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Domestic violence in one state's child protective caseload: A study of differential case dispositions and outcomes

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Abstract

Despite growing attention to the issue of children's exposure to adult domestic violence (DV) there is little systematic information available on the level of DV in the child protective caseload or on the pathways of such cases through these systems. This paper reports an examination of one state's child maltreatment reports during a 1-year period. A random sample of 2000 of cases is used to project the state's experience with cases in which DV was indicated—from initial report to case disposition—shedding a more accurate light on the child protection response. Pathways and outcomes for DV indicated cases in comparison to those in which no DV was indicated are then presented. Finally, factors that predict re-referral and placement out of home within 1 year of the target referral are compared for DV and non-DV indicated cases.

The results of this study reveal that DV was indicated as present in one in five cases referred to child protective services, but in 38% of cases accepted for any level of investigation, and fully 47% of those assigned a moderate to high risk and a high level of investigation. Over half of the DV indicated cases (56%) that were assessed as a moderate to high risk at intake and fully investigated had their cases opened for services, and of these more than four out of five (81%) had at least one child removed from parental custody. Among moderate to high risk cases, those with an indication of DV were significantly more likely to have their cases opened for services and to have at least one child in the family placed in out-of-home care. The factors predicting re-referral to child protective services or placement in out-of-home care within a year after referral differed greatly for cases in

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which there was or was not an indication of DV. Implications of the results for child welfare practice are discussed.

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1. Introduction

Increased attention is being devoted to the level of adult-to-adult domestic violence present among the families being investigated or served by child protection agencies. An increasing number of research studies reveal (1) that almost half of the families in which child maltreatment occurs also show evidence of domestic violence (Appel & Holden, 1998; Edleson, 1999a; McGuigan & Pratt, 2001; O'Leary, Slep, & O'Leary, 2000) and (2) that children exposed to such violence may experience subsequent negative developmental outcomes (Edleson, 1999b; Fantuzzo & Mohr, 1999; Margolin, 1998; Onyskiw, 2003; Rossman, 2001).

Child Protection Service (CPS) agencies have become one of the major focal points in efforts aimed at better addressing the needs of children exposed to domestic violence. In recent years a host of new laws aimed at children exposed to domestic violence have been passed by state legislatures (see Edleson, 2004; Weithorn, 2001), some of which have been aimed at expanding the intervention of CPS in these families' lives. Additionally, despite the paucity of empirical data on how CPS actually serves such families, widely distributed best practice guidelines have suggested how CPS could change to better serve these families (see NCJFCJ, 1999). Finally, the US government, private foundations and local governments have funded a growing number of demonstration sites around the country and a multi-site evaluation of some of these demonstrations (see <http://www.thegreenbook.info>). Most of these demonstrations include practice changes within CPS and between CPS, the courts and domestic violence service providers.

Studies of battered women's advocates and others have revealed that many believe battered mothers are highly likely to have their children removed from their custody when they engage with CPS. For example, in their focus group interviews Devoe and Smith (2003) found that the 43 battered women in their sample were less likely to seek help from the child welfare system out of fear of their children's removal. These same fears are voiced by a variety of others outside CPS about the fate of battered mothers and their children (see for example Beeman, Hagemester, & Edleson, 1999).

The belief that battered mothers will lose the custody of their children upon engaging the child welfare system is sometimes accurate. For example, a recent class action lawsuit against the City of New York's child protection agency found that the City had unconstitutionally removed children from the custody of their non-abusive battered mothers after substantiating mothers for "engaging in domestic violence." Mothers were substantiated for engaging in domestic violence often simply for being a victim at the hands of an adult male perpetrator (*Nicholson v. Scopetta*). This case confronts practices and policy in New York City's child protection agency. Across the

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