



Child Abuse & Domestic Violence: Putting CAPTA To Work



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THE 2010 CAPTA REAUTHORIZATION AND DOMESTIC VIOLENCE

I. Overview

The 2010 reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA) included significant provisions to address the intersection of child maltreatment and domestic violence. Building on the knowledge gained from previous efforts to address this intersection, the provisions called for stronger federal and state responses to help children and parents in the child welfare system impacted by domestic violence.

This report examines how the domestic violence provisions in CAPTA have been implemented at the federal and state levels and subsequent successes and challenges. It is informed by interviews with key federal and state officials, child abuse and domestic violence advocates, a national survey of child abuse and neglect administrators, and other research.

Key findings in the report include the following:

- **The Domestic Violence provisions in CAPTA helped to reinforce the intersection between child abuse and domestic violence but have not led to any significant action or innovation that was not already underway prior to CAPTA's reauthorization.**
- **Overall, the lack of funding available to the states through CAPTA is insufficient to compel meaningful change by states and counties to address the intersection between child abuse and domestic violence.**
- **The federal government has taken some action to provide tools, resources, and strategies to address the intersection between child abuse and domestic violence, but greater inter-agency collaboration, dissemination of new knowledge, hands-on technical assistance to states, and data collection efforts continue to fall short.**

This report focuses on the federal government's role in supporting state and local efforts to help families who come to the attention of child welfare when domestic violence is a factor. As such, it provides recommendations for expanded federal leadership to promote legislation, regulations, and technical assistance around this critical issue. This report strongly urges the federal government to use every strategy available to enforce federal law and promote the health and safety of children and their families impacted by violence.

We understand that federal leadership alone will not maximize outcomes for children and families. While beyond the scope of this report, Futures Without Violence is also committed to promoting and supporting community-level responses to violence in the home to prevent children and families from entering the child welfare system in the first place.

II. The Overlapping Issues of Child Welfare and Domestic Violence

How many child welfare-involved children are impacted by domestic violence?

Estimates of the prevalence of domestic violence among children and families who touch the child welfare system vary greatly, and many states do not track domestic violence data. Nonetheless, the connection between domestic violence and child welfare has been well established. One study indicates that anywhere from 30 to 50% of families receiving child protective services experience domestic violence.¹ *Child Maltreatment 2012* reports that among the states that reported such data, 28.5% of victims of child maltreatment were exposed to domestic violence, and 20.1% of child victims of fatalities in 2012 had been exposed to domestic violence in their homes.² A 2008 report on child fatalities in Colorado reports that almost 70% of the families in the fatality review had some history of domestic violence. Additional research has shown that while close to 50% of families who touch the child welfare system experience domestic violence, only 15% of caseworkers actually identified the domestic violence in those families.³ Given the fact that children of color are disproportionately represented at all stages of the child welfare process, Futures Without Violence is particularly concerned about the impact of domestic violence on families of color who are involved with the child welfare system.

What are the outcomes for children exposed to domestic violence?

There is increasing understanding of the impact of domestic violence and child maltreatment on children and the factors that protect against the effects. Research indicates that both domestic violence and child maltreatment can have significant effects on children, including long-term behavioral, emotional and social problems.⁴ Exposure to either is harmful enough; exposure to both domestic violence and child maltreatment further compounds the negative impact on key child welfare outcomes.

Childhood exposure to domestic violence and child maltreatment are considered Adverse Childhood Experiences (ACEs). ACEs have been shown to lead to risky behaviors and poor health outcomes later in life, especially when an individual experiences more than one.⁵ In addition, such experiences for children, particularly young children, often trigger a “toxic stress response,” which actually alters the

¹ Appel, A.E. & Holden, G.W. (1998). Co-occurring spouse and child abuse: Implications for CPS practice. *APSAC Advisor* 11(1), 11-14.

² U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children’s Bureau. (2012). *Child Maltreatment 2012*. Available from <http://www.acf.hhs.gov/programs/cb/research-data-technology/statistics-research/child-maltreatment>.

³ Kelleher, K., Gardner, W., Coben, J., Barth, R., Edleson, A., & Hazen, A. “Co-Occurring Intimate Partner Violence and Child Maltreatment: Local Policies/Practices and Relationships to Child Placement, Family Services, and Residence,” NIJ #213503. Accessed on April 14, 2014 at <https://www.ncjrs.gov/pdffiles1/nij/grants/213503.pdf>.

⁴ Child Welfare Information Gateway, “Child Welfare and Domestic Violence,” 2009.

⁵ Anda, R. “The Health and Social Impact of Growing Up With Adverse Childhood Experiences: The Human and Economic Costs of the Status Quo.” Accessed on February 21, 2014 at http://acestudy.org/files/Review_of_ACE_Study_with_references_summary_table_2_.pdf.

architecture in the brain and can lead to stress-related diseases and significant cognitive issues through adulthood.⁶

In addition, a parent's exposure to domestic violence can lead to mental health, substance abuse, or housing issues, which can impact their ability to parent.⁷ What's more, research suggests that children who experience both domestic violence and child maltreatment are more likely to be placed in out of home care, and that they often receive child welfare services for long periods of time.⁸

Fortunately, protective factors, including a strong relationship with a non-abusive parent, can help to mitigate these negative effects.⁹ Growing understanding of the protective factors that make a difference for healthy child development have enabled both the child welfare and domestic violence communities to understand the importance of helping children stay with the non-abusive parent whenever possible. In fact, keeping families safe and together not only ensures safety of a parent and child, but also provides the protective environment that buffers the negative impacts of child maltreatment and domestic violence.

How has the field addressed the co-occurrence of child maltreatment and domestic violence?

Historically, the responses to child maltreatment and domestic violence have been disconnected, with domestic violence agencies focusing primarily on adult victims and child welfare agencies focusing on child victims and little recognition that these types of family violence are linked. In dealing with families impacted by domestic violence, child welfare workers often fail to address the abusive parent's behavior in case and safety planning, view the non-abusive parent as neglectful for failing to protect the child from DV exposure, inadequately assess the unique risk and safety needs of children and their mothers and minimize the impact and presence of DV in the family.¹⁰

Unfortunately, these siloed approaches typically lead to two separate, and equally negative, outcomes. If DV is recognized, children are often unnecessarily removed from non-abusive parents, leading to major hurdles to successful family reunification. Equally common is that the presence of DV may go unrecognized or play only a minor role in influencing the decisions of child welfare workers, despite the fact that DV is

⁶ Harvard Center on the Developing Child, "Toxic Stress: The Facts," Accessed February 24, 2014 at http://developingchild.harvard.edu/topics/science_of_early_childhood/toxic_stress_response/.

⁷ Futures Without Violence, "The Facts on Children's Exposure to Intimate Partner Violence." Accessed April 14, 2014 at <http://www.futureswithoutviolence.org/userfiles/file/Fact%20sheet%20on%20Children%20Exposed%20to%20IPV%202013.pdf>.

⁸ Lavergne, C., Damant, D., Clement, M., Bourassa, C., Lessard, G., & Turcotte, P. (2011). Key decisions in child protection services in cases of domestic violence: Maintaining services and out-of-home placement. *Child and Family Social Work* 16, 353-363.

⁹ "Protective Factors & Resiliency." Accessed on February 21, 2014 at <http://promising.futureswithoutviolence.org/what-do-kids-need/supporting-parenting/protective-factors-resiliency/>.

¹⁰ Humphreys, C., & Absler, D. (2011). History repeating: Child protection responses to domestic violence. *Child and Family Social Work* 16(4), 464-473.

often one of many risk factors among families who enter the child welfare system.¹¹ These two extremes are neither helpful for families nor do they solve the underlying issue of DV.

Since the 1990s, however, child welfare and domestic violence agencies have begun to recognize and, in some cases, address the intersection between these two types of violence for the families they serve. States like Massachusetts and Michigan were early pioneers of a more coordinated approach that promoted integrated knowledge, training and joint planning.

At the federal level, The Greenbook Initiative¹² was the first significant attempt to encourage child welfare agencies, domestic violence advocates and the courts to address the intersection between child welfare and domestic violence. The Initiative, a partnership between federal and state agencies and private foundations, brought together the best knowledge and strategies in the field around policies and practices to address the co-occurrence of child protection and domestic violence. Based on the lessons from some of the early adopters of this work, several principles emerged for addressing issues of domestic violence in families who come to the attention of child welfare agencies. These include:

- Being a victim of domestic violence does not automatically equate to being a neglectful parent to one's child;
- Child welfare agencies can best protect children by partnering with victims of domestic violence and offering appropriate services and protection;
- Interventions should focus on assessing the behavioral profiles of offenders of domestic violence and creating strategies for intervention that place the burden for change on the offender; and
- Separating mothers who are victims of abuse from their children should be the alternative of last resort.¹³

Although the Greenbook Initiative helped to build greater recognition of the intersection between child maltreatment and domestic violence and promote more widespread use of promising practices, more work was still needed at the federal, state and local levels. The domestic violence provisions included in the 2010 CAPTA reauthorization attempted to build upon the progress of the Greenbook Initiative and take those promising practices, programs and policies to scale.

“Something that has been important in our work is the notion that, in child welfare, our role extends beyond the safety of the child. By embracing the role of caretaker safety as well, the workers now see that they are better able to ensure child safety.” ~ State child welfare administrator

¹¹ Kohl, P.L., Edleson, J.L., English, D.J., & Barth, R.P. (2005). “Domestic violence and pathways into child welfare services: Findings from the National Survey of Child and Adolescent Well-Being. *Children and Youth Services Review* 27(11), 1167-1182.

¹² See <http://www.thegreenbook.info/>.

¹³ Adapted from Rosewater, A. & Goodmark, L., *Bringing the Greenbook to Life: A Resource Guide for Communities*, NCJFCJ, 2008. Accessed on February 21, 2014 at <http://www.thegreenbook.info/documents/BJA.pdf>.

III. CAPTA Reauthorization & Improvements for DV Services

Overview of the Child Abuse Protection and Treatment Act (CAPTA)

CAPTA was originally enacted in 1974, was most recently reauthorized in 2010 and is up for reauthorization again in 2015. The Act provides federal funding to states to support prevention, assessment, investigation, and treatment activities for child abuse and neglect. In addition, it supports limited research, evaluation and technical assistance related to child abuse and neglect. As the primary federal legislative response to preventing abuse and neglect, CAPTA also contains several provisions regarding the intersection of child welfare and domestic violence (see below).

The 2010 CAPTA reauthorization included three major provisions to continue The Greenbook Initiative's progress by:

1. **Requiring** the U.S. Department of Health and Human Services (HHS) to disseminate information on effective programs, practices, and training resources related to domestic violence in a child welfare context and to collect information on the incidence and characteristics of child maltreatment and domestic violence co-occurrence;
2. **Authorizing** HHS to provide training and technical assistance to providers of mental health, substance abuse, and domestic violence prevention services for prevention, assessment, identification, and treatment of child maltreatment, and to provide information on training resources to domestic violence personnel on interacting with child abuse and neglect investigations and interventions.
3. **Supporting** research on effective collaboration between child protective services and domestic violence services, and including both domestic violence services and collaboration between child protective services and domestic violence agencies, through CAPTA state grants.¹⁴

The 2010 CAPTA reauthorization created a new category of “allowable services” under CAPTA for “developing and implementing procedures for collaboration among child protective services, domestic violence services, and other agencies in (a) investigations, interventions, and the delivery of services and treatment to appropriate and (b) the provision of services that assist children exposed to DV and that also support the caregiving role of non-abusing parents.”¹⁵

¹⁴ Section 106 of the 2010 CAPTA Reauthorization law includes a total of 14 program areas for states to report on, which include collaboration between child welfare agencies and domestic violence agencies. For states to receive CAPTA funds, they must submit a plan detailing the program areas they selected for improvement and the activities they will engage in to support improvement in that program area.

¹⁵ U.S. Department of Health And Human Services, Administration for Children & Families, Administration on Children, Youth and Families, Children's Bureau. (2013). *Report to Congress on the Effectiveness of CAPTA State*

IV. The Federal Role in Implementing the Domestic Violence Provisions in CAPTA

In order to determine how the domestic violence provisions are being implemented at the federal level, we conducted interviews with key federal officials and federal policy experts, and reviewed relevant federal documents, reports, and online resources. This review indicates that the federal government has undertaken three primary activities to implement the domestic violence provisions in CAPTA:

- (1) Improving federal level collaboration to address the intersection between child abuse and domestic violence;**
- (2) Establishing a new program area within CAPTA state grants; and**
- (3) Offering technical assistance and support through the National Resource Center on Child Protective Services.**

Federal-level collaboration helps to disseminate best practices

The Office of Child Abuse and Neglect and the Division of Family Violence Prevention Services, both within the Administration on Children, Youth and Families (ACYF), co-administer the child abuse and domestic violence programs. These two offices collaborate to implement many of the CAPTA provisions and other overlapping initiatives between domestic violence and child welfare. Activities include expanding training and technical assistance related to domestic violence to child welfare agencies through a webinar series (described below) and creating a special domestic violence track at the National Conference on Child Abuse and Neglect. These activities have helped to disseminate innovative approaches to address the intersection between child abuse and domestic violence and keep the issue in the spotlight for child welfare and domestic violence agencies and their partners. A significant challenge, however, is the funding disparity between the two systems. Overall child welfare funding exceeds \$7 billion, mostly in foster care funding; however, the Family Violence Prevention and Services Program, which serves victims of domestic violence and their children, only received \$130 million in appropriations this year.

CAPTA state grants promote collaboration between domestic violence and child maltreatment

CAPTA state grants are the primary funding source for all state child welfare agencies that meet the statute's requirements. CAPTA grant amounts are determined through a federal formula. The base amount is \$50, 00.00 for each state, with the possibility for

Programs and Technical Assistance. Accessed February 7, 2014 at http://www.acf.hhs.gov/sites/default/files/cb/capta_effectiveness_rptcongress.pdf.

Child welfare waivers were also reviewed for this project, as they represent an additional opportunity for states to reinforce CAPTA mandates to develop interventions that address the intersection between child welfare and domestic violence. Of the waivers that have been approved as of this writing, there is an acknowledgement among states that domestic violence is a factor that brings children into the child welfare system, but domestic violence is not specifically called out as a specific focus area for waiver demonstrations.

additional funds depending on the population of children age 18 and under in the state.¹⁶

Within the state grant program, states can pursue different program areas, each emphasizing a priority area within the broad goal of prevention and intervention in child maltreatment. Examples of these priorities include “intake, assessment, screening and investigation of reports of child abuse or neglect” and “enhancing the general child protective system by developing, improving, and implementing risk and safety assessment tools and protocols, including the use of differential response.”

The 2010 CAPTA reauthorization created an additional permissible program (program area 14) under CAPTA state grants specifically to address the intersection between domestic violence and child welfare. The program promotes the following:

“Developing and implementing procedures for collaboration among child protective service, domestic violence services, and other agencies in (a) investigations, interventions and the delivery of services and treatment to children and families, including the use of differential response when appropriate and (b) the provision of services that assist children exposed to DV and that also support the caregiving role of non-abusing parents. To receive funds, states must submit a CAPTA plan that details what they will do to address a program area for improvement.

A recent report to Congress on the use of the CAPTA grants found that as of August 2013, 15 states (29%) have selected this program area as a focus area for improvement.¹⁷ Of the states that indicated their focus on this new program area, common strategies included:

- Supporting and enhancing their policies and practice models;
- Providing funding for external programs and/or contracts for services; and
- Supporting and enhancing collaborative programs and services for children and youth who have been exposed to domestic violence, among others.¹⁸

National Resource Center for Child Protective Services focuses on domestic violence and child maltreatment

The National Resource Center for Child Protective Services, one of ten national resource centers funded by the Children’s Bureau, provides training and technical assistance to child welfare agencies across the country. One of the Resource Center’s

¹⁶ U.S. Department of Health And Human Services, Administration for Children & Families, Administration on Children, Youth and Families, Children’s Bureau. (2013). *Report to Congress on the Effectiveness of CAPTA State Programs and Technical Assistance*. Accessed February 7, 2014 at http://www.acf.hhs.gov/sites/default/files/cb/capta_effectiveness_rptcongress.pdf.

¹⁷ The most common program areas were intake and investigations, case management, and safety and risk assessment, all of which were selected by a majority of states as the focus of their improvement efforts.

¹⁸ U.S. Department of Health And Human Services, Administration for Children & Families, Administration on Children, Youth and Families, Children’s Bureau. (2013). *Report to Congress on the Effectiveness of CAPTA State Programs and Technical Assistance*. Accessed February 7, 2014 at http://www.acf.hhs.gov/sites/default/files/cb/capta_effectiveness_rptcongress.pdf.

special initiatives specifically addresses domestic violence and was added as a direct response to the 2010 CAPTA reauthorization. The Resource Center provides training and technical assistance, information on best practices, and resources to states that request information about integrating best practices on domestic violence into their child protection work. The resource center’s website contains numerous examples of strategies and materials from states that have implemented effective domestic violence-child welfare collaborations. The Center has also conducted a webinar series on domestic violence and child welfare, which is currently available online¹⁹

“Systemic change is absolutely critical when it comes to creating a DV-informed child welfare system. This can be difficult to create without proper resources and commitment.” – State child welfare administrator

Opportunities for Improvement in Federal-Level Implementation of CAPTA’s Domestic Violence Provisions

Interviews with federal and state officials and policy experts suggest that a number of challenges remain regarding implementation of the CAPTA provisions at the federal level. These include:

- Many of the domestic violence-related provisions are authorizing provisions, not mandates – which means that the provisions allowing for increased collaboration between child welfare and domestic violence are merely optional, not mandatory, for states to implement.
- There is little money available to implement CAPTA provisions, giving federal government little leverage over the states.
- There is no comprehensive report or source of information on how domestic violence initiatives, programs, and policies have played out at the state or federal levels, which limits understanding of what works.
- There is a lack of Federal-level data on the nexus between child welfare and domestic violence.
- Federal child welfare policy has many other competing priorities.
- Some feel that technical assistance provided around the intersection between DV and child welfare is “cookie-cutter,” without enough individualized attention paid to the unique circumstances of each state or jurisdiction.
- *Users of federal technical assistance identify the need for deeper knowledge and expertise and more proactive help around domestic violence issues.
- Some are concerned that the link between domestic violence and child welfare is receiving less attention now that the Greenbook Initiative has ended.

¹⁹ The webinar series is available at this link: <http://nrccps.org/special-initiatives/domestic-violence/nrccps-webinar-domestic-violence-and-child-protective-services-summer-series/>.

V. State Implementation of the Domestic Violence Provisions in CAPTA

Interviews were conducted with key state contacts with direct responsibility for administering CAPTA in their jurisdictions to assess how the domestic violence provisions in CAPTA are being implemented at the state and local levels. In addition to these interviews, 23 states responded to an online survey that was sent to all 50 states, the District of Columbia and Puerto Rico.

Interviews and survey results confirm that state officials are not only aware of the domestic violence provisions in CAPTA, they are also engaged, to varying degrees, in initiatives and programs to better serve their families impacted by domestic violence. At one end of the spectrum, some states have developed policies and procedures in collaboration with domestic violence agencies, integrated domestic violence training into their mandatory and ongoing worker training, and provided caseworkers access to a domestic violence specialist on staff. At the other end, some states are just beginning to establish these collaborations to integrate a domestic violence framework into their practices. In some states, the array of services and supports child welfare agencies offer to families varies significantly by county and/or region, and often depends on whether the area is frontier, rural, suburban or urban. All states interviewed, regardless of their program array, expressed a desire to do more to improve their domestic violence-related services.

All survey respondents reported that they were familiar with CAPTA's domestic violence provisions and that their agencies are indeed working in collaboration with the domestic violence organizations in their state on efforts that range from pilot projects in selected counties or regions to full-scale, statewide collaborations.

Common practices to address the impact of domestic violence on families

State child welfare agencies employed several common practices to improve services for families impacted by domestic violence.

- **Co-location.** 60% of survey respondents reported that they have a domestic violence specialist as full-time staff or on a contract basis; 40% said they do not currently have a domestic violence specialist at their agency. All states interviewed mentioned co-location – that is, having a domestic violence specialist housed with child welfare caseworkers – as a strategy they would like to implement, if they had not already. All states reported that they would like to have one domestic violence specialist in every county or regional office in the future.

- **Training.** Several states have implemented mandatory domestic violence training for all child welfare workers and supervisors. One example of a curriculum that some states have purchased is the Safe and Together model.²⁰
- **Relationship-building.** The importance of relationship building between child welfare workers and domestic violence workers was consistently cited as a key ingredient to successful collaboration between child welfare and domestic violence agencies. States have found a number of ways to encourage relationship-building, such as meetings between both groups of workers moderated by an outside expert, as well as mandatory trainings for both DV and child welfare workers together.
- **Funding outside of CAPTA.** States have come up with innovative ways to braid together funding streams to support their efforts. CAPTA is very rarely, if ever, the primary source of funding for these DV initiatives. A variety of state and local funding streams are also woven together to support the collaborative work between domestic violence and child welfare.
- **Partnerships with other stakeholders.** A number of states noted that their progress was only possible because of partnerships with outside stakeholders, including domestic violence agencies as well as judges, attorneys, and law enforcement. They also noted how important it has been to achieve buy-in from the leadership of each of these constituencies.
- **Differential/Alternative Response.** A number of states noted that their efforts to improve DV services have been strengthened by initiatives to implement Differential Response systems in their states. Differential Response systems have created pathways for identifying and addressing issues of domestic violence in homes that otherwise would not have come to the attention of the agency.
- **Family Group Decision Making.** Similarly, some states have found that Family Group Decision-Making and other collaborative decision-making processes have complemented their efforts to address domestic violence among the families they serve by having formal structures that genuinely partner with families.
- **Connection to ACEs.** Two states said that they have been using the Adverse Childhood Experiences (ACEs) research to help educate the general public, state policymakers and other key stakeholders about the damaging impact of children's exposure to violence on children, and thus the need for approaching incidents of DV in a trauma informed manner.

²⁰ More information about the Safe and Together Model, which was developed by David Mandel and Associates, is available at <http://endingviolence.com/>.

“In domestic violence situations, we operate under the assumption that children are best served by keeping them with their non-offending parents under certain safety guidelines.” – State child welfare administrator

The impact of CAPTA on state domestic violence activities

While CAPTA has begun to play a role in improving the way child welfare agencies address domestic violence, it is difficult to determine the extent to which it has prompted the activities described above. In the online survey, two-thirds of respondents reported that their domestic violence initiatives were initiated independently from the 2010 CAPTA reauthorization, and less than 20% of respondents said that CAPTA provided the impetus for their domestic violence-related initiatives. Several state leaders interviewed were also clear that while their domestic violence initiatives were not a direct result of CAPTA, the inclusion of the domestic violence provision's in the law's reauthorization has helped to increase agency awareness of the child welfare/domestic violence overlap and helped them make the case for additional domestic violence services.

Challenges to State-level Implementation of Domestic Violence Support and Services

Despite progress, states continue to face several challenges in their efforts to improve child welfare impacted by domestic violence, including:

- **Data collection:** Every state interviewed reported that they currently lack an effective way to code and track the incidence of domestic violence among the families they serve. As a result, they have not been able to collect any data regarding the impact of domestic violence on child outcomes, such as length of stay in care, repeat child abuse reports, permanency status, and important well-being indicators. Lack of data makes it difficult to make the case for funding interventions as well.
- **Cultural differences:** Critical philosophical differences remain between child welfare and domestic violence workers in the way that they approach and intervene in DV cases. Though many state leaders believe they have made great strides in improving the relationships and understanding between these workers, meaningful collaboration requires constant attention, training, and relationship building.
- **Funding to support domestic violence liaisons:** Many states have had difficulty funding domestic violence liaisons that act as DV specialists available to child welfare workers for investigations, consultations and other support. States that have already co-located at least one such specialist at the child welfare agency expressed the desire to have this available to every caseworker with a concern about domestic violence. Also, it can be difficult to make the case for funding domestic violence liaisons in rural areas.
- **Lack of batterer intervention programs:** Batterer intervention programs, designed to work with the abusive parent or partner, are scarce, especially in rural areas. Agency leaders find it difficult to secure funding resources for these services, especially when they compete with supports for domestic violence victims.
- **Little awareness at community level.** Many states noted that they struggle to make the case for these collaborations, particularly when they are in the early stages of integrating their domestic violence and child welfare response systems.
- **More training for courts and law enforcement:** Given the important role that judges, attorneys, DA's, law enforcement, and other court stakeholders play in the decisions made on behalf of children in the child welfare system, many states interviewed mentioned the need for increased training efforts for courts and law enforcement agencies. While the National Council on Juvenile and Family Court Judges (NCJFCJ) has been a leader in promoting judicial trainings through the Greenbook Initiative and other efforts, more widespread attention to the role of the courts and law enforcement is needed.

“CAPTA supported the track we were already on with regard to better supporting families impacted by domestic violence. It helped us make the case for our programming, new resources, and helped us gain the support of key stakeholders.” – State child welfare administrator

VI. Recommendations

CAPTA

CAPTA is due for reauthorization in 2015, which presents a timely opportunity to build on the last reauthorization and continue to make the domestic violence provisions more robust. These include:

Establish a principle in federal law that the preference is to provide support to keep the non-abusive parent and child together and to eliminate the threat of violence in the home. This principle is not currently articulated in CAPTA. Such a principle would ensure that states make it a priority in practice to keep the non-abusive parent and child together.

Change eligibility requirements so that states receiving CAPTA funding are required to implement appropriate practices and protocols to address the intersection between domestic violence and child maltreatment. These might include more robust data collection requirements and enforcement mechanisms and training for child welfare workers on domestic violence, among other best practices.

Increase funding through appropriations for CAPTA grants and other programs to encourage states to improve services for families impacted by DV. In FY 2010, there was \$120 million authorized under Title I. Due to the sequester, there is currently even less money available for CAPTA state grants. State and federal officials and policy experts consistently cited the lack of funding for CAPTA state grants as a significant barrier in their efforts to improve services for families and children impacted by DV (in addition to other CAPTA mandates).

“We have to prioritize CAPTA grants in appropriations if we want to see meaningful change.” –Federal policy expert

“There is an absolute disconnect between the mandates in CAPTA and the funding that is provided to help states meet those mandates.” – Federal policy expert

Reforms to other child welfare laws:

Most interviewees suggested that CAPTA should not be the only federal program to promote progress on this issue. Additional leverage points, particularly those with

enforcement mechanisms behind them, can be leveraged to address the intersection. These might include:

Create a Title IV-E State Plan Requirement that addresses best policies/practices with regard to domestic violence and child welfare. A state plan requirement would require states to enact legislation and judicial procedures that provide the authority for states to keep non-abusive parents and children safe in their home. It would also ensure that child welfare agencies require certain procedures and protocols related to domestic violence and child welfare rather than having them as options.

Add domestic violence training as an area of focus for the Court Improvement Program (Title IV-B Part II). To increase judicial knowledge of domestic violence issues, another legislative possibility would be to add domestic violence training and practices to the possible areas of focus for the Court Improvement Program under Title IV-B Part II.

In any legislative reform, include mandates for HHS and the states to track data related to the nexus of DV and CW and encourage states to implement evaluations of the programs and practices they implement with regard to DV and child welfare.

Opportunities in current child welfare laws:

Fostering Connections to Success and Increasing Adoptions Act of 2008. The Fostering Connections Act includes a provision to improve the quality of staff working with children in the child welfare system. The provision “expands the availability of federal training dollars, on a phased-in basis, to reach more of those caring for and working with children in the child welfare system, including relative guardians, staff of private child welfare agencies, court personnel, attorneys, guardians ad litem, and court-appointed special advocates.” States could be doing more to take advantage of increased funding available through this provision to train staff on how to assess for domestic violence and intervene in a way that keeps victims and their children safe.

“[The child welfare system] cannot make DV a priority without mandates to compel it to do so.” – Federal policy expert

Regulatory Reforms

Data

Despite the fact that data collection was a requirement of the 2010 CAPTA reauthorization law, there is very little data on the co-occurrence of child maltreatment and domestic violence at the federal and state levels. It would be worthwhile to follow up on the data collection processes managed by the Children’s Bureau and other federal agencies to dig deeper into these national statistics and find ways to incorporate DV analyses. If analyses with regard to DV are not possible, then efforts should be made through regulation to collect this data.

Review of state and county evaluations

State-level evaluations on domestic violence programming provide an opportunity for the entire field to learn about what is working for families who are impacted by DV within a child welfare context. Massachusetts published some of the first data in the 1990's to share results to their DV program. New York and New Jersey, two states that have invested significant time and money, have also embarked on evaluations for their programming. New York recently published results and New Jersey is expected to follow suit in late 2014. In late March 2014, New York and New Jersey reported positive outcomes on their evaluations to date on a national webinar hosted by Futures Without Violence.

New York evaluation: <http://www.albany.edu/chsr/csp-dv.shtml>

To make the most of these evaluations, federal agencies should synthesize lessons, promote further research and disseminate these findings to inform the work in other states.

Training and technical assistance

Feedback from the interviews suggested that the training and technical assistance that has been provided at the federal level on the intersection between child welfare and domestic violence has been fairly generic, limiting its effectiveness for making tangible improvements in child welfare agencies on this issue. Supporting and strengthening the federal role in training and technical assistance would be an important signal that the federal government recognizes and cares about moving the dial on child welfare and domestic violence in local communities.

Child Welfare Information Gateway

The Child Welfare Information Gateway, one of the premier resources on a variety of child welfare best practices, has a number of relevant and useful examples of state and local activities with regard to the intersection between child welfare and domestic violence, but many of these materials were created prior to the 2010 CAPTA reauthorization and need to be updated with new knowledge, tools, and strategies. These resources should continue to be further developed so they remain relevant to the field and keep public awareness of these issues high.

Child and Family Services Reviews (CFSR)

The upcoming revisions to the Child and Family Services Reviews (CFSR) may provide yet another opportunity to strengthen the federal role in improving services for families in the child welfare system impacted by domestic violence. CFSRs are reviews conducted by the federal government to help ensure that states are implementing federal laws uniformly and effectively, as well as to help identify areas for improvement. Incorporating a review and assessment of domestic violence practices into the CFSR

process would focus both federal and state attention on this issue and help states to identify concrete strategies by which to improve their practices with regard to DV.

Increased collaboration

There is a strong interest among some federal officials to strengthen federal collaborations. There may also be opportunities for collaboration with other agencies, including the Office of Violence Against Women within the Department of Justice.

“Improved collaboration between the domestic violence and child protection systems is definitely worth all of the work required to achieve this.” – State child welfare administrator

Integrate evidence-based practice

The federal government should be working with states and localities to implement evidence-based practices wherever possible. The Domestic Violence Evidence Project, which is an initiative of the National Resource Center on Domestic Violence, is a resource designed to help connect state and local organizations to identify and integrate evidence-based practices into their work. Child welfare agencies can use their resources to assess their programs. The website, <http://www.dvevidenceproject.org/>, contains numerous tools, publications, and other information to help states and local leaders. The sister website, affiliated with Futures Without Violence, also contains several helpful resources, specific to building children’s programming: <http://promising.futureswithoutviolence.org/>

Promote Offender/batterer intervention programs

Most interviewees agreed that efforts to combat the issue of domestic violence in a child welfare context will fall short if there is not a parallel and concerted attempt to hold batterers accountable for their actions, as well as to clearly understand what works for whom with regard to batterer intervention programs.

In December 2009, Futures Without Violence and the National Institute of Justice hosted a national meeting of experts on domestic violence and batterer intervention programs. States may find it useful to review the meeting’s proceedings and themes at: http://www.futureswithoutviolence.org/userfiles/file/Children_and_Families/Batterer%20ntervention%20Meeting%20Report.pdf In 2014, Futures Without Violence, in partnership with the NRCDV Evidence Project will launch a series of best practices and evaluation strategies to advance the conversation about program improvements.

Promote Prevention Strategies to Help Children in the Child Welfare System Impacted by DV

Finally, thanks to recent reforms to the health care system including implementation of the Affordable Care Act (ACA), states and federal regulators have the opportunity to

support and encourage evidence-based, trauma-informed prevention services that address the needs of parent and child victims of domestic violence together. Medicaid already covers a wide range of preventive services and screenings for all beneficiaries. The ACA includes a provision that requires Medicaid to cover many more preventive services. In addition, under the EPSDT benefit, children can get preventive screenings between regular visits if there is a reason they need them, and a wide range of services are covered.

In particular, attention should be focused on older teens and youth aging out of foster care. According to data from the National Institute of Justice and Centers for Disease Control and Prevention, these are the young people most at risk for relationship violence and unintended pregnancy and by nature of their involvement with child welfare systems have experienced abuse, neglect and often multiple and chronic traumatic events. Helping these young people develop the skills necessary to form and maintain healthy relationships and prevent unintended pregnancies is a critical area for investment.

“Sometimes we get criticism for funding treatment for perpetrators of domestic violence. But the people who perpetrate are going to continue living in the community, having relationships and having children. If we can identify the person who is perpetrating and support them with quality treatment, that’s key to our overall strategy.” – State child welfare administrator

VII. Conclusion

The federal government has a major leadership role when it comes to improving the nation’s child welfare systems. Given the high incidence of domestic violence among families who enter the child welfare system, it is critical that this leadership extend to promoting policies and practices that address this intersection. While progress has been made with the recent CAPTA improvements, there is much work to be done to create a sustainable approach to serving these families more effectively.

Reducing children’s exposure to child maltreatment and domestic violence goes far beyond CAPTA. To effectively serve families impacted by domestic violence, child welfare agencies must continue working to build strong relationships with domestic violence agencies, law enforcement, health care and substance abuse providers, early childhood and home visiting programs and others to establish truly coordinated, family-centered systems. Violence prevention and intervention depends on the awareness and actions of a much broader set of institutions and service providers, as well as on the capacity of local communities to understand and address its impact.

Through its effective implementation of existing laws such as CAPTA, ongoing technical assistance and the influence of federal thought leaders and policy makers, the federal government must ensure consistent and innovative strategies to support families at the crossroads of child maltreatment and domestic violence.



Futures Without Violence, formerly Family Violence Prevention Fund, works to prevent violence within the home, and in the community, to help those whose lives are devastated by violence because everyone has the right to live free of violence.

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