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Facilitating Healing and Change: Building Victim Centered Approaches for Survivors Who are Visiting Parents

WRITTEN BY:
Beth McNamara, Jennifer Rose, & Erin Fairchild

ACKNOWLEDGMENTS

Since its inception in 2008, Inspire Action for Social Change has had the honor and privilege of learning and growing with some of the wisest thinkers in the fields of domestic violence and supervised visitation. Many visitation programs, individuals, survivors, people who use violence, and key community partners have welcomed us into their communities with generosity, open hearts, and an authentic willingness to share their greatest hopes as well as their fears. For this, we are grateful and inspired.

We are thankful to Julie Aldrich, our program manager at the Office on Violence Against Women who is both a champion for our work and a fierce advocate for the importance of supervised visitation for families experiencing domestic violence. It is with funding from the Office on Violence Against Women that the dream of creating a supervised visitation learning community came to fruition. The lessons learned and guidance offered in this paper would not have been possible without the grit, conviction, and love of the members of our learning community. It's with deep gratitude and admiration that we thank the following individuals for being a part

of this learning community, and for the tremendous work they do each and every day to promote safety and healing for the families. They include Gail Bartley, Lisa Longenbough, Tiffany Martinez, Nicole Villanueva, Sharon Rogers, Teresa Orduno, Marilyn Stinson, Honorable Nora Polk, Laura Nash Frisch, and Sheila Morris. A special thank you to Amrita Hanjrah our newest staff member and our consultant Jorge Vidal whose critical thinking, curiosity and ability to make us think, feel, and reflect were instrumental in helping the group identify our own areas for growth. This work is not meant to be done in isolation, and it is with our key partners at the National Council of Juvenile and Family Court Judges and Center for Court Innovation that we stayed focused on how, together, we can make communities a safer place for families. Last but not least, thank you to Erin Fairchild for partnering with us in the co-writing of this document and for helping us to take all of our swirling ideas and lessons learned out of our heads so we could put them so beautifully here in this paper.

**In partnership and with love,
Beth McNamara and Jennifer Rose**

INTRODUCTION AND BACKGROUND

“The incidence of batterers gaining custody of the children in custody battles is one of the most significant areas affecting family safety in the community. This affords the batterer opportunity to continue to control the victim of domestic violence and to use the children in ways that may harm them either physically or emotionally.”

– Office on Violence Against Women Supervised Visitation Grantee

Survivors of intimate partner violence losing custody of their children to abusive partners is not a new social problem. However, as the field of supervised visitation has enhanced approaches to best support families experiencing domestic violence, working with survivors who are the visiting parent has emerged as one of the leading challenges for visitation programs. Programs have reported that nearly half of their visiting parents are also parents needing protection from their abusive partners. Not only does this pose a great risk to victims, but it also poses a significant risk to children who are now left in the custody of the parent who uses violence.

Understanding why victims are losing custody and being ordered to supervised visitation is a complex

challenge that does not have an easy solution. Because of the complexity and nuance of this problem, Inspire Action for Social Change in partnership with the Office on Violence Against Women, Justice for Families Grantees and other Justice For Families TA providers launched a year-long learning community to explore this issue. This document and the accompanying “Guide to Convening Your Local Learning Community: Supplemental Tool Kit” were created to support and enhance the work of supervised visitation programs when survivors have lost custody of their children. The supplemental guide can be found on our website: <http://www.inspireactionforsocialchange.org/resources>

Enhancing How We Serve Survivors Who are Visiting Parents is Critical

The domestic violence social service system and the public safety net have expanded considerably over the past 40 years, providing critical supports intended to keep adult and child survivors free from further harm. The field of mainstream domestic violence intervention and prevention still has considerable gains to make when it comes to serving survivors of color, LGBTQ survivors, survivors with disabilities, and children and youth in general. Additionally, the response to post-separation violence in our system is lagging and not meeting the complex needs of adult and child survivors. Supervised visitation is a core post-separation service, though it has yet to be integrated into the domestic violence service system as a whole.

Supervised visitation centers are in a unique role in the social service landscape, as they work with all members of a family impacted by intimate partner violence: the person who uses violence, as well as everyone else in the family harmed by that violence, including children and youth. This holistic vantage point offers a

critical opportunity to enhance safety and well-being for survivors while working towards non-judgmental accountability for people who use violence.

When the survivor parent loses custody of their children to the person who uses violence and becomes the visiting parent, supervised visitation programs can help enhance the safety of survivors, be a witness to the many ways people who use violence shift and change controlling and coercive tactics of abuse, and respond in a way that supports safety and healing.

Domestic violence can happen in all types of relationships - in both heterosexual relationships and LGBTQ relationships. The person who uses violence can be any gender, and the survivor can be any gender. It is critical not to make invisible diverse relationships impacted by intimate partner violence because that often makes it more difficult for diverse survivors to seek support. Our systems must recognize the unique needs of marginalized survivors and improve our approaches to best meet those needs.

We also must be clear and transparent when addressing the particular issue of violence against women in heterosexual relationships. The work of supervised visitation providers must contain multiple truths at once - intimate partner violence can happen in all types of relationships, organizations must be prepared to respond effectively, and violence against women as a specific form of gendered violence is a significant problem requiring understanding and nuanced problem-solving.

In this exploration, we are working specifically towards a greater understanding of victims as survivors who lose custody of their children to the person who abused them and their children. This is a complex “trend” that supervised visitation centers are contending with, and it necessitates that they enhance their understanding and their service provision approaches.

As a learning community, here are the questions we grappled with:

- ▶ **What types of unique risks are present when the survivor parent (mom, specifically) is the visiting parent?**

- ▶ **How do the past and current power and control tactics of the parent using violence impact the relationship between the survivor parent and their children?**

- ▶ **How can supervised visitation support the development of positive parent-child relationships in this context?**

- ▶ **How is the victim’s ability to parent in this context impacted?**

- ▶ **How can we hold the person who uses violence accountable in non-judgmental ways, even when they are the custodial parent?**

- ▶ **How can we avoid colluding with fathers who use violence when they are the custodial parent?**

- ▶ **How can we understand the impact of domestic violence on the victim while also understanding how and when they may not be able to care for their children safely?**

- ▶ **How can we work with victims in this situation to support them in meeting their parenting goals?**

UNDERSTANDING WHY AND HOW VICTIMS OF DOMESTIC VIOLENCE LOSE CUSTODY OF THEIR CHILDREN TO THE PARTNER WHO ABUSED THEM

A common power and control strategy for people who use violence in intimate relationships is their appeal to institutions such as family court and other systems that may intervene in divorce, separation, and family decision making. Because victim-blaming is so pervasive in American culture, and gendered violence is often not taken seriously as the public health crisis that it is, people who use violence in relationships often position themselves within institutions and systems to wield power over victims, while the systems and institutions often collude, knowingly or unknowingly. One specific and all too common way that people

who use violence use this type of power over victims they have abused is to seek custody and parenting time in punishing ways. A 2012 report by the American Judges Association states that “batterers have been able to convince authorities that the victim is unfit or undeserving of sole custody in approximately 70% of challenged cases.”¹

In exploring how and why people who use violence in relationships often gain custody of their children while the survivor is ordered to supervised visitation, we uncovered several themes common to survivors accessing supervised visitation centers:

- ▶ **People who experienced domestic violence often have complex trauma symptoms that are normal and expected for survivors. However, these normative symptoms in ill-informed, victim-blaming institutions are commonly misinterpreted as unstable or unsafe behaviors, without any formal assessment as to whether these symptoms would present a risk to the children. It is also quite common for people who use violence to leverage their trauma symptoms as “evidence” that they are unable to parent safely, while the parent who uses violence presents as clear-headed and more organized.**

¹ Natalie Pattillo (March 29, 2018), “For Abuse Survivors, Custody Remains a Means by Which their Abusers Can Retain Control,” Pacific Standard. <<https://psmag.com/social-justice/abuse-survivors-custody-battl>>.

- ▶ Victims may have a mental health diagnosis or substance abuse issue that developed as a result of trauma but currently precludes their ability to care for their children safely. With the right support systems, they may be able to parent adequately, but it's common for victims in this situation to be written off as inadequate and unfit.
- ▶ If a survivor has mental health or substance abuse issues, these challenges often take precedence in systems and institutions such as family court and child welfare, with more scrutiny than the violence itself, which often obscures the ongoing risk of further harm from the parent who abused the survivor parent and their children. And, these systems often erroneously assume that if the couple is separated, the person who uses violence poses no further risk to the survivor parent or children.
- ▶ Many survivors describe that their abusive partner coerced them into substance abuse in the first place, and manipulated them in various ways to keep them in addiction.
- ▶ Though significant work has been done and improvements made, a lack of information and understanding about the realities of intimate partner violence persists in the institutions that police it. Domestic violence is a pattern of coercive behaviors used to maintain power and control, yet it is often treated as incident-based by intervening systems (like law enforcement and the judicial system). It is common for people who use violence to leverage this gap to gain control via custody successfully.
- ▶ Related to this same lack of understanding, institutions often mistakenly perceive domestic violence as “mutual fighting” or the result of a “high conflict relationship,” without recognizing the power differential present in heterosexual relationships when a man is abusing a woman (and subsequently a lack of understanding of how institutions tend to collude with men who use violence in relationships).

- ▶ **If a victim of intimate partner violence fights back as a form of self-defense, it's not uncommon for them to be arrested and charged with assault, which follows them into family court and custody decisions.**
- ▶ **It is common for men who use violence in relationships to have more financial resources than the woman he has harmed. It is also common for fathers in this situation to obtain custody primarily because of the financial disparities between him and the mother.**
- ▶ **Perhaps the biggest challenge for supervised visitation and other domestic violence service providers are the scenarios where the mother is both a victim of intimate partner violence and, due to a variety of complex and real challenges, is unable, at the moment, to safely parent her children. Additionally, some women who are abused by their partner also abuse their children. All of these can be true at once, and just like we strive to hold men who use violence accountable in non-judgmental ways, we must do the same for mothers in these situations.**

JUSTICE FOR FAMILIES LEARNING COMMUNITY ON VICTIMS AS VISITING PARENTS

To explore the specific issue of victims as visiting parents, Inspire Action for Social Change (Inspire Action), in partnership with the Office on Violence Against Women, convened a learning community of seven Justice for Families Grantees (JFF) from around the country to examine the complexity of these scenarios so that we could enhance our work with survivors who are visiting parents. We explored the following questions:

- 1) Why are so many victims being ordered to visit their children at visitation programs?**
- 2) When victims are ordered to visitation programs, how are programs supporting their safety or causing harm?**
- 3) What are the larger systemic issues that are creating the conditions in which victims are visiting their children at visitation programs?**

It is important to note that the process of developing a learning community was intentional and strategic. Understanding how to effectively work with domestic violence impacted families where the victim is the visiting parent is a pervasive issue that has persisted for decades with few suitable remedies. We prioritized a learning community approach to foster shared learning and expertise to uncover the barriers and challenges. The learning community process helped us develop new solutions that supervised visitation programs, and their partners can employ to improve the safety and well-being of all victims of domestic violence.

The learning community was comprised of diverse JFF grantees from across the country. The programs were chosen for their leadership and innovation in providing supervised visitation and safe exchange for diverse families experiencing domestic violence (see Attachment A for their names and affiliations).

The learning community was convened in early 2018. While Inspire Action served as the convener and organizer of the learning community, the process was designed to be collaborative, with each member contributing to the collective learning experience.

The learning community engaged in the following activities as a way to understand the challenges faced by victims, children, programs, and the larger community when victims lose custody and are ordered to visit their children in a supervised visitation setting.

- ▶ **Two-day in-person learning community convening with all the sites**
- ▶ **Monthly learning community video conference calls**
- ▶ **Program explorations**
- ▶ **Program policy review**
- ▶ **Listening sessions and one-on-one sessions with victim parents**
- ▶ **Conversations with children and youth who are visiting their parents at their supervised visitation program**
- ▶ **Casefile review**
- ▶ **1.5-day roundtable with justice system professionals**
- ▶ **Virtual listening session with civil legal attorneys**
- ▶ **Review of the data collected by the Office on Violence Against Women on a semi-annual basis from grantees as a condition of receiving Office on Violence Against Women, Safe Havens, and JFF funding**

The learning community process illuminated the building blocks needed for a visitation center and their surrounding community to best serve victims who are visiting parents. One building block to creating a visitation program that best serves visiting victim parents is the recognition that each victim parent comes to us with complex and diverse needs that require programs to listen deeply, respond with empathy, and recognize that their role is to meet victims where they are, which may be some distance from where they hope to be. The ability to support the victim parent around their safety needs while recognizing that they may not

currently be able to safely parent also emerged as a reality that programs are grappling to understand.

We have found that convening a learning community is an invaluable way to enhance supervised visitation services in many ways. We encourage you to incorporate the learning we are sharing with you here into your practice. We also believe there is a considerable benefit to conducting your own exploration. We have created a supplemental toolkit designed to support you in convening your own learning community or smaller community conversations that will help to enhance your programming and support victims who are visiting parents.

DESIGNING PROGRAMS TO BE IN ALIGNMENT WITH THE OFFICE ON VIOLENCE AGAINST WOMEN SAFE HAVENS GUIDING PRINCIPLES TO ENHANCE SUPERVISED VISITATION SERVICES FOR VICTIMS AS VISITING PARENTS

The Guiding Principles for Supervised Visitation and Safe Exchange, U.S. Department of Justice, Office on Violence Against Women² were developed as a guidepost for the development and administration of supervised visitation programs that provide services to adult victims of

domestic violence and their children. While the Guiding Principles generally support visitation program's work with families, there are many ways they specifically bolster their work with victims who are visiting parents. Here are some specific considerations for policy and practice.

² The Guiding Principles were developed by a national steering committee for the Safe Havens: Supervised Visitation and Safe Exchange Grant Program, U.S. Department of Justice, Office on Violence Against Women, 2007.

GUIDING PRINCIPLE 1

Equal Regard for the Adult and Child Victim

- ▶ Conduct regular and ongoing check-ins with victim parents.
- ▶ Provide flexible staggered arrival and departure times for victim parents who are visiting parents that account for their ability to safely arrive and depart from the visitation center without fear of stalking, harassment, or contact with the person who has caused them harm.
- ▶ Allow victim visiting parents to wait in the waiting room that feels safest to them.
- ▶ Recognize how parents who use violence may use their children to cause harm to victim parents.
- ▶ Interrupt and work to repair the relationship between victim parents and their children.
- ▶ Provide ongoing support to victim parents and children, and engage with people who use violence around their use of their children to cause harm to the other parent.

GUIDING PRINCIPLE 2

Valuing Multiculturalism and Diversity

- ▶ Recognize and respond to the multiple identities of each victim parent.
- ▶ Tailor approaches to working with families, recognizing that even if a victim parent is the visiting parent, it does not mean they are automatically a risk to their children in the same way a parent who abused their partner may be when they are the visiting parent.
- ▶ Understand how implicit bias, white supremacy, racism, xenophobia, classism, homophobia, and transphobia create additional risk for victim visiting parents, and how these experiences contribute to decision-making and well-being.

GUIDING PRINCIPLE 3

Understanding of Domestic Violence

- ▶ Develop an in-depth understanding of survivors' behaviors in the context of fear, trauma, and their efforts to make life safer for themselves and their children.

- ▶ Understand the tactics of the person who uses violence that can intentionally make the victim appear unstable, chaotic, and ill-equipped to parent.
- ▶ Recognize the impact on infants, children, and youth when their protective parent is now the visiting parent, and the parent causing harm has custody. Understand the complex situation children may be in, particularly the way a parent who abused their other parent may harm their children, use their children as messengers to gather information, and to maintain power and control over a survivor parent and children alike.

GUIDING PRINCIPLE 4

Respectful and Fair Interactions

- ▶ Build strong, non-colluding relationships with abusive custodial parents that make it more feasible for you to intervene in their use of power and control tactics that cause harm and support them to become the parent they want to be.
- ▶ The role of a visitation program is to create a balance where there is an imbalance of power and risk. For victim visiting parents, programs

may need to think creatively to support both the safety of the protective parent, and the safety of their children who may be living with the parent who has caused harm.

- ▶ Build strong relationships with the visiting/survivor parent that makes it more feasible to intervene in any of their behaviors that are unsafe for their children and support them to become the parent they want to be.

GUIDING PRINCIPLE 5

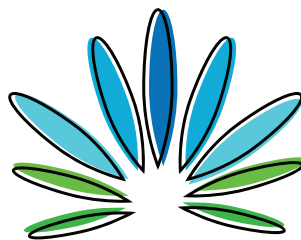
Community Collaboration

- ▶ As you enhance your approaches for visiting/survivor parents, share what you learn with community partners so they can also enhance their approaches.
- ▶ Challenge sexist and victim-blaming policies and attitudes within the system and larger community response, while also spreading awareness that intimate partner violence happens in LGBTQ relationships at the same rate as in heterosexual relationships.
- ▶ Bring the voices and lived experiences of victim parents and children to the community to help inform policy and practice changes.

GUIDING PRINCIPLE 6

Advocacy for Adult and Child Victims

- ▶ Engage in visitation planning with victims as visiting parents that accounts for the additional risk faced when people who use violence use court orders and other institutional tools to manipulate, control, and cause additional harm.
- ▶ Recognize that those victim parents who have co-occurring barriers such as substance abuse issues, mental health concerns, and other challenges that impede their parenting need to be addressed in supportive ways.
- ▶ Advocate for children who are living with the parent who caused harm to get additional support from schools, counselors, and other informal support systems including churches, coaches, teachers, etc.
- ▶ Share your expertise with community partners in addressing the co-occurring barriers of victim parents to help them understand the trauma and risk children who experience violence in their home face.



There are key strategies that support all survivors of domestic violence using supervised visitation programs, and these strategies become even more powerful when they focus on the unique needs of victims as visiting parents in supervised visitation services.

KEY STRATEGY #1

Create an environment that interrupts and intervenes in power and control and abuse tactics, minimizes risk, and works to reduce opportunities for ongoing violence, which includes not inadvertently colluding with abusive behaviors. When victims are the visiting parent, it is crucial for visitation providers to work intentionally with the parent who uses violence and has custody in a way that mitigates and interrupts ongoing violence. It is important that staff don't lose sight of the fact that they must work to minimize risk to the victim parent, which can get lost when they are the visiting parent. Programs are often more focused on why a parent is deemed the "visiting" parent which may not be related to being the victim parent who also needs protection from the custodial parent who uses violence. Programs need to pay attention to the reason why a parent is visiting AND their role in supporting the safety of that visiting parent if they are the parent needing protection.

KEY STRATEGY #2

Be flexible and open to safety strategies that will change over time. For example, adopt policies and practices that are intended to minimize risk to the parent needing protection, rather than blanket policies defined by custodial status alone.

KEY STRATEGY #3

Be informed and knowledgeable about the dynamics of domestic violence so you can identify red flags and risk. This strategy requires that programs understand how and why victims lose custody of their children, and how parents who use violence can create false narratives about their partners that others might believe.

KEY STRATEGY #4

Allow space for the complex feelings that adult survivors may have about the other parent. Adult survivors who are visiting parents may have a lot of feelings and frustrations that could be hard to hear. It is easy to take on the victim's feelings of hopelessness and despair. Offering the victim parent non-judgmental support and empathy is important.

KEY STRATEGY #5

Let each survivor's experience of domestic violence inform your tailored response and their safety/visitation plan; as they are the experts in their own lives. Programs must be able to plan for the safety of the visiting parents differently than planning with parents who have custody of their children. Recognizing that risk will change and shift over time is crucial, and being open and responsive to adapting visitation/safety plans to account for emergent needs are essential.

PROMOTING WELL-BEING FOR VICTIM VISITING PARENTS TO PROMOTE WELL-BEING FOR THEIR CHILDREN

It has been long known that the well-being of children and their parents is linked. The relationship between the victim parent and their children can be a particularly strong mechanism for healing and recovery for all of them, especially with the right support. One impactful way that supervised visitation centers can support the parent-child relationship

is to actively promote their well-being, their sense of trust in center staff, their agency, and their ability to connect with their children in meaningful ways. When parents impacted by domestic violence have some level of groundedness and have a functional support system, it is easier for them to be more attuned and attached to their children - which benefits everyone.

The importance of the parent-child relationship and the recognition that kids do better when the parent needing protection is doing better makes a compelling case for developing approaches that support the victim as visiting parent to maintain a positive connection with their children. When victim parents access supervised visitation services under these difficult conditions, they are often carrying trauma, hurt, fear, anxiety, and grief. Centers must be able to meet victims in this situation with understanding, non-judgmental support, flexibility, and practices and approaches that create accessible pathways to healing and well-being, rather than unnecessary barriers and punitive rules. Engaging with victims in this way will also support them to support their children.

When victims of domestic violence first enter supervised visitation services as the visiting parent who has lost custody, they have usually been on an excruciating journey through the family court system, in addition to the violence they experienced. It's common for people in this scenario to feel a lack of trust, to feel protective and therefore share information with the supervised visitation program in a guarded way, perhaps providing the information they believe the program wants to hear - whether it's complete

or not. They may feel like they have to filter information to regain custody, and may see supervised visitation as an extension of the court system that just removed their children from their care. It makes complete sense that victim parents would feel this way. It also means that visitation programs must work diligently to build trust and ally with survivors who are also visiting parents. By getting to know each visiting parent, investing the time and energy to build trust, and providing individualized healing and safety plans, supervised visitation centers will, in turn, support them to maintain connected, healing relationships with their children.

When a parent who has experienced domestic violence loses custody of their children to the same person who harmed them, it can be devastating. Though there is no denying the complexity and very real challenges of these scenarios, it is also possible to recognize how supervised visitation centers can partner with visiting parents (and their support system) to improve outcomes that may otherwise be even more challenging. Below are some ways that your partnerships with victim parents are beneficial once they have lost custody, in ways that will ultimately support their relationship with their children:

- ▶ Without supervised visitation programs, some victim parents who have lost custody of their children would not be able to see them. Recognizing visitation programs role in supporting victim parent-child relationships can make it a little easier to navigate this tough situation, and may help providers, in partnership with victim parents, to think of creative ways to support that relationship.
- ▶ Knowing that having strong social connections builds resilience, any way that programs can help victim parents reach out to existing support and aid them in connecting to new supports is an important way to help build a safety net for victims.
- ▶ Children exposed to domestic violence do better when they can have a safe relationship with both parents. Supervised visitation is an opportunity to maintain and build positive bonds with the visiting victim parent, which ultimately improves child safety and well-being.
- ▶ Even though the victim parent has lost custody of their children, supervised visitation programs can still work to reduce future harm to both the victim parent and the children, hopefully increasing safety and well-being.
- ▶ Without supervised visitation centers, many families are left with few options for safe exchanges. For many, safe exchanges then happen at police stations, which increase fear and stigma for children and parents. For communities of color that have been overpoliced, exchanging children at police stations may induce additional fear and trauma.
- ▶ For a victim parent who has lost custody and is struggling with issues that prevent them from safely parenting, visitation programs can both support their healing and document their progress in relation to the reasons they were referred - all of which can aid their attempts to regain at least some level of custody.

WHAT WE LEARNED FROM ADULT AND CHILD SURVIVORS

“I felt helpless, hopelessness, no faith in the system, felt suicidal, and had given up hope, but after coming to the center for a while, felt supported.”

– Learning Community Listening Session Participant

In our work with supervised visitation centers across the country, we supported them to engage in conversations with adult and child survivors of domestic violence, so that survivors’ experiences, wisdom, needs, and feelings can inform the field of supervised visitation. Their feedback was specifically helpful in shaping how we think about supporting victims as visiting parents. Our learning community was committed to keeping victims’ voices and experiences at the center of our learning, our explorations, and the solutions we examined. Each of our activities and points of exploration considered the needs of adult and child victims and the impact of our work. Each program took time to sit with and listen to visiting victim parents.

Important themes the learning community partners heard from victim visiting parents and children:

- ▶ **The importance of feeling safe and believed by the staff of the visitation center.**
- ▶ **Being given time and support to navigate their new reality.**
- ▶ **Not being labeled custodial parent or non-custodial parent; these labels make parents feel less than and like an outsider.**
- ▶ **The ability to be authentic and have the space to express their feelings.**
- ▶ **Having a routine schedule and the predictability of working with the same visitation center staff helped reduce anxiety and uncertainty.**

“I’m always sad when I leave my mom here. Sometimes I cry when it is time to go to sleep.”

– A child visiting his mother who is a victim of domestic violence at a supervised visitation center

A lesson learned and benefit of exploring complex issues in a community is that each person brings their perspective and expertise. During a learning community debrief conversation exploring what we had learned and what was missing from our data, it emerged that we had not brought in the voices and experiences of children who were visiting the victim parent at the visitation program. While learning and listening to children is an essential aspect of our work, it requires careful consideration and the weighing of benefits with potential harm. Programs used time during check-ins with children to ask thoughtful questions. Here is what we learned:

When I come to see my mom at the visitation center, I am....

“Happy to see my mom.”

“I feel pretty good; I feel safe.”

What is hard about coming to a visitation center?

“Nothing”

“Sometimes seeing my mom.”

What would you want other kids to know about coming to a visitation center?

“That they can interact with their family freely for the most part.”

What advice do you have for people who work at visitation centers?

“I recommend they be slightly more social and kind all the way around.”

“Develop a larger, more comfortable center – perhaps better place in town.”

What is the best thing about coming to the visitation center to see your mom?

“Nice and safe here.”

“Being able to talk to her in a mostly stress-free environment.”

What advice do you have for other kids visiting at a visitation center?

“Keep living life and don’t get down about things.”

When children feel safe and cared for in supervised visitation centers, they are more likely to open up about their experiences living with one parent who harmed their other parent. Often in what they share, we learn about specific emotional abuse and manipulation tactics that parents who use violence have used to continue to maintain coercive control over the survivor parent. Understanding these tactics, and how children experience them, is critical to supporting the parent who uses violence to make healthier, safer choices while supporting victim visiting parents to maintain attachment with their children.

These are some quotes from young people seeing their moms at a visitation center:

“My dad throws away the gifts my mom gives to me and my sisters.”

“My dad told me and my sister that he didn’t really want us but the court says he has to keep us with him because my mom doesn’t have a job.”

“My dad said we cannot eat any food from my mom. My mom always cooks good food for us.”

“I really want to live with my mom because daddy sometimes yells at me and my little brother.”

“I’m not afraid of my mom, but I don’t want to upset my dad, and if I went to the park with mom it would upset dad.”

“She can’t come to my classroom anymore because my dad told them she was sick.”

“When mommy calls to speak to me, my dad tells her I have to clean my room or take a bath now.”

“My dad told me not to tell my mom that I love her because it would make her sad.”

Children feel comfortable communicating in many different ways. It is important to offer different ways for children to share their feelings, knowing that some will share their feelings with words and play and some will do it through drawings. Here is an example that was shared with one of the learning community members. This picture was drawn by a 7-year-old girl. She describes her drawing this way: ***“This is me sitting on my mom’s lap talking. We always sit together on the couch - see the balloon pictures above the couch where we sit together.”***



WORKING WITH CUSTODIAL FATHERS WHO ABUSED THE MOTHER OF THEIR CHILDREN

To work more effectively with victim mothers who have lost custody of their children, centers must be able to build strong, non-colluding relationships with the father who caused harm. The following strategies were designed to support your supervised visitation work with all people who use violence in a relationship. They are particularly important for custodial fathers who abused the child(ren)’s mother.

KEY STRATEGY #1: HUMANITY AS A LEADING APPROACH.

Treating all people who use violence with respect, dignity, and fairness will help to reduce their anxiety and potentially minimize their hostility toward their partner. While it is important never to lose sight of the harm caused by people who use violence, seeing them as a whole person can help us build respectful, non-colluding relationships. Moving away from labeling people by their behavior (abuser) or their custodial status (visiting parent) makes it easier to engage the whole person. When staff genuinely care about the person who has caused harm,

the person feels respected and are more willing to engage with the staff and more likely to make changes to their behavior. This is particularly important when the person using violence has custody of their children. Using humanity to connect and build a strong relationship may allow programs to interrupt ongoing abusive tactics as well as plant seeds to support the safety of children living in with a parent who uses violence.

KEY STRATEGY #2: ALLOW FOR IMPERFECTION.

There are often many unrealistic expectations for people who use violence in supervised visitation programs. If they have not completely changed or are not holding themselves fully accountable for the harm they have caused, program staff often dismiss incremental change. There is great value in honoring and acknowledging when something good happens. When you can support and encourage strengths, you will be more effective in addressing issues or problems. Acknowledging even the slightest change can be a motivator for ongoing changes.

KEY STRATEGY #3: BUILD STRONG NON-COLLUDING RELATIONSHIPS.

Building relationships with people who use violence is a foundational aspect of this work. If supervised visitation center staff do not work to build authentic, respectful, non-colluding relationships, the rest of our efforts will fail. It is important to show up with a genuine curiosity and allow people who use violence the space to share their story. Listening without judgment can be transformative for everyone. This does not mean being permissive of abusive behavior. We are suggesting that to create change and hold people responsible for their abusive actions; it is also important to build a genuine connection.

KEY STRATEGY #4: BE TRANSPARENT.

Transparency is critical to our work, and a cornerstone of trauma-informed care. Taking the mystery out of supervised visitation services while being clear, direct, and open can help minimize some of the anxiety and frustration parents may feel when using center services. We are not suggesting that transparency will eliminate all the challenges you face as visitation providers; however, it will help reduce some of the issues that typically arise. Transparency is also foundational to eliminating punitive approaches. Punitive policies and practices are those that are arbitrary and usually grounded in subjective values. They often punish for the sake of punishing, without supporting the person to recognize the potential for healing and growth. When organizations are transparent about why and how each policy exists, both with themselves and the families they serve, punitive policies are more likely to be avoided. A move towards transparency will support you to identify policies and practices that should be amended or eliminated.

KEY STRATEGY #5: USE POSITIVE FATHERHOOD IDEALS AND VALUES.

When the person who caused harm is also the custodial father, leading with nurturing, warm, and responsible values around fatherhood is an important strategy for engaging with men. This can invite the type of change that can ultimately increase safety for everyone in the family: a father who is focused on the well-being of his children. Leading with positive fatherhood principles, and learning about his values as a dad, can help you better understand how he sees himself as a parent. By focusing on the type of father he wants to be to his children, you are demonstrating that you see his potential as a positive force in the lives of his children. Men who use violence may not have had positive, nurturing experiences with their fathers, and may need support to see themselves differently. This can be one of the leading strategies for visitation programs working with abusive fathers who also have custody of their children. When programs can help fathers focus on their children's well-being rather than on using their children to maintain power and control, the victim parent's relationship with her children has more potential to flourish.

SUPPORTING VICTIM VISITING PARENTS

Supporting visiting parents when the parent who uses violence has custody can be complex and challenging to navigate for visitation programs. Below are specific issues and concerns that supervised visitation centers should understand.

- ▶ **Custodial parents who are still exacting power and control over the visiting parent now have increased ability to manipulate and emotionally abuse them via the painful loss of access to their children.**
- ▶ **Sometimes custodial parents will offer unsupervised access to the victim parent, either to try and lure them back to the relationship or because they want help taking care of their children. Whatever the reason, this can put the victim parent at great risk, especially if there is a protective order in place.**
- ▶ **In your work with an abusive parent who has custody, your interventions can plant seeds of support, respect and care for the victim parent while holding them accountable for the harm they have caused. For example, every time you interrupt their attempts to use their children to manipulate the other parent, you can non-judgmentally support them to make healthier choices. Additionally, when the victim is the visiting parent, you have the powerful opportunity to support reparative time with their children.**
- ▶ **Recognize that in some scenarios, a custodial parent could end up becoming the visiting parent, so building your relationship with them on a foundation of compassionate/relational accountability can be beneficial now and in the future.**
- ▶ **When supervised visitation staff observes what appears to be children gathering information from their non-custodial parent on behalf of the abusive parent as part of their power and control tactics, the staff can interrupt those conversations. This effectively**

takes the onus off the children, and the staff can essentially take responsibility for why the information wasn't gathered by the child. For example, when a child asks their visiting mom for information about where she lives, her new romantic relationships, or other information that might create risk and she doesn't feel comfortable answering, center staff can let everyone know that they are going to stop those conversations from happening. Most importantly, the center can let the custodial parent know that the child started the conversation, but they as staff interrupted the conversation. This lets the child know that the center is willing to maintain boundaries and uphold guidelines in a supportive way, and sets a limit with the custodial parent, so they know the center will not collude with tactics that attempt to use children as devices of power and control.

CRAFTING POLICIES THAT SUPPORT VICTIMS AS VISITING PARENTS

Because of the complex nature of serving families where the survivor is the visiting parent, it is necessary for programs to have policies in place that are directly related to why services are being offered, and what risks need to be mitigated and how. Policies should have the capacity to be tailored to the unique needs of each family, rather than blanket responses to all families. If a parent does not pose any risk or harm related to a particular policy, programs should not feel obligated to impose that policy or guideline on that parent.

The policies of a supervised visitation center must be supportive of the survivor of domestic violence regardless of their custodial status. “How will this policy support victims who are visiting parents?” is essential to consider when developing policy and practice. Below we have included some additional considerations to assist in policy review and development processes. We also encourage centers to incorporate the wisdom from visiting parents and children shared in the previous section into policy design. To further assist the creation of policies that

best support visiting victim parents, we have created a supplemental worksheet, “A Guide to Convening Your Local Learning Community: Supplemental Tool Kit,” that can be found on our website.

Does each policy allow staff to?

- ▶ **Recognize and respond to the multiple layers of victim parents’ lived experiences?**
- ▶ **Create opportunities for healing without replicating experiences of abuse, power and control, and oppression?**
- ▶ **Be as flexible as possible as often as possible, without compromising safety?**
- ▶ **Respond appropriately to different levels of dangerousness and risk, depending on the diverse needs and experiences of families? For example, can staff assess and determine risk based on individual family dynamics rather than blanket rules that may not be applicable in every situation?**
- ▶ **Build strong, mutually respectful relationships with each parent as**

a strategy for supporting safety and healing?

- ▶ **Identify the current level and source of risk impacting the victim and their children?** For example, some survivor visiting parents may not ever have been abused by the custodial parent and the domestic violence was perpetrated by a different partner who may or may not still be in their life. Does each policy allow staff the flexibility to assess potential risk from a variety of complex family structures, basing safety plans on real-time concerns rather than solely on presumed relationships and historical risk?
- ▶ **Hold the children in equal regard with the parent needing protection regardless of custodial status?** For example, if a victim visiting parent presents a risk to the children or behaves in ways that may violate center policy or could bring distress to the children, do staff have the flexibility with each relevant policy to advocate for the needs of the children while maintaining a non-judgmental and supportive relationship created with the victim parent?

POLICY CONCEPTS TO RECONSIDER OR AVOID

It is common for supervised visitation centers to have policies in place that were created through the lens of the parent who used violence as the visiting parent, and the adult victim as the custodial parent. It's critical to examine each policy and practice through a comprehensive lens to ensure that they don't have unintended consequences, specifically for survivors who are visiting parents. One point of guidance when developing and evaluating policy is to be clear about the intent of the policy. Always ask, **what is this policy trying to prevent or promote?** Another common reaction that happens in many organizations is to develop policies in response to one specific troubling situation. This can result in punitive policies that may not apply to each family using services, don't achieve the goal of service delivery, and may inadvertently put damaging barriers between parents and children. Below are a few examples of policy concepts to rethink:

- ▶ **Policies that always restrict the visiting parent from changing a child's appearance. For instance, if a visiting victim wants to have a "glam day" with their**

children that involves painting nails or styling a child's hair, this policy may prevent them from engaging in a positive and nurturing activity that could increase parent-child bonding.

- ▶ **Policies that require permission from the custodial parent to occur. For example, if all guests and gifts need to be approved by the custodial parent, this policy could give all the power and control to the abusive parent with custody.**

- ▶ **Policies that restrict the visiting parent bringing food to share with their children or require the abusive custodial parent to approve food items may create yet another unnecessary barrier to bonding and attachment between the victim parent and their children.**

- ▶ **Policies that require conversations between parents and children to stay in the "here and now" and don't allow children to ask questions about future events.**

THE IMPORTANCE OF ORGANIZATIONAL HEALTH WHEN WORKING WITH VICTIMS AS VISITING PARENTS

Organizational and staff wellness are important tenants for working with complexities and risk associated with supervised visitation. When staff members are feeling overwhelmed, helpless, and undervalued, the impact of these feelings can trickle down into how families get treated. Creating work conditions that nurture, support, and care for workers will help support an environment that offers the same to families coming for services. While overall visitation work is challenging, it is the more complex lived experiences of families that stretch workers and programs. This complexity makes it even more important for centers to have a strong team with trauma-sensitive, engaged supervision for staff. Additionally, when working with families who face greater injustice and barriers than others, staff impacted by their own or secondary trauma, frustration, and lack of support may have a much more difficult time successfully meeting the needs of participants. When we are in an active trauma response, victim-blaming, judgment, and poor decision-making are much more likely, all of which can impact safety for adult and child survivors. Thus, the well-being of staff is imperative.

Below is a list of characteristics that can bolster supervised visitation teams facing complex family constellations impacted by domestic violence:

- ▶ **Well qualified staff with strong skill sets for working with people in crisis.**
- ▶ **Appropriate and responsive support for staff that promotes well-being and builds capacity.**
- ▶ **Time and resources for the staff, both individually and as teams, to care for themselves and each other, so they can best care for the families they serve.**
- ▶ **An organizational culture that values health and wellness among staff (individually and as teams), and prioritizes a sense of collectivity.**
- ▶ **Policies and procedures that don't create undue and unnecessary additional barriers for trauma-impacted families.**

THE ROLE OF SUPERVISED VISITATION CENTERS AND STAFF WHEN THE VICTIM IS THE VISITING PARENT

A critical aspect of trauma-informed service delivery models includes transparency and analysis around why and how we do what we do. Supervised visitation centers are, as we have discussed, in a unique and impactful role in the continuum of services for families impacted by domestic violence. Throughout our learning community exploration, the question of the role of visitation programs in general and more specifically around its work with victims as visiting parents emerged as a question to be answered. It became clear that it would be beneficial to gain more clarity around the role of supervised visitation with families, particularly when navigating complex situations such as when the victim is the visiting parent. With limited programs designed to meet the needs of adult victims and children post-separation, the courts and other systems often ask visitation programs to step outside their role. Being clear and confident about your role as a visitation provider is critical.

- ▶ **The role of visitation programs is not to determine how the victim parent became a non custodial visiting parent, but rather to provide services that support the safety of the person who needs protection regardless of custodial status.**
- ▶ **Visitation programs play an important role in bringing to light the tactics and ongoing abuse of the parent who uses violence. Programs often bear witness to the ways parents who use violence continue to cause risk and harm to their families in a way that few other systems and programs experience. With this reality comes the important role of helping victim parents bring this information to the courts and other key decision-makers. Programs can utilize their documentation and key community partners to make this happen.**

- ▶ There is an important role for supervised visitation programs to advocate for systems change to equitably and respectfully serve adult and child survivors. However, this advocacy should never come at the expense of individual participants and must elevate the actual voices and lived experiences of survivors.
- ▶ Visitation programs serve a critical role in supporting victim parents in obtaining the services they need from domestic violence advocates, civil legal attorneys, and other system partners. This also includes making meaningful referrals to providers who can address co-occurring issues such as mental health struggles and substance abuse.
- ▶ A critical role of supervised visitation centers is to meet families where they are, to trust that survivors are experts in their own lives, and to work to reduce harm no matter where the family is in their journey. Centers should also work to build awareness about this survivor-centered approach with other system partners.
- ▶ 2-2-20: Understand the role of supervised visitation over time. Often, the change and recovery that happens in families is not immediately evident to us. Programs can support change in a two-hour visit and can craft services and interventions to support well-being two years post-separation, and even 20+ years into the future, as co-parenting or parallel parenting are long term scenarios.

DOCUMENTATION AND INFORMATION SHARING

One of the biggest challenges to emerge during the learning community process is the issue of documentation and information sharing. Documentation can be both helpful and extremely harmful for adult victims. In a child and family social service system that faces enormous pressures, an overall lack of resources, and lack of successful domestic violence interventions, supervised visitation centers are commonly one of the primary sources of information for decision-makers in family court and child welfare.

While visitation programs work closely with families, it is always important to remember that visitation happens in a controlled environment. This means that though power and control tactics and other parental behaviors that put children at risk may subside during visitation, this is not an accurate indication of whether or not safety will persist outside of the visitation setting.

While it is important for documentation to be linked to the reason for the referral, it becomes more complicated when the parent needing protection is the visiting parent. The referral may be related to co-occurring issues the parent is experiencing. However, the referral may not have included information about

the harm caused by the custodial parent who used violence. A common theme we heard from programs is the challenge of helping system partners recognize the violence that visiting parents continue to experience from the custodial parent. If the abuse was not identified prior to the order, programs have struggled to find the best avenue for sharing this information.

In scenarios where a parent who has caused harm is the custodial parent, and the victim is the visiting parent, it is even more crucial that all documentation be clear, concise, and related to harm and risk to those needing protection. As stated previously, it's all too common for parents who use violence to manipulate systems and institutions through coercive tactics intended to make the victim parent seem inept and unreliable. The risk of this occurring intensifies when they have the added power of custody. Often the person using violence will attempt to use the center and its documentation to further harm the victim parent. Programs should be clear about the purpose of their documentation.

If the victim parent is struggling with legitimate issues that do impact their ability to safely parent, it's critical that your documentation (just like it would

for the parent who caused harm) be directly related to those reasons indicated in the referral and not include the values and judgments of center staff. Equally important, center staff should be able to identify and clearly document abusive behavior patterns used by the custodial parent to maintain power and control over the visiting survivor. However, center staff should consult with

the victim parent before documenting this information, as there may be safety risks to her if the parent who uses violence discovers these observations. Programs should be prepared to collaborate with the visiting survivor parent to determine what is safe to include, and if additional safety planning for the victim parent or the children is needed.

Tips for Survivor Centered Documentation:

- ▶ **Follow the Office on Violence Against Women Guiding Principles for supervised visitation to enhance supervised visitation services.**
- ▶ **Work with judicial partners to develop domestic violence informed, safe, and strategic information-sharing practices.**
- ▶ **Utilize a formal referral system that includes the referral source**
- ▶ **clearly identifying the reason services are needed and includes any impressions, allegations, or evidence of risk that are relevant to the safety of a child and a protected parent – regardless of custodial status.**
- ▶ **Ensure that documentation is connected to why a family was referred or court-ordered to the program.**

SUPERVISED VISITATION CENTERS WORKING FOR SOCIAL CHANGE: A CALL TO ACTION

The response to post-separation violence in the domestic violence and public safety systems continues to fall short of meeting the unique and complex needs of adult survivors, their children, and people who use

violence. Many communities have limited resources and supports for families beyond the immediate crisis intervention response, which limits families who wish to make changes and move forward on the path of

healing and change. Supervised visitation programs are uniquely positioned to be the life-saving bridge for adult victims and children as they navigate these turbulent waters. However, supervised visitation providers can't do this alone; they need to partner with communities and stakeholders to elevate the role of visitation as a core and essential service. Legitimizing supervised visitation within the larger community response to domestic violence makes it easier for programs to advocate for adult and child survivors while partnering with parents who use violence to change their behavior.

Supervised visitation programs are often privy to the greatest injustice and disparities that adult and child survivors face when navigating the justice system. Therefore, supervised visitation centers must do due diligence to ensure they are not contributing to the injustice that marginalized survivors face. And, because supervised visitation centers work with survivors and families over time as they navigate racism, gender bias, classism, homophobia and other forms of oppression within systems, they have a unique vantage point from

which to advocate for social change. Centers should consider how and when they will advocate for change through the relationships they have with system partners, and how they can bring forward the wisdom and expertise of adult and child survivors in the process. However, advocating for change should never happen at the expense of individual survivors. Using individual court cases and decisions, (connected to very real survivors of violence) to press on systems for change can actually be taxing, traumatizing, and even coercive. The individual experiences of survivors belong to them, and they should be making decisions about whether or not their situation can be used to advocate for social change. Survivors should be in a collaborative role with centers if they request this type of systems change advocacy. To avoid exploiting the lived experiences of individual survivors, centers can work for change via awareness raising and training, utilizing the anonymized expertise of survivors gained through listening sessions, and developing ways to articulate patterns of discrimination and injustice they observe over time.

APPENDIX A

Participant Lists

JUSTICE FOR FAMILIES LEARNING COMMUNITY ON VICTIMS AS VISITING PARENTS MEMBERS January 2018 –September 2019

Gail Bartley
Saving Grace
Mary's Place
Bend, Oregon

Lisa Longenbaugh
The WellSpring Alliance for Families
Monroe County, Louisiana

Tiffany Martinez
Michigan Department of Health and
Human Services

Nicole Villanueva
YWCA West Central Michigan Safe
Connections
Grand Rapids, MI

Sharon Rodgers
Safe Connections
Fort Walton, FL

Teresa Orduno
SAFE Alliance
PlanetSafe
Austin, Texas

Marilyn Stinson
Women's Resource Center
Nia's Place
DeKalb County, Georgia

Hon. Nora Polk, Judge
DeKalb County Magistrate Court

Laura Nash Frisch & Sheila Morris
Community Violence Intervention Center
Kids First
Grand Forks, North Dakota

**ROUNDTABLE BETWEEN COURTS AND SUPERVISED
VISITATION PROVIDERS PARTICIPANT LIST
November 14-15, 2018 - Chicago, IL**

Hon. Richard Blake, Chief Judge
National American Indian Court Judge
Association

Megan Brechon, Executive Director
Children's Safe Harbor
Rockford, IL

**Jamie Burke, Attorney in Charge of
Community Office**
Brooklyn Defender Services

Amrita Hanjrah, Consultant
Inspire Action for Social Change

**Jacquelyn Hunt, Case Manager/
Therapist**
FOSTER
Madison, WI

Hon. David Katz, Presiding Judge
Superior Court of New Jersey

Sierra Kellen, Project Manager
DV Coordinated Courts - 17th Judicial
Circuit Court Illinois

Leslie Landis, Court Administrator
Circuit Court of Cook County
Chicago, IL

**Lisa Longenbaugh, Director of
Professional Services**
The Wellspring Alliance for Families
Monroe, LA

**Jane Sadusky, Writer/Community-
Based Researcher**
Jane M Sadusky Consulting
Madison, WI

Hon. Nora Polk, Judge
DeKalb County Magistrate Court

Jenny Woodson, Program Director
VOA Home Free
Portland, OR

FACULTY & STAFF

Julie Aldrich, Grant Program Specialist
Office on Violence Against Women
Department of Justice

**Carrie Mitchell, Grant Program
Specialist**
Office on Violence Against Women
Department of Justice

Brittany Davis, Coordinator
Gender and Family Justice
Center for Court Innovation

ROUNDTABLE BETWEEN COURTS AND SUPERVISED VISITATION PROVIDERS PARTICIPANT LIST (CONTINUED)

Robyn Mazur, Director of Gender and Justice Initiatives

Center for Court Innovation

Danielle Pugh-Markie, Program Director,

Program Development and Judicial Engagement National Council of Juvenile and Family Court Judges

Hon. Janice Rosa (Ret.), Judge

NY Supreme Court, 8th Judicial District

Jennifer Rose, Co-Founder/ Co-Executive Director

Inspire Action for Social Change

Beth McNamara, Co-Founder /Co-Executive Director

Inspire Action for Social Change

CIVIL LEGAL ATTORNEY LISTENING SESSION PARTICIPANT LIST MARCH 12, 2019

Linda Baer, Program Director

Legal Advocacy and Visitation Services, Someplace Safe and Solace Center Trumbull County, OH

Ann Cofell, Deputy Director

Mid-Minnesota Legal Aid

Darci Jay, Staff Attorney

Community Legal Aid Akron, OH

Thomas Lyden, Staff Attorney

Community Legal Aid Bellingham, WA

Susan Pearlstein, Supervising Attorney

Family Law Unit, Philadelphia Legal Assistance

Erin Spencer, Staff Attorney

Community Legal Aid, Akron, OH

Wendy Vaughn, Clinical Associate Professor

Northern Illinois University College of Law



Inspire Action for Social Change

16 Bitterroot Mountain Road
Montana City, MT 59634

WRITTEN BY

ERIN FAIRCHILD, CONSULTANT

With Inspire Action for Social Change

BETH MCNAMARA, CO-EXECUTIVE DIRECTOR

406.558.9334 beth@inspireactionforsocialchange.org

JENNIFER ROSE, CO-EXECUTIVE DIRECTOR

505.490.9058 jennifer@inspireactionforsocialchange.org

MORE INFO AND STAFF AND CONSULTANT BIOS

www.inspireactionforsocialchange.org

info@inspireactionforsocialchange.org

This project was supported by Grant No. 2017-TA-AX-K028 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program are those of the authors and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.