

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

Trainer Overheads

Scenarios: domestic abuse and children

Directions: Read the following three scenarios and identify indicators of the “harm” to the children in each scenario.

1. Diane is a 6-year-old female who has revealed to her guidance counselor that last night her father again “beat on” her mother by punching her in the head, choking her, and threatening her with a gun. Diane’s father is an alcoholic. Diane’s way of coping with the consistent family violence is to hide in the closet whenever the eruptions occur. Her mother has taken the children and left before, but not in a long time as grandma won’t help anymore.

2. Andrew is a 10-year-old boy who just entered the local shelter with his mother and two younger siblings. It was noted that they all had bruises in various stages of healing on their bodies. Upon inquiry, the mother revealed that prior to last night her boyfriend had only been emotionally abusive toward herself and the children.

3 The police were called to Sarah’s (age 4) and Michael’s (age 11) home last night as a domestic dispute was reported by the neighbors. When the police arrived, they found Michael wielding a baseball bat in an effort to protect his mother and sister. This is the fourth time the children’s mother had to be admitted to the hospital due to injuries incurred during a domestic dispute. When confronted by this fact, their father broke down crying, saying that it was all due to his having been laid off from work and that he was sorry.

Long-term effects on children

Cognitive abilities

Emotional regulation

Social interactions

Behavioral manifestations

Self-concept impairment

How children are interviewed about family violence

THESE ARE EXAMPLES OF THE KINDS OF QUESTIONS ABOUT FAMILY VIOLENCE THAT CHILD PROTECTIVE SERVICES STAFF AND OTHER INVESTIGATORS ASK CHILDREN. THE EXAMPLES ARE INCLUDED FOR INFORMATION ONLY AND ARE NOT INTENDED FOR USE BY CALWORKS STAFF.

Actual Violence

- What happens when the people in your house disagree, argue, fight? (“People” may be clarified by replacing it with adults, siblings, parents.)
- Does anyone get hurt when there are fights at your house? Ask follow-up questions for clarification.
- Has anyone gone to the doctor or been taken to the hospital in an ambulance after a fight?
- Have the police or sheriff been to your house because of a fight?

Implied violence

- Has anyone in your house ever gone to jail?
- Do you have any pets? If yes, have they ever been hurt?
- Has anything ever been broken during a fight?
- Has anyone ever put any holes in the walls, doors, or windows during a fight?
- Are you ever afraid at home? Tell me about it.
- Is anyone else at home ever afraid? Tell me about it.

Risk to a child due to family violence

- Have you ever been hurt when other people have been fighting?
- What do you do when other people are fighting at your house? What do your siblings do?
- How do you feel when other people are fighting?
- Do you ever talk to anyone about the fights?
- Who do you go to about the fighting?

- Has anyone ever had or used a knife or gun during a fight?
- Does anyone ever get drunk or high at your house?
- Do you feel safe at your house?
- Do you ever wish someone would leave your house?
- Do you ever want to hurt someone or yourself?

Trainer Overheads

Domestic abuse hurts children

Physical injury

Emotional injury

Negative role models

Ineffective parenting

Attachment disruption

Compromised/impaired development

Long-term effects on children

Cognitive abilities

Emotional regulation

Social interactions

Behavioral manifestations

8. Issues for disabled, adolescent and immigrant clients

Training topics

- A. Clients with disabilities
- B. Adolescent clients
- C. Immigrant clients

Participant handouts

Common characteristics of victims of intimate crimes

Vulnerability to domestic abuse – the disabled

Teen power and control wheel

Teen dating violence

Special issues for immigrants who are victims of domestic abuse

Documentation of battered noncitizen eligibility for CalWORKs

Deeming and sponsored noncitizens who are domestic abuse victims

Serving battered noncitizens

Trainer Overheads

Common characteristics of victims of intimate crimes

Vulnerability to domestic abuse – the disabled

Other forms of abuse experienced by disabled clients

Interviewing issues

Special issues of immigrants who are victims of domestic abuse

A. Clients with disabilities

Presentation

According to the National Council on Disability, people with disabilities, as a group, are older, poorer, less educated and less employed than people without disabilities.

Most of the issues that confront crime victims with disabilities are those that affect all crime victims. They include underreporting of crimes; a lack of responsiveness from law enforcement or prosecutors based on a perceived lack of credibility on the part of the victim; repeated victimization; lack of effective, appropriate services; physical or social isolation of the victim; and a judicial process that is centered on the rights and needs of the offender, not the victim. However, important issues and even distinctions must be emphasized when serving victims with disabilities.

Activity

Review handout and overhead titled “Common characteristics of victims of intimate crimes.” Inform participants that many of the items in their handout have already been covered.

Ask participants to break into small groups and come up with factors, in addition to the items listed in their handouts, that would be specific to victims of abuse who are also physically or mentally limited or disabled. Chart responses on an easel pad. In addition to participant suggestions, cover the learning eight points in the overhead and handout titled “Vulnerability to domestic abuse – the disabled.”

Review and discuss handouts

Review overhead “Other forms of abuse experienced by disabled clients.” Discuss some of the forms of abuse that are not issues for nondisabled people.

Review overhead “Interviewing issues.” When interviewing a client who is limited or disabled, the language you use is important. “Victim” is a loaded term in the disability rights community. The term reinforces an already-existing, socially imposed negative identity. Historically, disabled people have been considered “victims” of their disability. Disability advocates have struggled to transform their identity from “victim” to something more positive; therefore, admitting victimization is often denoted as a setback.

“Special services” is another term loaded with negative connotations. Disabled people want the services to which they are entitled. “Individualized services” is a better conceptualization.

B. Adolescent clients

Presentation

Adolescents, including Cal-Learn clients, are especially susceptible to power and control tactics of batterers. Minors have the same rights to restraining orders as adults. Adolescent clients may turn to social services for help in dealing with dating violence or domestic abuse.

Signs of abuse of an adolescent include:

- Bruises, bite marks, black eyes or unexplained physical injuries
- Unwillingness to discuss a relationship
- Withdrawal
- Spending a lot of time alone

Review and discuss handouts

- “Teen power and control wheel.” Compare and contrast to control wheel in the dynamics section. Note the importance of peer pressure to this age group.
- “Teen dating violence.” Review questions workers and clients can consider in assessing a relationship.

C. Immigrant clients

Review and discuss handout

Violence can be found in all cultures. Effective intervention requires addressing the client’s needs in an appropriate cultural context. Immigrant clients who are victims of domestic abuse have additional issues that should be recognized and addressed for the development of a meaningful welfare-to-work plan.

Review overhead and handout titled “Special issues for immigrants who are victims of domestic abuse.” Ask participants if they can think of specific tactics abuser can use to assert power and control if the intimate partner is a noncitizen. Record the answers on easel pad paper.

Presentation

The 1994 Violence Against Women Act allows an abused noncitizen spouse or child of a U.S. citizen or lawful permanent resident to self-petition in the INS for lawful immigration status. The purpose of this provision is to let noncitizens who may have their immigration status used as a means of control to petition on their own for immigration.

There are differences between federal and state eligibility requirements for TANF. For the state CalWORKs program there are no additional eligibility requirements for battered noncitizens. Individuals who apply for aid, state that they are a victim of domestic abuse, and otherwise are eligible for aid should be enrolled in state CalWORKs.

Note: As explained in detail in ACL 00-07, food stamp eligibility follows federal guidelines. This training focuses on CalWORKs.

Battered noncitizens are eligible for CalWORKs a PRUCOL (Permanently Residing Under the Color of Law) if they have one of the following:

- An INS document indicating an approved petition or a pending petition that sets forth a prima facie case
- A court order from the Executive Office for Immigration Review

There are also special provisions for handling sponsored noncitizen victims of domestic abuse applications. For all cases, counties should make available all resources for victims of domestic abuse and maintain confidentiality.

Review handouts

“Documentation of battered noncitizen eligibility for CalWORKs”

“Deeming and sponsored noncitizens who are domestic abuse victims”

“Serving battered noncitizens”

Participant Handouts

Common characteristics of victims of intimate crimes

Victims of domestic abuse are diverse.

They are predominantly women.

They under-report crimes.

They lack responsiveness from law enforcement or prosecutors based on a perceived lack of credibility on the part of the victim.

They experience repeated victimization.

They lack effective, appropriate services.

They are physically or socially isolated.

The judicial process is centered on the rights and needs of the offender, not the victim.

Vulnerability to domestic abuse – the disabled

Important issues and even distinctions must be emphasized when servicing victims with disabilities, for example:

1. They have higher risk of victimization than individuals without disabilities.
2. They face a greater risk of being revictimized, often at the hands of a caregiver or family member.
3. Victims may not be in a position to report the crime without fear of retaliation from the caregiver.
4. A crime victim with a disability or a person who becomes disabled due to crime may not have the resources or the physical stamina to cope with the delays and hurdles that typically occur in the criminal justice system.
5. Employment continues to be the area with the widest gulf between those who are disabled and those who are not. *
6. Education is a problem. More than one out of five (22 percent) adults with disabilities age 18 and over has not graduated from high school, compared to only one out of 10 adults without disabilities. *
7. Their income is lower. Twenty-nine percent of adults with disabilities live in a household with an annual income of less than \$15,000, compared to only about ten percent of those without disabilities. *
8. They are more socially isolated. As a group, disabled adults do not participate as frequently in politics, religion and social activities.

Handout Sources:

*National Organization on Disability. (2000). [The 2000 N.O.P./Harris survey of Americans with disabilities](#) [on-line].

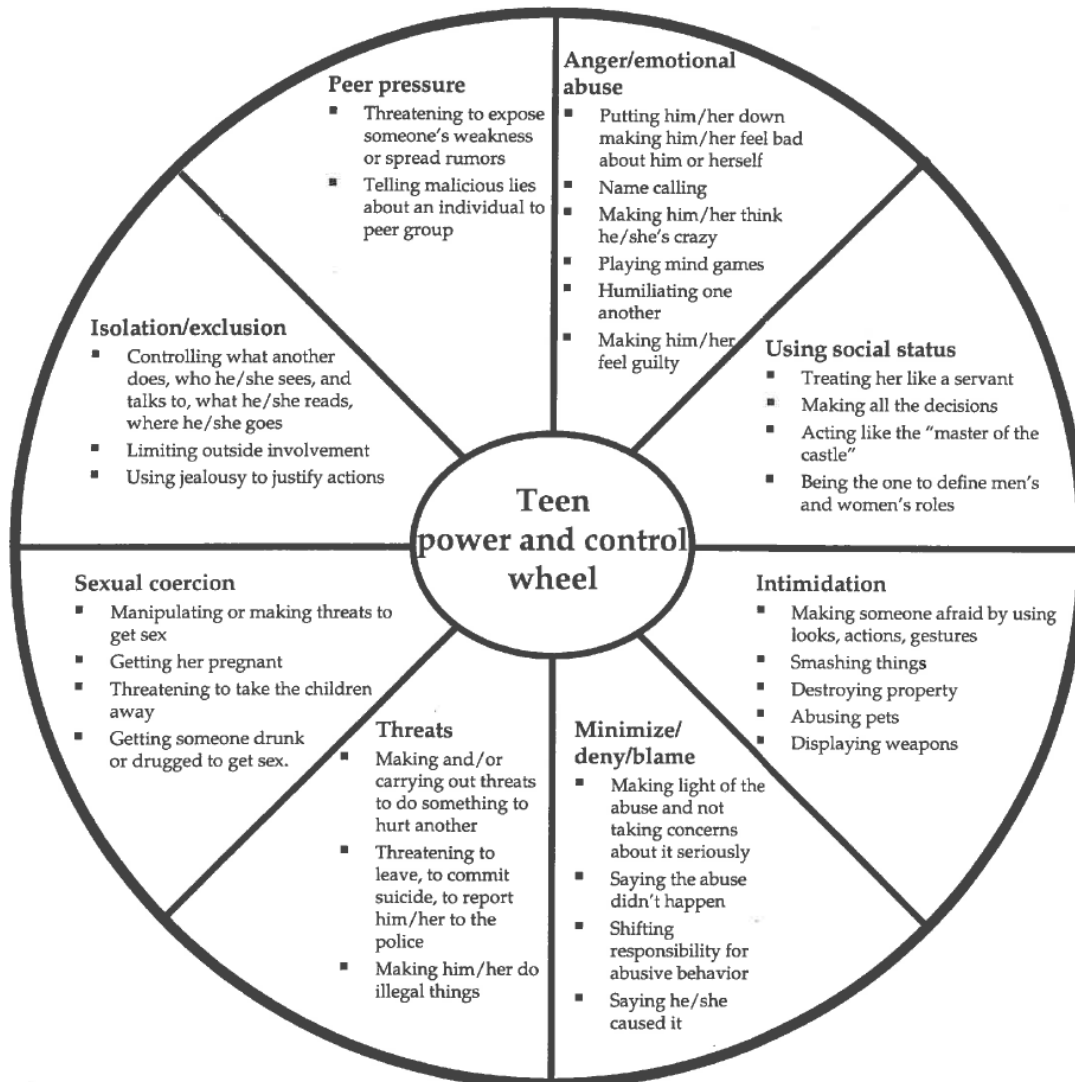


Figure 8: Teen Power and Control Wheel Handout

Handout Sources:

Reprinted by permission of Los Angeles Commission on Assaults Against Women. Adapted from the Domestic Abuse Intervention Project in Duluth, Minnesota.

Teen dating violence

Teens involved in a dating relationship that is abusive or potentially abusive can consider these questions:

- Is your partner jealous or possessive?
- Does your partner dislike your friends?
- Does your partner not let you have friends?
- Does your partner have a “quick temper”?
- Does your partner have traditional ideas of gender roles?
- Does your partner try to control you and want to make all of the decisions?
- Do you worry about how your partner will react to things you say or do?
- Do you get a lot of verbal teasing from your partner?
- Are you comfortable with your partner’s “playful” slaps and shoves?
- Does your partner’s behavior change if he or she drinks or uses drugs? Does your partner pressure you to use drugs or alcohol?
- Do you feel it is your responsibility to make the relationship work?
- Are you afraid of what your partner might do if he or she becomes angry?
- Are you afraid to end the relationship?
- Do you believe that your partner will not accept breaking up?
- Does your partner blame you when he or she mistreats you?
- Does your partner pressure you to have sex, force you to have sex, or hurt you during sex?

Special issues for immigrants who are victims of domestic abuse

1. **Fear of justice system:** Immigrant women in their native countries may have experienced a court system that favors men and the economically powerful.
2. **Fear of deportation:** Immigrant clients may fear that any legal action they take to stop the abuse will also result in their (or their partner's) deportation.
3. **Fear for family in country of origin:** Batterers will use threats in many domains to stay in control and keep the partner from leaving.
4. **Family issues:** Women from various countries or religious backgrounds have strong beliefs that they are responsible for keeping the family intact.
5. **Language issues:** The children are often used as translators, presenting significant problems for confidentiality and safety. The presence of an interpreter may increase shame and embarrassment. Untrained interpreters may change the meaning or impact of a victim's statement.
6. **Safety issues:** Referral to a shelter may further isolate an immigrant client. The only community available may be the one that supports the perpetrator.

Remember, in developing specialized safety plans, a noncitizen leaving home must have with them all documentation – green cards, passports, etc.

Offender tactics

Domestic abuse is a pattern of purposeful behavior directed at achieving power or control over an intimate partner. The more vulnerable the partner, the more powerful the abuser. Situations in which the abused is an immigrant, or noncitizen, the abuser has additional powers. The following are some tactics used to exert power and control:

1. Emotional abuse in the form of
 - a. Lying about immigration status to authorities, to social workers, or to family
 - b. Using racial slurs to demean and humiliate
2. Sexual abuse
 - a. Calling a woman a mail order bride
 - b. Alleging prostitution on legal documents

3. Intimidation

- a. Hiding important papers (ID card, passport)
- b. Failing to file papers to legalize immigration status

4. Threats

- a. To report the victim or children to the INS
- b. To take children from United States

Documentation for battered noncitizen eligibility for CalWORKs

Individuals who possess the following documents and who meet all other eligibility requirements are eligible to CalWORKs as Permanently Residing Under the Color of Law (PRUCOL).

INS documents indicating approval of a petition or application as a battered noncitizen
I-797 or I-797C indicating approval of an I-360 or I-130 petition*

OR

Final order or notice from an immigration judge, the Board of Immigration Appeals or federal court granting suspension of deportation or cancellation of removal

INS documents indicating a prima facie determination (the case has merit on the face value of the evidence and has been placed in deferred action)

I-797 or I-797C indicating that the applicant has established a prima facie case

OR

An immigration court or Board of Immigration Appeals order indicating that the applicant has established a prima facie case for cancellation of removal or suspension of deportation

Other documents

Other INS documents can constitute acceptable proof as a battered noncitizen. To verify that the documentation is acceptable proof, follow procedures for faxing requests and documents to the INS Vermont Service Center or an immigration court.

ACL 00-07 provides more detailed information on serving battered noncitizen clients.

Handout Sources:

ACL 00-07.

*I-360 petitions are based on the status of a widow or widower or a U.S. citizen or a self-petitioning spouse or child of an abusive citizen or legal permanent resident. I-130 petitions are based on the following relationships: husbands or wives of U.S. citizens or legal permanent residents; unmarried children under 21 years old of U.S. citizens or legal permanent resident; or unmarried sons or daughters age 21 or older of legal permanent residents.

Deeming and sponsored noncitizens who are domestic abuse victims

- Normal eligibility criteria apply
- For one year, sponsor income and resources are excluded from eligibility determination
- Exemption of sponsor income and resources may extend beyond one year if;

Abuse has been recognized by an order of a judge or administrative law judge

OR

INS has made a prior determination that abuse did occur

AND

CalWORKs eligibility criteria continue to be met

Serving battered noncitizens

- Refer battered noncitizens to local legal resources for possible assistance with petitioning the INS as a battered noncitizen
- Provide full range of county services and resources for domestic abuse victims.
- Maintain confidentiality

Trainer Overheads

Common characteristics of victims of intimate crimes

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- 2. They are predominantly women.**
- 3. They under-report crimes.**
- 4. They lack responsiveness from law enforcement or prosecutors based on a perceived lack of credibility on the part of the victim.**
- 5. They experience repeated victimization.**
- 6. They lack effective, appropriate services.**
- 7. They are physically or socially isolated.**
- 8. The judicial process is centered on the rights and the needs of the offender, not the victim.**

Vulnerability to domestic abuse – the disabled

Higher risk of victimization than individuals without disabilities

Greater risk of being revictimized, often by a caregiver

May not be in a position to report the crime without fear of retaliation from the caregiver

May not have resources or physical stamina to cope with the delays and hurdles that typically occur in the criminal justice system.

Underemployed

Less educated

Lower income

More socially isolated.

Other forms of abuse experienced by disabled clients

Denial of medication

Withholding attendant services

Denying access to assistive devices

Alternative approach – presentation

If time or local resources make a panel presentation impractical, consider the following possibilities for a presentation about community resources.

Involve a CalWORKs domestic abuse specialist or social worker with expertise in domestic abuse in the presentation

Offer an in-depth presentation based on the agency's domestic abuse resource list. Address as many referral and services issues as possible. (See item 3 in the panel presentation guidelines for examples of questions to answer.)

Contact service providers for printed information to distribute to training participants.