

DSS Policy and Procedure Guide	
Division 3: Child Welfare	Chapter 3: Initial Response/Detention
Item 37: Assessment of Domestic Abuse Allegations	
Suggested changes send to: DSS PSOA Mailbox	Issued: October 14, 2011
References: Penal Code section 11165.1-.6 ; Penal Code Section 13700(d) ; Welfare and Institutions Code Section 18291 (a) ; Div.31 Regulations	Replaces Issue: NEW

Policy

Department of Social Services (DSS) investigating social workers will utilize a uniform and standardized method for assessing referrals of domestic abuse.

Purpose

To provide investigating social workers (SW) with an overview of how to assess allegations of Domestic Abuse and provide insight into the emotions, thoughts, feelings and fears of the victims, and batterers, in the Domestic Abuse relationship.

Procedure

Assessing the Effects of Exposure to Domestic Abuse on Children

The investigating SW shall follow the policies and procedures set forth in DSS PPGs [3-3-8](#) and [3-3-38](#) when investigating allegations of child abuse and neglect, including allegations of Domestic Abuse. In addition, the investigating SW shall complete the following steps:

Investigating SWs Shall Assess for Physical Abuse and Consider:

- Children in households in which domestic abuse occurs are more likely to be physically abused than in non-violent households.
- SWs should consider that the battered person may discipline the child in an effort to control the child's behavior to protect them from what they see as greater abuse from the batterer

Investigating SWs Shall Assess For Neglect And Consider:

- That the battered person may give full attention to the abusive partner in an effort to appease and control the level of violence and to survive, leaving the child's emotional, medical, social and physical needs unmet;
- That the battered person may be emotionally unavailable to the child due to the trauma and fear;

- That it is not uncommon for battered persons to use alcohol/drugs/over-the-counter medication to anesthetize the pain arising from the battering situation.

The Investigating SW Shall Assess For Sexual Abuse and Consider that Children in Homes in Which Domestic Abuse Occurs Are at Risk for Sexual Abuse.

The Investigating SW Shall Assess For Emotional Abuse.

NOTE: The investigating SW shall apply the definitions of penal code Sections [11165.1-.6](#) when assessing allegations of child abuse and neglect.

Critical Factors to Consider When Assessing Domestic Abuse

Investigating SW Shall Consider the Age of the Child in Observing Reactions, Symptoms and Assessing Level of Risk.

- Children 0-5 years old are more vulnerable to accidental injury during incidents of battery.
- Children 0-5 years old may exhibit sleep disturbances nightmares, loss of skills (self-care, enuresis) separation anxiety, failure to thrive, and tantrums.
- Children 6-12 years old may exhibit eating disturbances, seductive or manipulative behavior, fear of abandonment or loss of control, depression, anxiety, and shame and may attempt to protect the victim.
- Adolescents feel separated from the family, run away, engage in suicidal or homicidal thoughts, act out sexually, become pregnant, abuse drugs/alcohol, perform poorly in school, or experience violence in dating relationships.
- Overall, these children exhibit more impulsive and aggressive behaviors and are more withdrawn and anxious. These symptoms are often consistent with a diagnosis of Post Traumatic Stress Disorder.

SWs Shall Determine if the Child Has a Disability (Physical, Developmental, Cognitive and/or Mental) or is Deaf or Hard of Hearing.

- Children with disabilities are more vulnerable to all forms of abuse (physical, sexual, neglect, exploitation).
 - They are more dependent on others for their care.
 - They may be limited in their contact with others outside the home.
 - They may be unable to understand what is happening to them or their caregivers.
 - Their ability to communicate may be limited.

- The stress on resources and finances when caring for children with disabilities may contribute to continued battering.
- Children with disabilities may express their exposure to abuse or violence in the home by:
 - sudden changes in behavior, such as increased agitation, distress
 - loss of appetite
 - self-harming
 - enuresis/encopriasis
 - sexualized behavior

Assessing the Battered Woman

Consider that when a woman leaves her batterer, her risk of serious violence or death rises dramatically.

The Investigating SW Shall Discuss the Following Issues With the Victim, When Applicable:

- A majority of homicide victims separated from the batterer prior to their death.
- Women are particularly at-risk during the first two months of separation and remain at high risk if they had independently decided to end the relationship.
- A woman may be reluctant to leave her batterer or may often return to her batterer because of one or more of the following factors:
 - Fear of greater violence or death
 - Intimidation and threats
 - Protection of the children from physical/sexual abuse by the batterer
 - Fear that the perpetrator will kidnap or gain custody of the children
 - Economic dependence on the perpetrator
 - Lack of resources (no support systems, social isolation, no place to go, children may be separated)
 - Difficulty of finding shelter placements with adolescent children, particularly older male children
 - Feelings of failure imprinted by family, friends, etc.

- Batterer's promise of change (the cycle of violence)
- The victim's love for the partner
- Cultural/religious belief systems
- Poor or unsatisfactory experiences with the service delivery system (law enforcement, court, child protection agencies)
- The victim's belief that their child needs the dominant, aggressive partner for parenting, especially for the acting out/emotionally disturbed child

Assessing the Batterer

When dealing with domestic violence, it is important to focus on current and historical patterns of behavior of the batterer. This includes the batterer's mental health, with the dynamic of victim blaming and minimization, and the batterer's possible substance abuse. It is also helpful to evaluate stresses that might influence the batterer's behavior.

While it is true that all batterers are dangerous, some are more likely than others to kill, and some are more likely to kill at specific times. *Studies have repeatedly shown that the situation presenting the greatest risk for lethality is when the victim threatens to, or actually leaves the batterer.* By more clearly assessing the level of danger, the SW will be able to assist the victim in taking appropriate steps to protect him/herself and to protect the children who reside in the home.

The Underlying Dynamic in the Relationship Between the Batterer and Victim is One of Power and Control by the Batterer.

In order to sustain the dynamic of power and control, the batterer will frequently:

- Intimidate and threaten the victim, the children, other family members and/or pets with physical harm or death;
 - When the batterer threatens homicide or suicide, the risk of death increases;
- Isolate the victim and/or the children from family, friends, work, which increases the victim's dependence on the batterer; and
- Manipulate the victim by promising change, often presenting gifts, flowers, etc., following incidents of violence (honeymoon phase).

When Assessing the Batterer Assess for Patterns:

- In language, in which the batterer:
 - Rationalizes/justifies what happened by blaming the victim;
 - Emphasizes the victim's behavior rather than taking responsibility for his/her own behavior; and

- Minimizes the seriousness/severity of what happened.
- In behavior, in which the batterer falsifies the reality of the situation by:
 - Calling in false police/child abuse reports;
 - Injuring him/herself to deflect the focus of the situation; and,
 - Harassing/stalking the victim after the victim has left the relationship to perpetuate the illusion of power and control.

The Batterer's Mental State Effects the Degree of Risk to the Victim and Children Residing in the Home.

- Acute depression may include homicidal fantasies directed at family members.
 - Actual homicide/suicide may occur when the batterer sees no other way out.
- The batterer perceives that his/her partner is "owned" by the batterer and therefore the victim has no right to any independent actions:
 - *When the victim leaves the relationship and begins another relationship, both people are at high risk of murder/suicide.*
- The batterer idolizes his/her partner, has isolated him/herself from all other community and totally depends on the partner to organize and sustain the batterer's life:
 - *When the victim threatens to or leaves the relationship, the batterer feels betrayed and justifies lethal retaliation.*

Weapons/Substance Abuse

- Recognize that the batterer who is involved in substance abuse has a potential for greater violence due to poor impulse/anger control and impaired judgment.
- *Consider that a batterer, who possesses weapons, has used them and/or threatened to use them in the past in his/her assaults on the victim, the children or him/herself, presents an increased risk for lethal assault.*

Stresses in the Family Contribute to the Batterer's Perception That (s)he is Losing Control and This May Contribute to Intensified Violence.

These stresses may include:

- Unemployment, eviction, financial difficulties
- Severe health problems, disabilities

- Behavioral changes in the children moving into different developmental stages
- Separation, divorce

Other Factors to Consider in Cases of Domestic Abuse

Domestic abuse is statistically consistent across racial, ethnic, religious and socio-economic backgrounds. However, there are certain groups of people with unique circumstances who are more vulnerable to the effects of domestic violence for a variety of reasons. These include, but not limited to, the undocumented immigrant, and/or the recent immigrant, gay, lesbian or transgender, the battered heterosexual male, the disabled and teens.

Battered Women Who are Undocumented and/or Recent Immigrants

The Investigating SW Shall Consider the Following:

- There may be a fear of deportation to the country of origin, which may involve returning to a dangerous situation and/or being separated from her children who may be citizens of the U.S.
- There is usually unfamiliarity with laws and rights.
- Language barriers can inhibit communication and the ability to access resources.
- Fear of involving law enforcement, courts, child protective agencies and others in authority may arise from experiences of abuse and distrust of these systems in the country of origin.
- The role of the woman in some cultures/religions including; maintaining the marriage for life, sacrificing oneself for the good of the family and bestowing power on the male, can perpetuate domestic violence.
- It may be culturally taboo to discuss the topic of domestic violence.
- Private family matters may not be discussed publicly as this would bring shame and dishonor to the family.
- Maintain a current list of referrals for legal assistance and shelters. Utilize culturally sensitive and linguistically appropriate resources.

Domestic Abuse in Households Involving Gay, Lesbian, And/Or Transgender Relationships:

- There is reluctance in the gay, lesbian, transgender community to acknowledge battering as it might increase an already negative view of this group in a homophobic society.
- Battering of same sex partners may not be taken seriously because it is contrary to beliefs that domestic violence is largely a gender issue.

- It is frequently assumed that gay, lesbian, transgender abuse must be “mutual” and it is consequently under-reported. It may be difficult to identify which partner is the aggressor without having knowledge of patterns of control and blame.
- There may be threats to “out” the partner to the public, which has major implications of possible discrimination such as:
 - Economic;
 - Social;
 - Familial relationships; and,
 - Child custody.
- There are fewer resources (shelters, counseling) that serve the needs of this population (especially gay men).

Battered Heterosexual Men

When assessing domestic abuse in households involving heterosexual men who are battered by their female partners it is crucial to look for evidence of an imbalance of power and control. Such an imbalance will distinguish spousal abuse of male from actions of self-defense or random aggression from the female.

- Heterosexual men may feel that being battered is not what society expects of them and may result in:
 - Feelings of denial and shame;
 - Discrimination in the way society (e.g., law enforcement, court, extended family, and friends) responds to them; and,
 - A reluctance to disclose

Domestic Abuse in Teen Relationships

- *The potential for death is just as high for teens as adults;*
- Due to developmental/age issues, teens are uncertain about what a relationship is supposed to be, teens may:
 - Be unfamiliar with appropriate boundaries;
 - Rationalize abusive behavior under the pressure to have a boyfriend/girlfriend;
 - Misinterpret attention, jealousy, possessiveness as positive rather than negative control; and,
 - May have a skewed model of what is considered a “normal” relationship if they have had a history of exposure to domestic abuse.

- Societal messages, as well as exposure to domestic abuse within their family, encourage teenage boys to behave aggressively;
- Teenage girls who experience violent relationships are at high risk for attempted suicide, eating disorders, substance abuse and/or pregnancy.

Domestic Abuse in Households Involving a Victim Who Has a Disability or Who is Deaf

Vulnerability to domestic abuse in this population exists due to:

- Limitations in communicating with the hearing population
- The perception by the batterer that the victim is unable to tell and, therefore, unable to seek help regarding the abuse.
- The victim often is dependent on the abuser (who also may be the primary caregiver) to meet their daily needs
- The victim's fears that his/her children will be taken away if the abuse is reported
- The victim may be physically incapable of executing the tasks necessary to implement an escape or safety plan;
- The victim may fear that he/she will lose the primary caregiver (the batterer) leaving the victim destitute with no caregiver or place to live.

NOTE: Do not assume that a person who has a disability or is deaf cannot also be a batterer.