

Understanding and Addressing Domestic Violence in Dependency and Neglect Cases



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Training Objectives

Understand why it is important to address
domestic violence in D&N cases

Recognize and respond to domestic violence when
it is an issue in a case

Ensure appropriate treatment plans and parenting
plans that address domestic violence

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A Note about Language

Domestic Violence (DV) or:

- Intimate Partner Violence (IPV)
- Intimate Partner Abuse (IPA)
- Relationship Violence
- Domestic Terrorism
- Coercively controlling violence/abuse

Gendered Terms:

- 85% of victims of intimate partner violence in opposite gender relationships identify as female
- DV occurs at the same rate in all types of relationships, in relationships involving same gender and different gender partners, and across the gender spectrum

The Individuals in the Relationship:

The person experiencing abuse:

- Victim
- Survivor
- Victim-Parent/Survivor-Parent

The person using abusive/coercive behaviors:

- Abuser
- Perpetrator
- Offender
- Abusive Parent

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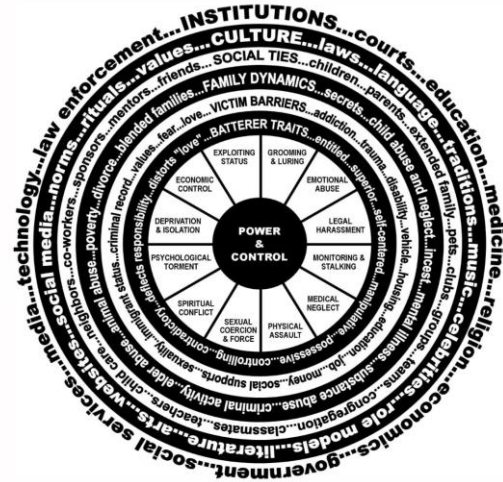
What is “Domestic Violence”

From the DR Best Interest of the Child Standard (§ 14-10-124(1.3)(a), C.R.S.)

“Domestic violence” means an act of violence or a threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship, and may include any act or threatened act against a person or against property, including an animal, *when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.*

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A pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship



What is DV: It's all about context

Impact - Increase anger/coercion/controlling behavior

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What is DV?: Lethality risk factors

Escalating Violence	Animal Abuse
Threats to Kill	Controlling Behaviors
Strangulation	Excessive Jealousy/Obsession
Abuse During Pregnancy	Abuser's Mental Status
Stalking	Avoidance of Consequences
Access to Firearms	Separation!
Child Abuse	

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DV-Related Gun Laws

Abusers subject to criminal and civil protection orders based on domestic violence or who have been sentenced for a crime involving domestic violence are subject to restrictions on the owning and possessing firearms and ammunition.

New procedures went into effect July 1, 2021 that are intended to create more accountability and better tracking of the relinquishment of firearms by abusers.

§ 13-14-105.5, C.R.S. (Civil Protection Orders)

§ 18-1-1001, C.R.S. (Criminal/Mandatory Protection Orders)

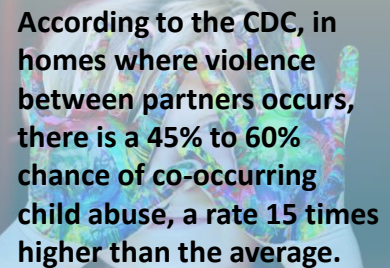
§ 18-6-801, C.R.S. (Criminal Sentencing)

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Impact on Children

Children may be impacted through:

- Directly abusing child
- Abusing another person or animal in the home
- Harmful parenting



According to the CDC, in homes where violence between partners occurs, there is a 45% to 60% chance of co-occurring child abuse, a rate 15 times higher than the average.

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Impact on Children

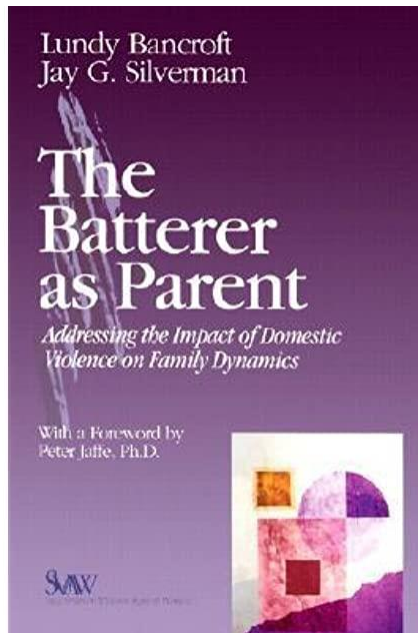


Harmful Parenting

- Authoritarian
- Irresponsible, Neglectful and/or Under Involved
- Self-centered
- Manipulative
- Undermines adult victim's parenting

*Ability to Perform Well under Observation

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Impact on Children

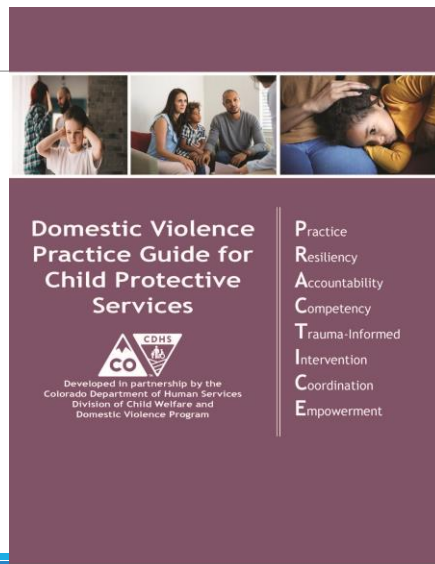
“The impact of Childhood Domestic Violence can be lifelong in terms of physical and mental health problems, such as anxiety, depression, and traumatic stress, difficulty in relationships with others, academic and employment failures, and trouble parenting.”

– **Dr. Sandra A. Graham-Bermann** Director, Child and Violence Trauma Lab Professor of Psychology and Psychiatry University of Michigan



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CDHS DV Practice Guide for CPS



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THE DOMESTIC VIOLENCE AND CHILD PROTECTION GUIDING PRINCIPLE

“WHEN THERE IS A CO-OCCURRENCE OF DOMESTIC VIOLENCE AND CHILD MALTREATMENT, THE SAFETY OF CHILDREN AND YOUTH IS ENHANCED THROUGH PROMOTING ADULT VICTIM SAFETY AND EMPOWERMENT, HOLDING THE PERPETRATOR ACCOUNTABLE, AND ENGAGING IN COMMUNITY COLLABORATION(S).”

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Children May Align with One Parent

Children may be estranged from abuser due to abuser's behavior.

- Often leads to allegations of "parental alienation" by abuser. (See Joan Meier's excellent work on the topic.)

Children may be estranged from victim due to coercion of/degradation by abuser or due to desire to be aligned with the person with power.

- Used against victim as a way to suggest bad parenting, mental health problems, or other allegations, but is a part of the DV dynamics.

Most children want a relationship with both parents, but want abusive parent to change their behavior.

Supervised visits provide safety, but are not a long term solution. Remember, these parents perform well under observation!

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Pre-Decree vs. Post-Decree: Why separation and divorce don't solve the problem

The abuser may try to keep power and control over the victim by misusing the court system against the victim.

For example: making repeated reports to DHS, filing repeated petitions or motions, requesting repeated continuances, using contempt to coerce the victim, appealing the judge's orders without a legal basis to do so, or taking other actions that make the victim repeatedly come to court or feel forced to seek the advice of counsel.

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Mediation

§ 13-22-311(1), C.R.S.:

Any court of record may, in its discretion, refer any case for mediation services or dispute resolution programs, subject to the availability of mediation services or dispute resolution programs; **except that the court shall not refer the case to mediation services or dispute resolution programs where one of the parties claims that the party has been the victim of physical or psychological abuse by the other party, at any time and regardless of prior participation, and states that the party is thereby unwilling to enter into mediation services or dispute resolution programs...**

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Our Goal: Treatment Plans and Orders that Protect Victim Parents and their Children and Hold Offenders Accountable



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Implications for Treatment and Parenting Plans

Research indicates that, even when DV is identified, cases often resolve without regard to safety, power differentials and other implications of abuse.

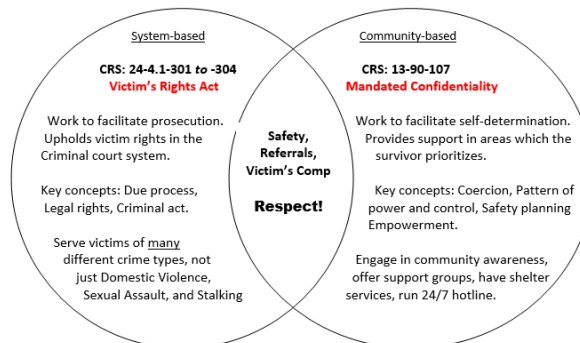
We want to consider:

- Abuse of Victim
- Interference with Victim
- Children's Experience of Abuse
- Abuser Parenting Deficits
- Abuser Co-Parenting Problems
- Risk of Harm/Lethality
- Victim's Parental Wellbeing
- Children's Safety/Wellbeing

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Using Community Based Resources

Differences Between System-Based and Community-Based Victim Advocates



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DV Offender Treatment (DVOMB)

Only alleged offenders should be required to complete an evaluation and recommended treatment. This should *never* be a part of both parents' treatment plans.

Only DVOMB approved providers should be used.

Contact Jesse Hansen at the DVOMB if you are seeking someone in your area that will accept these referrals without a criminal case pending.

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Questions?



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