

The *Safe and Together* Model and Cross System Collaboration

The *Safe and Together* model is a field tested approach to helping child welfare and its partners in making good decisions for children impacted by domestic violence perpetrators. The model is designed to 1) improved competencies such as risk and safety assessment, case decision making, interviewing, and documentation, and also to 2) improve cross systems collaboration. The *Safe and Together* model can be useful to a variety of disciplines and systems including child welfare, community based mental health organizations, domestic violence agencies, the courts and law enforcement. While child welfare agencies are central to the safety and well being of children, any professional working with children and families impacted by domestic violence perpetrators can benefit from training and technical assistance based the principles and critical components of the *Safe and Together* model. In fact, when professionals across systems are trained in the *Safe and Together* model they gain a common framework for discussing concerns, challenges and solutions for families.

Assumptions, Principles and Critical Components

Developed initially for child welfare, the assumptions, principles and critical components of field tested model are valuable for professionals in multiple disciplines. The following are some of the assumptions undergirding the *Safe and Together* model:

- Safety, permanency and well-being of children are impossible to achieve without the competent and skillful response to domestic violence by the professionals and systems involved with families.
- The interests of domestic violence survivors, child welfare and other systems are in significant alignment: reducing or eliminating the safety and risk concerns posed by domestic violence perpetrators.
- Child welfare and other systems need to develop their capacities and competencies to intervene more effectively with domestic violence perpetrators, particularly as it relates to the safety and well being of children.

To improve practice and create better outcomes for children and families exposed to domestic violence perpetrator's behavior, the following principles can help guide practice:

- From the perspective of safety, healing from trauma, and stability, it is in the best of interest of children to remain *Safe and Together* with the non-offending domestic violence survivor.

- A partnership with the non-offending domestic violence survivor is the most effective and efficient way to promote the safety, permanency and well being of children in a family impacted by a domestic violence perpetrator.
- A partnership with a non-offending domestic violence survivor needs to be based on a comprehensive assessment of her active efforts to promote the safety and well being of the children.
- Systems can improve outcomes for children and families by increasing their capacity to intervene with domestic violence perpetrators, particularly as it relates to the safety and well being of children.

Implementation of these principles in cross system collaboration and case practice is supported by a focus on identifying the following critical elements of a case:

- The domestic violence perpetrator's pattern of coercive control.
- Specific behaviors the perpetrator has engaged in to harm the children.
- Full spectrum of the survivor's efforts to promote the safety and well being of the children.
- Adverse impact of the perpetrator's behavior on the children.
- Other factors including substance abuse, mental health, cultural and other socio-economic factors that may impact the domestic violence.

Implications of the Safe and Together Model for Criminal Courts, Law Enforcement, Probation & Parole

Professionals within the criminal justice system, including judges, prosecutors, defense attorneys, probation/parole and law enforcement officers may benefit from reviewing domestic violence cases within the framework of the ***Safe and Together*** model. For example, a more intensive focus on assessing how perpetrators harm children can assist criminal justice professionals in understanding a) the risk domestic violence perpetrators pose to their families' safety, b) the means by which they may pressure a victim to recant and c) the sentences and services that can be more appropriately ordered. The ***Safe and Together*** model can also help guide the development of conditions of probation, shape batterer intervention programming to address the impact on children and parenting, and improve the response of child advocacy teams to child sexual and physical abuse. The ***Safe and Together*** model's focus on understanding of perpetrator's pattern of coercive control and actions to harm children can help law enforcement document the impact of Violations of Restraining Orders and other court orders on the safety and well being of children.

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Implications of the Safe and Together Model for Dependency and Family Courts

Judges, attorneys, Guardians ad Litem, court evaluators and others within the family and dependency court system can benefit from utilization of the ***Safe and Together*** model in a) assessing the risk

domestic violence perpetrators pose to children prior to making case decisions, b) making sure that appropriate information is available to court ordered evaluators c) the development of neglect petitions that maintains a focus on the danger posed by the perpetrator and the protective capacity of the domestic violence survivor, and d) determining the needs of the children. Decisions on the best interest of children need to be based on accurate, specific information about the domestic violence perpetrator's pattern of behavior and its impact on children beyond simply whether the children saw the violence or not. For example, information about how the perpetrator may be using the children as a weapon against the other parent or interfering with their children's basic needs or relationship with the other parent is critical to any assessment of the children's best interests. Similarly, decisions regarding the best interests of children require information about the domestic violence survivor's full spectrum of efforts to promote the safety and well being of the children in the family. The ***Safe and Together*** framework uses a behavioral lens which helps guide assessment and decision making. With its focus on patterns of coercive control, actions that perpetrators take to harm children and the protective behavior patterns of domestic violence survivors, the Safe and Together can provide an "evidence based" focus for assessments and decision making.

Helping Workers with Thinking Errors in Domestic Violence Cases

Thinking Errors	Examples of indicators of thinking errors (or what workers might say to you)	Examples of supervisor's responses to thinking errors (or what you can say to worker)
<p>Assuming that indicators of domestic violence will only be physical violence or signs of physical violence</p>	<p>“I checked the criminal history and there are no reports of domestic violence.”</p> <p>“I screened for domestic violence. She said there he had never been violent with her.”</p>	<ul style="list-style-type: none"> ● <i>“What do we know/what did you learn in your interviews about a pattern of coercive control?”</i> ● <i>“How did she respond to your questions about emotional abuse, control over finances?”</i> ● <i>“What do learn about her ability to see friends, work, go to school, have contact with her family?”</i> ● <i>“What did she say about how he supports her parenting?”</i> ● <i>“What does he do to show his respect for her?”</i>
<p>Focusing only on an incident versus the history or pattern of coercive control.</p>	<p>“She said this had never happened before.”</p> <p>“I met with the children afterwards and they didn't have any marks and seem to be fine.”</p>	<ul style="list-style-type: none"> ● <i>“What is he saying to children about why he was arrested/out of the house?”</i> ● <i>“Tell me about his history of respecting courts orders/her wishes.”</i> ● <i>“What do you think his role is in being back in the house?”</i> ● <i>“Do you have a sense of how he would respond/how he has responded in the past if she tried to keep him out or set boundaries?”</i> ● <i>“What does she say about other violent relationships?”</i>

<p>Assuming that if the survivor is still with the perpetrator she either is choosing the perpetrator over the children, or doesn't understand the domestic violence.</p>	<p>“She let him back into the home.”</p> <p>“I took her to the court but she told them DCF wanted her to get the restraining order so she didn't get it.”</p> <p>“She's picking him over the children.”</p> <p>“You know she has a history of domestic violence relationships. I don't think she gets it.”</p>	<ul style="list-style-type: none"> ● <i>What were her efforts in those earlier relationships to keep herself safe?”</i> ● <i>Have you spoken to her about what he would do if she didn't let him back?</i> ● <i>What do we know about the kind of pressure he is exerting over her?</i> ● <i>Why do you think it's better for her and the children for him not to be back in the home?</i>
<p>Assuming that because the domestic violence perpetrator is no longer in the home that he no longer is influencing the family.</p>	<p>“The court ordered him out of the house.”</p> <p>“Mom can't seem to control the children.”</p> <p>“What's wrong with her? He's in jail and she went to see him.”</p>	<ul style="list-style-type: none"> ● <i>“What contact is he having with the children?”</i> ● <i>“What do we know about what he's done to undermine her parenting/ her authority with the children?”</i> ● <i>“Do you think the children/mother are still worried about him coming back?”</i> ● <i>“What worries does she have about his response to the divorce/ separation?”</i> ● <i>“How is he talking to the children during the visits about the divorce/separation/arrest?”</i>
<p>Thinking that if the children weren't physically present at the time of an incident that was physically violent this is automatically no impact on the children.</p>	<p>“The children didn't see anything.”</p> <p>“The children were asleep and anyway they are too young to be really negatively impacted by what happened.”</p>	<ul style="list-style-type: none"> ● <i>“Did you ask about the mother about any disturbances in the children's mood, feeding schedule/intake, sleep, toilet training since the incident?”</i> ● <i>“What time of day did this incident happen?”</i>

		<ul style="list-style-type: none"> ● <i>Did it mess up any part of the children's routine?"</i> ● <i>"How have the children responded to their father not being in the house/seeing him arrested?"</i>
Ignoring the strengths of mothers of children in homes where there is domestic violence because they are mothers.	(Doesn't talk about anything she does to take care of the children, buffer them from the violence, and promote stability in the children's life.)	<ul style="list-style-type: none"> ● <i>"What have you learned about her strategies to calm him down/keep the kids away from him when he's upset?"</i> ● <i>"What have you learned about how she keeps the kids on track despite the violence?"</i> ● <i>"When he's being abusive, whose making sure the kids are getting to school/getting to the doctors?"</i>
Marginalizing the importance of the domestic violence perpetrator to the children and the survivor.	<p><i>"She should just leave him."</i></p> <p><i>"He's no good for those kids."</i></p>	<ul style="list-style-type: none"> ● <i>"What do the children say about their father?"</i> ● <i>"What are her hopes for the relationship?"</i> ● <i>"What have you learned about her family's response to the violence/to staying together?"</i>

Examples of Specific Instructions Supervisors can give their Workers...

About Working with Survivors:

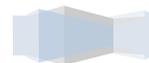
- Ask the mother about the incident/ past incidents
- Ask the mother about whether or not (he's) been controlling and to give examples
- Talk to the mother about her prior efforts to protect the children (example question: What have you tried in the past to protect yourself and the children? What has worked? What hasn't?)
- Talk to the mother about the routine she has for the children
- Ask the mother how she talks with the children about the violence they've witnessed
- Ask the mother what else she feels will be helpful to her in maintaining her and the children's safety (example question: if you had complete control over the situation, what would help you and the children stay safer?)
- Develop a collaborative relationship with your client in order to create an effective safety plan. Explain to her that you share her goal in protecting the children.
- Validate her efforts to protect/provide stability for the children in the past
- Have meeting with Mom and her DV advocate to discuss safety planning and needs
- Hold family conference with mom and her supports to discuss the safety and needs and develop appropriate plans to address these

About Working with Children who Witness Domestic Violence:

- Ask the children what they saw/heard
- Ask the children how they felt at the time and how they feel now
- Ask the children who they talk to about the violence they've seen
- Ask the children about what they think is safe and what they do to stay safe when (the batterer) is violent
- Remind the children it is not their fault
- Remind the children that you're there to help them stay safe and to work with their (mother) to make sure they stay safe
- Talk to the children about something positive in their family

About Working with Batterers:

- Ask him about what happened (in the arrest/recent referral/criminal record) (example question: Can you tell me what you did that led to your arrest?)
- Help (father) to refocus on his behaviors during conversations (example comment: I appreciate your wanting to talk about ... however, I need to ask you to focus on why DCF is involved and what we're doing to ensure the safety of your children)
- Ask him what he's learned in his program/therapy
- Ask him what steps he is willing to take to ensure the safety of the children
- Ask him to sign a service agreement/safety plan addressing his specific behaviors



- Help (him) and his providers focus on the needs of children and how his behaviors harm the children
- Follow up with (his) providers to ensure his compliance, his participation and his progress
- Hold a family conference with (dad) and his supports to address his behaviors and the need to change those behaviors to develop a plan in which his supports can assist him in change and in holding him accountable.

About Working with Providers:

- Inform the provider about the batterer's pattern of coercive control (specific behaviors) and the risk he poses to the children
- Inform the provider of the children's needs and how, if at all, those have been impacted by the batterer's behaviors
- Inform the provider of your own observations in the home (of the children, the perpetrator or the survivor)
- Make sure you understand from the provider their treatment goals and any barriers they foresee to accomplishing those goals
- Call the victim advocate/DV program and ask what the program entails and covers

About Working with Law Enforcement/Criminal Court:

- Obtain a police report from the incident
- Obtain a record of 911 calls to the families' address
- Talk to the (officer/detective) who handled the case to get their input
- Follow up with the police department regarding the status of the warrant
- Talk to Family Relations and request that the children are named on the protective order
- Draft a letter to the State's Attorney's Office explaining DCF's concerns about the children's safety should he (be released/not have a protective order/not do a DV program)
- Draft a letter to the State's Attorney's Office requesting that (he) be mandated to attend a batterer intervention program
- Team case at (MDT/MIT)



Examples of Domestic Violence Survivors' Safety Planning and Strengths

Children who have witnessed domestic violence need:



Survivors may try to meet those needs in various ways, including:

Safety:

- Placate the perpetrator
 - Send the children to their room/neighbor/family member
 - Call perpetrator's supports (parent, friend, employer, etc)
 - Have code words with children
 - Have codes or signals with neighbors
 - Tell friends or family when in need of help
 - Stay out of the home at times
 - Try to reduce "triggers" or try to meet perpetrator's needs or wants
 - Call police
 - File order of protection
 - Escape relationship (current or past)
- Try to encourage children to have access to extracurricular activities
 - Try to encourage children to have meaningful friendships
 - Try to encourage children's bond with other family members
 - Maintain supportive relationships for self

To talk about what happened:

Stability:

- Ask the children how they're feeling
 - Reminding children that she's trying to keep them safe
 - Telling the children it's not their fault
 - Allow children to be angry, sad, or any other feelings about perpetrator
 - Encouraging children to find other ways to share their feelings (through play or art)
 - Encourage children to talk to friends or family
 - Set child up for therapy or counseling
- Maintain children's routine (school, meal times, homework, bedtimes)
 - Maintain consistent rules and discipline
 - Maintain stable housing and school

10 item checklist about the intersection of domestic violence, substance abuse and mental health issues

1. What is the relationship between domestic violence, substance abuse, mental health issues?
2. How have the batterer's behavior created or exacerbated mental health/behavioral health and/or substance abuse issues for the adult survivor and/or child?
3. What is the relationship between the batterer's abusive behavior and any of his mental health and/or substance abuse issues?
4. How is the batterer interfering with/supporting the treatment and recovery of family members?
5. How are family members more vulnerable to the batterer because of their mental health and/or substance abuse issues?
6. How is child welfare assessing for domestic violence when the presenting issue is adult or child behavioral/mental health/ substance abuse?
7. What are important case plans steps when domestic violence is co-occurring with substance abuse and/or mental health issues?
8. What are skill level/policy/practices of substance abuse and mental service providers regarding assessing for domestic violence, safety planning and the integration of co-occurring issues into their treatment plan?
9. What information do mental health and substance treatment providers have access to regarding the domestic violence?
10. What is the training and skill level of mental health or substance abuse evaluators/assessors regarding domestic violence in general and more specifically regarding the co-occurrence of domestic violence with substance abuse and/or mental health issues?

Safe and Together™ model

Case Planning with Batterers in Child Welfare Cases

The following are items that could be part of case or safety plan with a domestic violence perpetrator involved with child welfare. This list is suggestive but not exhaustive. Other items, not included here, might also be useful for promoting the safety and well being of the children and family.

Each item below is accompanied by a brief description of the item's purpose and a suggestion for evaluating achievement of the item. Please note the overall emphasis of the items is on behavior change, not simply on the completion of a program.

The effective development of a case plan starts with a thorough assessment of the perpetrator's pattern of coercive control and actions taken to harm the children. This baseline helps determine the focus of behavior change expectations and provides the best chance for determining real behavior change.

Any interventions with perpetrators ideally occur in conjunction with partnership with the domestic violence survivor around safety and well being.

1. No further physical violence towards any member of the household (includes pets).

Purpose: To set clear boundaries around future violence. To end physical harm and fear of further violence for all members of the household.

Success: No reported violence by any member of household, extended family members or other witnesses, and no observed indication of violence, i.e. bruises. No new arrests.

2. No further intimidating behavior towards any member of household. This includes verbal threats, defined or undefined, destruction of property, throwing objects, punching walls, etc.

Purpose: To end climate of fear and increase the feeling of safety in the household.

Success: No reported intimidating or threatening behavior. No reported or observed damage to household, especially holes in wall, etc. Worker will look for missing or broken objects in household. Household members will be interviewed for presence of threats or intimidating behavior.

3. All weapons will be removed from the premises including guns, bows and arrows, shotguns, hunting rifles. The weapons will need to be sold or given to law enforcement for safekeeping.

Purpose: To reduce likelihood that identified weapons will be used to assault or intimidate members of the household.

Success: Batterer will produce bill of sale or receipt from police.

4. Seek out an evaluation and comply with recommendations of domestic violence counseling to address issues of coercive control and abuse. Anger management, family, couples' or regular individual counseling will not be accepted as treatment in domestic violence cases. The treatment will have as its goals:

- a. The cessation of violent, abusive and controlling behaviors towards the adult partner.**
- b. The cessation of violent and abusive behaviors toward any children in the home.**
- c. Education about the effects of violence, abuse and controlling behaviors on family members.**
- d. The development and implementation of behavior change plan to prevent further abuse and violence.**
- e. Collateral contact with the adult victim and the referring agencies for exchange of information about the purpose and limitations of the counseling; the batterer's pattern of abuse and violence and other relevant information about the batterer.**

Purpose: To engage batterer in appropriate counseling with the goal of ending coercive control and physical violence over family. To obtain a professional evaluation of a client's motivation to change abusive behavior, and his understanding of the impact of his abusive behaviors.

Success: Completion of required evaluation and (when recommended) counseling sessions. Reports from victim and children that abusive behavior has ended. Victim reports of greater safety and freedom. Commonly recommended lengths of counseling range from six months to one year. Actual length of counseling determined on an individual basis.

5. Will not use physical discipline with children.

Purpose: To create clear boundaries around discipline in order to prevent child abuse.

Success: No bruises or other indications of physical discipline. No reports from anyone in the family of further physical discipline.

6. Will be able to acknowledge a majority of past abusive and violent behavior towards partner and children, which will include:

- a. **Detailing the abusive nature of specific actions, physical and non-physical**
- b. **Display an understanding of the impact of these behaviors on his partner, children and himself**
- c. **Display an ability to discuss his own abusive actions without blaming others or outside circumstances for his behavior**
- d. **Be able to demonstrate non-abusive, non-violent behavior when in prior similar circumstances he would have become violent or abusive.**

Purpose: The batterer will be able to demonstrate to others, including DCF workers and family members, non-abusive behavior and a sense of responsibility for his own abusive behavior.

Success: Can do the above things.

7. When necessary, the batterer will seek and follow recommendations of substance abuse evaluation/actively engage in a program of recovery.

Purpose: While substance abuse does not cause domestic violence, it co-occurs with domestic violence in many batterers. Substance abuse, when suspected, must be addressed through a separate evaluation and counseling process from the domestic violence. Active substance abuse may increase the batterer's dangerousness and/or inhibit his ability to benefit from domestic violence counseling.

Success: The batterer will complete recommended evaluation. When there is an identified substance abuse problem, the batterer remains clean and sober. The substance abuse evaluator indicates no need for substance abuse treatment.

8. When necessary, the batterer seek and follow recommendations for mental evaluation/will stay involved with any mental health counseling, and follow doctor's recommendations, including taking prescribed medications.

Purpose: While mental health issues (e.g. depression, PTSD) do not cause domestic violence, they can co-occur with domestic violence in batterers. Untreated mental issues may increase the dangerousness of the batterer and/or hinder his ability to engage in domestic violence counseling.

Success: The batterer will complete recommended evaluation. When recommended, the batterer will maintain recommended mental health treatment regimen, e.g. counseling sessions, medications.

9. The batterer will not deny partner access to phone, vehicle or other forms of communication and transportation.

Purpose: The batterer cannot isolate the adult victim/children from access to friends, family, and employment by controlling communication and transportation.

Success: The victim/children report access to existing communication and transportation resources. Social worker observes access to existing communication and transportation resources.

10. The batterer will share with partner all relevant information to income and family financial circumstances. When access has been limited, the perpetrator will be expected to address this issue.

Purpose: This expectation is intended to reduce the batterer's financial control over his partner and the family.

Success: The batterer provides the victim with pay stubs and information on bank accounts and other assets. Provides access to joint financial resources.

11. The client will disclose to partner all information relevant to child abuse and domestic violence, including prior arrests, open cases with other children with DCF, probation.

Purpose: In order to maintain control or avoid negative consequences, batterers will often lie or withhold information from his partner. By requiring him to share information about his prior criminal history, current criminal justice involvement, domestic violence and/or child abuse history the batterer will provide the partner with information relevant for her risk analysis and safety planning and demonstrate a willingness to be more honest and less manipulative about past behavior.

Success: The partner reports that the batterer has shared with her all known information about his prior criminal history, current criminal justice involvement, domestic violence and/or child abuse history.

12. If the couple is separated, there is a no contact order or there has been a pattern of isolation or stalking, no unwanted or unexpected visits to partner's home or office (can include her family or other identified relatives).

Purpose: Batterers regularly attempt to pressure or coerce a partner who has left to return to him. This behavior can be very threatening and lead to physical violence.

Success: No reports of threatening or harassing behaviors.

13. Respect all existing court orders, including protective, restraining, custody and visitation and child support orders.

Purpose: Batterers often defy court orders. Including "respect all existing court orders" in child protection expectations underscores the importance of those orders to the safety and well-being of the children and emphasizes the need for the client to comply with other court orders as a condition of complying with child welfare

and/or juvenile/family court.

Success: All reports (partner, other courts) indicate that the batterer is complying with all existing court orders.

14. In lieu of formal child support order, the batterer will maintain financial support for his children regardless of whether he resides with them or not.

Purpose: To reduce the batterer's ability to control or coerce his partner through financial pressure. To articulate the expectation that the batterer will provide for the basic needs of his children regardless of the status of his relationship with their mother.

Success: The social worker verifies that the batterer is maintaining his financial support of his children.

15. The batterer will support all reasonable efforts to provide his child(ren) with appropriate services including childcare, healthcare (e.g. well-baby visits). The batterer will not interfere with the other parent's efforts to seek out services for themselves and the children.

Purpose: To articulate the expectation that the batterer will provide support for the physical and emotional needs of his children regardless of the status of his relationship with their mother. To prevent isolation of mother and children from necessary services.

Success: The partner/children report access to services.

Working with batterers: A basic documentation schema¹

Part I: The pattern of coercive control and how the batterer is harming the children

“A” has engaged in a pattern of coercive control that has included physical violence, threats, destruction of property, sabotaging “B’s” outside relationships, using children as weapon against “B”, and undermining his partner’s efforts to parent their children.

Part II: Specifics of behavior

“A” on three separate occasions physically assaulted “B.” In each of these incidents, he pushed her to the ground, kicking her in the face, chest and stomach. “B” was pregnant during one of these incidents. She has received numerous bruises as a result of these assaults. On other occasions he has ripped phones out of the wall and punched a hole in the wall. He has threatened to deny support for his children if “A” left and has, as reported by the children, to take them “someplace where they can be away from their mother forever.” “A” told the children that “B” is stupid, doesn’t know anything and they will “only learn how to be dumb fools if they pay attention to her.” Family members report that “A” has harassed them, yelling and screaming at them when they try to call or visit. The maternal grandparents have stopped coming to the home to watch the children as a result.

Part III: Adverse impact on the children

As a result of “A’s” behavior, the children are afraid to leave mother alone at home during the day. The oldest child (12 years old) has missed twenty days of school this year due to her desire to protect her mother. The youngest boy (6 years old) doesn’t listen to his mother, acts out and repeats words and phrases taught to him by the father (calling mother “stupid,” “an ass”, and “a dumb whore.”) The children have had to change schools twice in the past year because “A’s” violence has led them to be evicted from different apartments. These school changes have led to the oldest child falling behind in her studies and a loss of supportive teachers and specialized programming for the youngest child. “A’s” behavior has isolated the children from extended family and disrupted family functioning. The youngest child is have trouble in school with aggressive behavior and will only listen to his father in the home. When “B” brings him to counseling, the boy yells “that his father says he doesn’t need to go to counseling, and that he’s not crazy.” The child has resisted his appointments and no longer wishes to attend his counseling sessions as a result of father’s influence over him.” The family has gone weeks at a time without a working phone after “A” has ripped the phone out of the wall. He only returns the phone once “B” and the children apologize to him for all the things they have done wrong in his eyes. The lack of phone creates a concern for the ability of the family to call emergency services or medical providers if there are problems.

¹ Full documentation of domestic violence dynamics would include additional elements such as more information about the batterer’s parenting, the full spectrum of the non-offending parents efforts to provide for the safety and well-being of the children and relevant other information about finances, culture, substance abuse and mental health issues.

Excerpt from:

IN RE JAIME S.*

(AC 30956)

Lavine, Beach and Robinson, Js.

Argued January 5—officially released April 27, 2010

(Appeal from Superior Court, judicial district of

Middlesex, Child Protection Session, Bear, J.)

David J. Reich, for the appellant (respondent).

Howard I. Gemeiner, for the appellee (petitioner).

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“Williams also spoke with Bridget Reilly, domestic violence consultant, who had reviewed the parties’ LINK history.⁵ In the case consultation, Reilly stated that “[d]ue to [the father’s] threatening, emotional and psychological abuse, [the mother] has changed her name and [the child’s] name for safety purposes at the recommendation of her former attorney.” Reilly identified the following pattern of the father’s coercive control and behaviors that created harm for the child and family: threatening to kill the mother and child, threatening to kill himself, threatening to physically harm the mother and child, threatening that his “boys” will harm the mother and child, threatening to take the child from the mother, causing the mother to lose her job due to his threatening and erratic behaviors and threats to the mother and her co-workers, isolating the mother from family and friends by threatening to harm them and having his friends threaten them, causing the mother to purchase another car because she was warned that there was a tracking device in the one that she owned, repeatedly lying to the mother and driving fast and erratically when the mother and child were in the car to frighten them. The father’s verbal abuse included name-calling and put-downs.

The father stalked the mother by following her in his car and following her and the child after they had moved several times. The mother left New York to get away from the father. Due to the father’s threatening behaviors, the mother will not go to New York state, which prevents her from going to medical specialists and compromises her career because she cannot take assignments in New York. Due to the father’s behaviors, the mother constantly is on the lookout for him and his friends, which causes her stress and anxiety. Reilly found that the mother made the following efforts to support and to provide for the safety and well-being of the child. She safely planned for herself and the child by leaving the father, seeking orders of protection in the state of New York, applying for and receiving a long-standing restraining order in this state, changing her name and the child’s name and moving several times. The mother is the primary caretaker for the child. She has sought therapy for herself and the child and is appropriately attentive and supportive of the child’s healing process. The mother has sought to maintain a sense of normalcy and stability for the child, despite the father’s behaviors, by promoting extracurricular activities for the child such as camp, sports and music. The mother has a history of employment and has supported herself and the child without any financial support from the father. Despite the father’s attempts to isolate the mother, the mother has maintained a support system. Reilly also identified the adverse impact of the father’s behavior on the child. The father has not visited his son for years and has not provided any financial support. When the father was granted supervised visitation, he often missed visits or showed up late. Visitation was stopped because the father behaved inappropriately with the child during visits, including dropping the child on one occasion. The child was upset that the father did not apologize for having dropped him and thought that his father had dropped him on purpose. When the father telephoned his son, the child imitated a dog, barking, growling, running and hiding to avoid talking to his father. When the mother was driving the child to visit his father, the child would take off his seat belt to get his mother to stop the car. The child wants to change his name because he does not want to be like his father and tells his friends that he does not have a father. The child constantly is on the lookout to make sure his father is not around. Due to stress, the child suffers from stomach pains and loss of appetite. The child believes that he must take karate lessons so he can fight his father if the father tries to hurt him and the mother.

Reilly identified the following other facts that affect the mother’s and child’s risks and vulnerability. The father has a history of using crack cocaine, mental health problems and criminal behavior. The father has access to firearms and was arrested in January, 2007, while in possession of a firearm. At the time Reilly was completing her report, the father was incarcerated. Reilly concluded “from the LINK search and additional information provided by . . . Williams that [the father] continues to pose a significant risk to [the mother] and [child] and a termination of his parental rights is in the best interest of [the child’s] physical and emotional well-being.””

STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES
ADMINISTRATIVE HEARINGS UNIT
505 HUDSON STREET
HARTFORD, CT 06106

Final Decision

Substantiation Hearing

RE: Mark G.
LINK # 252778

HEARING DATE: July 7, 2009

HEARING OFFICER: Attorney Robin D. O'Shea

PARTIES: Mark G., Appellant
Elisangela Silva, Investigator

REPRESENTATIVES: Megan Hannan, Paralegal Specialist 2

DATE OF DECISION: July 23, 2009

I. Introduction

A Substantiation Hearing was held in the Bridgeport Area Office of the Department of Children and Families at the Appellant's request, on July 7, 2009. At issue in the hearing was the Department's decision to substantiate the Appellant for emotional neglect of his daughter, Jasmine. The Department did not recommend that the Appellant's name appear on the Central Registry of Persons Responsible for Child Abuse and Neglect. **HELD: The Department's decision is supported by the record, and is UPHELD.**

II. Documents Entered onto the Record

Exhibit #1 Notification of Investigation Review Results, dated April 22, 2009.
Exhibit #2 Request for Substantiation Hearing, Received on June 9, 2009.
Exhibit #3 Notice of Substantiation Hearing, dated June 11, 2009.
Exhibit #4 CPS Report Protocol, dated November 16, 2008.
Exhibit #5 DCF Investigation Protocol, dated November 17, 2008.
Exhibit #6 Two Color Photographs of Reba G.

III. Findings of Fact and Conclusions of Law

1. The Appellant and his wife are the parents of two children, Myles, date of birth June 22, 1994; and Jasmine, date of birth November 10, 1998. The couple has been married for sixteen years, and together for nineteen years. They have no prior history with the Department.
2. The Appellant and his wife have had marital difficulties, and agreed to certain boundaries within their marriage. They have discussed and considered separation in the past.
3. The family attended church on November 16, 2008. After the service, they began talking to family friends. The Appellant's wife reached over and pulled one of the male friend's braids out of his coat.

Mark G. Substantiation Hearing Decision

July 23, 2009

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The Appellant believed that this action violated the boundaries he and his wife had erected to preserve their marriage.

4. The family left church, and went out for breakfast. The Appellant and his wife then dropped the children off at home, and left in his vehicle to go car shopping. Prior to car shopping, they parked the car in the rear parking lot of the Department of Motor Vehicles, to discuss the wife's conduct earlier that day.
5. While in the parking lot, the Appellant physically beat his wife. She sustained bruising and significant swelling to both eyes, scratches to her forehead and the bridge of her nose, as well as a bloody lip. As they were driving home, the wife jumped out of the car at a traffic light, and ran to a police car that was behind them.
6. The Appellant was arrested for First Degree Assault, Threatening, Unlawful Restraint, Reckless Endangerment and Attempted Manslaughter. A full no-contact protective order was issued on behalf of the wife and two children.
7. The Appellant's wife left the marital home with her children, and went to stay with relatives.
8. On the day after the incident, Jasmine became upset at school. She had difficulty concentrating, and began to cry. She explained to her teacher what had happened between her parents. The teacher contacted the mother, who agreed that Jasmine should come home early from school.
9. Both children were initially very angry with their father and did not want to see him. They had experienced a close relationship with him prior to this incident, and eventually did pursue contact with him. The protective order was modified accordingly.
10. Both children denied any physical discipline or inappropriate parenting by either parent.
11. The Appellant is very involved with his children's extra-curricular activities, and has always provided well for them.
12. The Appellant denied any history of past domestic violence with his wife, and provided an alternative version of the events in this incident. His testimony was not credible.

IV. Applicable Law/Regulation and Policy

Substantiation and Central Registry Hearings conducted by the Department of Children and Families are held in accordance with state statutes (Conn. Gen. Stat. §§17a-101k, 46b-120 and 53a-18), state regulations (Regulations of Connecticut State Agencies §17a-101k-(1-16)), and Department Policy (22-12-1 through 22-12-8, 34-2-7 and 34-2-8). Copies of the relevant sections of these documents are attached to this decision as Appendix A.

V. Decision

The Department substantiated the Appellant for emotional neglect of his daughter, Jasmine, after the child became distraught at school over her parents' recent physical confrontation. In order to uphold the finding, the Department must establish that the Appellant is a person responsible for the child's care; that the Appellant denied proper care and attention to the child's affective needs, and that this conduct had an adverse impact on the child or seriously interfered with the child's positive emotional development. DCF Policy 34-2-7. The Department has met its burden in this case.

Mark G. Substantiation Hearing Decision

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The Appellant is Jasmine's father, and is therefore, a person responsible for her care. He also engaged in conduct that he knew, or should have known, might have a serious risk of adverse emotional impact on his children. Ultimately, it has been established that Jasmine was adversely impacted. She initially did not want to see her father, with whom she had previously experienced a close relationship, and she broke down in school, unable to complete the school day due to her distress.

This case is unusual, in that the child victim did not actually witness the domestic violence. However, she did see the results of that violence on her mother's face. Those injuries were significant and substantial. The child, along with her mother and brother, were also forced to flee their home and live with relatives for a period of time. All of these factors support the Department's contention that the Appellant's conduct adversely impacted the child's well-being. For these reasons, the Department's decision to substantiate the Appellant for emotional neglect of his daughter is supported by the record.

VI. Right to Appeal

The right to appeal the final decision in this matter is governed by Connecticut General Statutes, section 4-183.

Robin D. O'Shea
Staff Attorney 3

Copy:

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Megan Hannan, Paralegal Specialist 2

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