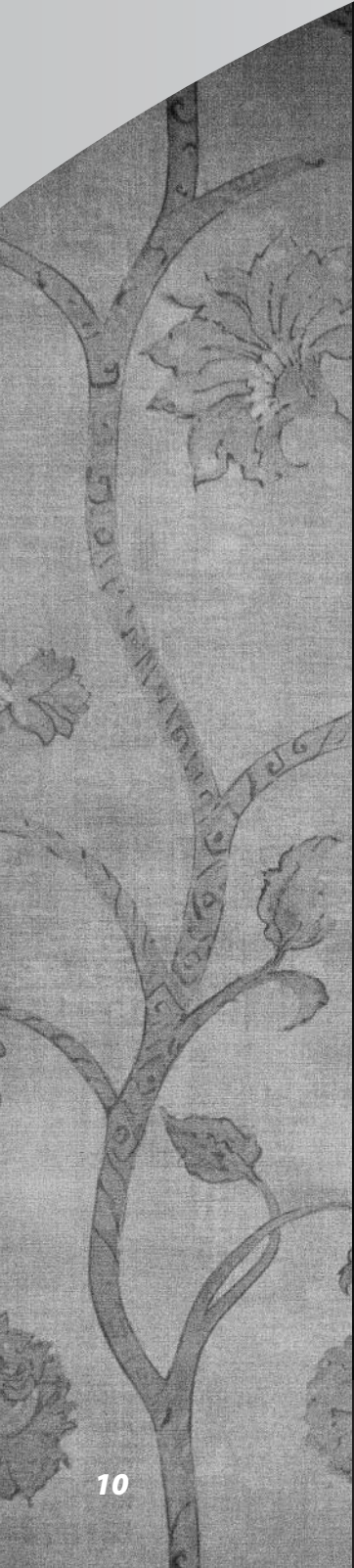
Tactics of battering shift during and after separation

Many readers will be familiar with the Power and Control Wheel, developed as a graphic representation of women's experiences living with a battering partner (see Appendix 2). The wheel displays the interrelationship between **domination** (the hub of power and control), the **everyday tactics** used to reinforce that domination (the spokes), and the **ever-present threat of violence** that maintains it (the rim). These are not the only tactics that batterers use and each battered woman's experience is different, but those listed are among the most common.⁹

It is the domination and subsequent loss of equal standing and authority in the relationship that is most frequently misunderstood or missed. Interveners are frequently unaware of the pattern, intention, and fear that are central to battering and its purpose of domination and control. Well-meaning practitioners in custody actions, criminal proceedings, divorce settlements, and visitation plans frequently fail to account for the resulting power imbalance and inadvertently add to rather than reduce the harm caused by battering. The focus and purpose of the Supervised Visitation Program has been to better prepare communities and interveners to engage with adult victims, children, and batterers in ways that help to accurately recognize battering.

When a victim of battering begins to leave the abusive relationship, the tactics of abuse tend to shift in response. Appendix 3, Identifying Post-Separation Power and Control Tactics, illustrates some of the more common tactics. When separation has occurred or appears imminent, a batterer might try to draw her back to the relationship with promises to change or pressure from family members and friends. Children often become an even more frequent and focused tactic of abuse. Batterers also often attempt to use or draw in the courts and other systems, including supervised visitation and exchange centers. They can be particularly adept at getting the visitation center to see the mother as unreasonable, uncooperative, or overly protective. Center staff can fall into increased victim blaming if they equate exchange with less risk and see a mother's behavior as the problem, rather than keeping their attention on the context of living with battering.

9. For a more in-depth discussion, see the following paper from the *Engage to Protect* series: "Recognizing and Understanding Battering."



Tactics of Battering and Supervised Exchange

Be alert to the following kinds of actions:

- Statements such as: “If you don’t agree to _____ I’ll _____.” Or, “if you don’t agree to unsupervised visits, I’ll take the kids and you’ll never see them again.”
- Repeatedly returning to court with requests to change custody and visitation agreements, particularly when he has legal resources that the victim lacks.
- Cancelling a child’s medical appointment and rescheduling to a day or time he knows the mother will have difficulty meeting.
- Drawing the center into asking the mother to agree to a change in the exchange schedule “because it’s the holiday” or “because the grandparents are visiting from another country.” The center ends up acting on his behalf and putting pressure on her, making her appear unreasonable or disrespectful toward the father’s cultural traditions and what seem to be “reasonable requests.”
- Refusing to take the children to scheduled sports, music, or school events that are regularly on their calendar because it’s “my weekend.”
- Returning children in a hyper or exhausted physical or emotional state.
- Returning the children late or forcing the exchange to take place at another location after the center has closed.
- Giving children extreme haircuts.
- Quitting a well-paying job, remaining unemployed, or getting paid under the table in order to reduce or avoid child support payments.
- Pressuring the mother to agree to less child support than the court ordered (“I’ll pay, but then you write a check out to me...”) in exchange for more holidays with the children, without necessarily any intention of following through.

- Purchasing new jackets, clothing, and toys for the children, but refusing to let them take the items with them after the exchange.
- Not returning items that must be replaced such as coats, hats, mittens, socks, boots, uniforms, or medication.
- Degrading the children's mother in front of them: "your mother is crazy, irresponsible, doesn't really care about you"; "it's her fault we can't be together like we used to."
- Taking advantage of societal double standards of parenting for mothers and fathers: i.e., making sure all systems see and document the "super dad" and "bad mom."

Caution: Tactics of abuse are often very subtle. Visitation center staff may not necessarily see them early on, or at all. Exchange is often used as a tactic of coercion masked as negotiation, for example. A woman may agree to exchange over supervised visitation out of fear and pressure from an aggressive attorney, leaving a perception that she thinks exchange is safe and has voluntarily agreed to the arrangement. A visitation center is more likely to learn about specific and more subtle tactics of abuse once it builds the kind of relationship with the victim that encourages her to trust the center and that includes regular check-ins to find out what is happening related to her and her children's safety and well-being. Similarly, building a fair and respectful relationship with the battering parent increases the likelihood of learning about how he might be using the courts or recognizing ways in which he is attempting to draw the center into the abuse. Such a relationship also opens paths to refocusing his attention toward his children's well-being and away from their mother and introducing opportunities to change.¹⁰ Visitation centers are in a unique position in the community to help each family member safely traverse the post-separation months and years. Unlike any other system or

10. See the following papers from the *Engage to Protect* series: "Engaging with Battered Women in Supervised Visitation Centers" and "Engaging with Men Who Batter in Supervised Visitation Centers."

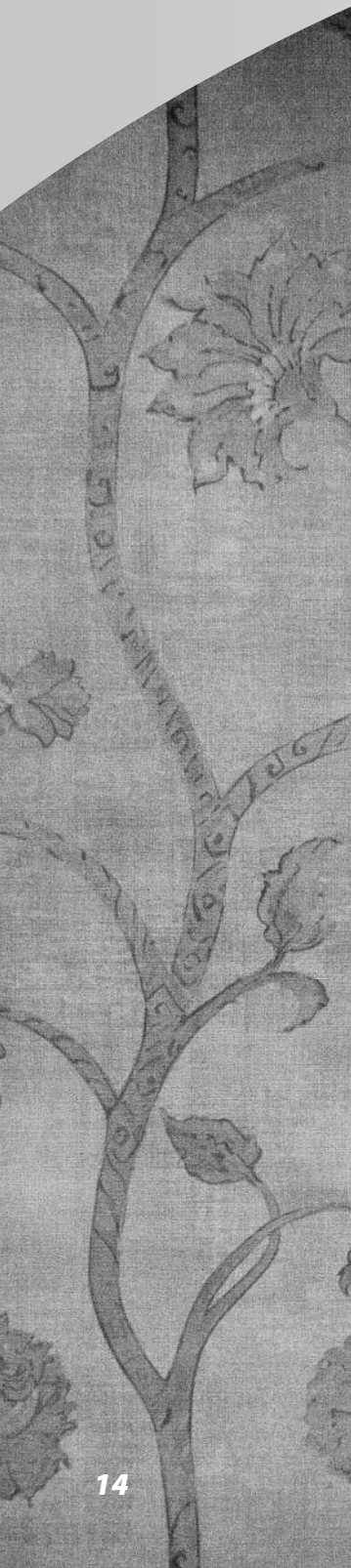
agency, the center has regular contact with each family member and an opportunity to engage and build relationships that open opportunities to counteract battering and repair the harm it causes (see Appendix 4).

When a battered woman is the non-residential parent, accounting for post-separation needs is doubly important. She is most likely reeling from an experience with the legal system that has inadvertently reinforced the messages of abuse that she has lived with for years: “you’re crazy... no one’s going to believe you...I’ll get the kids.” She may have tried to resist the battering, only to find herself subject to a restraining order and supervised exchange. It can be easy for visitation programs to set aside her needs under the single label of “non-custodial parent.” The principle of equal regard, however, requires a response that pays attention to who is at risk and in what ways, regardless of the status of parental access.

In practice: understand post-separation needs of battered women

- ✓ Ask!
- ✓ Conduct regular and frequent “check ins” with battered women who are using exchange services.¹¹
- ✓ Have regular conversations with battered women’s advocates, such as a quarterly discussion over coffee or lunch.
- ✓ Sit in on a support group at a domestic violence services agency.
- ✓ Hold focus groups with battered women.
- ✓ Survey women who have used supervised visitation and exchange services.

11. A “check-in” is an informal but intentional process of touching base with someone. It involves asking, “How you are doing?” and conveying that you really want to know the answer. “Checking in” provides a mechanism for battered women and their children to express their needs and how those needs may change over time. It helps enhance safety, build trust, and establish a relationship of respect. When practiced regularly, check-ins can offer a way to communicate concerns about the exchange or actions outside the center that impact safety. For further discussion, see “Informing the Practice of Supervised Visitation” in the *Engage to Protect* series of papers.



Making meaningful links with individual advocacy

Leaving a batterer introduces a whole new set of struggles and considerations for safety and well-being. Battered women have many different and interrelated needs, some of which a visitation center can respond to directly and others that it responds to via the ways it links victims with advocacy and by its role in the wider community collaboration. Post-separation needs vary from woman to woman; they include, but are not limited to:

- Knowledgeable and compassionate interveners who are organized and authorized to recognize and respond to battering
- Competent legal representation
- Competent individual advocacy
- Authority to make decisions
- Housing
- Economic support
- Employment
- Transportation
- Child care
- Medical and dental care

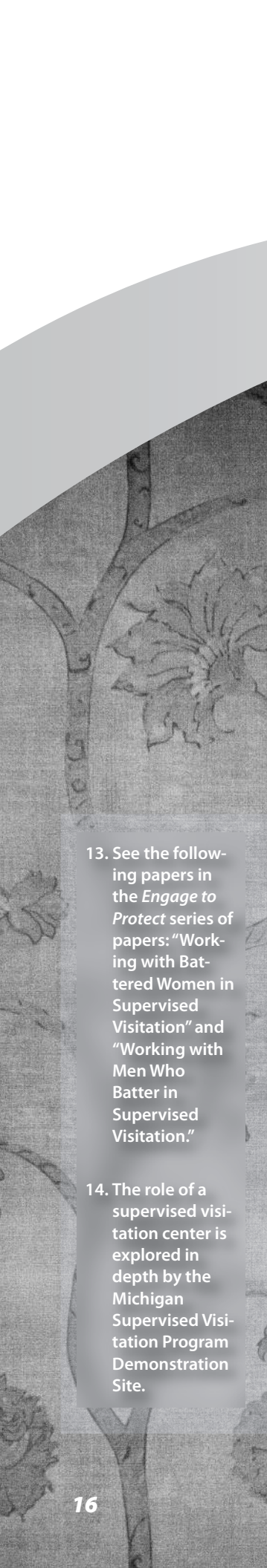
Again, perhaps the central need is to know that each intervener understands the realities and complexities of living with and leaving a batterer and will respond accordingly.

Battered women often arrive at a visitation program with little or no knowledge of the program's purpose and services, with little or no connection with community-based advocates or private attorneys, and with much fear and apprehension, both around their partners' abusive behavior and the center's role. Victims of battering who are navigating the post-separation landscape need ongoing, competent individual advocacy that accounts for shifting tactics of coercion and control, particularly around custody and visitation decisions. This may be an even greater need for battered women who arrive at the center via an order for supervised exchange rather than visitation. The referral source may have viewed her circumstances as less serious or dangerous, regardless of the reality. The divorce or separation may be the first time she has revealed to anyone what has been occurring in her life.

It is not a visitation center's role to advocate for an individual victim of battering in a specific custody case, but to provide a meaningful link to competent advocacy.

Individual advocacy needs are met by those in the community who have direct relationships with women and their children, primarily domestic violence program advocates, including legal advocates. Individual advocacy can also occur via private attorneys, health care providers, social workers, therapists, and any practitioner who can stand alongside a battered woman, represent her interests, and help fit the official response to her needs. A "meaningful" link means that a center goes beyond merely providing the usual phone number or brochure. It asks victims what they and their children need, makes direct connections with specific practitioners, makes calls directly from the center to link a victim with an advocate or agency, and provides space within the visitation center for advocates to meet with victims.¹²

12. Post-separation advocacy was a key issue for the Supervised Visitation Program Demonstration Initiative projects, as discussed in *Building Safety, Repairing Harm*.



Building a problem-solving, safety-oriented partnership

Distinct from individual advocacy is a visitation center's role in building a safety-oriented partnership with each battered woman. This requires providing information, listening with empathy and attention, engaging in a dialogue, and being caring and compassionate. It includes the kinds of actions listed in Figure 1.

These ways of interacting with battered women have much in common with ways of building fair and respectful relationships with men who batter, including the emphasis on providing information, treating each man with dignity, and encouraging new ways of relating with his children and his children's mother.¹³

Building an effective community response

In contrast to individual advocacy, "system advocacy" is very much within the role of a visitation center. System advocacy occurs via the collaborative, united actions of interveners to meet the needs of victims of battering and build attention to battering into every aspect of the community response. It is how a community builds a system of competent individual advocacy. A visitation center should be among the leaders in any collaborative. It can play a key role in coordinating interagency thinking and action to collectively ensure safety for victims of battering and build an effective community response, as illustrated in Figure 1.¹⁴

13. See the following papers in the *Engage to Protect* series of papers: "Working with Battered Women in Supervised Visitation" and "Working with Men Who Batter in Supervised Visitation."

14. The role of a supervised visitation center is explored in depth by the Michigan Supervised Visitation Program Demonstration Site.

Figure 1¹⁵

The role of a visitation center...

In building a safety-oriented partnership with battered women:

- Help mothers determine what they and their children need.
- Acknowledge women as experts in their lives and their children's lives.
- Work together to create a "living" safety plan for her and her children as it relates to exchanges.
- Help ensure access to competent attorneys in custody cases involving battering.
- Provide resources and support on the impact of being battered.
- Recognize, and whenever possible, address the damage done to the child's relationship with the non-battering parent.
- Support mothers who have lost custody to a) seek justice and b) establish the best relationship possible with their children.
- Understand how victims of battering are subjected to judgment and seek to reduce it in oneself and in other interveners.
- Recognize and understand the flood of feelings and emotional turmoil caused by the violence, manipulation, lack of acknowledgement, financial instability, continued attacks, stalking, use of the courts to punish, threats to hurt or take away her children, and other tactics of abuse, violence, and coercion.
- Help each woman manage her reactions to continued abuse in ways that are helpful to her and her children.
- Treat all men coming to the center with a great deal of courtesy, respect and fairness.

In building an effective community response to domestic violence:

- Work in close partnership with other community organizations (e.g., legal services, batterer intervention programs, domestic violence advocacy programs, faith-based organizations).
- Support direct service advocates to take leadership roles in the community.
- Ensure that workers, advocates, and system helpers do not view those who look to them for assistance as "lesser than" or "other."
- Challenge perceived biases in the community against battered women and their children.
- Work to ensure effective and appropriate support services are available for battered women, children, and men who use violence.
- Foster on-going dialogue in the larger community about battering, post-separation battering and its impact.
- Support the efforts of diverse communities to organize and mobilize their response to battering.
- Strengthen the understanding that violence against women and children is a widespread social problem.
- Identify and seek to change systems with unfair and/or unsafe practices and outcomes for battered women and their children.
- Critically examine, monitor, and respond when too many systems engage in women and children's lives.
- Ensure that programs, organizations and systems are culturally relevant and accessible to battered women and their children.
- Make battered women's experiences visible and understood in the community.

15. The information in Figure 1 is adapted from material developed by Beth McNamara; used with permission.

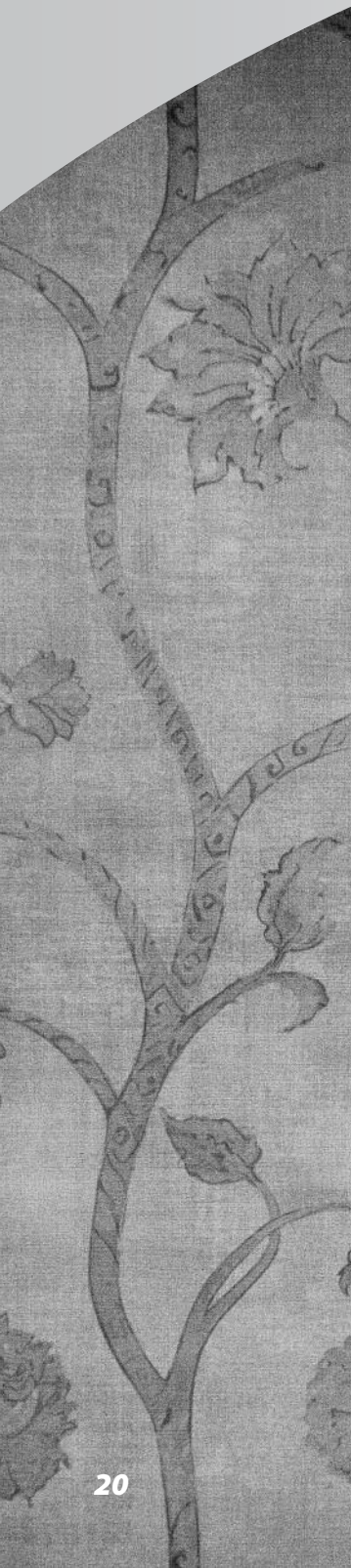


Accurate referral + engagement = increased likelihood of safe exchange

Post-separation access to children when domestic violence is involved happens along a continuum, from no contact (which is relatively rare), to supervised visitation, supervised exchange, and unsupervised exchange. Intersecting with this continuum of access is how and where visitation and exchange occur.

If asked where most visitations and exchanges occur, battered women's advocates and visitation center staff will likely say, "in the McDonald's parking lot!" Parking lots of all kinds—discount stores, police departments, churches, restaurants—might be the most common location. Participants in the safe exchange roundtable offered the following examples of where and how exchanges occur in their communities.

- *We [Legal Aid] go to court with a list of all of the McDonald's in town because the center is \$50 an hour; people don't go there because they can't afford it. The judge ends up selecting some place public that we know is open at 8 p.m.*
- *They use a funeral parlor parking lot because it's the one area in the small town that's well lit.*
- *A lot of police stations are used for exchanges. In one case the judge ordered the police station because there was a camera at the top of the precinct building. But, the camera doesn't work. Plus, in a small community in the evening and at other time the officers are out on the road and not even at the station.*
- *A lot of exchanges occur at the mall.*



While such arrangements suggest a level of recognition that it is somehow and in some degree unsafe for one parent to come to the home of another—otherwise, there would be no need for any direction whatsoever on where and how children move between households—such settings are often problematic for the safety of adult and child victims. These “parking lot exchanges” or “mall exchanges” can force a battered woman to be in close proximity to someone who has caused much harm to her and her children. He might position himself to watch with whom and in what direction she is coming and going, or position a family member or friend to watch or follow her. She can be vulnerable to physical attacks or to verbal abuse and intimidation. Conflicting court orders can send a child alone across a parking lot because the exchange order says one thing and the restraining order sets a 500-foot limit.

Unsupervised access can be intensely frightening to a battered woman, sometimes to the extent that her fear leads to behavior that those she turns to for help or encounters—whether police, judges, therapists, guardians ad litem, custody evaluators, or visitation workers—see as unreasonable, overreacting, and irrational. She is afraid to leave her children with their father, but she is also afraid not to leave them, since she has heard repeatedly that if he doesn’t get the children he will kill them or he will bring her back to court again and again. Each hour of unsupervised access sits within a context and history of threats and harm. If she has experienced an intense level of coercive control that she is now disclosing for the first time, her account is likely to be discounted or dismissed as a fabrication or exaggeration, particularly if her abusive partner is seen as pleasant, reasonable, and likeable, or has a social standing that carries a certain believability, such as a police officer or doctor.

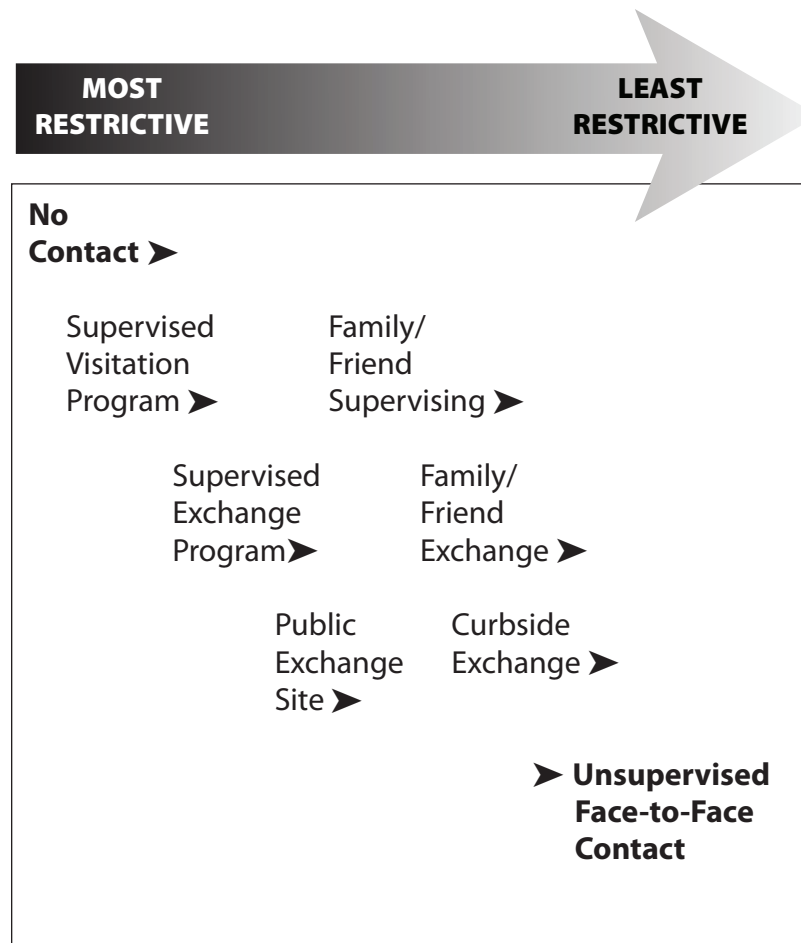
Battered women and their children live in a kind of ever-present cloud of intimidation, abuse, violence that varies in intensity and severity, sometimes building close to lethality, but more often stopping short while inflicting a persistent harm and a constant need for caution. For many, with the right support and good fortune, separating and leaving will lead to a place of peace and repair. For most it will be a stunningly difficult journey. The goal of the Supervised Visitation Program is to make the route to safety as short and as strong and as successful as possible, for as many adult victims and children as possible.

Safe exchange rests on (1) accurate referrals from the court with respect to the nature of the risk and the need for supervision and protection and (2) a relationship of engagement between the visitation center and each parent, set within a framework of community collaboration and attention to safety.

In practice: understand what warrants supervised exchange in your community.

- ✓ Raise the question with your collaborating partners.
- ✓ Bring sample case scenarios to the collaborative. How would a decision be made in each case?
- ✓ Review a sample of referrals for supervised exchange and ask these questions:
 - What kind of harm was involved, and to whom?
 - Were both parties represented by legal counsel throughout the process leading up to the referral?
 - Is there documentation of law enforcement intervention?
 - Is there a no-contact order issued as part of a criminal case related to domestic violence?
 - Is there an active order for protection?
 - Did the referral source say anything specific about why visitation or exchange was ordered, or why one was ordered over the other?
- ✓ Bring the results of the review to the collaborating partners. Recommend any changes that would strengthen safety.

Post-Separation Parental Access to Children



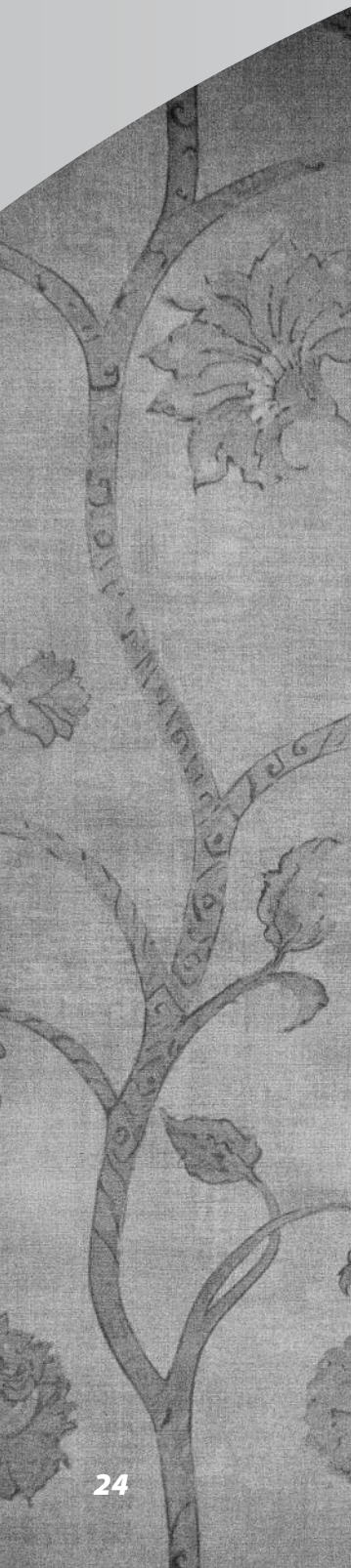
Accurate referrals

Why are courts ordering supervised exchange rather than visitation? What kind of information about the reason for supervised exchange comes with the court referral? How has the court accounted for who is at risk from whom, and in what ways? Is the greatest danger to the adult victim or children or both? What impressions, allegations, or evidence of harm and danger made the case suitable for supervised exchange rather than visitation? How is that information communicated to the visitation center?

The reasons for an exchange order over visitation can be as varied as the courts making the decision. Exchange might be used almost exclusively in conjunction with a protection order, as an avenue for temporary parental access. Exchange might be used when there are questions of adult safety, but no direct harm to a child. Exchange might be ordered when the visitation center can offer limited hours for visitation but the court believes a parent should have more hours of contact. Exchange might be more likely when one parent has legal representation and the other does not or when the court defines the case as a “high conflict” relationship.

Participants in the roundtable discussion reported a widespread perception that exchange cases are less dangerous, whether or not that is the reality. As one center director noted, “it seems random; some families come to exchange with a long history of documented domestic violence, while some ordered to supervised visitation don’t.” They also noted that supervised exchange is seldom used as a transition from supervised visitation to unrestricted access. Visitation centers report a **persistent assumption by many courts that harm and risk to children warrants supervised visitation while harm and risk to an adult victims warrants exchange.** The assumption rests on the perception that if the two adults can be separated, that will be sufficient to keep people safe. It is an assumption that is disconnected from an understanding of the shifting tactics of post-separation abuse and the ways in which children can be used to harm their mother.

In talking about supervised visitation and exchange, many judges acknowledge that they are often ill-prepared to make decisions about parental access, particularly where there has not yet been specific attention to building a process for identifying and distinguishing the context and severity of abuse in custody-related actions involving domestic violence. Visitation centers



are then in turn ill-prepared and missing the case issues that are most relevant to the safety of a child and/or adult victim in the ordered visitation or exchange. Information available to the court, such as records of 911 calls, police reports, and order for protection affidavits, is either not consulted or not shared with the visitation center.

At a minimum, the visitation center needs to know the reasoning and safety-related information behind that decision. Beyond that minimum, to best insure safe exchange requires establishing a referral process that consistently gathers and reports information related to the history, context, and severity of abuse.

Building a collaborative relationship with courts and other community partners is critical to establishing a consistent mechanism for accurate referrals. A center cannot entirely rest on even the best of collaborative relationships and accurate referrals, however. That is a starting point. To increase the likelihood of safe exchange also requires a relationship of engagement with each person involved—mothers, fathers, and children. Risk is not a static, fixed state and safety needs fluctuate accordingly as circumstances change. Exchanges that have been proceeding smoothly without incident can become highly dangerous with the announcement of a pending divorce date or a mother who begins a new relationship or a father who says he has “nothing to lose now.”

In practice: observe the court process and routes to supervised exchange.

- ✓ Seeing the process helps visitation center staff better understand what happens before a case reaches the center.
- ✓ Seeing the process helps visitation center staff recognize ways in which it might not be safe for a victim to speak freely about what is happening to her and her children.
- ✓ Observe proceedings that are routes to supervised visitation or exchange orders (family court proceedings or protection orders, depending upon the jurisdiction).
- ✓ Watch and listen. Who sits where? Who speaks? Who is represented by an attorney and who is not? How do attorneys proceed? How do attorneys and the court communicate? Do other professionals (e.g., custody evaluators, guardians ad litem, therapists) speak? Are other professionals represented by written reports or documents submitted to the court?
- ✓ What information about the violence and abuse does the court receive? What does it request, and from whom?
- ✓ If you were being battered by your partner, how would the court environment and process affect your freedom and willingness to speak openly?
- ✓ What decisions are made about parental access?
- ✓ Summarize key themes and talk with judges, attorneys, and custody evaluators. Ask: what is the reasoning behind this kind of decision?



Engagement

An engaged relationship is one in which the visitation center is involved and connected in an intentional, thoughtful way with those using its services. A visitation center that encourages a practice of engagement actively builds relationships that are as respectful, fair, and helpful as possible, within the wider purposes of fostering safety for adult victims and their children and counteracting the harm caused by battering and other forms of domestic violence. A center that encourages a practice of engagement actively acknowledges and explores peoples' historical and cultural backgrounds and identities, as well as its own.

Safe Passage and related work rests on the premise that one of the most effective ways to keep adult and child victims safe is to build relationships that reflect these qualities of engagement. A visitation center can be one setting where a battered woman and her children need not fear judgment or repercussions for having been victimized. A center that treats a batterer with courtesy and respect can go a long way toward diminishing hostility and resentment and help him shift his focus to his children and making the most of his time with them. While both practices share a core definition, engaging with men who batter is different in approach and skills, however, than those used to engage with women who have experienced battering (see Appendix 5).



The complex nature of battering and its impact requires that that a visitation center must be proactive and well-prepared in building an engaged practice, whether addressing visitation or exchange. This requires:

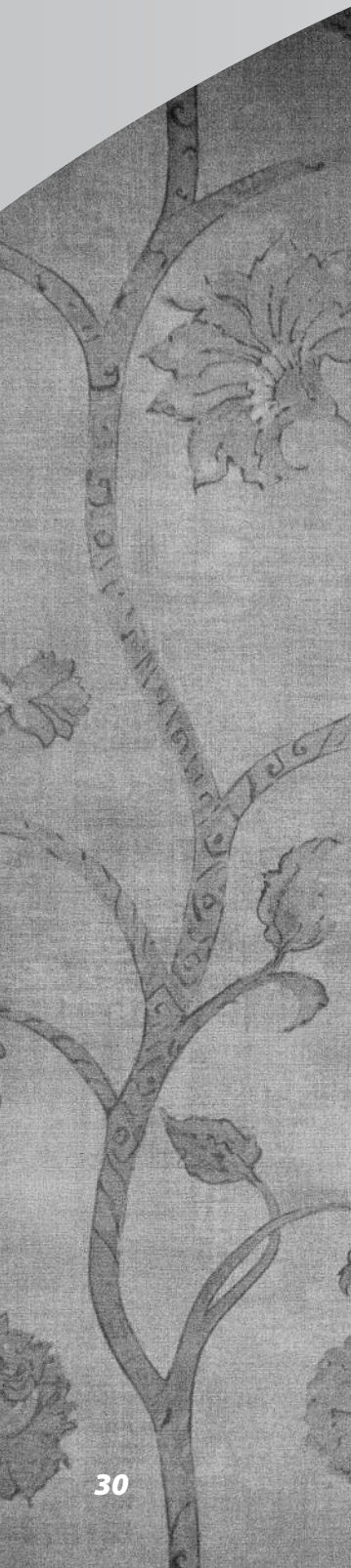
- Knowledge of the dynamics of battering
- Understanding post-separation battering and how tactics can shift, particularly with respect to children
- Familiarity with how battering can affect a victim's behavior and interactions with helping agencies
- Skill in recognizing and avoiding a batterer's efforts to use the center's staff and services as a tactic of coercion

An engaged practice in supervised exchange begins with orientation, just as it does with visitation. Orientation goes beyond collecting identifying and logistical details. It seeks to (1) build a foundation for safety; (2) build a respectful and fair relationship with each family member; and, (3) recognize and meet each family's unique needs.¹⁶ An engaged practice continues with regular check-ins to find out how the exchanges have been going overall and to flag any safety concerns.

16. See *New Perspectives on Supervised Visitation and Safe Exchange: Orientation and the training curriculum, Building the Practice of Orientation in Supervised Visitation and Safe Exchange: A Trainer's Guide.*

In practice: safe exchange begins with orientation. Ask the following kinds of questions:

- ✓ What does the exchange order say? How did you come to have this order for supervised exchange?
- ✓ Is there a protective order in effect? What does it say?
- ✓ What do you expect supervised exchange will be like for you? For your children?
- ✓ What are your goals and concerns about supervised exchange?
- ✓ If your children seem reluctant about the exchange, why do you think that is? What kind of plan should we have in case your children are reluctant or refuse to go to the exchange?
- ✓ How do you think your children's father/mother will react to the exchange?
- ✓ What kind of transportation do you have? Who can help you get to and from the exchange?
- ✓ Will there be other people who come to the exchange or bring your children? What are their relationships to you and your children? Is there anyone specifically prohibited from bringing your children to the exchange?
- ✓ Will you have any difficulty in setting and keeping the schedule? Are there any changes in work schedules or vacation plans or children's school activities that we need to figure in?
- ✓ Does anyone have a disability or a unique need (e.g., reliant on public transportation, several small children in car seats) that will require more time for the exchange transition to occur?
- ✓ Do the children have medicine, sports equipment, instruments, or comfort items that will go back and forth with them?
- ✓ What will you need from the center to help the exchanges work as best as possible? What will your children need?
- ✓ Here's what we can do to help each exchange go as safely and comfortably as possible...

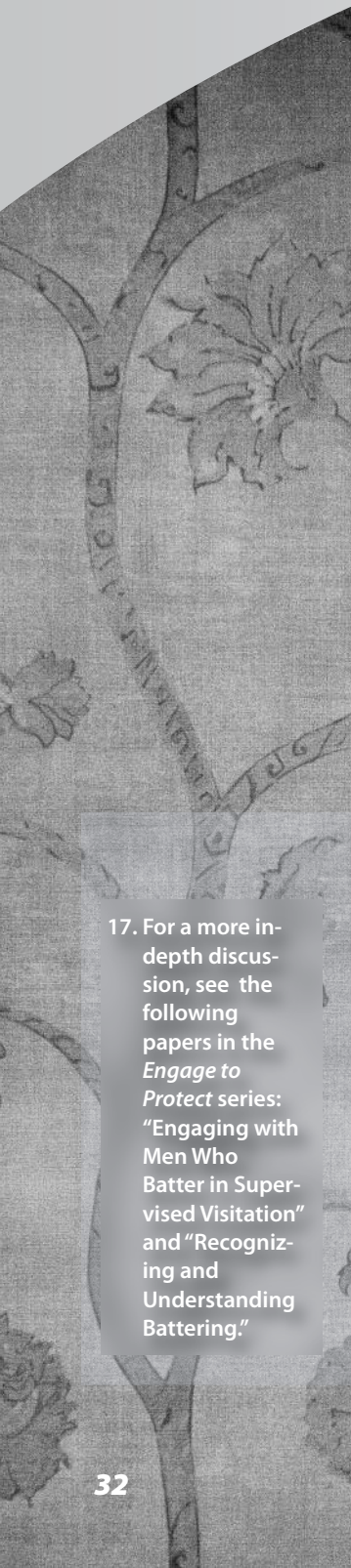


It can be more challenging to build a relationship of engagement when a family has been referred to the center for supervised exchange. Center staff should also not assume that exchange means less dangerous, with less need to take time with parents and children to fully explore their circumstances and safety needs. Compared with supervised visitation, the actual time spent with parents during each exchange can be as short as fifteen minutes, which leaves little time to build engaged relationships, unless there is attention to maximizing the time and opportunity to do so.

Practice challenges

When organized within the framework of the Guiding Principles, referral and orientation set the foundation for safe exchange by helping to (a) make the best fit between the nature of the risk and harm and exchange as the appropriate response and (b) establish a relationship of engagement with each family member. This foundation will help visitation centers avoid many of the challenges that can emerge around the logistics of providing supervised exchange.

Visitation centers face a range of practice challenges and dilemmas specific to supervised exchange and to safety and security, in particular. Some of the key challenges are reviewed here, along with ideas for how a center might approach or avoid them. The suggestions included are meant to encourage analysis and problem-solving. Solutions are inevitably a mix of long-term and short-term approaches, requiring action from the courts and other collaborating partners, as well as the center itself.



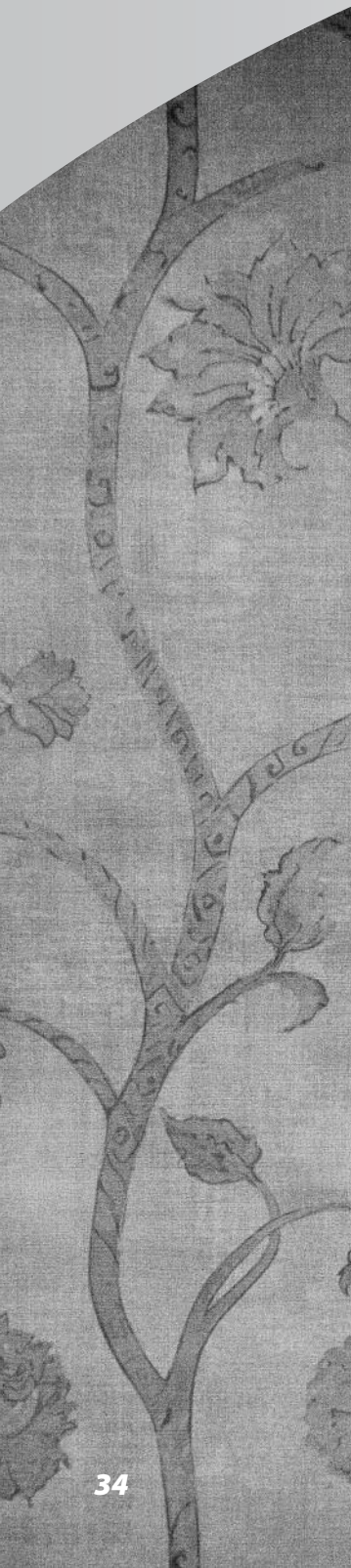
Responding to a batterer's aggression, intimidation, and manipulation

As addressed in the opening discussion of post-separation tactics of abuse, batterers often attempt to use or draw visitation and exchange programs into the abuse. A batterer can be particularly adept at getting the visitation center to see a mother as unreasonable, uncooperative, overly protective, or alienating. To ensure safety, as well as open avenues for individuals to change destructive behaviors, a visitation center must be prepared to work with batterers in ways that lessen such behavior and encourage cooperation, regardless of whether the setting is supervised exchange or visitation.¹⁷

17. For a more in-depth discussion, see the following papers in the *Engage to Protect* series: "Engaging with Men Who Batter in Supervised Visitation" and "Recognizing and Understanding Battering."

Strategies

- *Be a proactive and well-prepared organization.*
- *Learn what collusion looks like and what it means for a victim of battering when an intervening or helping agency such as a visitation center colludes with a batterer, however inadvertently.*
- *Minimize staff isolation. Build in regular case consultations to review safety issues and address battering behavior and staff responses. Be alert to and talk about any ways in which staff may have unintentionally condoned, discounted, minimized, or ignored tactics of abuse.*
- *Check-in with battered women about their experiences, both those using exchange and other center services and in the community, via advocacy partners.*
- *Remain respectful and compassionate with each person; avoid sarcasm and ridicule.*
- *Remain calm; stop and back off rather than become defensive and argumentative.*
- *Be alert to nonverbal cues that can indicate an increase or decrease in anger or anxiety (e.g., foot tapping that suddenly stops or increases in speed).*
- *Learn and practice other specific techniques for defusing and de-escalating aggressive and intimidating behavior.*

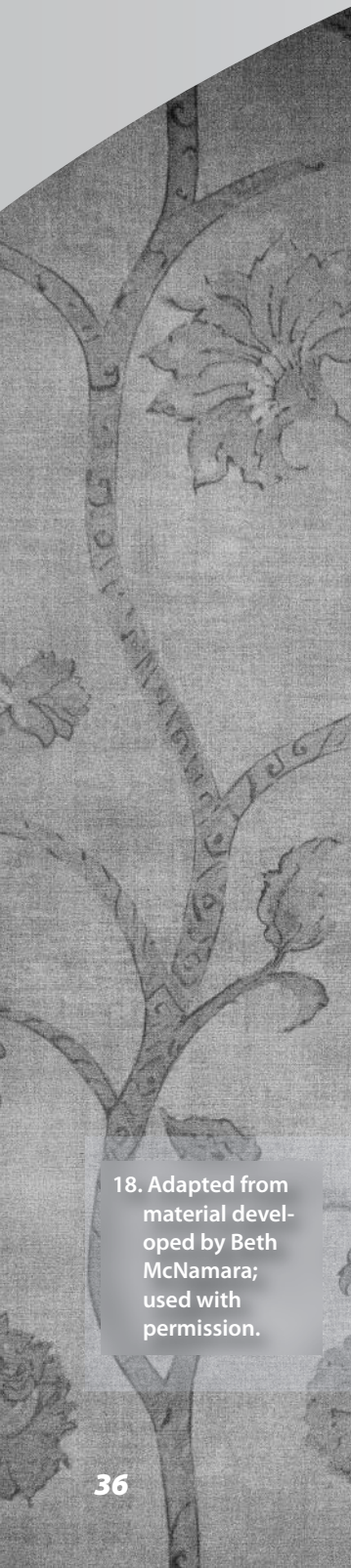


Scheduling

With supervised exchange, centers face the challenge of coordinating schedules across the court's expectations, parents' needs, and the center's logistical capacity and availability. They must also constantly balance flexibility with inadvertently opening opportunities for a batterer to use scheduling as a tactic of manipulation or intimidation. What happens when there's a birthday party a child wants to attend that overlaps with the time for exchange? How long will a center wait for a parent to arrive? What happens when parents work out a different kind of exchange on the side? What if there are multiple orders involving the same parent (e.g., two different mothers and two children with the same father)? Trying to create a policy to cover every possible situation and drawing absolutes will only produce a one-size-fits-all kind of response that is often unworkable

Strategies

- *Rather than a policy that specifically defines the center's actions under all possible circumstances, look to guidelines and an overall structure that helps enable problem-solving around unique situations. For example, a policy might include this kind of language: "Our goal is to maximize flexibility for families using the center and to establish a schedule for exchange that best accommodates each parent's employment and transportation needs, as well as meeting the requirement of the order. If a proposed schedule does not meet a parent's needs, staff will consult with the designated supervisor. Each exchange schedule will be reviewed monthly during the case consultation."*
- *Review with referring courts the logistics of organizing and conducting safe exchanges and the center's capacity. Address (a) assumptions about the length of time required to safely supervise an exchange in ways that account for the risk factors and circumstances unique to each family; (b) the importance of providing the center leeway to develop the schedule with the parents, rather than ordering the exchange on a specific day and time; and, (c) the importance of avoiding conflicting orders regarding parental access and exchange.*
- *At the orientation and in subsequent check-ins, ask each parent what she or he anticipates might be difficult in setting and keeping the schedule. For example: the need to account for shift work, vacation plans, children's extracurricular school activities.*
- *Ask the victim parent about any concerns related to scheduling and her own and her children's safety.*
- *Stay alert to ways in which a batterer might attempt to manipulate the schedule and draw the center into pressuring the victim to change it, contrary to what she is truly comfortable with.*



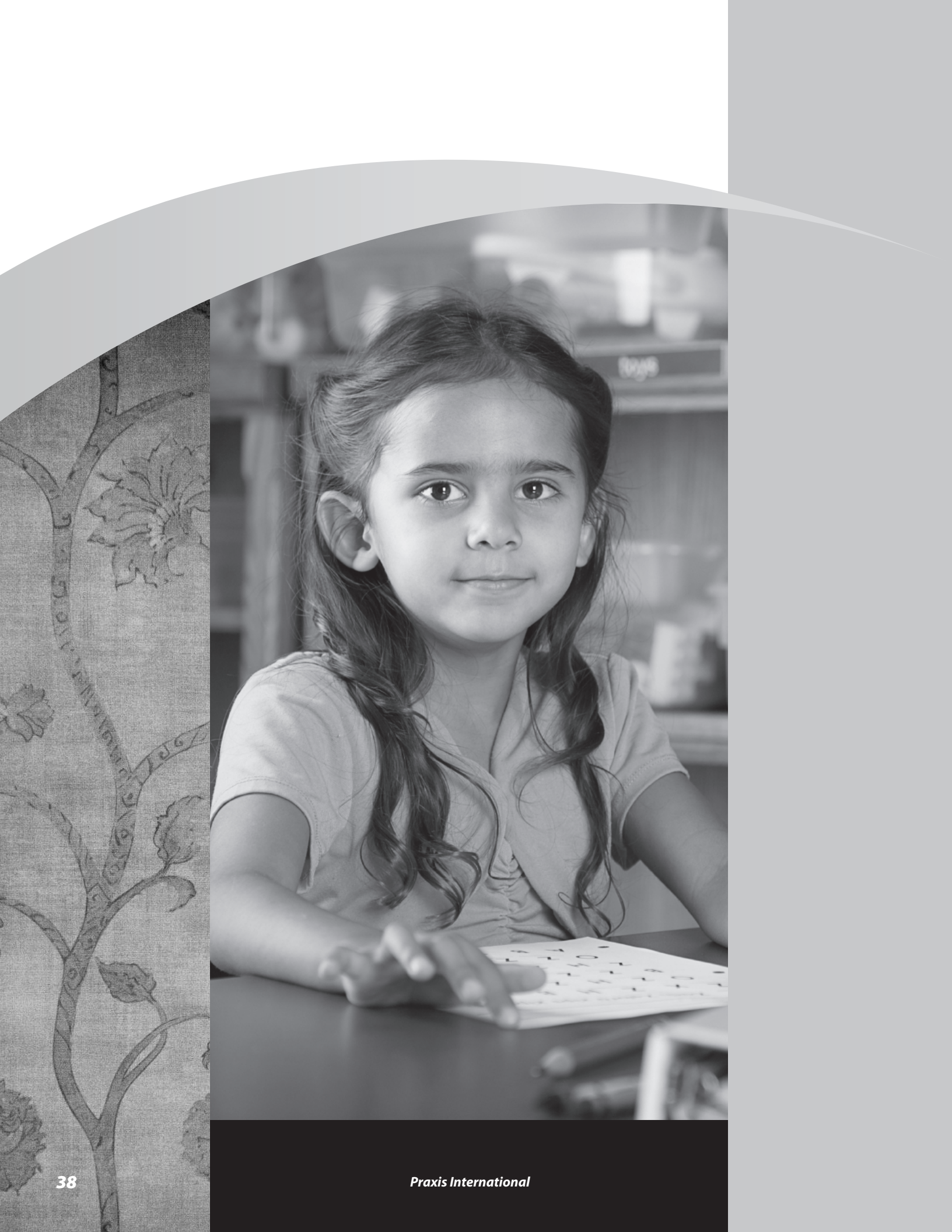
Facility design

Visitation centers have not been immune to the parking lot method of exchange. It is a ready and available space and using the parking lot can mean sending one person out of the center rather than bringing another two or four or six people into the center. Whether at a restaurant or the visitation center, however, a parking lot can be a problematic choice for safety, as noted earlier, as well as a less welcoming environment that further limits opportunities to check in with each parent and child. Safe exchange requires attention to facility design and transition patterns.¹⁸

18. Adapted from material developed by Beth McNamara; used with permission.

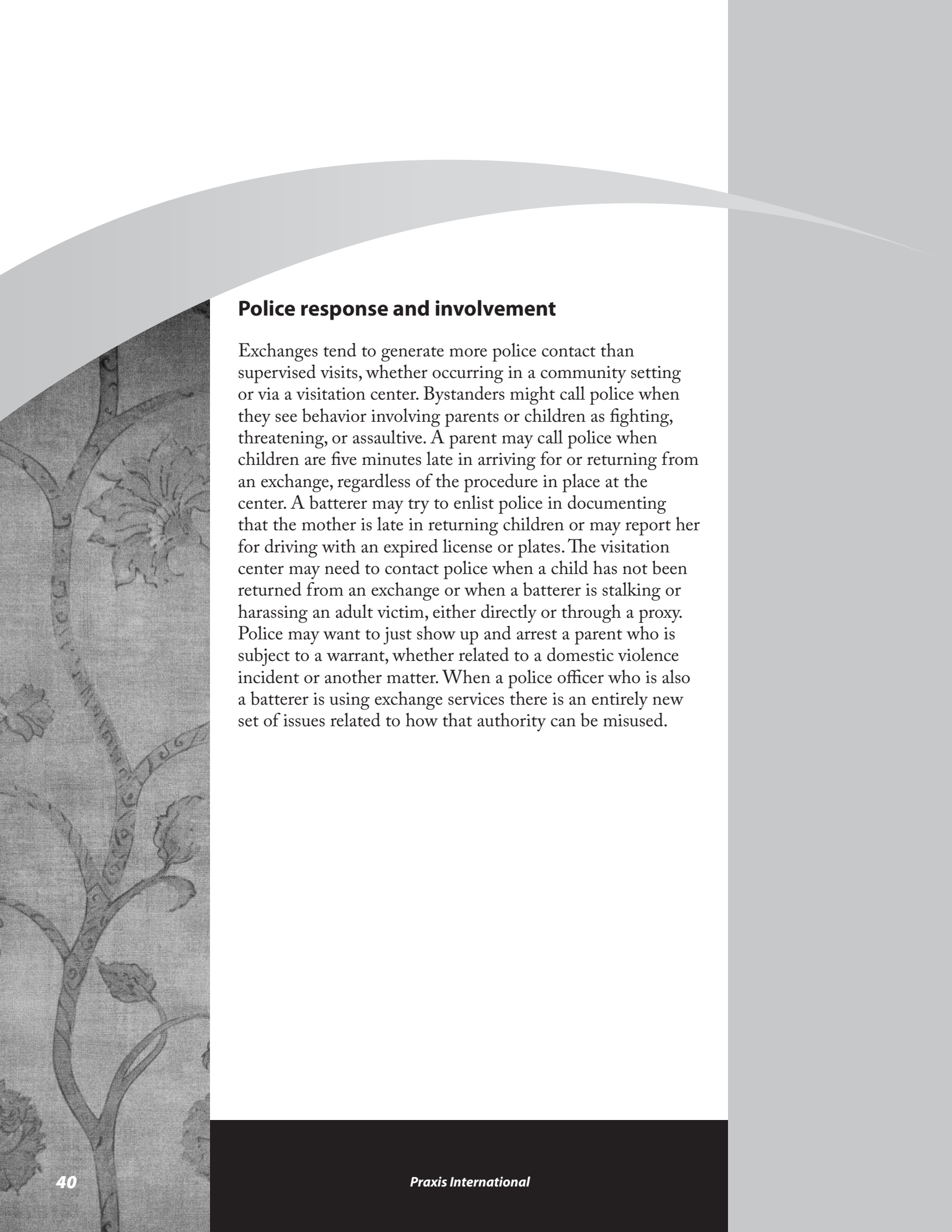
Strategies

- *Utilize separate entrances and parking lots. Account for the time and process to get both parents to park, arrive, and wait in two separate and distinct areas of the building.*
- *Avoid blanket assumptions or practice about who arrives or leaves first; base it on the safety of adult victims and children, including adult victims who are non-residential parents. Facilitate a staggered arrival and departure process between parents that accounts for the safety needs of the person who needs protection.*
- *Designate a “transition space” where the children say good-bye to one parent in one space and move to where staff can check in with children prior to meeting their other parent. Make each waiting and transition space as warm and welcoming as possible. Avoid using an empty, echoing corridor.*
- *Designate a waiting space for children and the parent who is dropping them off or returning them from the exchange to support an easier transition and more comfortable wait time. A place for each parent to wait before, during, and after services also provides an opportunity to offer help and resources. For example: a private space where staff can check in with each parent and child before and after each exchange; computer and internet access; and educational materials such as books, videos, audio recordings.*
- *Position waiting rooms such that center staff can hear all conversations that occur.*
- *Provide a restroom and diaper changing area that is accessible to each parent and the children during the time they are in the center.*
- *Pay attention to safe placement of windows. The parent in the waiting space should not be able to monitor the outside of the building (e.g., watch who drops off or picks up the child). At the same time, natural light can be an important element in the appearance and warmth of the space. Windows placed at the top of the wall will allow natural light in while blocking a view directly into or from the waiting area.*



- Consider what can be seen and heard when doors are opened or closed. Parents should not be able to see or hear one another or overhear staff conversations with either parent.
- Consider using a one-way glass window to help children who might have difficulty transitioning to a parent. Being able to “just see” their parent first before coming face-to-face can be comforting to some children.
- Take into account acoustics and noise levels. Center staff need to be able to hear and see what occurs during exchange services. Multiple families and multiple children playing and talking in the same space can be very loud. Pay attention to what can be heard from each space and vantage point within the center. Can someone in the waiting room hear what is taking place in the transition space, waiting rooms, or staff office?
- Carefully consider each item in your security plan, whether lighting, intercom systems, cameras, audio/video monitoring of waiting areas and/or visitation rooms, emergency back-up staff notification, 911 panic buttons, door buzzers, metal detectors, automatic closing and locking doors, pass code security locks, or law enforcement officers on site. Security features have been subject to debate among visitation centers. Selection of any item should match the philosophy of your organization and the case issues of the families you work with, as well as support the exchange service.¹⁹

19. From the Chicago Demonstration Initiative Site, *A Discussion of Accounting for Culture in Supervised Visitation Practices* (p. 21): “The center’s design, appearance, and staffing must be deliberate and conscious of the implied and explicit messages about who is welcome and how they are valued. One center stressed that they designed everything to convey respect, from its location in a health care building adjacent to a shopping mall, the quality of the furnishings, magazines and art work, the greeting by the receptionist, and the absence of uniformed guards and metal detectors.”

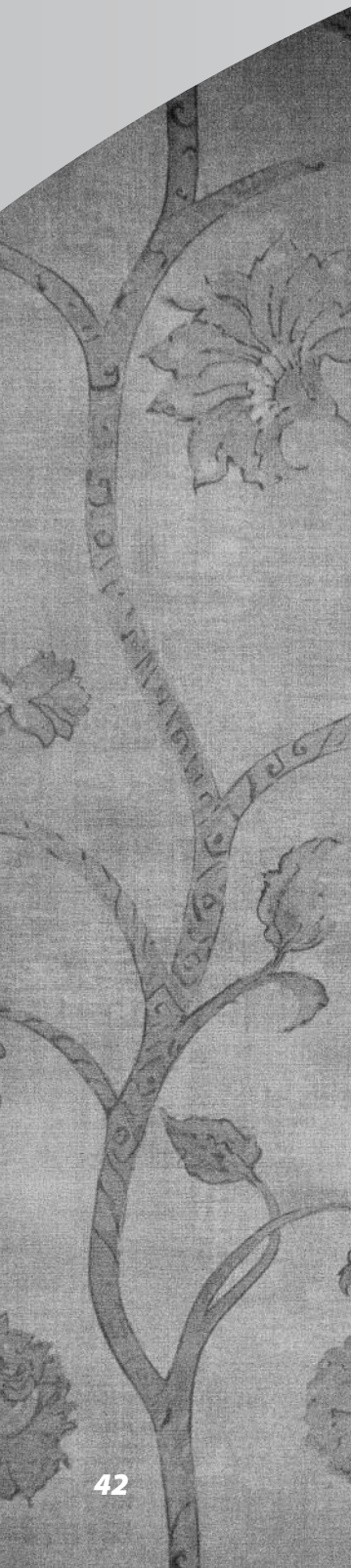


Police response and involvement

Exchanges tend to generate more police contact than supervised visits, whether occurring in a community setting or via a visitation center. Bystanders might call police when they see behavior involving parents or children as fighting, threatening, or assaultive. A parent may call police when children are five minutes late in arriving for or returning from an exchange, regardless of the procedure in place at the center. A batterer may try to enlist police in documenting that the mother is late in returning children or may report her for driving with an expired license or plates. The visitation center may need to contact police when a child has not been returned from an exchange or when a batterer is stalking or harassing an adult victim, either directly or through a proxy. Police may want to just show up and arrest a parent who is subject to a warrant, whether related to a domestic violence incident or another matter. When a police officer who is also a batterer is using exchange services there is an entirely new set of issues related to how that authority can be misused.

Strategies

- *Build a collaborative relationship with law enforcement that encourages conversations about security, an understanding of respective roles, and agreement about the response regardless of whether it is the center or a parent who calls. Developing a protocol with law enforcement and the courts in advance of a specific incident strengthens a center's ability to support safety and cancel an exchange or terminate services until the court can review the case. For example, the center will know what the law enforcement response will be to a parent who says, "I'm court-ordered to see my child and the center has canceled my exchange. I want you, Officer Smith, to enforce my order and make this exchange happen."*
- *Involve law enforcement in site security planning. Ensure that all officers who might respond to a call at the center know the design of the space and the location of entrances, exits, and waiting areas. Invite officers to tour the center. Deliver a brief presentation ("roll call" training) to each shift on duty during the center's hours of operation.*
- *Design and/or participate in cross-training with center staff, patrol officers, and community victim advocates to define and address issues related to visitation and exchange and domestic violence.*
- *Have a conversation with police about the reasons why arresting a parent at the visitation center should be avoided in all but the most serious and threatening circumstances. Address why it is so important for the visitation center's role in the wider response to domestic violence that it not be seen in the community as a party in setting up a parent for arrest.*
- *Explore strategies and seek agreement about how police can pursue legitimate enforcement action without jeopardizing the center's role and credibility in the community.*
- *Practice role plays with center staff about how to handle situations where police come to the center during an exchange and want to arrest a parent.*
- *Develop a formal Memorandum of Understanding that addresses police response to the visitation center and issues related to exchange.*
- *Have a plan in place for each family to guide the center's decisions about when and how urgently to contact police when children have not been returned from the exchange as scheduled.*

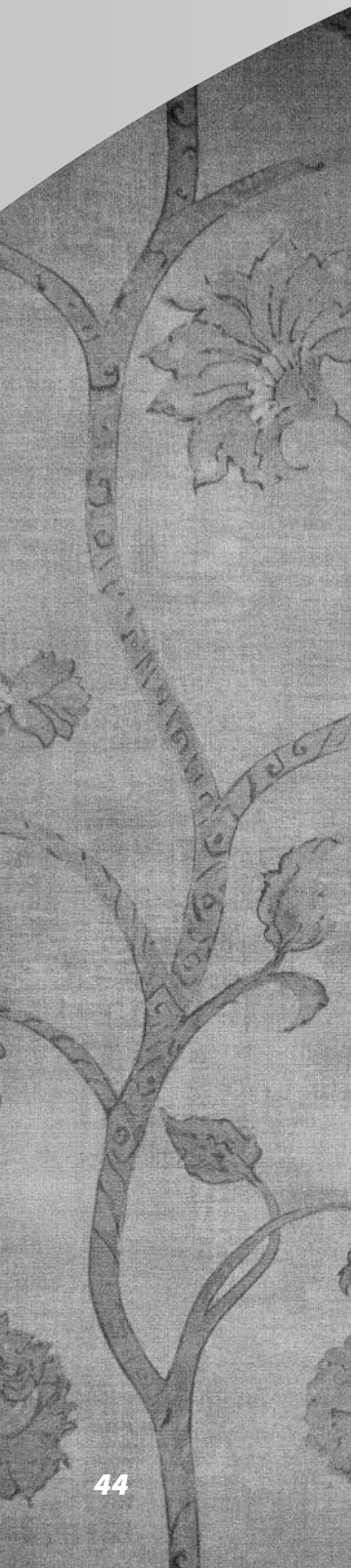


Third-party involvement

Exchanges are far more likely to involve a third party in some way and at some point in time, whether other family members, friends, or a new partner. An order for supervised exchange may or may not identify specific individuals who are authorized or prohibited from being involved in the exchange. A mother who has sought emergency safe shelter with her children but who must comply with a supervised exchange order may be too fearful to come anywhere near the center. Either parent can encounter a sudden change in a work schedule or car trouble or illness that may require another person to pick up or drop off the children. Third party decisions must always be made in the context of safety and the specific circumstances of the context of risk and danger for each adult victim and child.

Strategies

- *Determine early on who is specifically authorized or prohibited from participating in the exchange.*
- *Identify alternates who are authorized to drop children off or pick them up in the event that the parent is unavailable. Establish a clear protocol for making emergency, alternative pick-up and drop-off arrangements.*
- *Discuss with the victim parent whether there are any third parties whose appearance would be particularly concerning for her or her children's safety.*
- *Be alert to inadvertently opening up opportunities for stalking or harassment.*
- *Conduct a brief orientation with the third party and have them sign an agreement about participating in safe exchanges.*



Children's reluctance or refusal around exchanges

Children's reluctance or refusal for a supervised exchange can be due to one or more of many reasons. They may be frightened of their father or want to stay with their mother because their favorite aunt is coming for the weekend. They may be angry at their mother if she is suddenly the non-residential parent or they may not want to get up so early on a Saturday morning. A child might be overly tired or coming down with a cold or want to attend a friend's birthday party. Often there will not be a clear reason why a child does not want to go on the exchange. A visitation center cannot assume that what may have been the basis for an earlier reluctance to spend the weekend with a parent is now the same reason for refusing to get out of the car for the current exchange. Children at different ages and different maturity levels may or may not express their reasons for being reluctant or refusing to participate in a safe exchange. Experienced visitation centers give many examples of teenagers who refuse to participate in exchanges that conflict with their social calendar. Programs must also be aware, however, that such reasons can also mask reluctance or refusal that is related to safety or ongoing violence

Appendix 6 is a more detailed look at children's needs, the center's role, and strategies to engage with children in providing supervised exchange services that best meets their needs.

Strategies

- *Talk with children during orientation. Explain how supervised exchange will work. Find out what they expect and what their concerns are.*
- *Establish a clear, predictable, age-appropriate routine for each child. For example, small children may not understand days of the week, so make it tangible for them. Determine what else they do on exchange days and use that information to help explain the routine appropriate to the child's age and stage of development, e.g., "You'll come here and go with your dad on the day you go to dance class; then you'll come back here and go home with your mom on the day you go back to school."*
- *Help adult victims plan for how to best prepare children for the exchange process in ways that account for the harm caused by the battering.*
- *Help battering parents focus on their children's needs and the possibility that there may be a time they do not want to go to the exchange, and how to best handle that situation.*
- *Review the center environment and procedures to explore possible reasons for a child's anxiety around the exchange.*
- *In the moment and depending on the circumstances, consider the following actions when a child is reluctant or refuses to go through with the exchange: (1) Allow a little more time. Perhaps the child needs to settle into the idea and the transition. (2) Ask the victim parent what has been happening and what would be the best approach at that moment, keeping safety and ramifications for custody in mind. (3) Talk with each child (appropriate to the child's developmental level), without sounding like an interrogation: What else would you like to be doing today? Tell me about how the last couple of weekends went for you?*
- *Own the decision. Explain up front at orientation that every child experiences supervised exchange differently and for some it can be upsetting. Let parents know that sometimes the center has to decide that it is in a child's best interest not to go through with the exchange. When that happens, the center will take responsibility for the decision.*



Documentation

Documentation remains among the most challenging practice issues for visitation centers. What to write down, how much to write down, who should have access to it, and under what circumstances are questions that have been ever-present in discussions about the role of a visitation center in the response to domestic violence and how to best secure safety for adult victims and children. Centers have landed along a continuum from writing down little beyond names, dates, and safety-related concerns to an almost minute-by-minute account of everything that transpires. Drawing on the broad work of the Supervised Visitation Program, centers have gravitated toward a leaner approach to documentation. There has been growing recognition that with no true guarantee of confidentiality, anything written down about a victim's fears, her plans to relocate, or a child's reluctance to participate in an exchange could be available to a battering parent. There has also been growing recognition that documentation that is highly specific and detailed, written down, and filed or entered into databases has practical limitations: it takes time and resources, both for the center compiling it and for the courts that may be receiving it. The very busyness in writing everything down and the time required to wade through it may miss or obscure the essential information related to someone's safety. Regardless of the specific approach, documentation is the aspect of practice where attention too easily shifts away from safety and toward general aspects of parenting. Documentation of exchange can fall into a pattern of phrases and descriptions such as "exchange went well...kids hugged dad and were glad to see him...they were not wearing jackets or hats...kids were rowdy and loud...disrespectful...laughing...clean...unkempt..." Such characterizations can convey considerable judgment and bias in imposing a center worker's personal standards while having little or nothing to do with safety.²⁰

20. See the section on neutrality practices and documentation in *On Safety's Side*; also, the Demonstration Initiative sites' attention to documentation in *Building Safety: Repairing Harm*.

Strategies

- *Review all exchange records for the past six months. What receives the most attention: parenting or battering? Does the documentation read any differently for cases where there is the greatest concern for the safety of the adult victim and the children?*
- *Establish a standard routine business practice that is followed for all cases (exchange and visitation). For example, one center maintains an ongoing general exchange log in which staff note the arrival and departure times for each family, any interruptions or terminations of exchange, critical incidents, and phone or other contact with parents. The staff meets every two or three weeks to review the log and summarize aspects pertinent to safety for each case. Information related to safety concerns is noted in the applicable case files and the log itself is destroyed. The center has selected this approach as a way to help center its attention and documentation on safety. The scheduled, ongoing staff review helps keep everyone up to date and minimize batterer manipulation. Another center organizes documentation around three kinds of records: (1) an exchange note that includes a one or two sentence description of when and how the exchange occurred and who was involved; (2) a record of phone calls or conversations with parent before, during, and after an exchange; and (3) an account of any staff intervention because of a safety or security problem. Here, too, staff regularly review and discuss the notes, with an emphasis on screening out subjective comments and identifying conduct that raises safety considerations.*
- *Collaborate with court to eliminate routine, general reports and instead submit reports only as needed to address dangerous behavior and safety considerations.*



Conclusion

Exchanges are always more than a 15-minute event!

This discussion is by no means a complete account of all of the issues related to supervised exchange. Nor are the suggestions presented here the only answers. If there is one lesson from the collective experiences of Supervised Visitation Program communities and visitation centers it is that building safe supervised visitation and safe exchange in response to domestic violence is a dynamic process. It cannot be a one-size-fits-all approach or a static response, nor can a visitation center do it alone. Safe exchange requires collaboration, accurate referrals, and engagement. It requires practice and simulation exercises that help prepare staff with the necessary knowledge and skills related to recognizing, understanding, and responding to battering. It requires that all interveners, from courts to police to center staff avoid falling into the “it’s just an exchange” kind of thinking.



Appendices

Appendix 1:

Risks for Battered Women & Their Children

Appendix 2:

Power & Control Wheel

Appendix 3:

Post-Separation Power and Control Tactics

Appendix 4:

Enhanced Power and Control Wheel –
Domestic Violence Cases Involving Children

Appendix 5:

Engage to Protect: A Framework for Working with Men and
Women in Supervised Visitation Centers

Appendix 6:

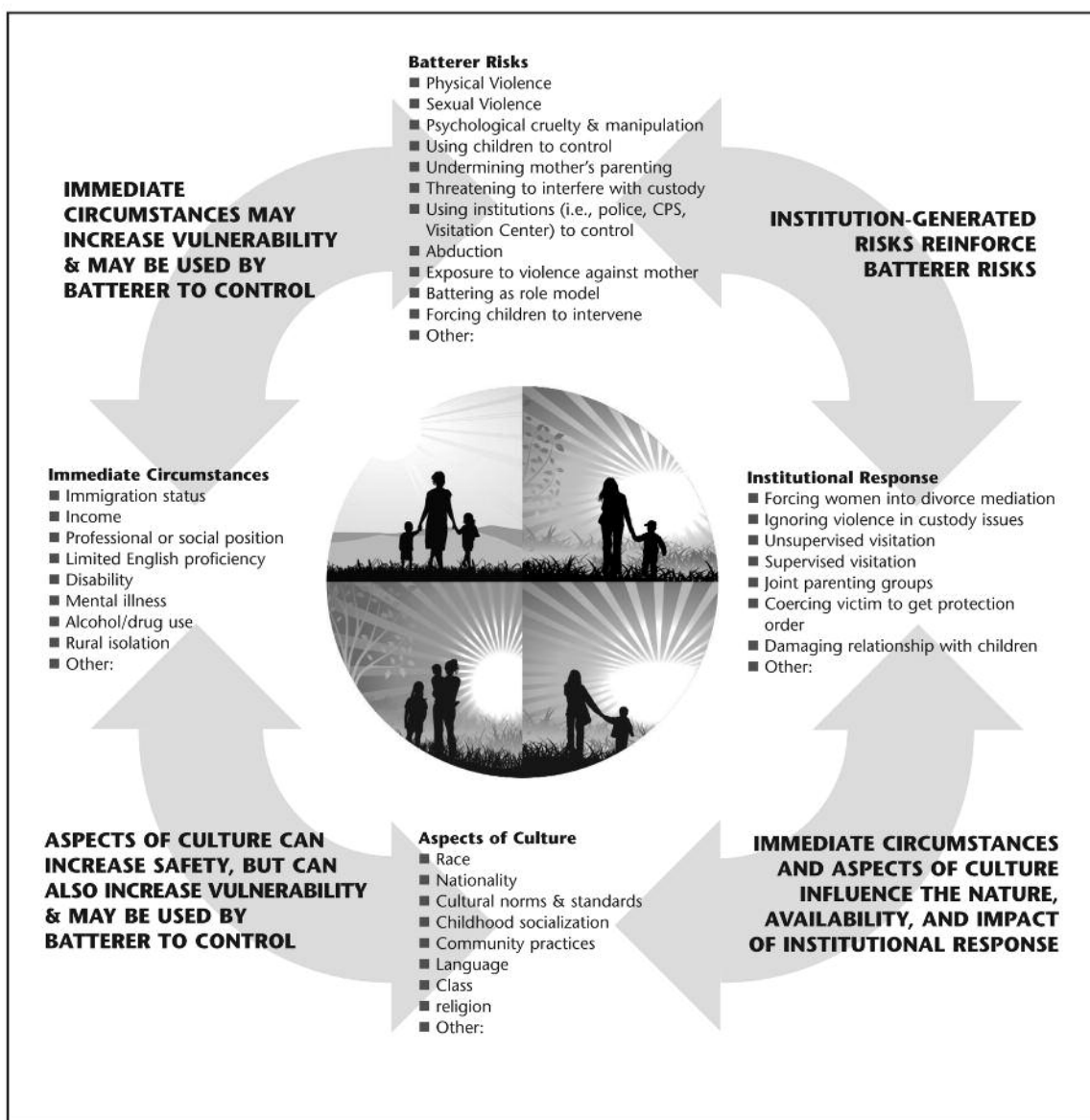
Supervised Exchange in Cases Involving
Battered Women and Their Children:
Children's Needs & the Center's Role

Appendix 7:

References and Resources Cited in
Safe Exchange: Safe Passage



RISKS FOR BATTERED WOMEN & THEIR CHILDREN



Adapted from Jill Davies, Eleanor Lyon, & Diane Monti-Catania, *Safety Planning with Battered Women: Complex Lives/Difficult Choices* (Thousand Oaks, California: Sage Publications, 1998); Radhia A. Jaaber and Shamita Das Dasgupta, "Assessing Social Risks of Battered Women," <http://www.praxisinternational.org/files/pdf/AssessingSocialRisk.pdf> (2002); and the work of the Battered Women's Justice Project.



DOMESTIC ABUSE INTERVENTION PROJECT

202 East Superior Street
Duluth, Minnesota 55802
218-722-2781
www.duluth-model.org

Reproduced with permission from Domestic Abuse Intervention Programs, Duluth, MN

Identifying Post-Separation Power and Control Tactics: Examples

Using Coercion and Threats

- Using community and family relationships, culture, norms
- Threatening to get full custody of the children
- Threatening to kidnap children
- Threatening to kill her or the children or both
- Threatening blackmail
- Harassment overseas (threatening family members in country of origin)
- Threatening deportation and reports to immigration officials

Using Economic Abuse

- Withholding child support
- Not allowing access to money
- Misrepresenting or refusing to submit financial forms required for divorce
- Quitting job or staying unemployed
- Showering children with gifts
- Attorney privilege: filing repeated legal actions to keep her in court
- Lowering child support payments
- Using her Social Security number and other personal information to obtain credit
- Blocking access to financial aid for college age kids
- Selling the house or letting the lease expire
- Withdrawing private school tuition for children
- Withdrawing child care

Using Male Privilege

- Access to greater resources
- Historically male-dominated justice system
- Capitalizing on negative stereotypes of women, such as too emotional, overly-protective as mothers
- Gendered ideas of protection, such as “failure to protect” charges against mothers
- Parenting double-standards and expectations of behavior, e.g., mothers’ new relationships receive more scrutiny and criticism

Using Children

- Changing times of visits
- Gaining custody as leverage against mother
- Putting words into children’s mouths
- Using courts to manipulate custody
- Not showing up for visits/exchanges
- Treating children differently, e.g., boy/girl, favorite/non-favorite
- Using the children against each other

Using Intimidation

- Intimidating through legal harassment
- Misusing social systems, e.g., faith community, social connections, family
- Getting the center to attend to him first
- Intimidating her attorney and other system’s people

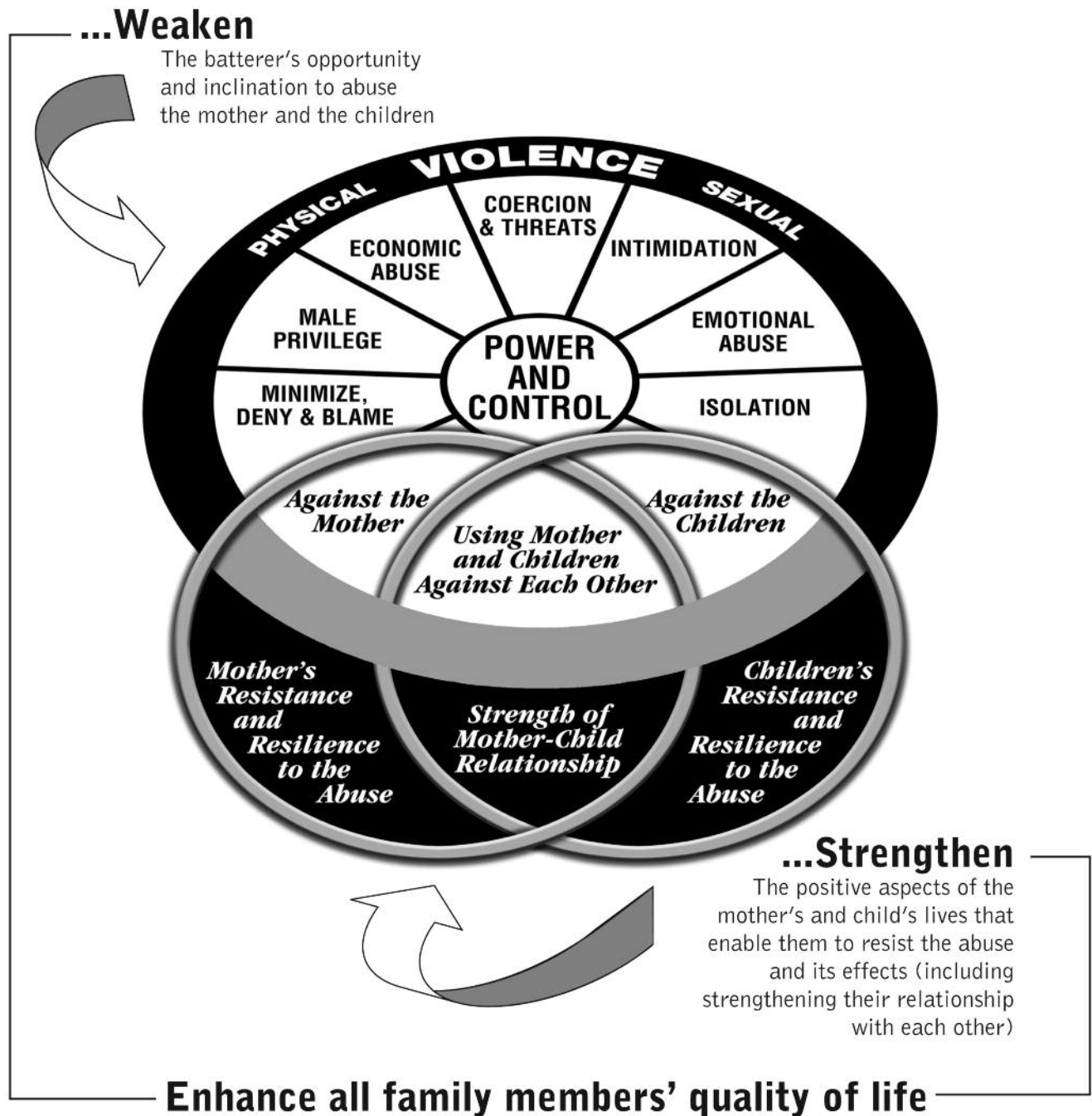
Using Isolation/Emotional Abuse

- Economic isolation
- Taking her mail
- Talking with friends about how she’s crazy, an irresponsible mother, etc.
- Encouraging chemical dependency
- Taking the car
- Not paying insurance, license tabs, taxes, etc.
- Legal isolation
- Shifting blame onto her
- Religious isolation

Minimizing, Denying, Blaming

- “Forgets” and goes to the wrong doors at the center
- Blame her for breaking up the family, having to use the center
- Blaming her for his chemical dependency
- Buying tickets to events when he knows the children cannot go
- Undermining her authority as a parent (e.g., “you don’t have to listen to you mother”)
- Violating restraining orders and denying the violation, e.g., “I was just walking the dog, I didn’t know she was in the store,” etc.
- Encouraging visitation workers and other practitioners to see her as “crazy”

SUCCESSFUL INTERVENTIONS IN CASES OF BATTERING THAT INVOLVE CHILDREN...



Adapted with permission from the DAIP Power and Control Wheel, Duluth, Minnesota. All rights reserved.

Engage to Protect: A Framework for Working with Women and Men in Supervised Visitation Centers ²¹	
<i>To be “engaged” means to be involved and connected in an intentional, thoughtful way</i>	
Engaging with mothers who are being battered	Engaging with fathers who batter
Goals: 1. Foster safety for mothers and their children. 2. Counteract the experience of battering. Approach: • Continually gauge and account for the risk of harm to a mother and her children.* • Develop a positive, problem-solving, safety-oriented partnership with her. • Connect mothers and their children with advocacy. • Account for her social position and life experiences. Knowledge and skills: Workers are prepared to... ✓ Problem solve with her and not <i>for her</i>. ✓ Help her to talk with and restore her relationship with her children. ✓ Stay connected with and helpful to her when she is emotionally upset in response to the battering. ✓ Engage with people who have cultural beliefs, values, customs, and practices (including parenting) that differ from a worker’s own.	Goals: 1. Foster safety for mothers and their children. 2. Counteract the tactics of battering. Approach: • Continually gauge and account for the risk of harm to a mother and her children.* • Develop a positive, problem-solving partnership with him. • Help him focus on his children’s well-being and not on their mother. • Account for his social position and life experiences. Knowledge and skills: Workers are prepared to... ✓ Work with a person who is aggressive, intimidating, and manipulative in ways that lessen such behavior and encourage cooperation. ✓ Engage in positive, helpful ways without colluding in the battering. ✓ Help him to stop harmful parenting and foster nurturing parenting.** ✓ Engage with people who have cultural beliefs, values, customs, and practices (including parenting) that differ from a worker’s own.
*Gauging risk of harm means to develop and adjust the center’s plan for the safety of each mother and her children. **The operating assumption here is that battering a child’s mother is harmful parenting.	

21. From *Engage to Protect: Foundations for Supervised Visitation and Exchange*, Praxis International, Inc.

Supervised Exchange in Cases Involving Battered Women and Their Children: Children's Needs & the Center's Role²²

What do children need?

- A sense of physical and emotional safety in their current surroundings
- To know that their mother is safe from harm
- To be heard without judgments
- Thoughtful interventions grounded in an understanding of battering and other forms of domestic violence
- Structure, limits, and predictability
- To not feel responsible for taking care of adults
- Permission to love both parents
- Messages that the violence is not their fault and not their mother's fault

Caution: Do not make assumptions about what an individual child or youth needs. Find out: talk with the child and talk with the mother.

How can visitation center staff help?

- Provide a safe and supportive environment for children to talk about their experiences and feelings.
- Allow time for children to become familiar with the center and staff before beginning exchanges.
- Think and plan with children around what will happen when they come to the center for exchanges. Set clear boundaries and expectations.
- Build in time with everychild before and after every exchange.
- Describe the routine and structure that will take place at the center:
 - Day of the week and time of day that exchanges will occur
 - How they will get to the center and who will drop them off and pick them up
 - Where at the center they will be dropped off and picked up
 - Where at the center they will go after being dropped off and picked up
 - Where their mother will go
 - Where their father will go
 - Rules of the center and where staff will be before and after an exchange
- Present information in ways that are age appropriate and understandable to each child.
- Relay messages of support:
 - You're not alone.
 - Abuse is never okay.
 - The abuse/battering is not your fault.
 - The abuse/battering is not your mother's fault.
 - It's okay to love your mother/It's okay to love your father.
 - Your father is responsible for his harmful behavior and for changing that behavior.

22. Adapted from material developed by Beth McNamara and Sandy Davidson; used with permission.

Supervised Exchange in Cases Involving Battered Women and Their Children: Children's Needs & the Center's Role²²

Strategies to engage with children

- Talk to and treat children as you would want to be talked to and treated.
- Plan for an intentional check-in with every child during the transition from one parent to another. It might be helpful to engage in an activity, such as a quick game of cards or drawing together. Children will talk with someone in many ways, not just with words but through actions and play.
- Remember that it can be hard for children to just sit down and talk.
- Account for age and stage of child development. Younger children often respond more easily by “speaking through” something else, such as a favorite toy (e.g., “What do you think your bears will want to do when they go on the exchange with you?”)
- Be a good role model for setting boundaries. For many children, trust has been broken repeatedly on many levels.
- Think about what you want kids to learn before you respond to a question or situation.
- Acknowledge, respond, and redirect behavior you would like to address.
- Remember that everything children know is or has changed in the post-separation period.
- Remember that it takes very little time to do something positive for children.
- Validate children's realities about their experiences.
- Avoid talking in a “baby voice.”
- Move at the child's pace and avoid pushing a response.
- Learn and talk about children's interests.
- Recognize and respond to nonverbal cues.
- Be respectful of children's personal and physical space and understand the boundary violations that they may have experienced. Ask permission (from the child and from the mother) to touch or to hold child.
- Understand what it has been like to live with a battering parent. Work with domestic violence advocacy partners to talk with young adults about what their experiences as children were like.
- Be conscious and deliberate about acknowledging children's distinct cultures and customs.

These strategies are central to building a relationship of engagement with children, regardless of whether the center is providing supervised exchange or visitation services.

**References and Resources Cited in
*Safe Passage: Supervised Safe Exchange for
Battered Women and Their Children***

Published by Praxis International

The following material is available at www.praxisinternational.org.
Engage to Protect: Foundations for Supervised Visitation and Exchange
– Papers, 2009

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

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

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

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

“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 Supervised Visitation Program 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 Supervised Visitation Program Demonstration Initiative sites:

“Kent, Washington Safe Havens Demonstration Site Safety and Accountability Audit Final Report,” January 2007

“Exploring a Question: How does the work of a visitation center produce or not produce safety for everyone involved?” A report from the California Safe Havens Demonstration Site Safety Audit,” July 2004; Rev. February 2006

“A Discussion of Accounting for Culture in Supervised Visitation Practices: The City of Chicago, Illinois Demonstration Site Experience,” December 2005

“Michigan Demonstration Site – Safety & Accountability Audit Planning Assessment,” July 2004

Additional references

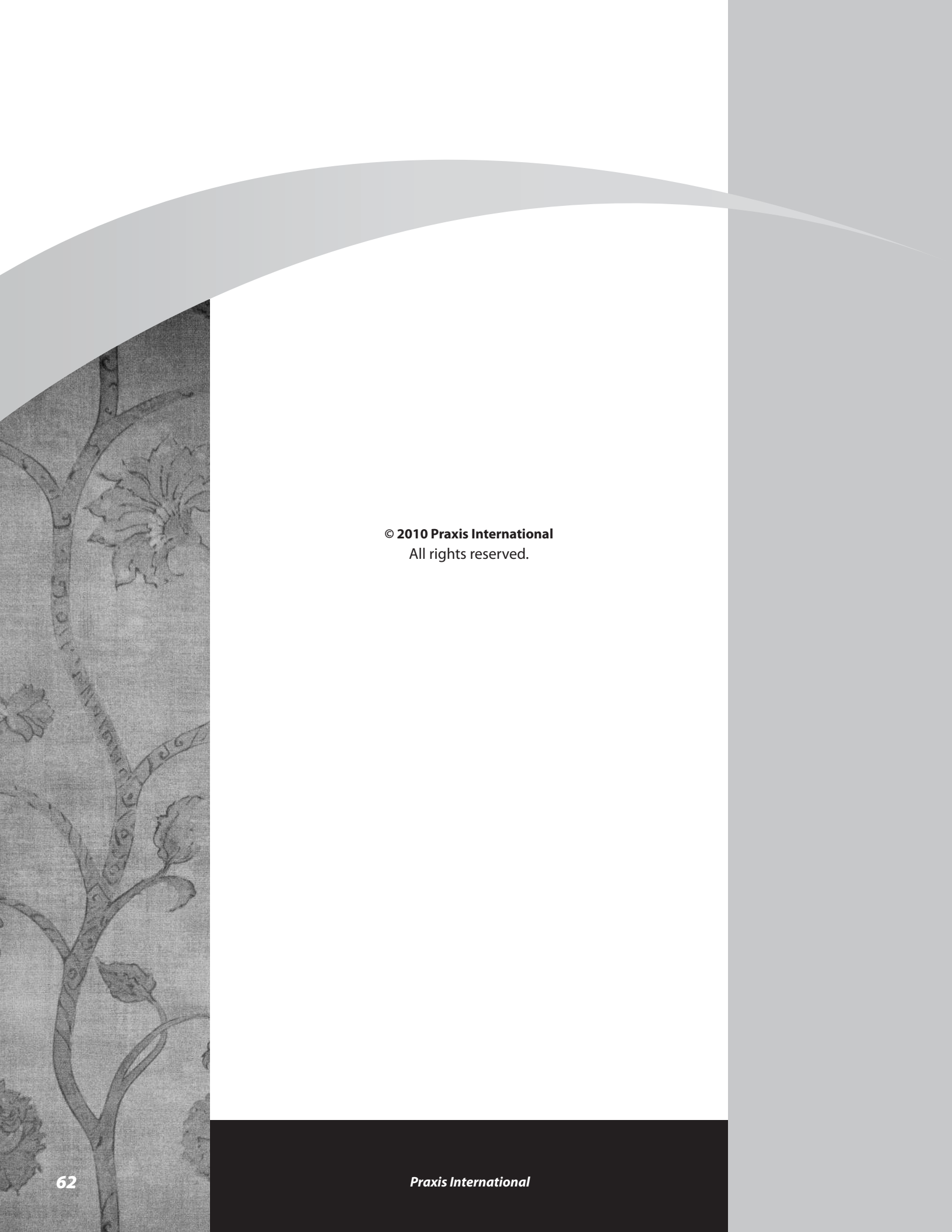
Lundy Bancroft and Jay G. Silverman, *The Batterer as Parent: Addressing the Impact of Domestic Violence on Family Dynamics*, Sage Publications, 2002

Jacquelyn Campbell, Daniel Webster, et al., “Assessing Risk Factors for Intimate Partner Homicide,” *NIJ Journal*, Issue 250, November 2003, available at www.ojp.usdoj.gov/nij

Jill Davies, “When Battered Women Stay...Advocacy Beyond Leaving,” June 2008, Publication #20 in the National Resource Center on Domestic Violence series, Building Comprehensive Solutions to Domestic Violence, available at www.vawnet.org

Jill Davies, Eleanor Lyon and Diane Monti-Catania), *Safety Planning with Battered Women: Complex Lives/Difficult Choices*, Sage Publications, 1998

Claudia Garcia-Moreno, Henrica A.F.M. Jansen, et al., *WHO Multi-country Study on Women's Health and Domestic Violence Against Women*, World Health Organization, 2005



© 2010 Praxis International
All rights reserved.