

1. Introduction

Training topics

- A. Overview
- B. Legislative background
- C. Rationale for domestic abuse provisions
- D. Definitions
- E. Overview of CalWORKs protocols for domestic abuse
- F. County waiver criteria

Participant handouts

Some facts and figures about domestic abuse
Definitions related to CalWORKs eligibility
CalWORKs protocols for domestic abuse
[Insert county-specific content summarizing criteria for good-cause waivers]

Trainer overheads

The federal Family Violence Option
Goals of CalWORKs provisions for domestic abuse

A. Overview

Begin with an overview of the training. Topics covered include:

- legislative background and overview of CalWORKs protocols for domestic abuse
- dynamics of abuse
- implications of CalWORKs for victims of abuse, including ways domestic abuse interferes with employment
- effective intervention in a CalWORKs setting
- risk assessment, safety planning and legal issues
- worker responses and safety
- impact of domestic abuse on children
- issues for disabled, adolescent and immigrant clients
- community resources

B. Legislative background

Presentation

Project the overhead "The federal Family Violence Option." Federal welfare reform legislation was the genesis of California policies and protocols. States had the "option" to adopt federal family violence provisions, and California did so in CalWORKs legislation. Throughout this training participants will see how to use three key aspects of the Family Violence Option—confidential screenings, referrals to services, and good cause waivers—have been translated into state and county policy. They will also learn how to put these provisions into practice in work with their clients.

Project the overhead "Goals of CalWORKs provisions for domestic abuse." The language of state welfare reform legislation (AB 1542, 1997) makes it clear that the goals of CalWORKs provisions for handling domestic abuse are to not place victims at further risk or unfairly penalize by CalWORKs and help them move toward self-sufficiency. Read aloud the following brief section from Welfare and Institutions Code section 11495, emphasizing boldface text.

"It is the intent of the Legislature in enacting this article to adopt a family violence provision by enacting the federal option concerning victims of domestic violence.... By adopting this provision, the Legislature recognizes that some individuals who may need public assistance have been or are victims of abuse, and intends to **ensure that applicants and recipients who are past or present victims of abuse are not placed at further risk or unfairly penalized by CalWORKs requirements and procedures.** The Legislature intends that, in

implementing this article, program requirements not be created or applied in such a way as to encourage a victim to remain with the abuser. **It is also the intent of the Legislature that CalWORKs recipients participate in welfare-to-work activities, to the full extent of their abilities, including participation in counseling and treatment programs, as appropriate, to enable the recipient to obtain unsubsidized employment and move towards self-sufficiency.**"

C. Rationale for domestic abuse provisions

Review and discuss handout

Review handout "Some facts and figures about domestic abuse." If available, add statistics about domestic abuse in your county. Point out that researchers believe domestic abuse is underreported on surveys because of victims' reluctance to disclose. This kind of data and a growing public recognition of the problem of domestic abuse convinced federal and state officials to put into place special provisions for TANF and CalWORKs clients who are victims of abuse. The problem is real and its effects are real! To keep clients safe and help them move toward self-sufficiency, they need help in dealing with domestic abuse.

D. Definitions

Review and discuss handout

Review the handout "Definitions related to CalWORKs eligibility."

Expand on the "behaviors" covered by Section 42-701.2(d)(3-4) of the regulations. They include much more than physical and sexual abuse. That's because controlling and coercive behaviors such as economic control, threats and isolation can have profound psychological effects. This will be covered in more depth later on in the training (in the dynamics section).

Note the following points about "relationships":

- Current or former relationships (spousal, cohabitations and dating) are covered.
- This includes gay and lesbian relationships.
- All forms of blood or adoptive relationships are covered including, adult children abused by their parents.

Note also that this training focuses on relationships eligible for CalWORKs. Participants may be aware of some criminal codes on domestic abuse which define "relationship" in other ways.

E. Overview of CalWORKs protocols for domestic abuse

Review and discuss handout

Review the handout, "CalWORKs protocols for domestic abuse." Explain that the six points covered (identification/notice, individual case assessments, referrals to services, confidentiality, communicating with clients and waiver of program requirements) represent the framework for responding to domestic abuse and are the context for this training. The protocols will be covered in more detail in the intervention section of the training. Before returning to the protocols the training will cover some information to help participants understand more about the dynamics of abuse and its implications for CalWORKs clients.

F. Overview of county waiver criteria

Insert county-specific content

At this point in the training, provide a brief overview of county good-cause waivers. Trainers can go into more detail in Section 4 of the training, which covers county procedures and processes for individual case assessment and monitoring.

End this discussion by linking county policies to state legislation by repeating that the state intended that

- clients who are victims of abuse not be placed "at further risk or unfairly penalized by CalWORKs requirements and procedures"
- program requirements not be "applied in such a way as to encourage a victim to remain with the abuser"

Also link to federal legislation by restating that this is one of the key provisions of the Family Violence Option

- confidential screening
- referrals to services

- good-cause waivers

These provisions are the foundation of good practice in working with victims of domestic abuse.

Participant Handouts

Some facts and figures about domestic abuse

- Nearly one million incidents of non-lethal domestic abuse occurred each year from 1992-1996.¹
- 85 percent of the victims were women.¹
- Each year from 1992 to 1996 an average of about 8 in 1,000 women and 1 in 1,000 men experienced violence perpetrated by a current or former spouse, boyfriend or girlfriend.¹
- In 1996, 30 percent of female murders were perpetrated by husbands, ex-husbands or boyfriends. Three percent of male murders were perpetrated by wives, ex-wives or girlfriends.²
- Intimate partners were identified as perpetrators in 36 percent of emergency room visits by women for violent victimization.³
- As a result of domestic abuse, female victims are more likely than male victims to need medical attention, take time off from work, spend more days in bed and suffer more from stress and depression.⁴
- Each year more than ten million children in the United States witness domestic abuse in their families.⁵

¹ U.S. Department of Justice. (1998). Bureau of Justice statistics factbook (NCJ-167237). Washington, DC: author.

² Federal Bureau of Investigation. (1996). Crime in the United States.

³ Rand, M.R. (1997). Violence-related injuries treated in hospital emergency departments. In Bureau of Justice statistics, special report. Washington, DC: U.S. Department of Justice.

⁴ Stets, J.E., & Straus, M.A. (1990). Gender differences in reporting marital violence and its consequences. In M.A. Straus & R.J. Gelles (Eds.) Physical violence in American families: Risk factors and adaptations to violence in 8,145 families (pp. 151-165). New Brunswick, NJ: Transaction.

⁵ Straus, M. (1992). Children as witnesses to marital violence: A risk factor for lifelong problems among a nationally representative sample of American men and women. In R.F. Schwartz (Ed.) Children and violence: Report of the twenty-third Ross roundtable on critical approaches to common pediatric problems (pp. 98-104). Columbus, OH: Ross Laboratories.

Definitions related to CalWORKs eligibility

Domestic abuse

"Domestic abuse" means assaultive or coercive behavior that includes

- physical abuse
- sexual abuse
- psychological abuse
- economic control
- stalking
- isolation
- threats
- other types of coercive behaviors occurring within a domestic relationship

Domestic relationships

Domestic relationships are defined as:

- Adults or minors who are current or former spouses
- Adults or minors who live together or have lived together
- Adults or minors who are dating or have dated
- Adults or minors who are engaged in or who have engaged in a sexual relationship
- Adults or minors who are related by blood or adoption
- Adults or minors who are related or formerly related by marriage
- Adults or minors who are engaged or were formerly engaged to be married
- Persons who have a child in common

Domestic abuse is also abuse perpetrated against minor children of persons in domestic relationships or when an adult or minor act in concert with or on behalf of a perpetrator in a domestic relationship.

CalWORKs protocols for domestic abuse

Identification/notice

Inform all clients of availability of services.

Provide opportunity for self-identification.

Each county to maintain comprehensive and current list of domestic abuse resources.

Individual case assessments

The county will individualize welfare-to-work plans to meet safety, confidentiality and other needs of domestic abuse victims.

Referrals to services

Services covered in welfare-to-work plans or in referrals must be made available.

Counties are encouraged to work with employers on worksite issues for clients.

Confidentiality

Information about domestic abuse victims and their dependents may not be released to any outside party or any employee not directly involved in the case unless the information is required to be disclosed by law or authorized in writing by the client.

Communicating with clients

Staff trained in serving clients who are domestic abuse victims shall discuss personal safety with clients. Clients will be given the opportunity to make decisions about how they would like to receive communications from the county, subject to due process requirements. Individuals shall be notified of program participation requirements in a way that preserves confidentiality and safety. **The safety of the individual shall be considered at all times.**

Waiver of program requirements

Program requirements that cannot be waived: deprivation, assets, income or homeless assistance.

A county may waive, on a case-by-case basis and pursuant to a determination of good cause, any other program requirement, including, but not limited to

- time limits on receipt of assistance
- work and education requirements
- paternity establishment
- child support cooperation requirements

Criteria for waivers should ensure that:

- Clients who are past or present victims of abuse are not placed at further risk or unfairly penalized by CalWORKs requirements and procedures
- Program requirements do not encourage victim to remain with the abuser
- Participation in welfare-to-work activities is encouraged to enable clients to obtain unsubsidized employment and move safely toward self-sufficiency

**[Insert county-specific content summarizing
criteria for good-cause waivers]**

Trainer Overheads

The federal Family Violence Option

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 includes a provision allowing states to address domestic violence in crafting state welfare plans under TANF by

- confidentially screening applicants for domestic violence
- providing referrals to counseling and supportive services
- making good-cause waivers

Goals of CalWORKs provisions for domestic abuse

- Victims not placed at further risk or unfairly penalized by CalWORKs requirements
- Self-sufficiency