

BUILDING *safety*  
REPAIRING *harm*

# BUILDING *safety* REPAIRING *harm*

*Lessons and Discoveries from the  
Office on Violence Against Women's*

SAFE HAVENS:  
SUPERVISED VISITATION  
AND SAFE EXCHANGE  
GRANT PROGRAM —  
DEMONSTRATION INITIATIVE

## THIS PUBLICATION WAS SUPPORTED BY

Award #2004-WT-AX-K040  
awarded by the Office of  
Violence Against Women,  
U.S. Department of Justice.  
The opinion, findings, conclusions  
or recommendations  
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of Justice.

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## ACKNOWLEDGEMENTS

The inspiration, insights, and hard work of many organizations and individuals characterized the Demonstration Initiative of the Supervised Visitation Program. While we acknowledge the local project coordinators and participating visitation centers and their core partner agencies here, we also recognize and appreciate the contributions of the many individuals across the four demonstration sites who participated in consulting committees, training events, focus groups, and other forums.

### STATE OF MICHIGAN

(JACKSON, GRAND TRAVERSE, ANTRIM, LEEFLANAU, MUSKEGON, AND OAKLAND COUNTIES)

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- Domestic Violence Victim Services: Michigan Coalition Against Domestic And Sexual Violence, AWARE (Jackson), Women's Resource Center of Grand Traverse, Every Woman's Place, HAVEN, and Underground Railroad (Saginaw)
- Courts: State Court Administrative Office, Friend of the Court Bureau; Muskegon County Family Court; Friend of the Court Offices in Jackson, Pontiac, and Traverse City

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- Domestic Violence Victim Services: Walnut Avenue Women's Center, C.O.R.A of San Mateo County, and Next Door Solutions to Domestic Violence of Santa Clara County
- Courts: The Superior Court and Family Court Services Division of Santa Cruz County, San Mateo County, Santa Clara County and, Santa Clara County Office of the County Counsel

### CITY OF CHICAGO

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- Domestic Violence Victim Services: Chicago Metropolitan Battered Women's Network; Life Span domestic violence legal services program
- Courts: Cook County Circuit Court Domestic Relations Division; Cook County Court Marriage and Family Counseling Services

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- Domestic Violence Victim Services: King County Coalition Against Domestic Violence, YWCA of South King County, and Washington State Coalition Against Domestic Violence
- Courts: King County Superior Court United Family Court and Family Court Services

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Follow the news in any community and it is too easy to find stories that read much like the following.

## INTRODUCTION

“ As she tried to escape, he caught her in the hallway of the apartment building and continued to beat her as her three children watched. ”

[1] His first punch pushed her across the room, from the doorway to the bed. He jumped on top of her and repeatedly hit her in the face. She screamed for her oldest son to call the police. As she tried to escape, he caught her in the hallway of the apartment building and continued to beat her as her three children watched. She ran from the building, but could not get free; he continued punching her in the neck and face until he knocked her unconscious. A hospital worker discovered that a knife blade had lodged in her neck. The handle had broken off under the blows.

[2] When she told her husband that she would be filing for divorce, he threw her against the wall, hit her over and over again in the face, repeatedly banged her head on the floor, and pressed his hands around her neck until she went limp. He covered her with a blanket and went to sleep. The next day he told the children their mother was resting and got them ready for school, ran errands, and had lunch with a friend.

[3] She went to his house to pick up their two young children, who had been visiting their father as required by the joint-custody order. Ordinarily, she would wait outside for the children to come to the door. He told her that the children were playing a game and wanted her to come in the house. Once inside, he hit her repeatedly with a baseball bat, tied her hands with duct tape, and put her in the back of his truck. He drove to a storage locker where he stuffed her in a garbage can, taped the can shut, covered it with boxes, and left, locking the door behind him. It was winter, the temperature below freezing.

**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 by batterers and the level of fear it produces for adult victims and their children, as well as its potential lethality. The woman in the second story did not survive, although it was largely luck and timing that left the other women alive. Most

battering does not end in homicide and these examples may seem extreme, but varying degrees of this kind of physical violence and a wide range of threats and assaults that stop short of injury are commonplace in the lives of adult victims of battering.<sup>1</sup> Many children live with their fathers' mistreatment of their mothers in these ways, reinforced by degrading language and threats to abduct or injure the children. For every act of violence or abuse that makes it to police attention or the evening news, there are countless others in the background that sometimes come to the attention of family members, friends, a domestic violence crisis line, or social service agency, but more often remain invisible. There are also many tactics of abuse that are not so obvious to anyone other than those who are the targets, but can nevertheless be extremely damaging and corrosive to the well-being and safety of victims and their children. For example: repeated accusations of cheating, restricting access to income and other resources, enforcing harsh household rules, being constantly critical and disrespectful, and threatening to take the children. The threat or reality of overt physical violence reinforces the effect of these more subtle tactics of battering, but women who have lived with the experience day-to-day often describe it as worse than being hit because it is unrelenting and wears down a woman's physical, emotional, and financial reserves.

1. For a discussion of the distinction between battering and other acts of domestic violence, see Ellen Pence and Shamita Das Dasgupta, *Reexamining 'Battering': Are All Acts of Violence Against Intimate Partners the Same?* (2006), available through Praxis International, [www.praxisinternational.org](http://www.praxisinternational.org). Of particular importance for supervised visitation and exchange is the discussion of battering in Lundy Bancroft and Jay G. Silverman, *The Batterer As Parent: Addressing the Impact of Domestic Violence on Family Dynamics* (Thousand Oaks, California: Sage Publications, 2002). This monograph generally refers to adult victims of battering as women or mothers and to batterers as men or fathers. In this the authors 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..." (4).

2. "Visitation center" and "supervised visitation and exchange" are used throughout this paper as shorthand for supervised visitation and safe exchange programs.

These brief stories only hint at the challenges and struggles that each woman experienced in trying to escape a battering relationship. This monograph begins with their stories as a reminder of those realities and complexities, and that it is risky to assume that leaving such a relationship necessarily ends the violence and coercion. It also begins with their stories to remind readers that families with similar experiences walk through the doors of visitation centers every day.<sup>2</sup>

**The Safe Havens: Supervised Visitation and Safe Exchange Grant Program (Supervised Visitation Program),** established by the Violence Against Women Act of 2000 and administered by the U.S. Department of Justice's Office on Violence Against Women (OVW), has provided an opportunity for communities to support supervised visitation and safe exchange that addresses "domestic violence, sexual assault, child abuse and/or stalking." It recognizes 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 recognizes that batterers often use visitation and exchange of children as an opportunity to inflict additional emotional, physical, and sexual abuse.

The Supervised Visitation Program encourages understanding of the ways in which coercion and control underpin domestic violence. It requires that the services provided through its grants reflect an understanding of the dynamics of battering and other forms of domestic violence, the impact of such violence and abusive tactics on children, and the importance of holding abusers accountable for their actions.<sup>3</sup> It links supervised visitation and exchange with a wider community response by requiring the grantee, which is the governmental entity, to include courts and domestic violence service providers as partners in their projects. Through conferences, forums, and audio trainings, grantees have participated in wide-ranging discussions about how to build supervised visitation and exchange services that focus on the safety of adult victims of battering, as well as their children. This collective work has encouraged a new understanding of supervised visitation and safe exchange as critical post-separation services for battered women and their children. It has also provided an opportunity to expand understanding of the ongoing contact that occurs over time between parents when domestic violence is involved, even when their relationship as partners has ended.

As part of the Supervised Visitation Program, OVW developed and implemented a multi-year Demonstration Initiative to examine promising practices and take a sustained look at supervised visitation and safe exchange in the context of battering and other forms of domestic violence. It selected four demonstration sites to carry out this work: Santa Clara County, California; the City of Chicago, Illinois; the City of Kent, Washington; and, the State of Michigan.<sup>4</sup> Each demonstration site involved a local collaboration between one or more supervised visitation programs, domestic violence advocacy programs, and the courts. Each grantee established a local consulting committee that included representatives from the collaborating agencies and other sectors involved in building a community response to domestic violence, such as health care, law enforcement, child welfare, education, batterer intervention services, and family law attorneys. Each site examined and implemented new practices, established new partnerships, addressed aspects of cultural accessibility, paid close attention to security, and grappled with sustainability.

Similar exploration and discussion occurred at a national level. Along with the demonstration sites, OVW and the initiative's technical assistance partners, Praxis International and the National Council of Juvenile and Family Court Judges, and the Supervised Visitation Program National Steering Committee launched a dynamic, spirited discussion

3. U.S. Department of Justice, Office on Violence Against Women, *Supervised Visitation and Safe Exchange Grant Program – Program Brief*, [www.usdoj.gov/safehaven\\_desc.htm](http://www.usdoj.gov/safehaven_desc.htm) (2002).

4. The grantees were units of government (local or state).

of how to design and sustain supervised visitation and safe exchange programs that account for battering and other forms of domestic violence. This collective work included discussions of role, safety, accounting for culture and identity, and access to services. It led to new approaches to aspects of visitation practices, including: welcoming and introducing family members to services, documenting and reporting, and advocacy and community collaboration.

These discussions contributed to the broader work and vision of the Supervised Visitation Program, including a critical examination of the assumption of neutrality and its impact on safety for adult victims of battering; new perspectives on center practices such as how people are introduced to services, safety planning, documentation, and reporting; and, development of a set of guiding principles to help communities establish, shape, and sustain visitation and exchange services that support safety for adult and child victims of domestic violence.





## SHIFTING PERSPECTIVES AND PRACTICES

**“** *That was a crazy amount of work we did in the past four years!* **”**

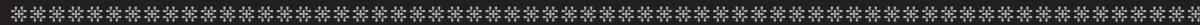
— A visitation center director and Demonstration Initiative project director

Between November 2002 and June 2007, OVW, the Demonstration Initiative grantees, participating visitation programs, local community partners, and the national technical assistance partners met many times in many forums to examine and debate all aspects of supervised visitation thinking and practices. The forums included project directors' meetings, audio conference discussions, all sites' meetings (with centers, courts, advocacy partners, and grantees), and think tank sessions. The topics included the Praxis Safety and Accountability Audit (Safety Audit) methodology; implementation plans; beliefs, values, and philosophy; leadership; collaboration; assessing safety from a child's perspective; defining and incorporating safety in the context of battering and domestic violence; strategies for using consulting committees; cultural accessibility; physical security; observing and monitoring visits; intake and orientation; partnerships with battered women's advocacy programs; safety check-ins; confidentiality and information sharing; practices that centralize safety; and, relationships with the courts.

This section reviews many of the key questions and shifts in thinking that emerged from this collective work across the demonstration sites. While highlighted individually, they are not separate or distinct discussions, but very much intertwined.

1. The Praxis Safety & Accountability Audit is a tool for exploring and analyzing institutional responses to domestic violence. This approach, developed by Praxis International, uses a multidisciplinary team to examine how workers within agencies and systems are organized and coordinated to act on cases. Each demonstration site used the various methods of the Praxis Safety and Accountability Audit – focus groups, individual interviews, observations, and text analysis – to gather information and make sense of how visitation and safe exchange was organized and coordinated in the context of their specific question. Reports from each of the demonstration site's safety audit are available at [www.praxisinternational.org](http://www.praxisinternational.org).

# EQUAL REGARD



“ *The principle of equal regard for the safety of children and adult victims of battering is at the core of the new perspective represented by the Supervised Visitation Program.* ”

## Equal Regard

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Supervised visitation and exchange have been occurring for years in both formal and informal settings, from fast-food restaurant parking lots to spaces designed for that specific purpose. Aunts, grandparents, and supportive friends have long played important roles in trying to limit and supervise a parent's access to his or her children when there were concerns about a child's safety. Friends and family have often played a role in trying to secure a safe place for a mother who was being battered, including situations involving visits or exchanges of children, even at direct danger to themselves.

As child abuse and neglect received increased public and governmental attention, more formal arrangements emerged, including specific services, facilities, and visitation "centers." Supervised visitation and exchange developed as a way to provide state oversight of parents who had been deemed abusive or neglectful. This child abuse orientation emphasized reunification, parenting skills, children's safety during visits, and individual and family psychotherapy.

When concern about risk to a child emerged during a divorce or parental separation, such as through questions about child sexual abuse or a parent's drug use or mental health, supervised visitation programs expanded their response. In what were often described as cases of "high conflict" divorce or disputed custody, visitation programs emphasized their role as providing a neutral, professional service to assist in main-

taining parental access to children. They provided a secure facility for potentially dangerous situations and often provided reports to referring courts on the outcome of services.

The Supervised Visitation Program questioned the suitability of these two predominant perspectives – child abuse and divorce-related parental fitness and access to children – in accounting for the realities of battering and the needs of adult victims who were trying to separate from and leave abusive relationships. It questioned the standpoint of neutrality when adult victims of battering had been subjected to the kinds of violence and coercion described in the opening stories. When couples separate in the midst of significant violence and intimidation by one parent against the other, it is inaccurate to characterize them as located on the same plane of “high conflict,” which implies mutual roles and comparable positions and power in the relationship. Such an assumption shifts attention from the danger posed by the deliberate actions of an abusive adult to his partner and their children to the tensions present in a relationship that is ending or changing radically. Children may require protection from the tensions involved in ending a marriage or relationship between their parents, but in cases of domestic violence both the children and the victim require protection from ongoing exposure to abuse. The principle of **equal regard** for the safety of children and adult victims of battering is at the core of the new perspective represented by the Supervised Visitation Program.<sup>5</sup>

The centers participating in the Demonstration Initiative did not begin with a full understanding of the safety implication for battered women in the prevailing practice of supervised visitation. “We wanted to keep people safe, but none of us really understood what we were getting into,” was how one project director described their starting point. A clear, articulated purpose of keeping battered women and their children safe was the most significant shift in perspective and practice that resulted from their work together and across the Supervised Visitation Program.

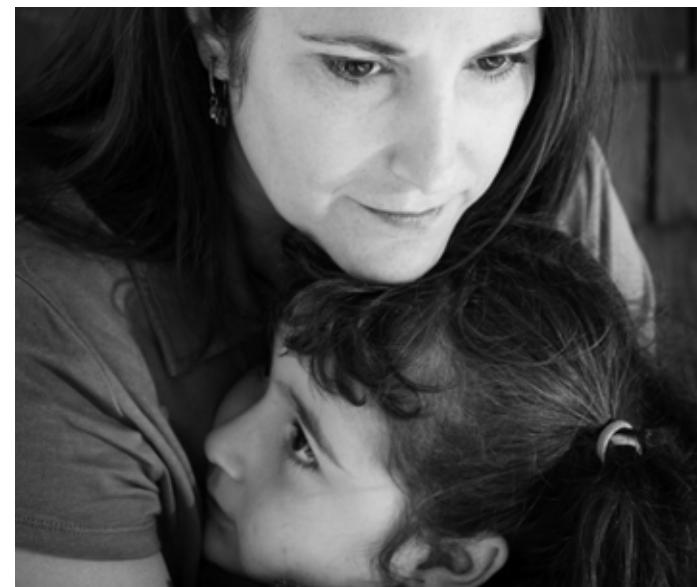
Early on in the Demonstration Initiative, some centers saw supervised visitation as essentially an arm of the court, existing primarily to uphold its orders. “We’re here for the children” was also a common statement describing a center’s role, along with “safe access” of children to parents they would otherwise not see. The safety of victims of battering was largely invisible and unexplored, and the subtleties of battering behavior went unrecognized. One center director described these early assumptions in this way: “Centers assumed that having two

5. U.S. Department of Justice, Office on Violence Against Women, *Guiding Principles – Safe Havens: Supervised Visitation and Safe Exchange Grant Program*, [www.ovw.usdoj.gov/docs/guiding-principles032608.pdf](http://www.ovw.usdoj.gov/docs/guiding-principles032608.pdf) (2007).

entrances and two waiting rooms was all they needed. There was this misperception that batterers were going to go up and choke the kids or wallop the staff during the visit.” What went missing was a more purposeful conversation about who was at risk from whom, and in what ways. There was fragmented attention to the everyday ways in which a batterer might try to use visitation and the center in an ongoing effort to dominate and control his partner, whether by constantly shifting the visitation schedule, maneuvering the center to produce good conduct reports, or pushing for less restricted access.

Out of their many debates and discussions, the Demonstration Initiative partners recognized that consideration of safety for adult victims of battering got lost under the prevailing notion of neutrality in supervised visitation.<sup>6</sup> If a center’s role was to account for domestic violence and protect its victims, however, it had to determine who needed protection from whom and in what ways. A center could provide a valuable neutral *space* for parents to exchange children or visit, and would not represent either parent in court, but if it was to protect the vulnerable from the more powerful it could not stand aside from the ongoing coercion and control that characterize battering, or remain indifferent to the larger context of violence and abuse that brought a family to its door. It was legitimate for visitation centers to provide an atmosphere and an environment to promote change.

In their many discussions about what needed to be in place to pay equal regard to safety and protection of adult victims, the demonstration site participants were clear that the center’s role was not to directly challenge batterers’ beliefs and actions, but to contribute to the wider community response by establishing an atmosphere that limits the opportunity and the inclination to harm. As one program director put it, “we are accounting for the violence, not holding him accountable.” The visitation center’s challenge to battering comes via its message and model of relationships characterized by respect, communication, and nonviolence, as well as its participation in the local coordinated community response to end violence against women. The direct accountability comes via courts and batterer intervention programs.



6. A more complete and detailed examination of neutrality is included in Martha McMahon and Ellen Pence, *On Safety’s Side: Protecting Those Vulnerable to Violence – Challenges to Notions of Neutrality in Supervised Visitation Centers* (2008), [www.praxisinternational.org](http://www.praxisinternational.org).

In reflecting on the shift to equal regard for the safety of adult victims of battering, the demonstration sites identified the following factors as contributing to the change in perspective:

- [1] involving battered women's advocates in the collaboration;
- [2] the analysis of practice, the "tearing apart and dissecting it," sparked by the Safety Audits; and,
- [3] the cross-site work of the Demonstration Initiative and other Supervised Visitation Program partners and grantees which "allowed us time to think things through, challenge how we were doing supervised visitation and exchange, suggest new ways of doing it, and trying it out."

**The significance of the principle of equal regard cannot be understated. A commitment to equal regard for the safety of children *and* adult victims of battering opens all center practices to reconsideration: how people are welcomed and introduced to visitation services, what gets documented and recorded, how center records will be used, how a center links adult victims with advocacy, and the visitation center's role in the wider community response to domestic violence.** Equal regard acknowledges that safety of the adult victim is an essential and inherent part of addressing the safety and long-term well-being of the children.



# SAFETY OVER TIME

## “2 HOURS – 2 YEARS – 20 YEARS”

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“ *This new role of contributing to safety over time required changing rules, policies, documentation, training, linkages, mission, and purpose.* ”

## Safety Over Time “2 hours – 2 years – 20 years”

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The recognition that visitation centers were typically organized to have one type of visit, regardless of the reason for supervised visitation (e.g., risk to a child because of a parent’s alcoholism or the danger that one parent posed to another) was pivotal in the demonstration sites’ discussions and shifting perspectives about safety over time.

The early discussions tended to focus on the immediate experience of visitation: on what happens within the one or more hours during which children and adults arrive, stay in, and leave the center. The centers were largely well-organized to address safety in this immediate context and their practices looked very much the same from city to city and state to state. Their staff paid attention to who was coming and going where and how; they emphasized rules about such behavior as “being within visual sight and sound of the supervising monitor at all times” and “no whispering, passing notes, hand signals, or body signals with the child(ren).” Centers structured intake, entry, and exit procedures to avoid couples seeing each other. They were alert to and prohibited potentially harmful conversations between visiting parents and their children. They paid attention to who could visit, what gifts, toys, or money could be exchanged safely, and procedures to follow should a visiting parent leave the center with a child. Overall, the centers recognized how the visit could be an opportunity to strike out at the child or the other parent.

As conversations within and across the demonstration sites and their Supervised Visitation Program partners continued, a wider notion of safety unfolded that took into account the dangers of post-separation violence and the reality of an ongoing relationship between parents around the lives of their children. This was safety as the protection of children and victims of battering from continued physical, sexual, and emotional harm, coercion, and threats over three distinct time periods:

- [1]** Safety during the exchange or actual visit (2+ hours)<sup>7</sup>
- [2]** Safety during the two years following a separation (2+ years)
- [3]** Safety on a permanent basis (20+ years)

Across all sites visitation practices had been shaped almost exclusively by attention to safety during that “2+ hours” when parents and children are physically present in the facility. As the Demonstration Initiative paid more attention to safety in the context of battering, the partners recognized that centers could be more active during the volatile period of separation.<sup>8</sup> Centers could contribute to reducing harm and reducing the ways or frequency with which victims and their children are hurt, traumatized, abducted, beaten, and killed. As one partner summed up this more active role, “all of us together, our goal is to help him get through that time doing the least amount of harm to his former partner and children as possible; and, get battered women and children through that period with the least amount of trauma and harm as possible.” Centers could also play a role in working with fathers and mothers toward achieving nonviolence and safety over the span of time beyond separation, based on their ongoing respective roles as parents to their children.

This new role of contributing to safety over time required changing rules, policies, documentation, training, linkages, mission, and purpose. From discussions initiated by the Michigan demonstration site, a framework emerged for thinking about these changes. It led to a series of planning tools that would help guide centers in thinking about the three phases of safety in each aspect of their work, as well as contribute to interagency discussions on building safety into the broader community response to post-separation violence, and the place of supervised visitation in that response.

The demonstration sites’ many discussions about safety in the context of battering and supervised visitation also raised consideration of

7. These are not precise periods of time, but symbolic.

8. The process of separation can be very dangerous for battered women. It is when victims of abuse are most vulnerable to a sudden increase in violence and a shift in or intensification of abusive tactics (Ruth E. Fleury, Cris M. Sullivan, and Deborah I. Bybee. 2000. When Ending the Relationship Does Not End the Violence. *Violence Against Women* 6, No.12; work of Jacquelyn Campbell, Carolyn Rebecca Block and others. 2003. Intimate Partner Homicide. *NIJ Journal* 250). Some post-separation safety factors are particularly relevant to the work of a visitation center: (1) the likelihood of an abuser shifting control tactics to use of children increases greatly after separation; (2) batterers use a variety of tactics to instill fear and control both the mother and the children, such as smashing and throwing things, destroying favorite toys, harming or killing family pets, threatening to harm the mother, and threatening to abduct the children or seek custody of children; and, (3) batterers use a variety of tactics to harm the mother-child relationship, including belittling her, encouraging divided loyalties, and treating her with disrespect. (Bancroft and Silverman,

the multiple dimensions of safety, particularly in looking beyond that immediate two hours of a visit or exchange. People's lives are complex and the factors that reinforce or diminish risk and safety are also complex. How supervised visitation or exchange can best work for those in need of protection involves understanding not only the danger that an individual batterer poses to a victim, but how immediate life circumstances, aspects of culture, and institutional response also contribute to risk.

One planning tool posed questions about the specific consideration of safety into the work of a visitation center and other intervening agencies.

## BUILDING SAFETY INTO COLLABORATIONS ENHANCING MULTI-AGENCY INTERVENTIONS

**SAFETY** *protection of children & victims of battering from continued physical sexual, and emotional harm, coercion, and threats.*

*How well do we build safety into interventions by these agencies?*

[ 2 + HOURS ]  
**SAFETY DURING A VISIT OR EXCHANGE**

- Protection Order Court
- Juvenile Court (CPS)
- Divorce & Custody Court
- Criminal Court
- Supervised Visitation Center
- Domestic Violence Advocacy Program
- Mental Health & Social Service Providers
- Medical Services
- Law Enforcement Agencies
- Other

[ 2 + YEARS ]  
**SAFETY DURING THE PROCESS OF SEPARATION**

[ 20 + YEARS ] **PERMANENT SAFETY DURING CO-PARENTING OR PARALLEL PARENTING CHILDREN**

A second tool posed questions about accounting for battering in the service activities of a visitation center, or those aspects of center practice related to its daily activities and relationships between the center and the families using those services.

## DESIGNING A CENTER TO ACCOUNT FOR DOMESTIC VIOLENCE

*How do we account for...*

*...in these service activities?*

**BATTERER'S TACTICS & BEHAVIORS  
...IN GENERAL**

- Family access to center
- Referral to center
- Intake & orientation
- Negotiating visits & logistics
- Monitoring visits
- Security measures
- Information, referral, & follow-up
- Additional programming
- Documenting cases
- Linking & reporting to other agencies
- Evaluating a family
- Closing a case
- Other...

**BATTERER'S TACTICS & BEHAVIORS  
...IN RELATION TO THE CHILDREN**

**BATTERER'S USE OF INSTITUTIONS  
TO ABUSE**

**ADULT VICTIM RESPONSE TO ABUSE**

**CHILDREN'S NEEDS & RESPONSE  
TO ABUSE**

A third tool posed questions about accounting for battering in the administrative activities that shape the overall operation of a center and its relationships with other community institutions.

## DESIGNING A CENTER TO ACCOUNT FOR DOMESTIC VIOLENCE

*What role do we play in...*

*...through these administrative activities*

### PROTECTING CHILDREN

- Policy development
- Procedure development
- Site maintenance & security
- Staff development
- Staff supervision & assignments
- Coordinating work with:
  - *Family/juvenile/civil/criminal courts*
  - *Human service agencies*
  - *Law enforcement*
  - *Advocacy programs*
  - *Other*
- Problematic intervention by another agency
- Enhancing interagency interventions
- Center evaluation
- Fundraising and reporting
- Other...

### PROTECTING BATTERED WOMEN FROM CONTINUED ABUSE

### IMPROVING THE RELATIONSHIP OF CHILDREN TO PARENTS

### UNDOING THE HARM THAT DOMESTIC VIOLENCE DOES TO CHILDREN

### PROMOTING CHANGE IN ABUSERS

### OTHER:

Figure 1, opposite, which grounded and reflected the explorations of the Santa Clara County demonstration site, in particular, provides a graphic representation of the complexity of risk and safety, and another tool for centers to use in reconsidering the ways in which they approach safety over time.

The Demonstration Initiative partners repeatedly spoke about the shift in recognizing the extent to which they were actually involved with what was going on within each family and, by extension, actually involved in their ongoing safety. Whether, how, and when a center responded to the variety and subtleties of battering behavior had an impact. The example of Gina and Harold found on page 20 was offered by a program director to illustrate this reality. It introduced a discussion about the ease with which a center can be drawn in to reinforce battering, the difficulties in shaping a response, and the necessity to prepare staff with a certain level of skill and understanding.

*Immediate circumstances & aspects of culture influence the nature, availability, & impact of institutional response*

Fig. 1

## RISKS FOR BATTERED WOMEN AND THEIR CHILDREN



ASPECTS OF CULTURE AND IDENTITY
<ul style="list-style-type: none"> <li>Race</li> <li>Nationality</li> <li>Cultural norms and standards</li> <li>Childhood socialization</li> <li>Community practices</li> <li>Language</li> <li>Class</li> <li>Religion</li> <li>Other:</li> </ul>

IMMEDIATE CIRCUMSTANCES
<ul style="list-style-type: none"> <li>Immigration status</li> <li>Income</li> <li>Professional or social position</li> <li>Limited English proficiency</li> <li>Disability</li> <li>Mental illness</li> <li>Alcohol/drug use</li> <li>Rural isolation</li> <li>Other:</li> </ul>

INSTITUTIONAL RESPONSE
<ul style="list-style-type: none"> <li>Forcing women into divorce mediation</li> <li>Ignoring violence in custody issues</li> <li>Unsupervised visitation</li> <li>Supervised visitation</li> <li>Joint parenting groups</li> <li>Coercing victim to get OFP</li> <li>Damaging relationship with children</li> <li>Other:</li> </ul>

BATTERER RISKS
<ul style="list-style-type: none"> <li>Physical Violence</li> <li>Sexual Violence</li> <li>Psychological cruelty and manipulation</li> <li>Using children to control</li> <li>Undermining mother's parenting</li> <li>Threatening to interfere with custody</li> <li>Abduction</li> <li>Using institutions (i.e., police, CPS, Visitation Center) to control</li> <li>Exposure to violence against mother</li> <li>Battering as role model</li> <li>Forcing children to intervene</li> <li>Other:</li> </ul>

## THE EXAMPLE OF GINA & HAROLD

On the day her husband, Harold, was arrested, Gina was in the shelter with the children, ages five and seven. Unlike Harold, she does not speak English or have a job outside the home. Gina had applied for protection orders before, but had not gone beyond a temporary order, until now.

When Harold came to his first appointment prior to the start of visitation he brought photos of the “dirty” stove in their home, telling us, “Look how she does not take care of things!” In contrast, he pointed out, he can provide a detailed account of his day in precise increments of time, e.g., “At 12:15 I made macaroni and cheese for my children. At 4:45 I took them to soccer practice.”

Here’s how the sequence of weekly visits proceeded.

**VISIT #1** Harold brought food, which excited the children. After the visit Gina told us that she did not want him to bring food, as it was used at home in a controlling way. He would give the children food when they were “good” and withhold it when they were “bad.”

**VISIT #2** The staff felt they couldn’t prohibit Harold from bringing food without it being obvious that the ban was at Gina’s request, so at the second visit each parent brought food and the center tried to stay out of it.

**VISIT #3** Gina changed her cell phone number because Harold had been calling her in between visits, telling her that she must go to court and say that she does not need the protection order or supervised visitation. Because Harold could not get to her, in retaliation he did not bring food for the children to the third visit.

**VISIT #4** Harold wore a heavy amount of cologne and rubbed his neck against his children when hugging them, leaving the distinctive scent of the cologne on them. When the children left the visit and met their mother, the five-year-old told her, “I smell like my daddy’s neck.”

**VISIT #5** Before the visit, the center called Harold with the standard reminder and asked him to please refrain from using cologne before his visits, citing a general need to avoid strong fragrances out of consideration for everyone using the center. When he arrived he was wearing the cologne and was furious. He did not bring any food for the children, refused to speak to them, and would not let them eat the snacks they had brought with them. When the staff member intervened and took him aside to talk with him, he said “My kids have a right to see that I am angry.” The children left the visit upset because their father did not speak to them during the entire visit. When his daughter arrived she had a green bow in her hair that was not there when she returned to Gina. Harold had thrown it in trash in the visitation room.

When Harold left the center after that visit, we called Gina to let her know that he was really angry and to encourage her to think about any additional safety planning that would be necessary. When he called back saying that he did not want to use the center anymore, we didn’t immediately cancel all future visits. We wanted to check with Gina first, to see how that might impact her safety. Nor did we want to push Harold to seek visitation services with a provider that did not have the same recognition of battering that we could provide.

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This case offers a distilled example of many of the challenges and questions that visitation centers face in accounting for battering. From his first contact, Harold tried to enlist the center in agreeing with his characterization of Gina as a poor housekeeper and poor mother. There was coercion and stalking-like behavior going on outside of the center and unremitting attempts to pressure Gina into dropping the protection order and the divorce action. Gina and the children had been through the upheaval of leaving their home and each visit meant that Gina had to leave the immediate safety offered by the shelter. She was reluctant to share information with the center. When things were not going Harold's way during the visits, he began to make demands on the center and withhold attention from the children. Gina bore the brunt of the children's distress when their father would not interact with them. The actions that carried this complexity – a father wanting to feed his children and a father wearing cologne – are seemingly benign and can be easy to dismiss as exaggerated or overly sensitive. Recognizing how such actions fit into a pattern of battering requires developing a level of knowledge and skill in center staff that make it possible.

Among the shifts in thinking was recognizing the importance of infusing visitation center practices with awareness of battering tactics, particularly as they might look and change as a partner is attempting to end the relationship. This includes understanding how battering is different from other forms of domestic violence.<sup>9</sup>

9. The Praxis Safety & Accountability Audit is a tool for exploring and analyzing institutional responses to domestic violence. This approach, developed by Praxis International, uses a multidisciplinary team to examine how workers within agencies and systems are organized and coordinated to act on cases. Each demonstration site used the various methods of the Praxis Safety and Accountability Audit – focus groups, individual interviews, observations, and text analysis – to gather information and make sense of how visitation and safe exchange was organized and coordinated in the context of their specific question. Reports from each of the demonstration site's safety audit are available at [www.praxisinternational.org](http://www.praxisinternational.org).

# POST-SEPARATION SAFETY AND ADVOCACY

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“ Women often arrived at the centers with little or no understanding of a visitation center’s purpose and services. ”

## Post-Separation Safety and Advocacy

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Across the Demonstration Initiative discussions, there was recognition of the pervasive and powerful assumption that leaving or separation equals safety. No one – whether judge, center staff, or advocate – was immune to assuming that “she’s gone, he’s not beating her, so she’s safe.” The project illuminated some of the limitations of advocacy that is anchored so heavily in immediate crisis intervention and emergency shelter, the prevailing organization of advocacy available to battered women, as shaped in large part by the funding that supports it.

Yet leaving a batterer introduces a whole new set of struggles and considerations for safety. Victims of battering who are navigating this “post-separation” period require ongoing advocacy that accounts for shifting tactics of coercion and control, particularly around custody and visitation decisions.

Across the Demonstration Initiative, centers saw gaps in advocacy for victims of battering in the post-separation period, particularly as it stretched on beyond immediate assistance in obtaining a protection order or filing for divorce. The focus groups conducted as part of the Safety Audit at each site, centers’ contacts with individual women, and the information gathered by the local and national evaluators all reinforced the isolation and disconnect from advocacy experienced by battered women who came through the doors of the visitation centers.<sup>10</sup>

10. Each demonstration site conducted a local evaluation of its work. In addition, they participated in a national evaluation the results of which are published in *National Evaluation of the Safe Havens Demonstration Initiative – Final Report*, by Daniel G. Saunders, Cris Sullivan, Richard M. Tolman, and Marguerite Grabarek. Submitted in 2006 and last revised in July 2007, the report will be released following final approval from the Office on Violence Against Women.

The Kent demonstration site provided a sharp example of the complex legal structures that battered women can become entangled in as they attempt to seek safety and leave a battering relationship, any of which can also lead to supervised visitation or exchange. Figure 2 illustrates five key paths, each of which has its own steps and sub-steps. Any one victim of battering could be caught up in two or more processes simultaneously and need competent advocacy at each step. This complexity of legal intervention in the lives of battered women was a common threat across the demonstration site communities.

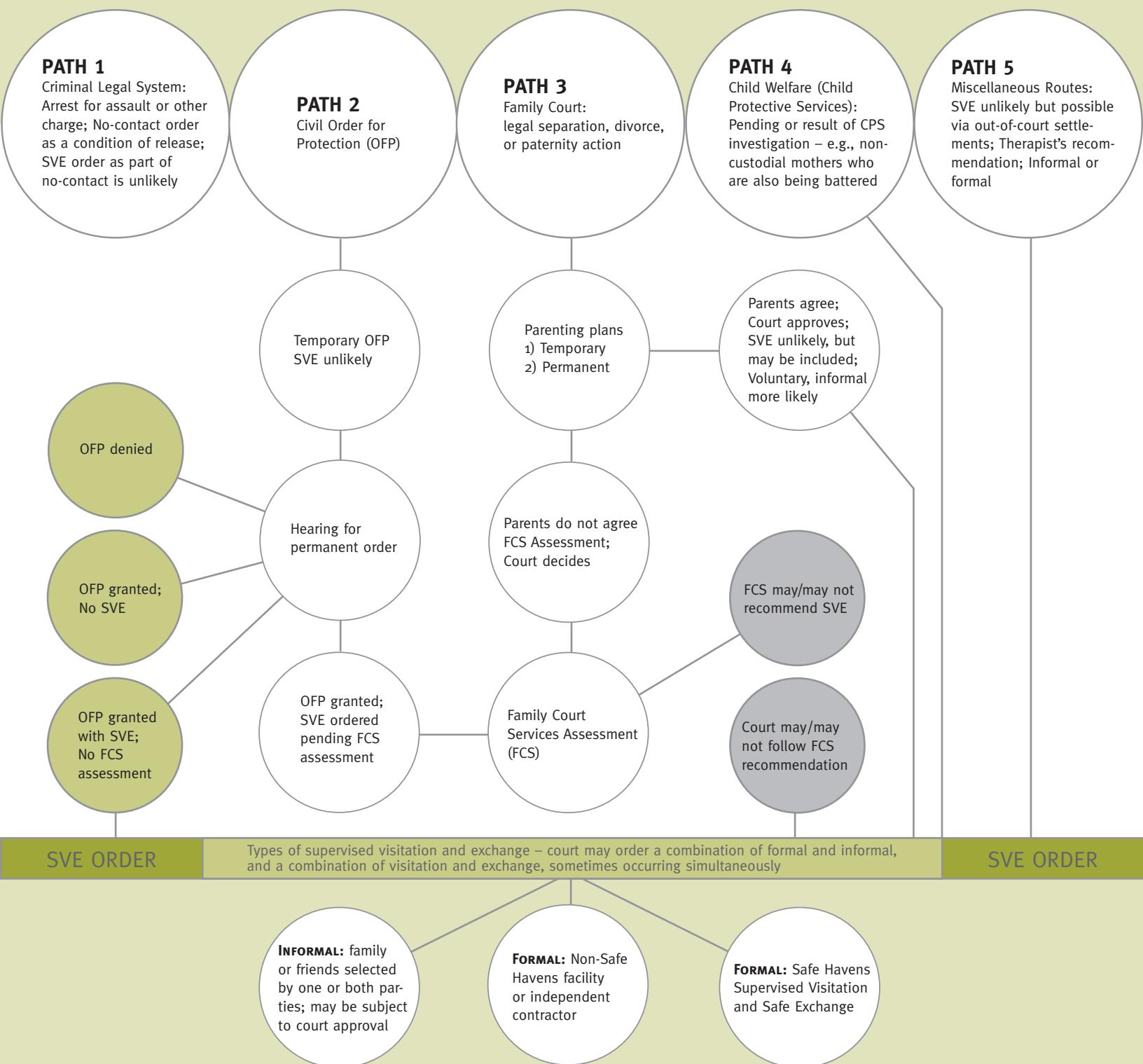
Women often arrived at the centers with little or no understanding of a visitation center's purpose and services, with little or no connection with community-based advocates or private attorneys, and with much fear and apprehension, both around their partners' abusive behavior and the center's role. They had little contact with domestic violence services of any kind. Across the Demonstration Initiative, centers found that community-based advocates were not talking with women about supervised visitation or sometimes provided inaccurate information, such as reassuring a woman that the court would never give her abusive partner unsupervised access to the children. A woman might be connected with someone she considered to be an advocate who could act broadly on her behalf without understanding how the person's role was restricted to criminal court or protection order actions. The title "advocate" often carried much confusion, as the following list from one community illustrates: Domestic Violence Advocate, Community Advocate, Community Legal Advocate, Court-Based Legal Advocate, Protection Order Advocate.

The Demonstration Initiative partners concluded that it was not the visitation center's role to advocate for individual victims of battering, but to provide a meaningful link to competent advocacy. "Supervised visitation is not a service in lieu of advocacy. If anything, battered women using supervised visitation need an advocate more than ever. They've often gone into court actions *pro se*. They need to have a clear understanding of what supervised visitation or exchange is and what it isn't, before they get here." As another center director emphasized, "advocates have to have a way to talk with women about when not to use a visitation center: 'Here's what visitation can do, and do you need that kind of safety?' Women have to be prepared to articulate what they are afraid of or need for protection." In some states, the connection with a community-based advocate also offers a degree of confidentiality for a victim that is impossible for visitation center staff to provide. A "meaningful" link means that centers go beyond merely providing the usual phone number or brochure. They ask victims what they and their children need, make direct connections with specific practitioners, make calls directly from the center to link a victim with an advocate or agency, and provide space within the visitation center for advocates to meet with victims. As one project director noted, "this word 'meaningful' captured a big shift in our thinking."

Fig. 2

MAIN PATHS TO SUPERVISED VISITATION AND EXCHANGE  
(SVE) IN KING COUNTY DOMESTIC VIOLENCE CASES<sup>11</sup>

*A battered woman leaves her abusive partner. She may or may not have contact with one or more advocacy, community, and legal system agencies – She may or may not have legal representation – She can be on two or more of these paths at the same time.*



<sup>11</sup>. This represents the broad sweep of actions that can lead to supervised visitation or exchange. Each path involves many steps and sub-steps, some of which are illustrated. Each battered woman may need competent advocacy at each step.

While the demonstration sites did not see the center's role as advocating for individual battered women, they nonetheless saw aspects of post-separation advocacy in the day-to-day work of the visitation center. A center cannot make a meaningful referral to advocacy without some level of understanding a victim's experiences and needs. This perspective is built through the conversations that occur during orientation, as each family member is welcomed and introduced to visitation services; the center's ongoing relationships with each person; and, ongoing contact via checking in with participants after and in between visits. In addition to identifying advocacy needs of victims, this emphasis on establishing relationships also positions a visitation center to respond to needs that their abusive partners may have, such as referrals to a batterer intervention program, substance abuse treatment, or assistance with housing, transportation, and employment.

In discussions about where and how victims of battering could link with advocacy during the post-separation period and while using supervised visitation or exchange, the demonstration sites emphasized flexibility and access to advocacy in many settings: "advocates should be everywhere!"







## STRATEGIES...

### LINKING VICTIMS OF BATTERING WITH POST-SEPARATION ADVOCACY

- ✓ Have an advocate available at the center one or more times a week
- ✓ Keep posters, brochures, or other material that explains the community-based advocacy available to victims of battering visible in the center
- ✓ Develop a videotape that addresses post-separation safety and advocacy questions and resources
- ✓ Assist women in identifying when it would be helpful to ask for an advocate (i.e., "here's something an advocate could really help you with.")
- ✓ Avoid staff working in isolation
- ✓ Ensure that all staff and community partners have regular and on-going communication to make certain that they can identify and support meaningful resources and referrals
- ✓ Participate in a community response to identify the gaps in post-separation support services for survivors of domestic violence (e.g., legal services, housing assistance, employment, job training assistance, individual and group support) and develop and expand these services

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In their exploration of visitation services and advocacy, the Demonstration Initiative partners discovered that when a visitation center was operating under a domestic violence services agency it did not necessarily follow that the advocacy links would happen. Coexistence under the same organization did not always mean that the advocates understood the visitation side or actively made links between the women they worked with and visitation services. Nor did it mean that visitation center staff actively linked women with the advocacy side. In part, this stemmed from the notion of neutrality under which most visitation services were established, as discussed previously. In part it reflected different physical locations and assumptions that such connections were already in place. What became clear was that there had to be a deliberate review of how to make meaningful referrals and protocols in place to insulate one service from another around safety considerations, particularly with respect to what could and could not remain confidential in communications and case files in and across advocacy and visitation services.