

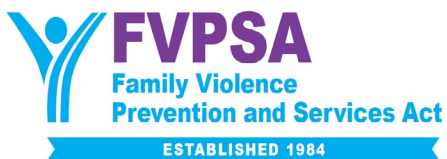
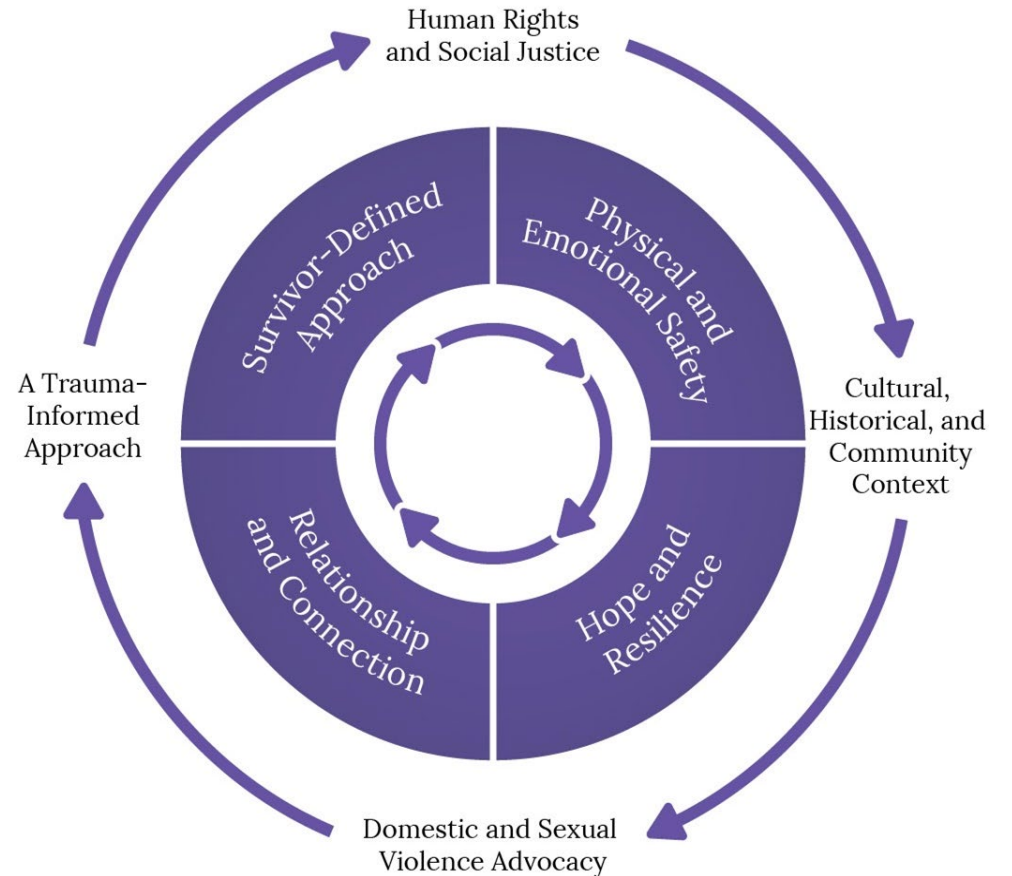
Trauma-Responsive Services and Staff Support

Cathy Cave, Senior Training Consultant, NCDVTMH

Grantee Meeting, Washington DC

NCDVTMH is a Special Issue Resource Center Dedicated to Addressing the Intersection of Domestic Violence, Trauma, Substance Use and Mental Health

- Training and Technical Assistance
- Research and Evaluation
- Policy Development and Analysis
- Public Awareness



NCDVTMH is supported in part by grant #90EV0530 from the Administration on Children, Youth and Families, Family and Youth Services Bureau, U.S. Department of Health and Human Services. Points of view in this document are those of the presenters and do not necessarily reflect the official positions or policies of the U.S. Department of Health and Human Services.

Welcome



There is no such thing as a “safe space”

We exist in the real world. We all carry scars and have caused wounds.

This space seeks to turn down the volume of the world outside and amplify voices that have to fight to be heard elsewhere.

This space will not be perfect. It will not always be what we wish it to be. But

It will be our space together, and we will work on it side by side.

Untitled Poem by Beth Strano LAST UPDATED: April 22, 2022



Grounding = Connecting to Myself



Self-Awareness

- | Awareness of our own experiences with trauma, how we are affected by the work, and how we may be affecting others
- Self-reflection
 - Attention to what helps you stay balanced, focused, caring, and effective
 - Willingness to do the self-work



Community Care and Collaboration



Staff are able to create a healing environment for service participants when organizations are able to create a healing environment for staff.



Experience Shapes Us: How We Are, Think, and Engage



Defining Trauma: Individual Experience

Individual Trauma is the unique individual experience of an event or enduring condition, in which:

- | The individual experiences a threat to their life or to their psychological or bodily integrity (or to a loved one or their community)
- | The individual's coping capacity or ability to integrate their emotional experience is overwhelmed

Giller, 1999; NCDVTMH, 2012; Packard//NIWRC, 2012



Defining Collective and Historical Trauma

Collective Trauma: Group or Community Experience

Cultural Trauma (genocide): The systematic destruction of traditions, values, language, and other elements that make one group of people distinct from another

Historical Trauma's Impact: The cumulative emotional, psychological, and spiritual wounding over the lifespan and across generations emanating from massive group cultural trauma experiences



Impacts of Oppression and Trauma

- Current engagement rests on a foundation of previous experience
- Provider intentions and current actions may not be in alignment
- Service participants are often seen as the problem
- And the stakes are incredibly high

Experience Can Impact Connection





Trauma and Dysregulation

Providers are often meeting survivors while they are still experiencing violence, coercion, oppression, or discrimination

We expect immediate trust and compliance with service requirements; as if trauma has not occurred.



Stress and Trauma

| Stress

Shifts people away from emotional balance and predictability and calls on the system to restore it

| Traumatic stress

Shifts people away from emotional safety and predictability, and disrupts the system's ability to restore it



Trauma and Intimate Partner Violence: Consider This

- | Trauma is not “post”
 - Appropriate response to ongoing danger
 - It is not an “overreaction” to minor stimuli, it is an acute social awareness
- | Interpersonal violence and trauma, Intimate and social betrayal
- | Cumulative burden, Ongoing risk





Often Unseen Injuries of Domestic and Sexual Violence

- | Sleep deprivation
 - Affects memory, mood, and focus; can cause hallucinations
- | Nutritional Deficiencies
 - Affect physical health, mood, sleep, and mental status
- | Exhaustion
 - See all of the above!
- | Traumatic Brain Injury
 - Can affect all functioning, senses, etc.
- | Ongoing coercion related to mental health, substance use, parenting, etc.



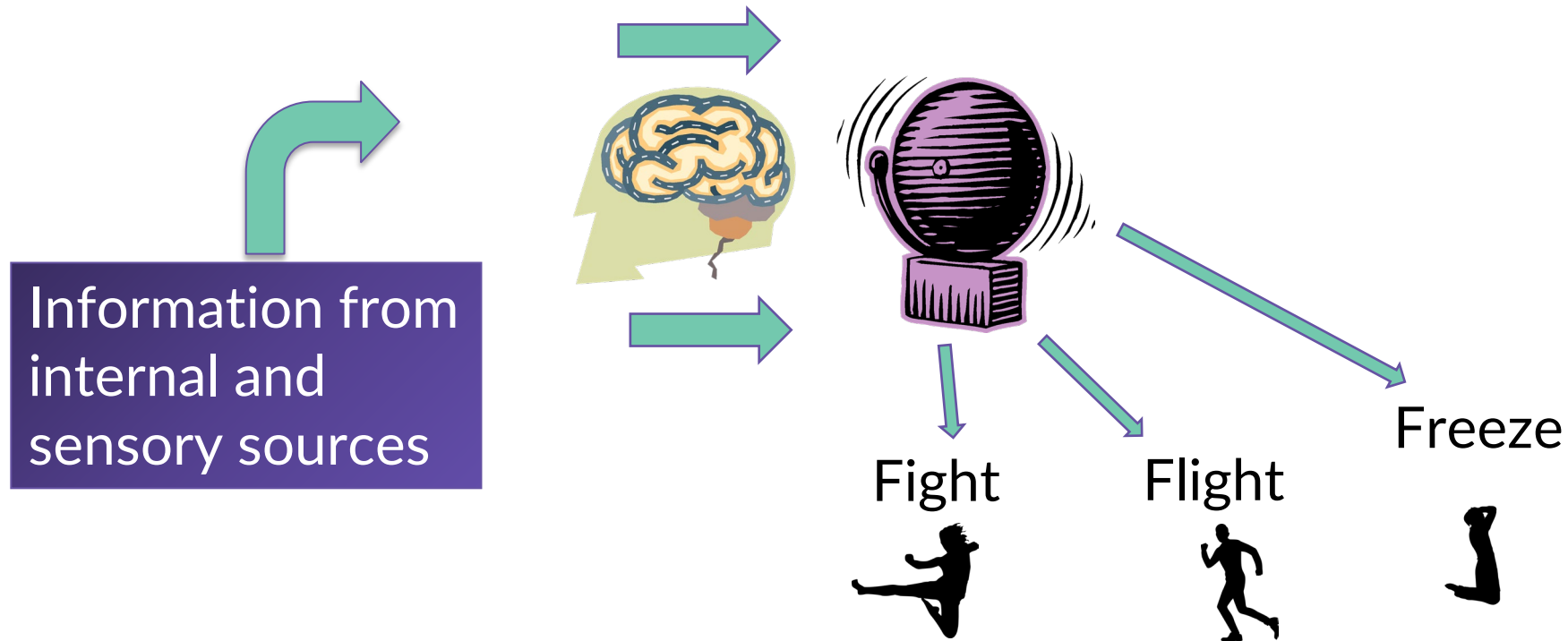


What Strengths Have You Noticed?

Activity: Name 3 Qualities



Trauma Responses and Reminders: We are Wired for Survival...



We may be aware or unaware.

Responses may be visible or invisible.

- | We also have socially learned responses.
- | What does this look like from the outside?

Dysregulation: What is Happening on the Inside

- | Thoughts
- | Emotions
- | Physical awareness (body placement and movement)
- | Energy
- | Felt sense of safety
- | Felt sense of connection
- | Presence in the here-and-now

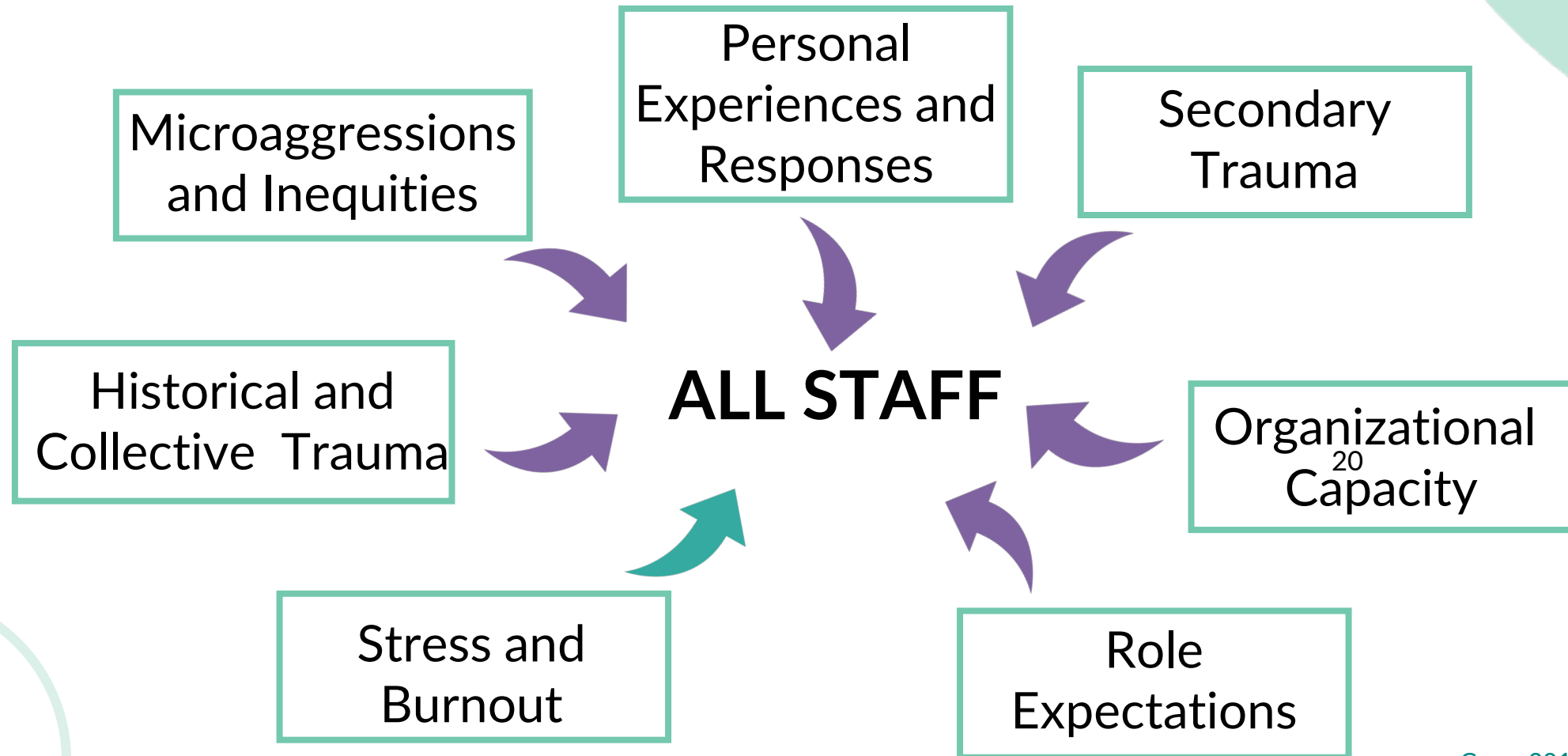
Practices that support calming, grounding, and self-regulation help a great deal.



Trauma Affects Our Capacities to...

- | Trust self and others
- | Reach out for or respond to help
- | communicate
- | Solve problems, exercise judgment
- | Process information, screen out distractions
- | Take initiative, thoughtfully plan
- | Manage and share feelings
- | Experience ourselves as deserving and worthwhile
- | Stay present and connected
- | Maintain self-awareness
- | Feel physically and emotionally safe
- | Comfort ourselves; be comforted by others

Challenges for Us as We Work: Staff's Experiences and Responses



Aspects of Work that Influence Our Responses

- | Fear of being overwhelmed or making a bad decision
- | Reluctance to identify with survivors or strong identification with a survivor's experience
- | Helplessness and inadequacy if we can't "fix" or predict outcomes
- | Frustration with survivors for not responding to our needs to do a good job
- | Lack of attention to our own traumatic experiences

Warshaw, 1999



Possible Sources of Our Responses and Overwhelm

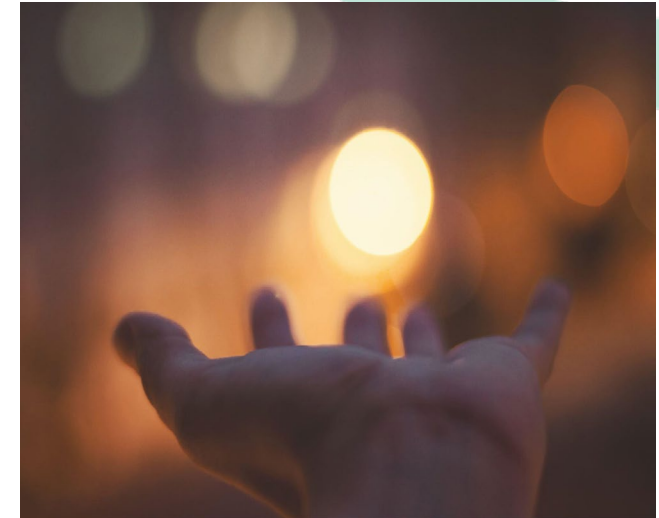
- | Our reactions to another person's experiences of abuse and violence
- | Our reactions to the adaptations survivors develop to cope and survive
- | Our response to another person's internal experiences
- | Our responses to another person's strong responses to us
- | The interaction of our own history and style with that of a person we are working with



How We Respond and the Environments We Create Make a Difference!

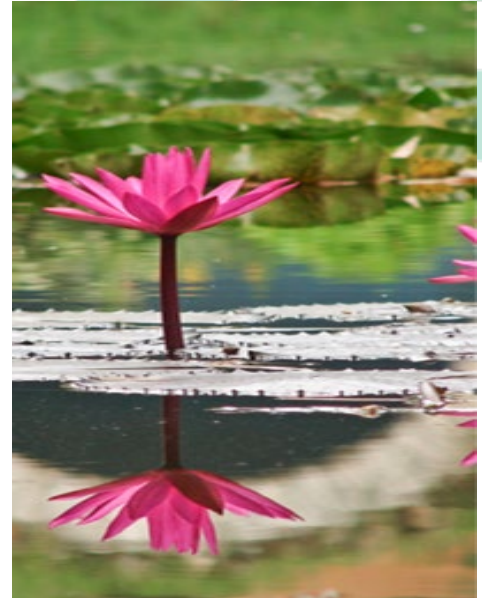
Create an Accessible, Culturally Responsive ,and Trauma-Informed Environment

- Cultivate Self-Awareness (Reflection)
- Share Coping Skills for Self And Community Care
- Create a Welcoming Cultural and Linguistic Environment
- Consider the Physical and Sensory Environment
- Examine Program Environment
- Relational Environment



Healing from Trauma Requires:

- | Control over one's life and environment
- | A sense of physical and emotional safety
- | Belonging and connection with trustworthy others
- | Hopefulness
- | Meaningful choices and decision-making



What would shifting to healing-centered work look like for you?



Cultivating Self-Awareness

- Be present for other's traumatic experiences without taking it on as our own
- Know your "hot spots"
- Care for yourselves while caring for others
- Intentionally work to reduce burnout, secondary trauma, compassion fatigue



Reflection and Co-reflection

- | Cultivate self awareness through curiosity
- | Sustain and protect empathy
- | Create an intentional process to explore, learn, and grow
- | Strengthen capacity to consistently “begin within”
- | Incorporate strategies that support self-regulation and co-regulation with individuals, among teams, and in supervision

26





Learning New Coping Strategies: Caring for Self Others

Breath Work

Movement (body work)

Mindfulness

Visualization and Imagination

Taking Breaks

Respecting One's Own Limits

Communication and collaboration



Wynecoop, 2021



Cultural and Linguistic Environment



- Affirming
- Responsive and resonant
- Language justice
- Accessibility in communications
- Cultural sources of strength, healing, pride, resilience
- Representation matters

Image Source: Community art by people who access www.streethealth.ca services



Physical and Sensory Environment

- Accessible
- Welcoming
- Inclusive
- Healing
- Attends to potential trauma reminders, noise, and chaos



Programmatic Environment

Predictable and consistent, while also maximizing flexibility and responsiveness to individual and family needs.



Image source: Mark Strobl <https://flic.kr/p/9xcuCw>



Relational Environment

Rooted in relationship and connection

Caring

Respectful

Empowering

Not engaged in using” power over”

Transparent

Trustworthy

Fosters community





What Will You Do Differently?



Thank You!



Facilitator Contact Information

Cathy Cave,
Senior Training Consultant
ccave@ncdvtmh.org



NCDVTMH

Contact Information

More ways to connect

NCDVTMH Newsletter:

<https://ncdvtmh.org/email-list>

Get social with us! @ncdvtmh



Additional Resources

Cathy Cave
ccave@ncdvtmh.org



The U.S. National Plan to End Gender-based Violence: Strategies for Action

Lynn Rosenthal

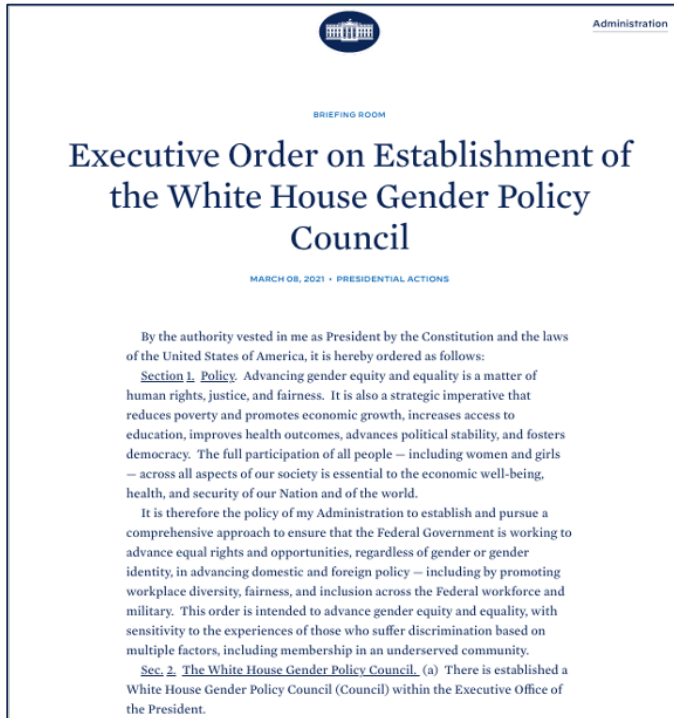
HHS Director of Sexual and Gender-Based Violence



OASH

Office of the
Assistant Secretary
for Health

Executive Order 14020



[LINK TO EO 14020](#)

Sec. 4. Implementation [of the National Gender Strategy] ... (b) The Council shall coordinate a comprehensive, interagency response to gender-based violence at home and abroad, including intervention, prevention, and public health strategies to reduce incidence and impacts. . . . **shall create a National Action Plan to End Gender-Based Violence that establishes a Government-wide approach to preventing and addressing gender-based violence in the United States** and shall work, in conjunction with the Assistant to the President for National Security Affairs, to lead a **comprehensive, interagency review and update of the 2016 United States Strategy to Prevent and Respond to Gender-Based Violence Globally...**" (EO 14020, §4(b)).

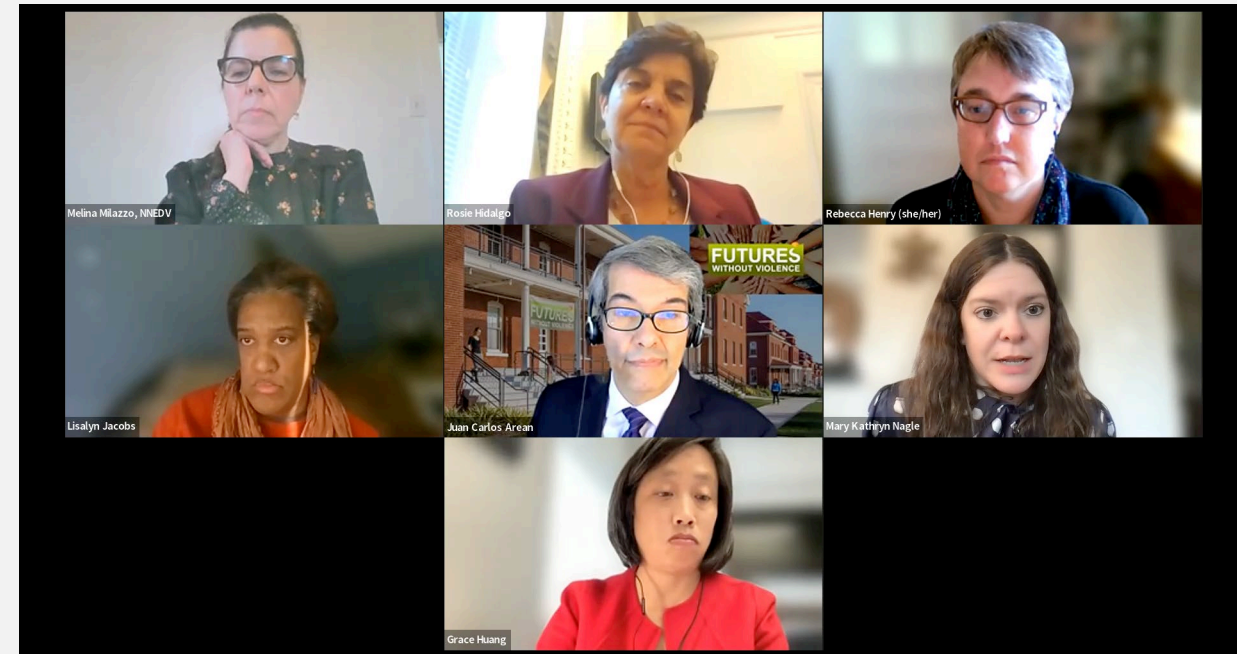
Global Context

- Approximately **78 countries**—located on every continent except Antarctica—have adopted national plans of action
- **UN Women** has encouraged countries to develop national action plans to end violence against women / gender-based violence as a best practice.
- The **U.S. engaged** with governmental, civil society, academic, and philanthropic stakeholders in other countries who have developed similar national action plans.



Process

- The White House Gender Policy Council and federal agencies participated in more than 25 civil society-organized listening sessions involving over 2,000 individuals, including:
 - Survivors
 - Civil society, including nonprofit, community-based, and faith-based organizations
 - Researchers
 - Academics working across the GBV field
- Seven inter-agency working groups informed the development of the National Plan, along with input from the White House policy councils.



Civil Society Listening Sessions: Key Themes

Center survivors' voices in all phases of the NAP process

Recognize the continuum of GBV **across the lifespan.**

Recognize GBV and trauma as related to **social determinants of health.**

Highlight links between GBV and **social and economic inequality and discrimination.**

Listen to lived experience and **respect diverse forms of cultural knowledge** and different forms of evidence related to the scope and ways to address GBV. Not “one-size fits all”

Dismantle barriers and expand access to services and justice for people with disabilities, immigrants, and non-English speakers, LGBTQ+ survivors, and others

Gender-based Violence

- Anyone can be victimized, but some people face greater barriers to safety
- Disparities in response can be rooted in individual bias and systemic racism
- Survivors are the experts
- Mismatch between what survivors say they need and what we offer
- Housing, economic assistance, transportation, food, and other practical supports help improve safety and wellbeing





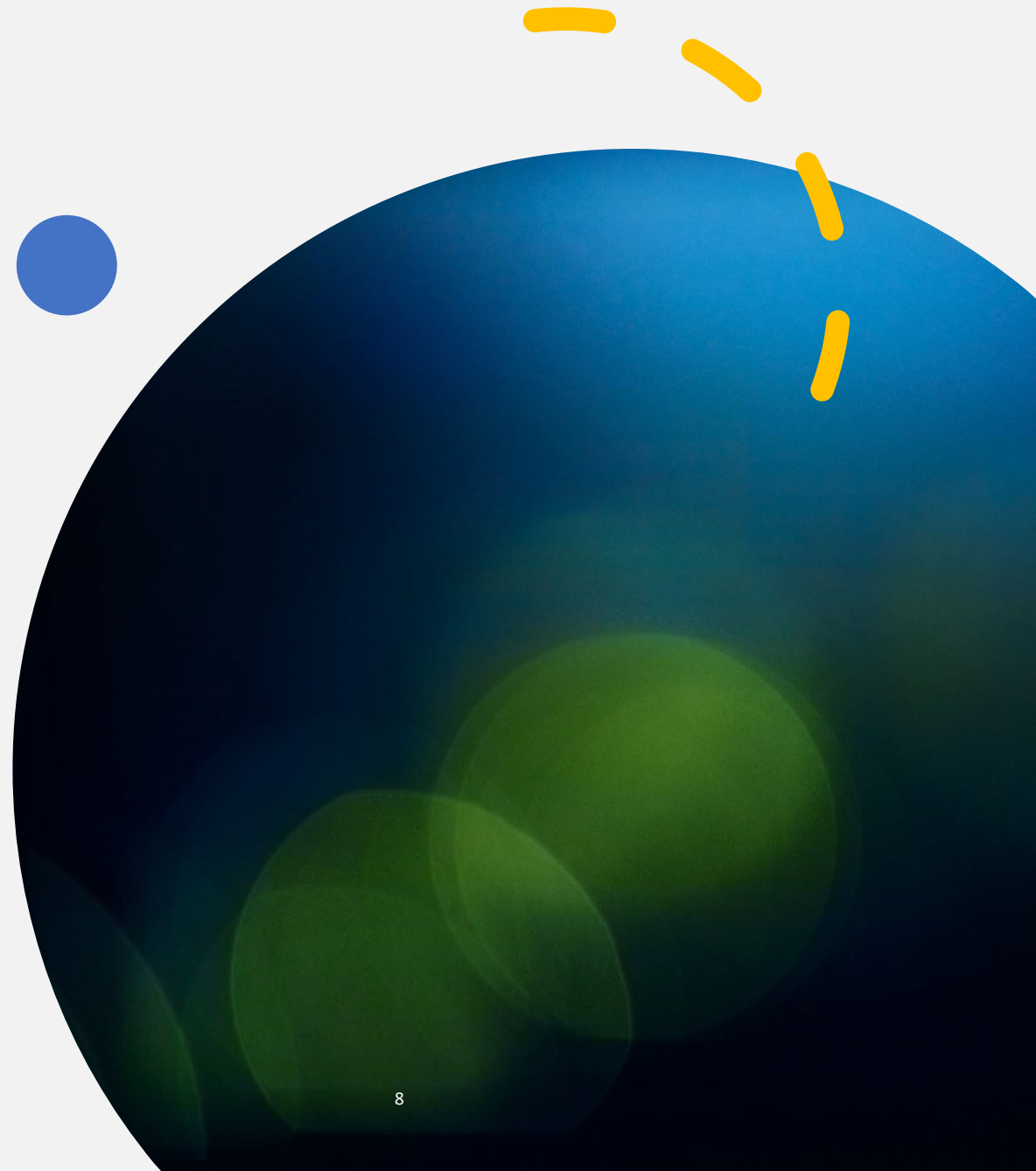
VISION STATEMENT

The United States will be a place where all people live free from gender-based violence (GBV) in all aspects of their lives.

This vision applies to all people, regardless of gender, sex, gender identity, sex characteristics, sexual orientation, race, ethnicity, religion, age, disability, geographic location, national origin, immigration or citizenship status, socioeconomic circumstance, medical condition or status, or other factors.

Guiding Principles

Centering	Centering the voices of survivors
Addressing	Addressing GBV through a public health, public safety, and life course lens
Recognizing	Recognizing GBV as a form of gender discrimination
Promoting	Promoting federal leadership and coordination across sectors
Adopting	Adopting an intersectional approach
Grounding	Grounding policies and programs in evidence and research
Embracing	Embracing a rights-based approach



7 Pillars

Prevention

Support, Healing,
Safety, Wellbeing

Economic Security
and Housing
Stability

Online Safety

Legal and Justice
Systems

Emergency
Preparedness and
Crisis Response

Research and
Data



Pillar 1: Prevention

Use a public health approach to strengthen primary prevention efforts and build the evidence base of what works to prevent GBV.

Goals:

1. Enhance and promote GBV prevention
2. Enhance dissemination and implementation of GBV prevention strategies
3. Improve prevention efforts to change social norms that support or condone GBV and to promote healthy and respectful relationships across the life course
4. Improve comprehensive health approaches to prevent GBV



Pillar 2: Support, Healing, Safety, and Well-Being

Promote trauma-informed, holistic, accessible, and culturally specific services and responses for those who have experienced trauma as a result of GBV.

Goals:

1. Improve data collection, research, and evaluation on trauma-informed and survivor-centered approaches to GBV
2. Improve the quality and quantity of trauma-informed, survivor-centered GBV programming at the federal, state, Tribal, territorial, and local levels
3. Address disparities and inequities in access to trauma-informed care for GBV survivors from marginalized and underserved communities across the life course

Pillar 3: Economic Security and Housing Stability

Promote housing stability, workplace safety, and economic security, to prevent and address GBV.

Goals:

1. Prevent and address GBV, including sexual harassment, in the world of work
2. Improve economic security, asset-building opportunities, and financial protection to mitigate GBV, help survivors escape abuse, and support long-term financial independence
3. Provide a spectrum of housing services, resources, programs, and protections for GBV survivors; ensure access to safe, affordable, and long-term housing



Pillar 4: Online Safety

Create safe and accountable online spaces and improve prevention of and response to technology-facilitated GBV.

Goals:

1. Establish a strategic vision and coordinated approach for how the Federal Government addresses online forms of GBV and integrates these efforts across existing policies and programs to support survivors and prevent harms
2. Enhance and expand federally funded research and data collection on technology-facilitated GBV
3. Improve services and access to justice for victims of online forms of GBV

Pillar 5: Legal and Justice Systems

Creating effective responses to GBV through the criminal, civil, immigration, and military justice systems and community-based approaches.

Goals:

1. Advance access to justice for GBV survivors
2. Ensure that justice systems are responsive to survivors' needs and experiences
3. Expand options for survivors to seek safety and justice

Pillar 6: Emergency Preparedness and Crisis Response

Addressing GBV in the face of public health crises and natural disasters.

Goals:


1. Address GBV and associated risks in federal emergency response and recovery efforts
2. Update training programs for first responders that address crisis- or disaster-related GBV and trauma-informed care for GBV survivors
3. Deepen the research base on the links between climate-related disasters and heightened risk for GBV, particularly for historically marginalized and underserved populations

Pillar 7: Research and Data

Identify gaps in research and data collection and expand evidence based to better understand the scope and impact of GBV.

Goals:

1. Expand the scope of research and data to improve inclusion of historically marginalized and underserved communities
2. Improve understanding of GBV victimization and perpetration over the life course
3. Leverage existing data collections to collect new data on GBV



Parenting Time Establishment and the Model Code on Domestic and Family Violence

Revised Chapter 4: Families and Children

Presented by Anadelle Martinez and Krista Del Gallo
for the SAVES All Grantee Meeting
1/30/24



Let's talk!

What is scary about considering parenting time in the IV-D space?

Pair up with another participant and discuss the following for 2 minutes each.



Challenges Identified by MC Working Group

- Lack of training and expertise of family court professionals/court
 - Not identifying or understanding the nature and context of domestic abuse
 - Without sufficient information and recognition of the cultural context, information gaps may be filled with assumptions rooted in implicit or cultural bias.
 - Focus on family issues without recognizing or prioritizing domestic abuse
 - Not recognizing an abused parent and instead see behaviors as “unfriendly parent” or engaging in “alienating” or “controlling” behaviors
 - Lack of resources (for representation, specialized services or personnel)
 - Not recognizing and accounting for a range of abusive behaviors beyond the inflicted or attempted physical violence
 - Domestic violence as one factor without identifying that domestic abuse can cast a shadow on many (non-domestic abuse) aspects of parenting and child-rearing.
 - Limited assessment of the context related to mutual allegations of domestic abuse
- See Preamble to Revised Chapter Four*



What are some benefits and opportunities you see about considering parenting time establishment in the IV-D space?



Focus on the positive 😊



What are some benefits and opportunities you see about considering parenting time establishment in the IV-D space?



Underpinning of MC Chapter 4 Framework

An approach that requires a careful analysis and tailored response, which means that adequate information is obtained (safely and ethically) and provided to the court, allowing for a comprehensive assessment of the context, nature, and effects of abuse on the parent and children who experienced domestic abuse.

RESOLVABLE TENSION ALERT!



Definition of Domestic Abuse

An Overview



Definition (Code Summary)

For the purpose of this chapter, in **any proceeding** concerning custody, parenting time or visitation with a child, “domestic abuse,” whether or not the conduct constitutes a criminal offense, is defined as the following:

- physical assault or other forms of bodily harm, including those involving a firearm, or implicit or explicit threats thereof, this provision applies to such acts against the other parent or against another member of the family;
- stalking;
- sexual abuse;
- coercive controlling abuse as defined below;
- technological abuse as defined below;
- financial abuse as defined below; or
- human trafficking.



Definition continued

Coercive controlling abuse

- For purposes of this chapter, coercive controlling abuse is a **pattern of conduct** that has the **purpose or effect** of **substantially restricting** the other parent's safety or autonomy through **implicit or explicit threats, or intimidation, or by compelling compliance.**
- Conduct undertaken by a parent to protect themselves or their children from the risk of present or future harm posed by the other parent does not constitute coercive controlling abuse.

The following is an **inexhaustive list** of examples of behaviors which may constitute coercive control if they are part of a pattern of conduct as defined in (a)

- Monitoring and surveilling of daily personal activities;
- Intensely managing or dictating the other parent's personal day-to-day activities;
- Intimidating the other parent;
- Manipulating the other parent's mental health status to the detriment of the other parent;
- Isolating the other parent from friends, relatives, faith community, employment, or other support networks;
- Repeatedly humiliating or using degrading language towards the other parent;
- Committing or threatening to commit cruelty or abuse to animals connected to the family;
- Using repeated court actions not warranted by existing law or good faith argument to
 - harass, coerce, or control the other party,
 - diminish or exhaust the other party's financial resources, or
 - compromise the other party's employment or housing;



List continued

- Threatening to harm or abduct children;
- Engaging in gaslighting behaviors towards the other parent;
- Cleaning, accessing, displaying, using, or wearing a firearm in an intimidating or threatening manner; or
- Threatening deportation or to contact local or federal agencies based on actual or perceived immigration status, refusing to file immigration applications, or threatening to withdraw immigration applications on the other parent's or child's behalf.



Large Group Discussion

A child support officer during a training discussing the dynamics of DV states that the definition of domestic violence for IV-D purposes should only include physical violence or else all arguments couples have will be labeled as abuse.

How Would You Respond?



Why is an expansive DV definition helpful?

- Much is now known about the degree to which children can be harmed by being exposed to and experiencing domestic abuse, even non-physically violent forms of abuse, and even when the children themselves are not physically harmed. (see cited research in chapter four document) ~ *See page 15 of the Preamble of Revised Chapter Four see citations noted therein.*
- Physical violence is only one of a multitude of types of abusive behavior and that nonphysical abuse is often just as problematic, if not more so, and therefore must be appropriately addressed in custody/parenting time decision-making. ~ *See page 34 of the Definitions Commentary section of Revised Chapter Four.*
- For each type of abusive behavior proposed for inclusion in the definition, the Working Group wrestled with the same issues: could including this form of abuse in the definition: (1) guide courts to recognize and address many kinds of problematic and dangerous parenting by parents who are abusive and their implications for child custody or parenting time determinations; (2) have unintended or negative consequences; and (3) be accessible, easy to interpret, and useful to all parents, including those who do not have legal representation or who face other barriers to meaningful legal system access. ~ *See pages 15-16 of the Preamble of Revised Chapter Four.*



Best Interest of the Children (BIC)

An Overview



Best Interest of the Child Considerations (Code Summary)

- The court shall first consider the following factors and make specific findings regarding each factor
- the nature and context of the domestic abuse by one parent against the other and any abuse experienced by the child from the parent who is abusive;
- the historical and present parenting behaviors of each parent, including the abusive parent's support of the child's relationship with the non-abusive parent and the abusive parent's support of the parental role of the non-abusive parent;



Considerations continued...

- any information about current or future risk of harm to the child or the parent who is abused posed by the abusive parent, including a child's expressions of distress about contact with the parent who is abusive; and
- the effects of domestic abuse or child abuse on the child's physical and psychological well-being



BIC – Other considerations

If jurisdiction does not include the following – following should be considered:

- the child's historical and present relationship with each parent and the child's siblings;
- any protective behaviors engaged in by an abused parent to support the safety and psychological well-being of each child;
- each child's adjustment to changes in daily life; and
- whether and how each child's physical, social, and psychological needs are or have been met by each parent.



Large Group Discussion

A stakeholder states that children need two parents and there are many problems in families that come to court that need to be addressed – domestic violence is just one of them.

How Would You Respond?



Centering BIC

A parenting arrangement must be based on the best interest of the child, as carefully assessed in light of the nature and context of the abuse, and its effects on the child and parenting by both parents.

~ See page 69 Best Interest of the Child Commentary section of the Revised Chapter Four.



Centering BIC

- Domestic abuse and child abuse have an impact on every aspect of family life and the risk posed to each child and the parent who is abused, and in order to craft a safe, workable parenting plan, that impact must be understood. ~ *See page 58 Best Interest of the child Commentary section of the Revised Chapter Four.*
- Merely identifying domestic abuse as a factor and then immediately drawing conclusions about the appropriate custody/parenting time arrangement does not adequately address the needs of the family. Each case must be carefully considered on its facts. ~ *See page 57 Best Interest of the child Commentary section of the Revised Chapter Four.*



Centering BIC

- Domestic abuse does not operate in a vacuum and cannot be siloed as a discrete factor; it affects every part of family life and parenting, and how it does so is specific to each family ~ *See page 57 Best Interest of the child Commentary section of the Revised Chapter Four.*
- Elevate the safety and well-being of the child and parent who is abused above all other best interest factors in deliberations about custodial options in those disputed custody cases where there has been a finding of domestic abuse by one parent of the other. It contemplates that no custody or parenting time order may properly be issued that jeopardizes the safety and well-being of adult and child victims. ~ *See page 57 Best Interest of the child Commentary section of the Revised Chapter Four.*



Other Chapters of the Model Code worth looking at...

**Parenting Time/
Visitation**

ADR



Source: National Council of Juvenile and Family Court Judges, Revised Chapter Four: Families and Children of the Model Code on Domestic and Family Violence (Dec.2022), <https://www.ncjfcj.org/publications/revised-chapter-four-families-and-children-model-code-on-domestic-and-family-violence/>.

NCJFCJ Resolution - https://www.ncjfcj.org/wp-content/uploads/2023/08/NCJFCJ_Mode-Code-Ch-4_BoardResolution_FINAL.pdf



Training and Technical Assistance

Toolkit QR Code

<https://www.ncjfcj.org/courses/revise-chapter-four-toolkit/>

Jarsenian@ncjfcj.org –
to request virtual training
or technical assistance.





What additional questions do you have or information that you need to further consider incorporating MC into child support and parenting time work?





Office of Temporary
and Disability Assistance

Office for the Prevention
of Domestic Violence

Intersection of Domestic and Gender-Based Violence with Child Support

[Insert date]



NYS Office for the Prevention of Domestic Violence

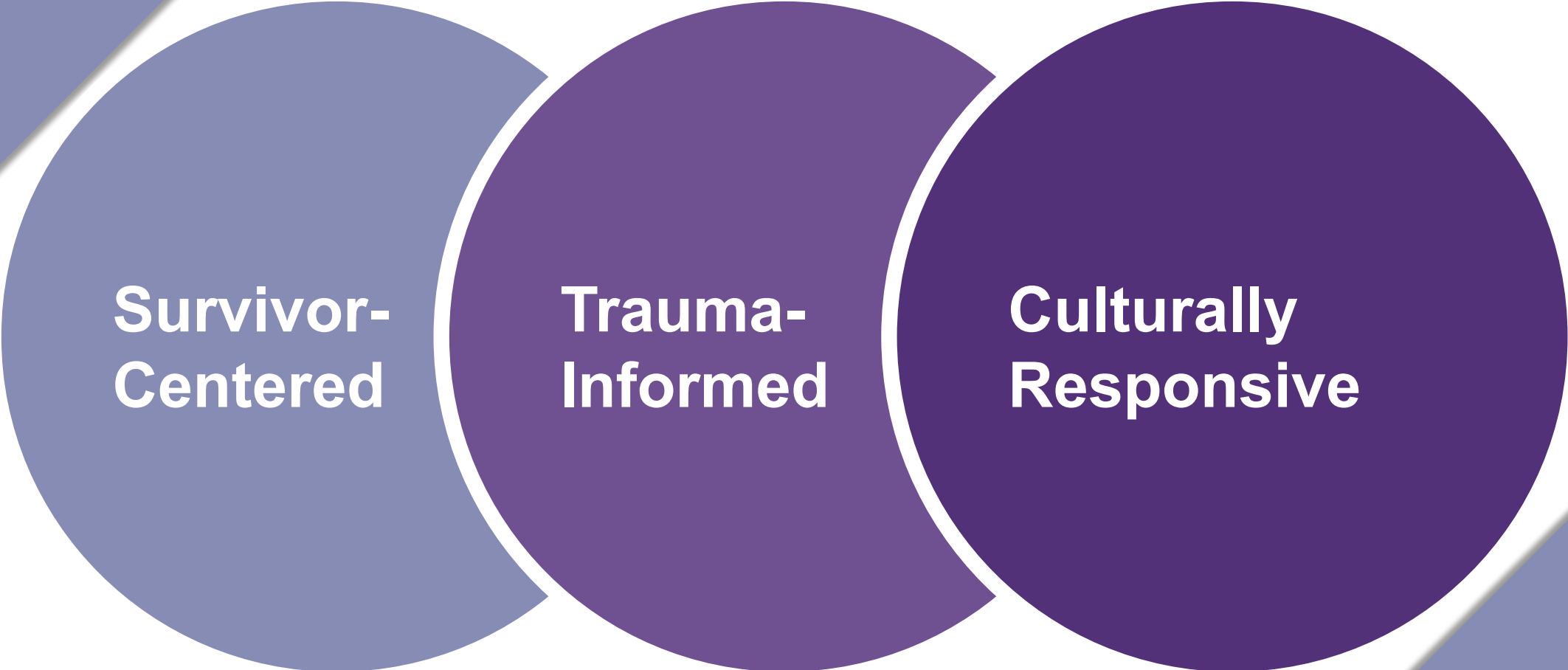


Public Policy

Education and Public Awareness

Statewide Services Network





**Survivor-
Centered**

**Trauma-
Informed**

**Culturally
Responsive**





Outcomes

Gain a greater understanding of domestic and gender-based violence including:

- Definitions
- Indicators
- Intersection
- Safety Concerns and Challenges
- Recognize, Respond and Refer



NEW YORK STATE DOMESTIC AND SEXUAL VIOLENCE HOTLINE

TEXT.

844.997.2121



CALL.

800.942.6906



CHAT.

OPDV.NY.GOV



FREE. CONFIDENTIAL. 24/7.
AVAILABLE IN MOST LANGUAGES.



CRISIS TEXT LINE



741741

Crisis Text Line serves anyone, in any type of crisis, providing access to free 24/7 support





Victim

Survivor





80%
of victims
are women

Division of Criminal Justice Services. *Criminal Justice Statistics*.
<https://www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm>





Perpetrator

Abusive
partner

Person who
causes harm



Gender-Based Violence

Domestic Violence



Intimate Partner Violence



Sexual Violence



Trafficking



Family Violence





Gender-Based Violence:

Violence or threats that happen because of someone's **sex**, **gender**, **sexual orientation**, **gender identity or expression**, or **other related characteristics**.





Gender-Based Violence

Domestic Violence



Sexual Violence





1 in 4
women

1 in 10
men

...have experienced **contact sexual violence, physical violence, and/or stalking** by an intimate partner during their lifetime and reported some form of IPV-related impact

Centers for Disease Control and Prevention. (2021, November 2). Fast Facts: Preventing Intimate Partner Violence.
<https://www.cdc.gov/violenceprevention/intimatepartnerviolence/fastfact.html>





1 in 3
women

1 in 4
men

...experienced **sexual violence** involving physical contact during their lifetime

Centers for Disease Control and Prevention. (2021, November 2). Fast Facts: Preventing Intimate Partner Violence.
<https://www.cdc.gov/violenceprevention/intimatepartnerviolence/fastfact.html>





Specific populations or communities including **people of color, LGBTQIA+**, and **communities with fewer resources** experience domestic violence at **even greater** rates





Intersectionality

- Race
- Culture
- Class
- Gender
- All other identities



01

Understanding Domestic Violence





Gender-Based Violence

Domestic Violence



What are some general stereotypes that people have about domestic violence?



NEW YORK STATE DOMESTIC AND SEXUAL VIOLENCE HOTLINE

TEXT.

844.997.2121



CALL.

800.942.6906



CHAT.

OPDV.NY.GOV



FREE. CONFIDENTIAL. 24/7.
AVAILABLE IN MOST LANGUAGES.





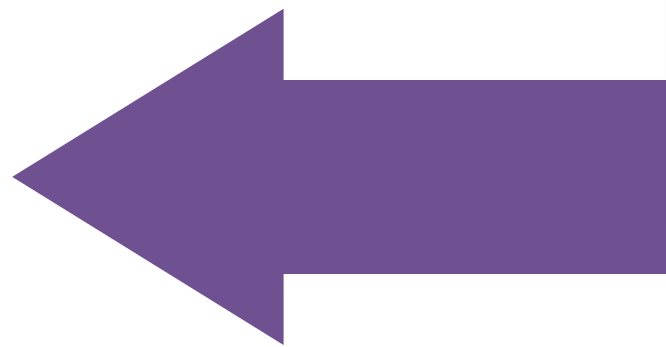
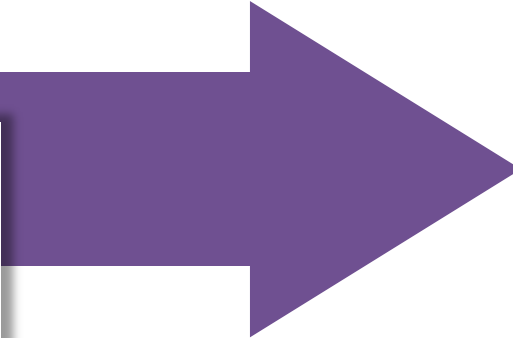
Domestic Violence:

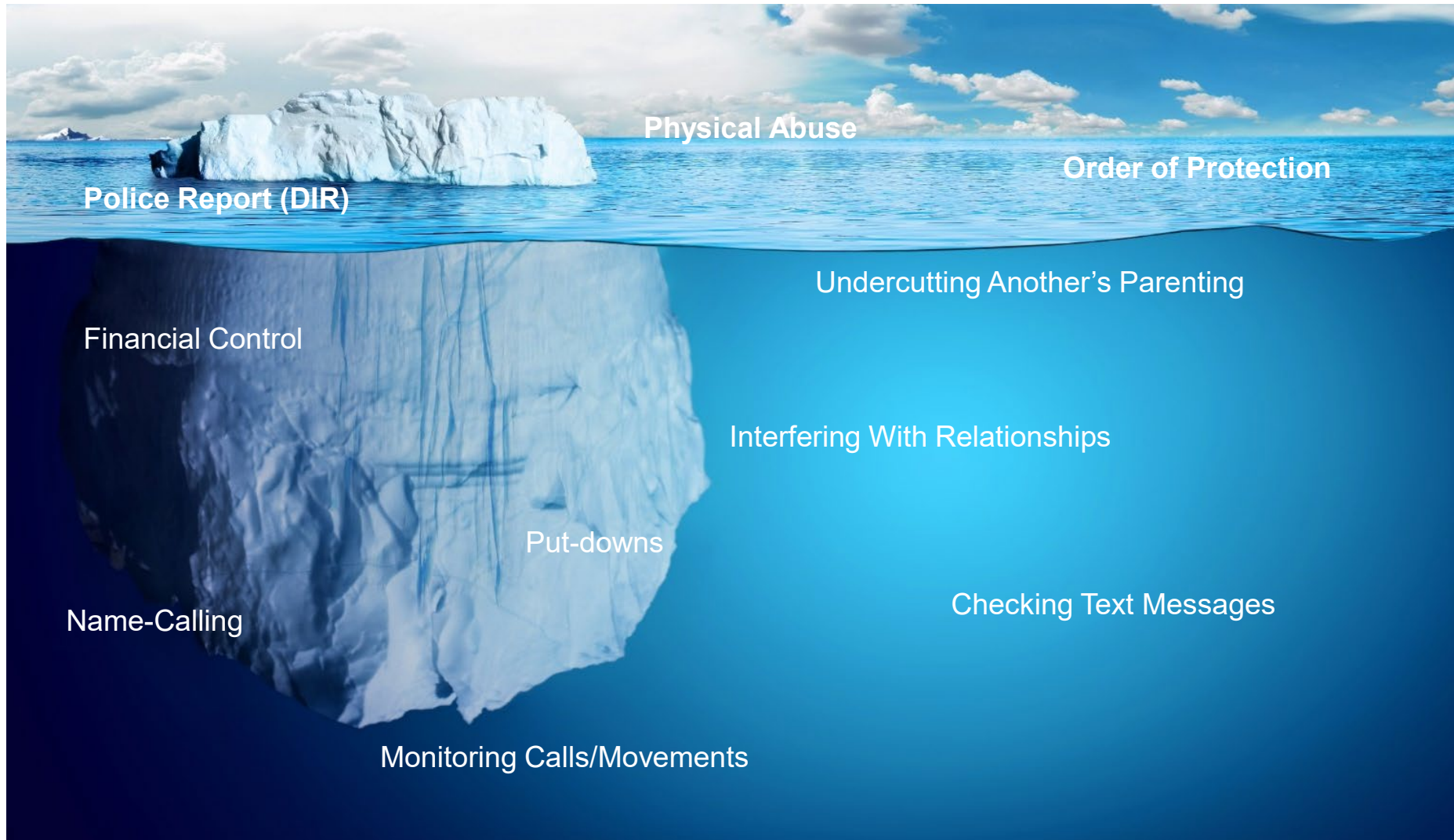
A **pattern of behavior** used by an individual to establish and maintain **power and control** over their **intimate partner**.

The behavior includes abusive tactics, threats, and actions that may or may not rise to the level of criminal behavior.

The tactics may include physical, emotional, financial, and sexual abuse.







Physical Abuse

Order of Protection

Police Report (DIR)

Undercutting Another's Parenting

Financial Control

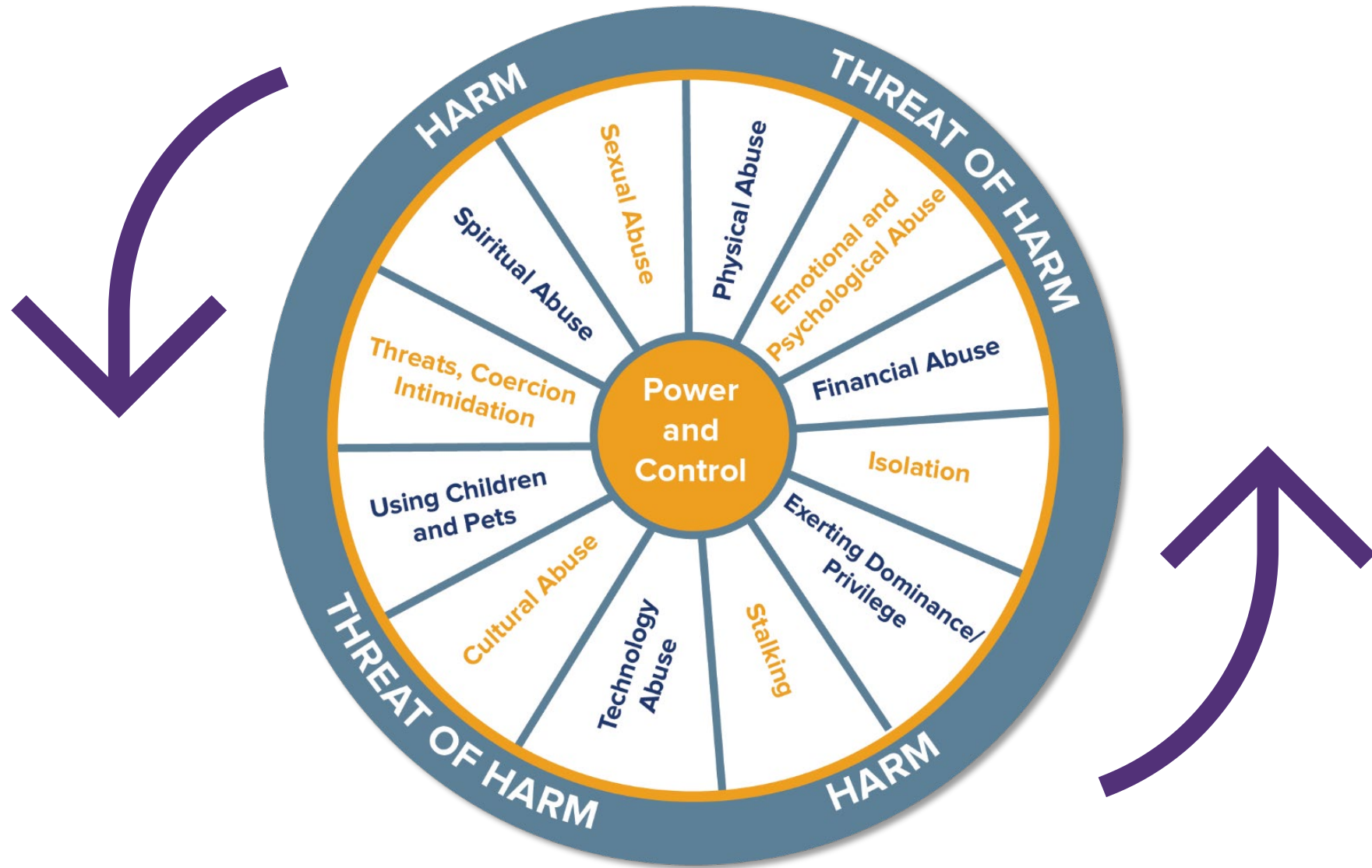
Interfering With Relationships

Put-downs

Checking Text Messages

Name-Calling

Monitoring Calls/Movements



Adapted from the Domestic Abuse Intervention Program
Duluth Model Power & Control Wheel



Coercive Control:

An act or a pattern of **acts, threats, humiliation, and intimidation** that is used to **harm, punish, or frighten**



Gaslighting







Technology Abuse



NEW YORK STATE DOMESTIC AND SEXUAL VIOLENCE HOTLINE

TEXT.

844.997.2121



CALL.

800.942.6906



CHAT.

OPDV.NY.GOV



FREE. CONFIDENTIAL. 24/7.
AVAILABLE IN MOST LANGUAGES.





Staying

Leaving





STAYING

LEAVING



POLL



_____ % of domestic violence related homicides occur upon separation.

- a) 15%
- b) 40%
- c) 55%
- d) 75%

The Center for Relationship Abuse Awareness. *Barriers to Leaving an Abusive Relationship*. Retrieved from <http://stoprelationshipabuse.org/educated/barriers-to-leaving-an-abusive-relationship/>





Alcohol/drugs

Loss of control/
poor impulse control

Poverty/lack of education

Another person's behavior

Anger

Stress





Abuse is **ALWAYS** a choice



02



Understanding Sexual Violence





Gender-Based Violence

Sexual Violence





Sexual Violence

Sexual violence includes **sexual acts or activities that happen without consent**. This may include rape, sexual assault, and sexual abuse. Sexual violence includes different types of **unwanted physical contact including rape, molestation, groping, sexual abuse** by an intimate partner and child sexual abuse, that **may or may not be criminal**.





What is Consent?

Freely given

Reversible

Enthusiastic

Informed

Specific



Reproductive Coercion

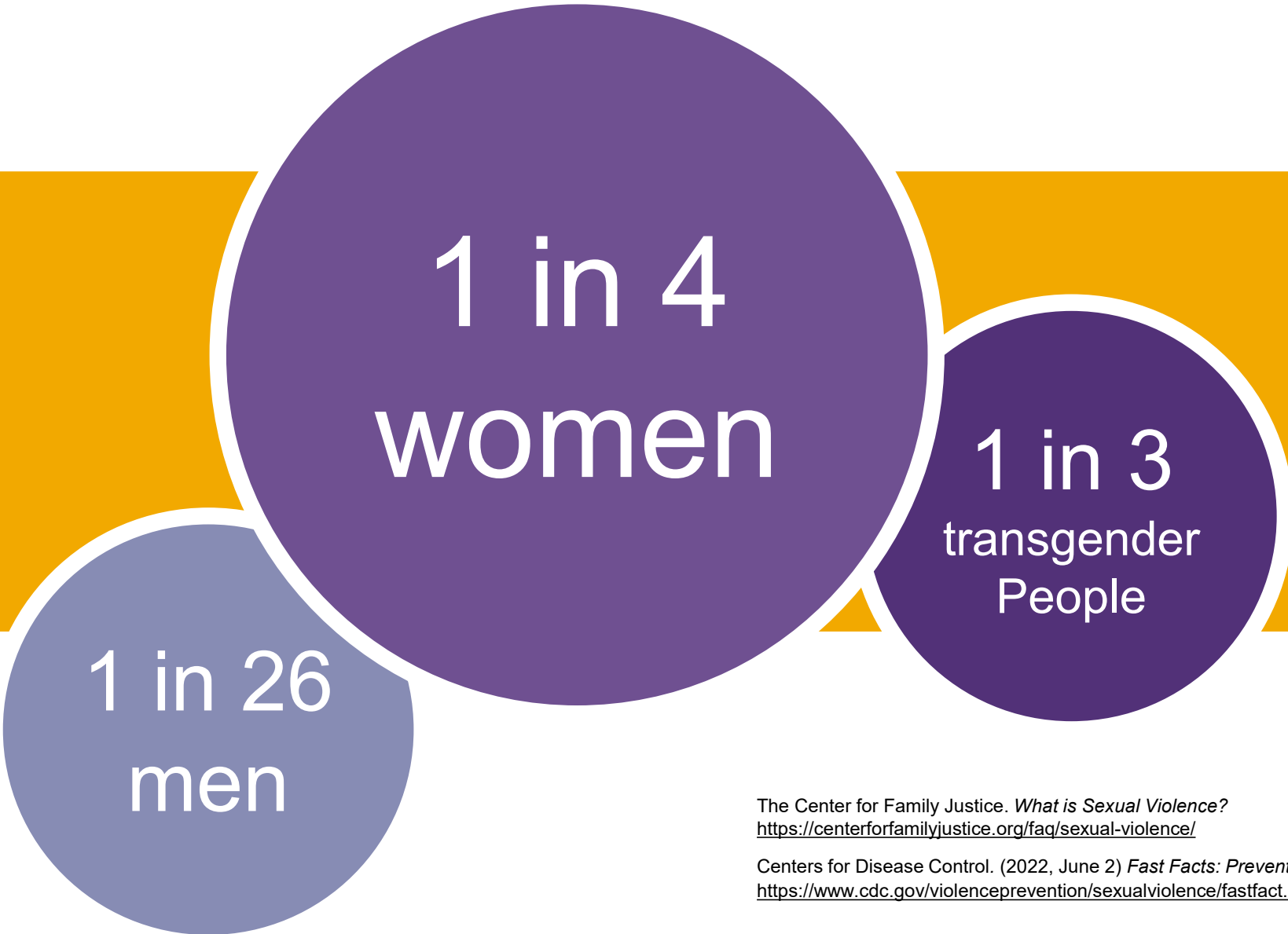




Women are four times more likely to suffer increased abuse as a result of an unintended or unwanted pregnancy.

<https://opdv.ny.gov/statistics/nydata/docs/opdv-2018-dv-dashboard.pdf>





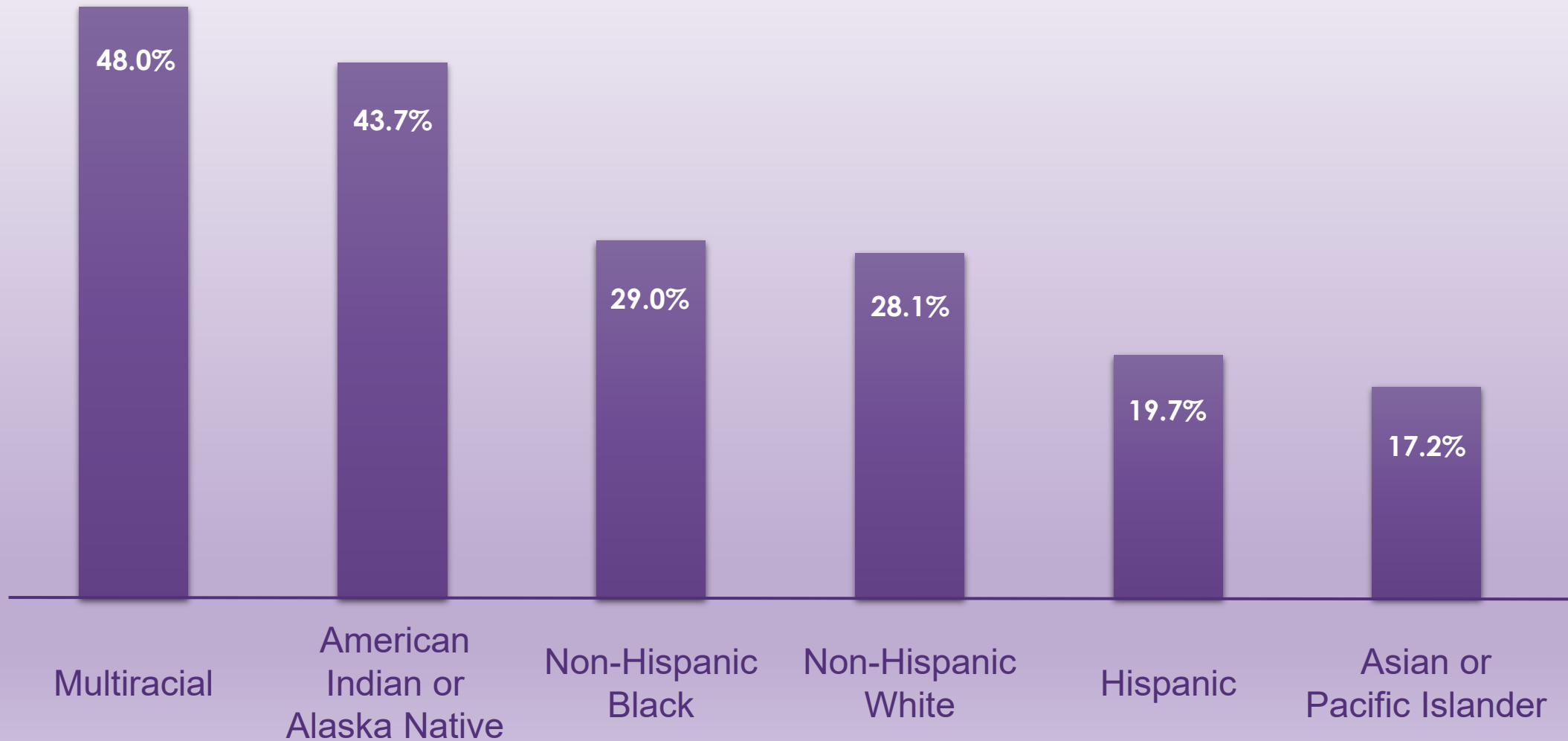
The Center for Family Justice. *What is Sexual Violence?*
<https://centerforfamilyjustice.org/faq/sexual-violence/>

Centers for Disease Control. (2022, June 2) *Fast Facts: Preventing Sexual Violence.*
<https://www.cdc.gov/violenceprevention/sexualviolence/fastfact.html>





Women Who Experience Sexual Violence in their Lifetime by Race/Ethnicity





POLL

Out of every 1,000 sexual assaults, how many perpetrators will walk free?

- a. 225
- b. 500
- c. 750
- d. 995



Rape, Abuse & Incest National Network. *The Criminal Justice System: Statistics*. <https://www.rainn.org/statistics/criminal-justice-system>





Sexual Violence is **NEVER** the victim's fault





Use of Pornography Children Living in Harassment

Violent Homes Delays in Speech

Violence at School

Learning disabilities

Truancy

Teen Pregnancy

Food Addiction

Depression

Nightmares

Stuttering

Runaways Violence Substance Use

Anxiety

Date Rape

Sexual Assaults

Impact





15 Minute Break



03

Intersection of Domestic and Gender-Based Violence and Child Support





50 - 60%



https://empirejustice.org/wp-content/uploads/2019/04/Report-Family_Violence_Option_2019.pdf





Child support has a unique role in reducing the risk of violence and helping survivors achieve economic independence



<https://www.ncsl.org/research/human-services/child-support-and-domestic-violence.aspx>



Collecting Child Support

Benefits

Risks



37%

Over **90%** of domestic violence victims want to pursue child support

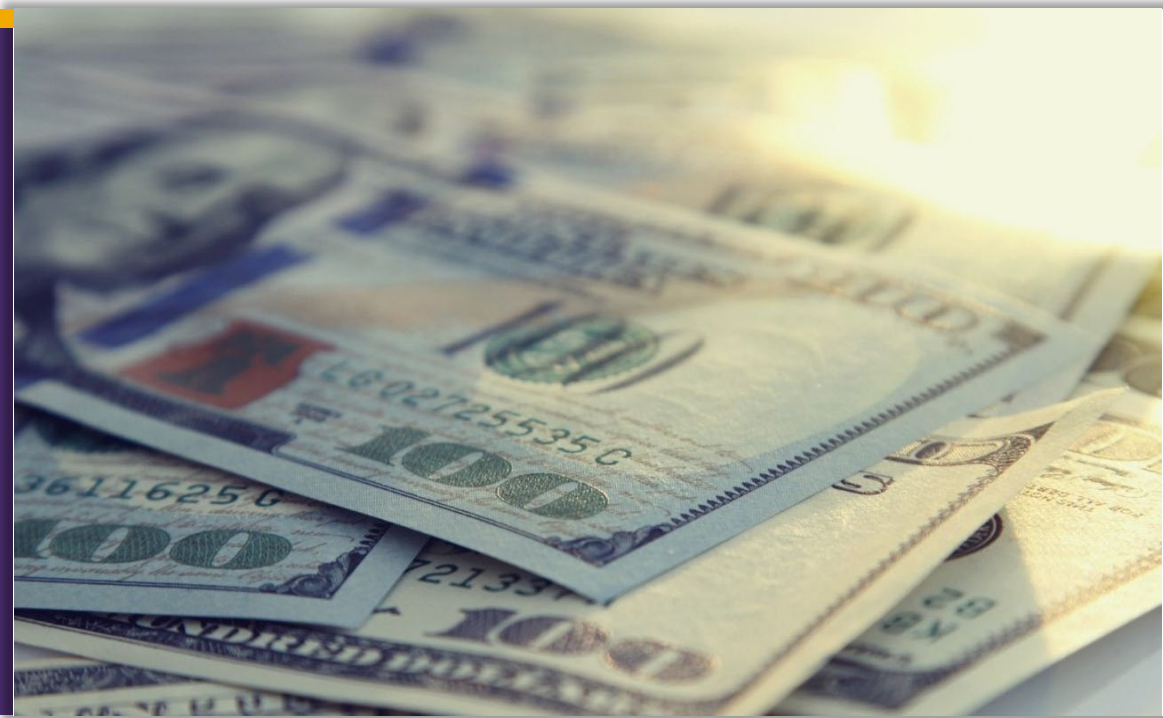
<https://childandfamilyresearch.utexas.edu/>

Jessica Pearson and Nancy Thoennes. "New directions for child support agencies when domestic violence is an issue." *Policy and Practice*, 58 (2000): 29-36





Financial abuse is seeking to **control**, **sabotage** and/or **exploit** a survivor's **financial stability** and **independence**





POLL



What percentage of **domestic violence** cases include **financial abuse**?

- a. 25%
- b. 40%
- c. 78%
- d. 99%

Allstate Foundation. (2018). *2018 National Poll on Domestic Violence and Financial Abuse*. <https://allstatefoundation.org/wp-content/uploads/2020/04/2018-research-deck-v1.pdf>





78%

<https://allstatefoundation.org/wp-content/uploads/2020/04/2018-research-deck-v1.pdf>





Financial abuse
may begin subtly
and progress
over time



Financial Abuse



The **short** and **long-term** effects of financial abuse can be devastating





What are the impacts of coercive control during the child support, divorce, and custody processes on the custodial parent?



POLL



What does a **victim** of domestic violence need to **feel safe**?

- a. Escape from the Violence
- b. Housing
- c. Food Security
- d. Medical (Health) Care



3 out of 4 survivors cite financial insecurity as the main reason they stayed with an abusive partner

Of the **85%** of victims who returned to their abusers, a significant number cited an inability to address their finances

Mary Kay. (2012). "Truth About Abuse Survey Report." The Nation

Salamone, Nancy. (September 2010). "Domestic Violence and Financial Dependency." Forbes.





Recognize



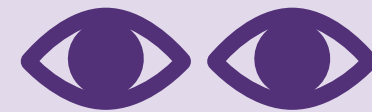
Respond



Refer



Recognize





Awareness of Domestic and Gender-Based Violence



Some of These Signs and Behaviors Include:

Seasonally inappropriate clothing	Hyperventilating	Taking blame for what happened
Arrives late for appointments	Depression, suicidal thoughts or attempts	Minimizes NCP's behavior
Visible physical injuries (bruises, cuts, scratches, scars, broken bones, etc.)	Appears fatigued	Alcohol or other substance use disorders
Stress-related illnesses (heart disease, asthma, diabetes, anxiety, etc.)	Crying/sobbing, upset, angry	Apologetic for NCP's behavior
Exhibits fear, anxiety, and/or depression	Constantly texting on phone or simply looking at the phone while talking to you	Threatening emails, texts, and/or phone calls



These signs do not necessarily mean that a customer is experiencing domestic or sexual violence



Impact of domestic and gender-based violence



Refusing to pay or evading child support

Intimidation/Threats

Hiding assets

Conceding to joint custody

Forcing CP to return to court dozens of times

Large debt on joint accounts

Using court-ordered visitation

Bad credit history



Support

Recognize

**Survivors
may not
report their
abuse**



Respond





Why may a customer not disclose?



Provide safe opportunities to disclose domestic and gender-based violence





It can be difficult to know what to say or do when someone discloses that they are experiencing domestic or gender-based violence



Be **empathetic** and **supportive**





How Do You Show Empathy and Support?

- Be patient
- Ask questions
- Avoid victim blaming tone/language
- Validate





Office of Temporary and Disability Assistance

KATHY HOCHUL
Governor

DANIEL W. TIETZ
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

Informational Letter

Section 1

Transmittal:	22-INF-09
To:	Social Services District Commissioners
Issuing Division/Office:	Child Support Services
Date:	November 16, 2022
Subject:	Domestic Violence and the Child Support Program: <i>Get Child Support Safely</i>
Suggested Distribution:	Child Support Program Coordinators Support Collection Unit Supervisors Staff Development Coordinators
Contact Person(s):	Child Support Services – County Representative: otda.sm.dcse.bpo@otda.ny.gov
Attachments:	Attachment 1 – Pub-5194, <i>Get Child Support Safely</i> brochure Attachment 2 – Pub-5194A, <i>Get Child Support Safely</i> poster Attachment 3 – <i>Get Child Support Safely Model Screening Questions and Practices</i> Attachment 4 – <i>Domestic Violence Resource Guide</i>

Get Child Support Safely Model Screening Questions and Practices

- Sample questions and scripts that CS staff may use to screen for safety concerns and provide information about the protections available within the child support process
- Domestic Violence Resources

Background Guidance on Screening Practices for Child Support Workers

- DV victims are frequently reluctant to share their history with strangers. It's critical to build trust through an interactive process that empowers a victim by respecting their self-knowledge and choices
- The Program's goal is to assist the custodial parent in achieving financial stability by having the noncustodial parent provide consistent and reliable financial support. Assessing if a safety concern exists can provide direction on how to proceed to reach this goal.
- We ask questions to get information on domestic violence or safety concerns to make this process safe for the victim and children, and to provide information, resources, and referrals, as is appropriate for their situation.
- DV victims, and their children, may have suffered trauma that can affect the victim's ability to process information and participate in the process.
- It's important to provide opportunities for the victim to share important information at all stages of the interview, and during subsequent contact points, to develop trust in the process and the case manager's supportive role.
- It's also essential to provide repeated opportunities to ask questions and receive information for a procedurally just and transparent process.
- Validate the importance of what is shared by the victim and support them as they disclose information.
- Respecting the victim's right to make choices for themselves and their children is a key strategy for engagement.
- Don't force disclosure—that should not be the goal. Instead, provide repeated opportunities for universal education on domestic violence and how the child support agency can enhance survivors' safety throughout the child support process.

Model Framing Language and Screening Questions

Caseworkers: This section is a script of framing language and screening questions to use with both the applicant and the respondent to promote the opportunity for disclosure of a safety concern. *Italicized language should be read to the customer.*

- *The New York State Child Support Program is committed to making the child support process as safe as possible for you and your child(ren).*
- *We take the safety of families applying for child support seriously. There are parts of our process that may introduce a safety concern for you. We may be able to modify and/or eliminate some of our procedures to help.*
- *You may have concerns that Child Protective Services (CPS) will become involved if you disclose family violence. Child Support workers focus on child support. We are only required to make a report to CPS if we have reasonable cause to suspect a child is being harmed or in imminent danger of harm. CPS is not involved in any decision to set or enforce child support.*
- *I am going to read through a few statements. Your responses are confidential and will not be shared with the other parent.*
 - *I feel safe around the other parent.*
 - *I trust the other parent to respect me and not hurt me.*
 - *I can safely pursue child support.*
 - *I am comfortable with the other parent having parenting time with our children.*
 - *I am comfortable meeting together with the other parent at the Child Support office.*



Family Violence Indicator (FVI)



Domestic Violence Waiver

Good Cause





LDSS:2859 Information Transmittal

LDSS-2859 (Rev. 04/21)

Information Transmittal

To: TA Foster Care DV Liaison Child Support
 MA Fraud Employment Unit Other

From: TA Foster Care DV Liaison Child Support
 Fraud Employment Unit Other

Custodial Parent/Applicant/Recipient Name (Last, First, MI)

Address **Phone Number**

Noncustodial Parent Name (Last, First, MI)

NY Case Identifier **TA/MA/FC Case Number**

Section I: Case Information (Completed by Referring Program)

Applicant applied for TA on . If needed, please schedule a child support interview.
 Child Support must advise TA of this person's cooperation status by .

Applicant/Recipient Reported New/Changed Information:

Good Cause: Claimed Exists Does not exist





Domestic Violence and the Child Support Program: Safely Pursuing Child Support

Offered monthly by the Professional Development Program (PDP) at Rockefeller College

Covers what steps can be taken to maintain the safety of our customers while carrying out child support actions.

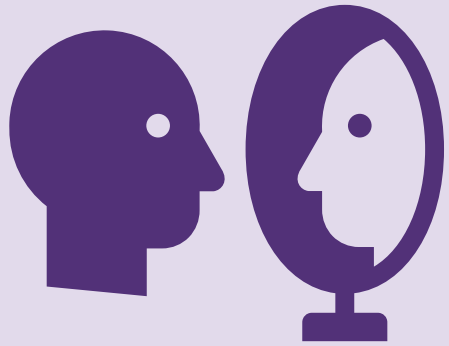




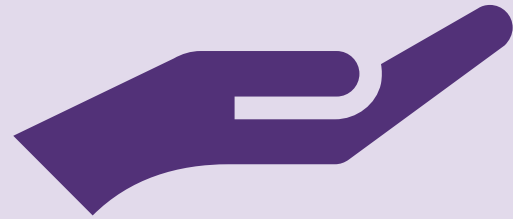
is committed to ensuring a survivor-centered, trauma-informed, and culturally responsive response for everyone experiencing domestic or gender-based violence



Survivor-Centered Response



Self-Determination



Expressed Needs of Survivors



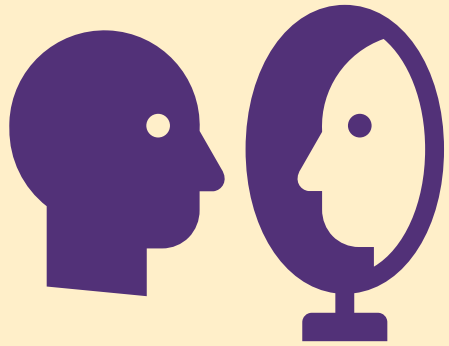
Culturally Responsive



Confidential



Survivor-Centered Response

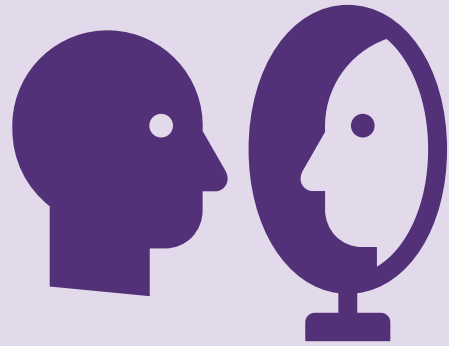


**Self-
Determination**

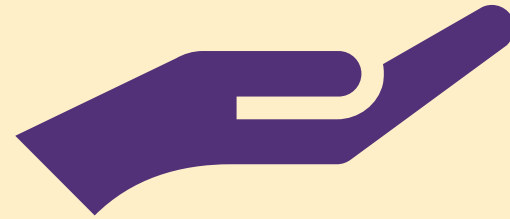
Having the right and freedom to make choices about how to live one's own life.



Survivor-Centered Response

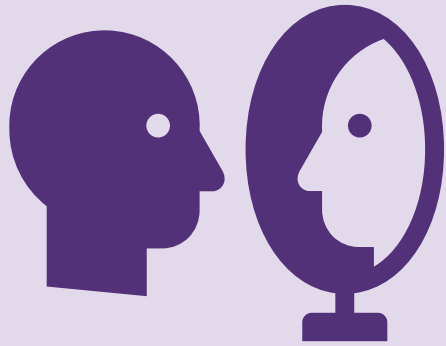


Self-Determination

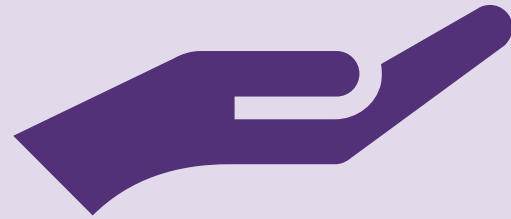


Expressed Needs of Survivors

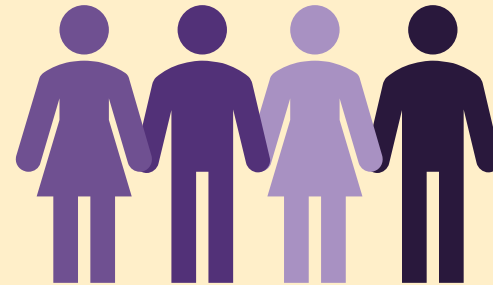
Survivor-Centered Response



Self-Determination



Expressed Needs of Survivors

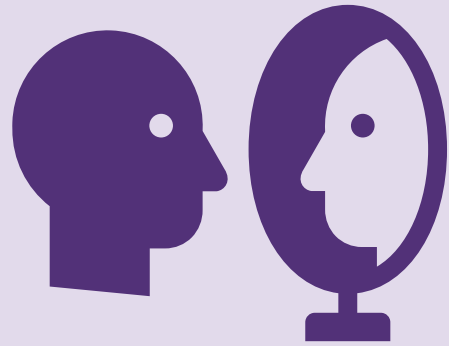


Culturally Responsive

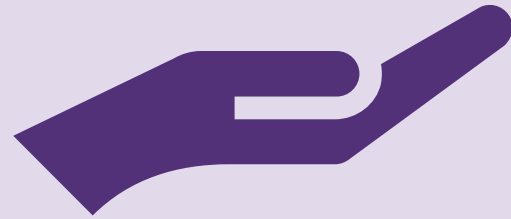
- Race
- Culture
- Class
- Gender
- And All Other Identities



Survivor-Centered Response



Self-Determination



Expressed Needs of Survivors



Culturally Responsive



Confidential



Culturally Responsive





Trauma-Informed Services





**Don't force
disclosure**

**Our goal is
assistance**





By starting the conversation, you may help the customer feel more comfortable disclosing their situation and they may be willing to ask for help





Refer





Domestic Violence Liaison (DVL)

**For customers
receiving TA**

**Grants a Domestic
Violence Waiver**

Can be full or partial

LDSS-2859



NEW YORK STATE DOMESTIC AND SEXUAL VIOLENCE HOTLINE

TEXT.

844.997.2121



CALL.

800.942.6906



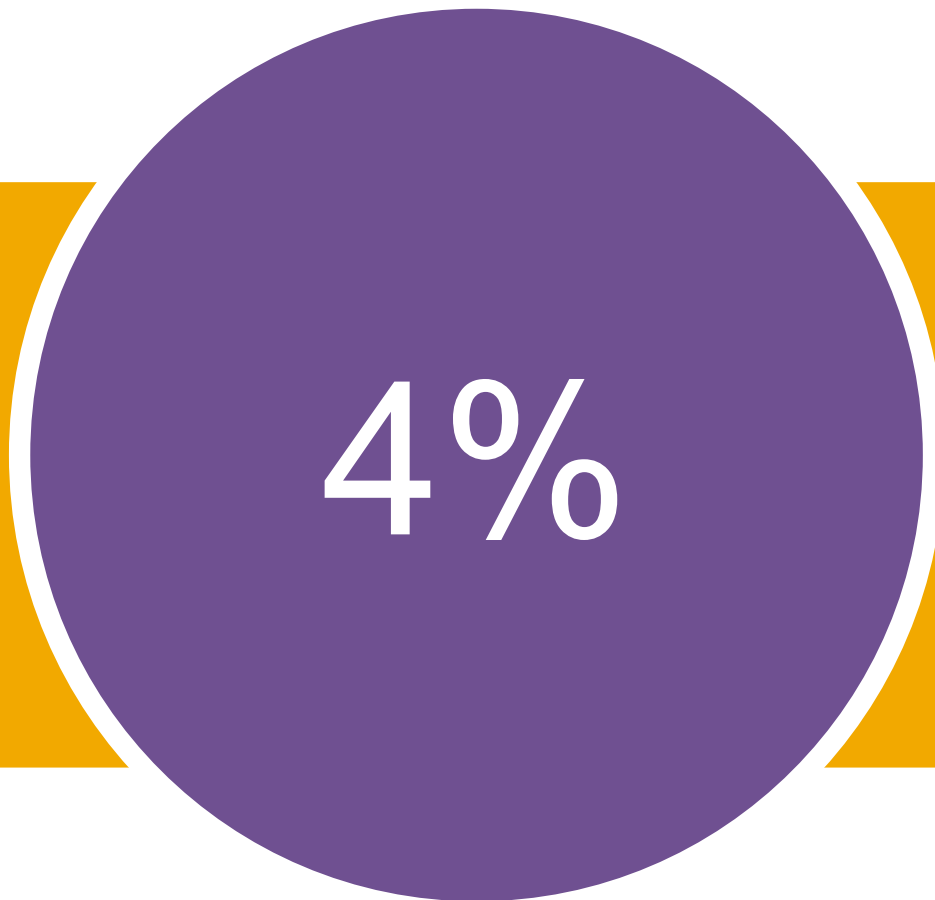
CHAT.

OPDV.NY.GOV



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AVAILABLE IN MOST LANGUAGES.





of abused victims had used a domestic violence hotline or shelter within the year prior to being killed by an intimate partner

Sharps, P. W., et al. (2001). Health care providers' missed opportunities for preventing femicide. *Preventive Medicine* 33, 373-80.



Domestic Violence Programs in New York State





EXIT THE WEBSITE NOW

Click this button if you need to leave the page immediately for your safety. Computer use can be monitored and this page will still appear in your we

Domestic Violence Service Providers

Albany

[Equinox, Inc.](#)

Hotline: 518-432-7865

102 Hackett Blvd.

Albany, NY 12209

Phone: 518-434-6135

Program Types: Residential, Non-Residential

Allegany

[Allegany County Community Opportunities & Rural Development Inc. \(ACCORD\)](#)

Hotline: 800-593-5322

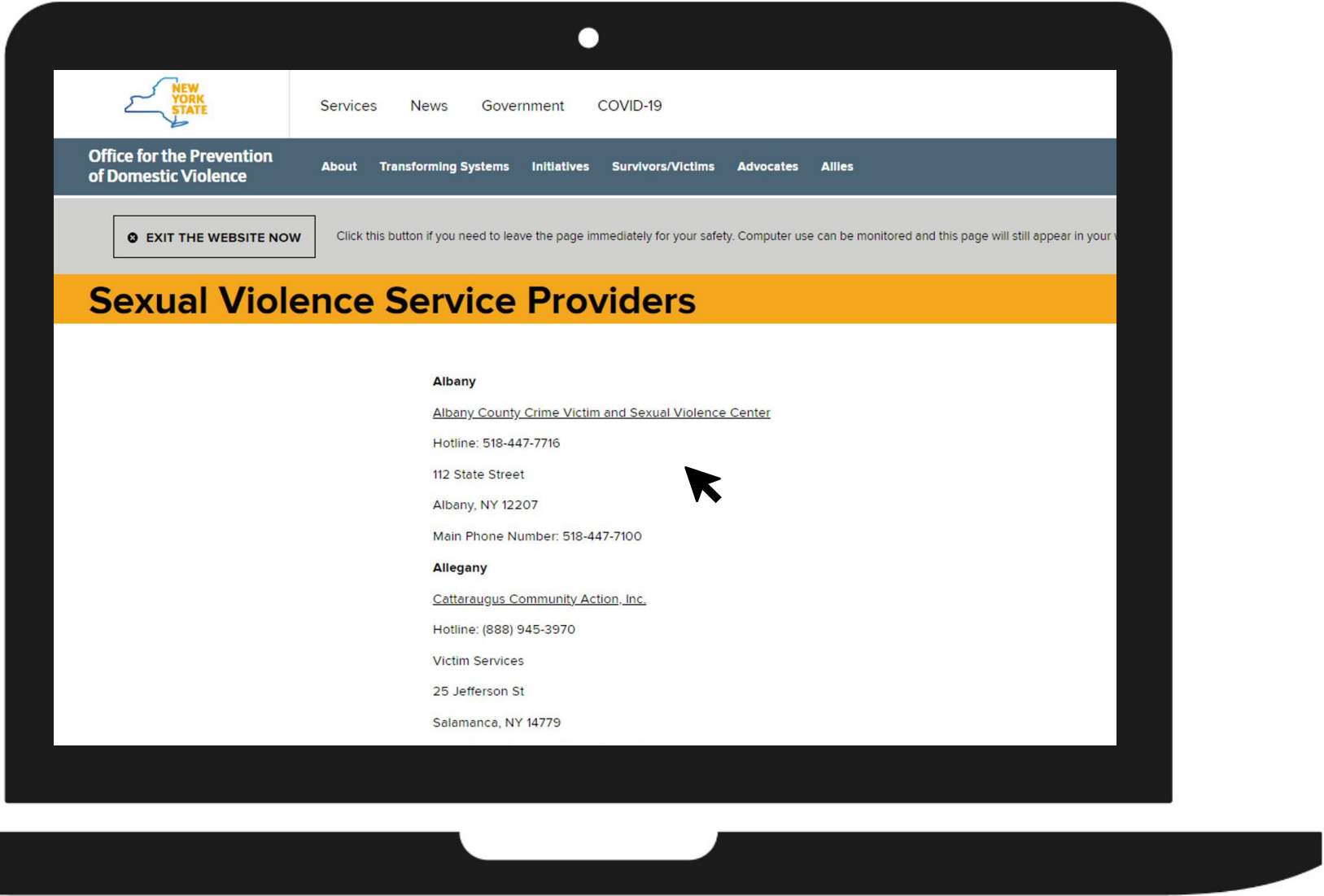
P.O. Box 573

Belmont, NY 14813-0573

Phone: 585-268-7605

Program Types: Residential, Non-Residential





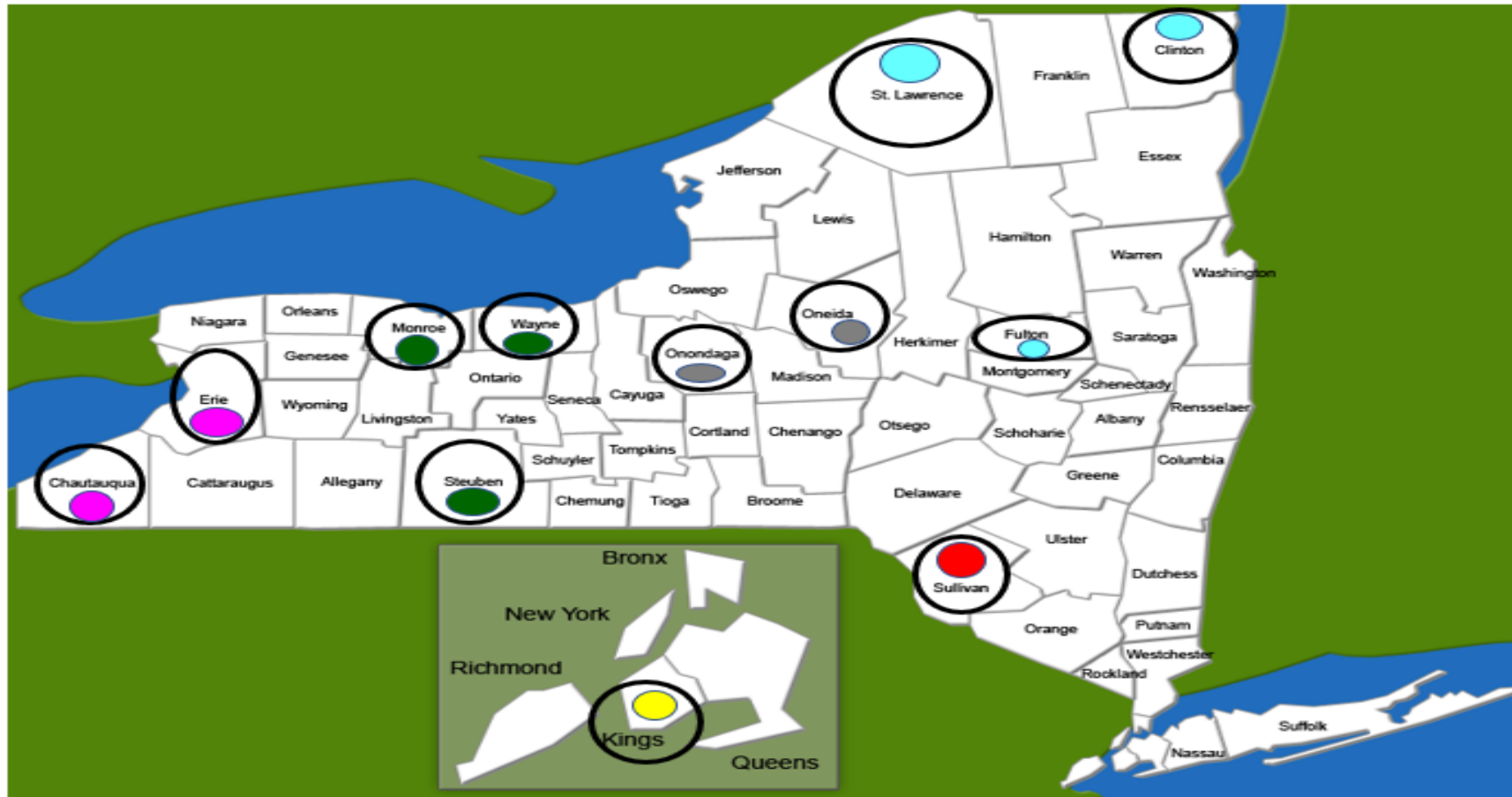


Safe Access for Victims' Economic Security Demonstration (SAVES)

- Assess ways to make child support services more accessible to survivors and their children;
- Assess ways to increase public understanding of protections available to all individuals, including survivors; and
- Increase the number of individuals who ultimately seek and receive child support services.

NYS SAVES Demonstration Project: Participating Pilot Districts

- Judicial District 2
- Judicial District 3
- Judicial District 4
- Judicial District 5
- Judicial District 7
- Judicial District 8





Enhanced Project Goals

March 2023: Supplemental funding award of \$385,500

- Expand assessment of safety risks for survivors who are offered voluntary parentage establishment services in birth facilities and design interventions to reduce the likelihood of coerced signing of the Acknowledgment of Parentage form;
- Identify and adapt promising models for establishing parenting time arrangements that incorporate safety modifications needed to promote survivor and family safety.
- Address disparities in access to parenting time services/arrangements experienced by unmarried parents.
- Expand assessment of the intersection of race/ethnicity and prevalence of domestic violence and access to safety modified child support and parenting time services.



Safe Access for Victims' Economic Security

E-News



SAVES Demonstration	NYS OPDV's Website	NYS OTDA's Website	Contact the SAVES Team
-------------------------------------	------------------------------------	------------------------------------	--

SAVES Newsletter

August 2023

Volume 1 / Issue 1

The First SAVES Newsletter!

Welcome to the first edition of the Safe Access for Victims' Economic Security (SAVES) E-News, a monthly newsletter for information about the SAVES demonstration and relevant news in the field.

We will highlight each district involved in the SAVES pilot, promising practices to employ, and major accomplishments in the demonstration. By providing topical and important information, we hope that stakeholders can start conversations, establish consistent messaging, and build networks across the State that better assist parents in safely pursuing child support services.

All About the SAVES Program



Get Child Support Safely Brochure

New York State's Child Support Program is committed to making this process as safe as possible for parents and their children. It is important to have both parents contribute to the economic well-being of their children.

The safety of families applying for or receiving child support services is critically important. There are parts of the child support process that may raise safety concerns. These processes may be modified or eliminated to help address these concerns.

You may have concerns that Child Protective Services (CPS) will become involved if you disclose family violence. Child Support workers focus on child support. They are only required to make a report to CPS if they have reasonable cause to suspect a child is being harmed or in imminent danger of harm. CPS is not involved in any decision to set or enforce child support.



Scan the QR Code to access the Child Support Website

If you need to talk to someone immediately about safety:
NYS Domestic and Sexual Violence Hotline
 Available 24 hours a day, 7 days a week

TEXT.
 844.997.2121

CALL.
 800.942.6906

CHAT.
 OPDV.NY.GOV

Free, Confidential, 24/7
Available in Most Languages

Highly trained advocates are available to talk confidentially with anyone experiencing domestic or sexual violence, seeking resources or information, or questioning unhealthy aspects of their relationship.

 **Office for the Prevention of Domestic Violence**
 opdv.ny.gov

 **Office of Temporary and Disability Assistance**
 childsupport.ny.gov

Get Child Support Safely



Your Safety is a Priority



How do you feel?

- I feel safe around the other parent.
- I trust the other parent to respect me and not hurt me.
- I can safely pursue child support.
- I am comfortable with the other parent having parenting time with our children.
- I am comfortable meeting together with the other parent at the Child Support office.

If you answer **"No"** to any of these statements, you may want to talk privately with a child support worker about steps to help keep you and your children safe during this process.

Has the other parent?

- Accessed your finances.
- Put you down, yelled at you, called you names, or told you you're worthless.
- Threatened to harm your child or pets.
- Threatened you if you pursue child support.
- Monitored your activities (who you see, where you go) and/or your social media.
- Hit, slapped, kicked, pushed, or punched you, pulled your hair or in some way hurt you.
- Threatened or attempted suicide.
- Used a weapon against you or threatened you with a lethal weapon.
- Forced or coerced you to do things sexually that made you uncomfortable.



These examples all suggest a potential for safety concerns that may be considered during the child support process. An additional safety concern is if you have an order of protection against the other parent. You can talk privately with a child support worker about resources, policies and procedures in place to help keep you and your children safe during this process.

Custodial parents may update information about safety at any time, even if they've previously indicated no concerns to their child support worker.

Situations change and safety is always a priority.

New York State is committed to the safety of all families. Many state agencies ask routine questions so the right services can be provided.

The Child Support Program can:

- Explain what actions can be taken to access services safely.
- Assist the custodial parent in achieving financial stability by having the noncustodial parent provide consistent and reliable financial support.
- Provide parents with helpful information that can assist families with housing, transportation, employment, and other support.

Get Child Support Safely Poster



Is it safe for me to pursue child support?

If we are aware of your safety concerns, we can help.

- If you cannot safely receive mail at your address, the court can permit use of an alternate mailing address.
- You can request to appear in court by telephone or video, instead of in person.
- You can request that the court not reveal your location, residence, or employer, among other precautions.
- Your laboratory appointment for genetic testing to establish parentage can be scheduled separately from the other parent.
- Your child support case can be marked to keep your personal information confidential.

New York State's Child Support Program is committed to making this process as safe as possible for parents and their children. It is important to have both parents contribute to the economic well-being of their children.

If you need to talk to someone immediately about safety:

NYS Domestic and Sexual Violence Hotline
Available 24 hours a day, 7 days a week, free, confidential, and available in most languages.

Highly trained advocates are available to talk confidentially with anyone experiencing domestic or sexual violence, seeking resources or information, or questioning unhealthy aspects of their relationship.

TEXT. CALL. CHAT.
844.993.2321 800.942.6906 CDPSNY.GOV

 Office for the Prevention of Domestic Violence | Office of Temporary and Disability Assistance



Scan the QR Code to access the Child Support Website

opdv.ny.gov
OPDV PIA-0381 (03/22)
childsupport.ny.gov
OTDA PIA-018A (03/22)

Survivor Resources Guide

Domestic Violence Services and Advocacy

Agency Name	Service	Location Served	Contact Information
New York State Domestic and Sexual Violence Hotline	Crisis counseling, safety planning, assistance with finding DV shelter, information about resources, language assistance	New York State	800-942-6906:CALL 844-997-2121:TEXT https://www.resourceconnect.com/nysdvsachat/chat :CHAT
NYS Office for The Prevention of Domestic Violence	List of local DV programs/hotlines by county	New York State	https://opdv.ny.gov/node/1166
NYS Office of Children and Family Services	List of DV service providers by county	New York State	https://ocfs.ny.gov/programs/domestic-violence/providers.php
NY Project Hope: Coping with COVID	Emotional support helpline, educational materials, and referrals	New York State	1-844-863-9314 https://nyprojecthope.org/
Address Confidentiality Program (ACP)	The ACP provides eligible survivors with a substitute mailing address.	New York State	1-855-350-4595 https://dos.ny.gov/address-confidentiality
Urban Resource Institute, Urban Women's Safe Haven	Animal friendly DV shelter and services	NYC based, services New York State	646-588-0030 https://urinyc.org/
In Our Own Voices, Inc.	Focused on the LGBTQIA+ community. Ask a lawyer clinic, advocacy services, food and housing assistance and transportation services	New York State	518-432-4188 http://www.inourownvoices.org/programservices.html

Electronic Resource System

The screenshot shows a web browser window with the URL <https://intranet.otda.ny.gov/assets/#D>. The page header includes "New York State" with a state map icon and "State Agencies". Below this is the text "Office of Temporary and Disability Assistance". The main navigation bar features a hamburger menu icon, the acronym "ERS", and the text "Electronic Resource System For Local and State Staff of New York's Child Support Program". The content area displays the "ERS Index" with a list of letters from A to Z, where the letter 'D' is highlighted. At the bottom of the content area are three buttons: "News", "Events", and "About ERS".

ACP Basics

- ▶ You will receive an ACP ID card upon enrollment
- ▶ The ACP assigns a legal substitute address to use in place of your physical address
- ▶ The ACP forwards all first class and certified mail sent to the substitute address to your actual address
- ▶ As a participant, you designate the NY Secretary of State as agent for the service of process of legal documents
- ▶ Packages (except for prescriptions and those sent by a governmental agency) will not be forwarded
- ▶ The program works only if your abuser does not know where you are living
- ▶ Notify friends, family and the businesses you work with that you are a participant and have them use your ACP address
- ▶ Keep ACP staff updated with your current mailing address

Commitment

The ACP is committed to providing the most secure and efficient mail-forwarding service possible for the participants in the Program. Working with various state and local service agencies and victim advocates, our office offers its services as an important part of a safety plan for victims.



Address Confidentiality Program
P.O. Box 1110
Albany, NY 12201-1110
Phone: (518) 474-7306
Toll Free: (855) 350-4595
Fax: (518) 474-0709
Email: acp@dos.ny.gov
www.dos.ny.gov

11/19



▶ Are you a victim of domestic violence, stalking, sexual offense, and/or human trafficking?

▶ Are you afraid of being found by your abuser?

The New York State Address Confidentiality Program (ACP) can help you maintain the secrecy of your home, school, and work address.

What is ACP?

New York's Address Confidentiality Program (ACP) allows victims of domestic violence, stalking, sexual offense, and/or human trafficking to shield their actual addresses. Once you apply and qualify for this free program, the ACP will assign you an Albany post office box that you can use as your official address. State and local government agencies are required to accept your ACP address. Private companies (department stores, utility companies, etc.) are not required to accept this substitute address – but many will do so and others may agree to if you explain the ACP program. You can also direct court-related documents to be delivered to the Secretary of State's office in Albany, they will then be forwarded by certified mail to your confidential address.

Who is eligible?

The program is available to victims of domestic violence, stalking, sexual offense, and/or human trafficking who have had to move or are planning to move to a new location for safety reasons. Other people living in the same household as the victim (for example: children, parents, partners or siblings) may also be eligible to participate.

How does ACP work?

You must complete and submit an ACP application. Once approved and enrolled in the program, you will be mailed an ACP identification card that includes your name and new substitute address. This address may be used for receipt of all first-class, registered and certified mail. This mail will come to the ACP program and then be forwarded to you at your actual physical address (third-class mail, such as catalogs, will not be forwarded). You should always use your substitute address with local and state government agencies. It is your option to use the address with private companies (department stores, banks, utility companies, etc.). If necessary, you can use your ACP identification card to verify your ACP participation. You will be enrolled in the program for four years; you may reapply if you need to continue the program.

ACP addresses look like this:

Chris Smith
ACP 1234
P.O. Box 1110
Albany, NY 12201-1110

How can I apply?

Application forms are available at www.dos.ny.gov/acp. The website also has a list of agencies with staff who can explain the program and help victims with the application process.

Or, contact our office and we can send you a form via mail, fax or email. Also, we can assist you with completing the application. Our toll-free number is 1-855-350-4595

Other New York State Resources

- **New York State Hotline for Sexual Assault and Domestic Violence**
1-800-942-6906
- **New York State Office for the Prevention of Domestic Violence**
www.opdv.ny.gov
- **New York State Coalition Against Domestic Violence**
www.nyscadv.org 518-482-5465
- **New York State Coalition Against Sexual Assault**
www.nyscasa.org
- **Human Trafficking Resource Center**
1-888-373-7888
- **New York Attorney General**
<https://ag.ny.gov/feature/human-trafficking>





What if I need compensation right away?

In limited cases, you may ask for an emergency award, up to \$2,500.

What if I move after filing a claim?

Send a letter with your new address, phone number(s) and email address, if you have one, to:

New York State Office of Victim Services
Alfred E. Smith State Office Building
80 South Swan St., Second Floor
Albany, New York 12210

You may also submit your signed change of address request online through the Victim Service Portal: ovs.ny.gov.

Where can I get more information or help in my community?

OVS funds victim assistance programs across New York State. These programs can assist you with filing your claim with OVS and can provide immediate help, including access to counseling, legal advice and emergency shelter, among other services.

For more information, visit ovs.ny.gov or call 800-247-8035 to learn more.

As a victim of crime in New York State you should know:

- You can get a free copy of the police report (New York State Executive Law §646).
- You are protected by law from threats or intimidation from the suspect or the suspect's family. Local police departments and district attorneys (DAs) can explain these laws to you.
- You have a right to be involved in certain stages of the criminal justice process. Local police departments and DAs can explain your role in the criminal justice process, the important steps in the process, and how you can get information about those steps.
- You have the right to make a statement at the time of the defendant's sentencing, if you are the victim of a felony.
- You have the right to be notified of the defendant's incarceration status. You can call VINE at 888-846-3469 to provide your contact information.

For more detailed information on your rights as a crime victim, please refer to the publication "The Rights of Crime Victims in New York State," which is available at ovs.ny.gov.



Every Crime Victim Matters

A Guide To Crime Victims' Compensation In New York State

ovs.ny.gov
800-247-8035



How do I apply for compensation?

- Complete the OVS application
- Meet the eligibility requirements
- Have a current or future eligible out-of-pocket loss as a result of the crime

Who may be eligible for compensation?

- The victim must be an innocent victim of the crime
- Victims of crime who were physically injured as a result of the crime
- Victims of crime who are under 18, 60 and over, or disabled, who were not physically injured
- Certain relatives, including surviving spouse, grandparent, parent, stepparent, guardian, brother, sister, stepbrother, stepsister, child, stepchild, grandchild, or any other person dependent for his or her principal support upon the victim of a crime who died as a direct result of such crime
- A surviving spouse, grandparent, parent, stepparent, guardian, brother, sister, stepbrother, stepsister, child, stepchild, or grandchild of a victim of a crime who died as a direct result of such crime and where such crime occurred in the residence shared by such family member or members and the victim
- Individuals who paid for or incurred burial costs for an innocent crime victim
- Child victims, a child who witnesses a crime, and the child's parent, stepparent, grandparent, guardian, brother, sister, stepbrother or stepsister
- Victims of certain menacing, unlawful imprisonment, kidnapping, criminal mischief, robbery, criminal obstruction of breathing or blood circulation, harassment, aggravated harassment, criminal contempt, stalking, or hate crime charges who have not been physically injured
- Vulnerable elderly, incompetent, or physically disabled persons who cannot care for themselves
- Certain victims of labor trafficking or sex trafficking
- Victims of terrorist acts outside of the United States who are residents of New York State
- Victims of frivolous lawsuits brought by individuals who committed crimes against the victims

What other steps must I take to be eligible?

- Report the crime within one week to police or another criminal justice agency
- File a claim with OVS within one year of the crime
- If late with either crime reporting or claim filing, justify the delay in writing
- Cooperate with police, the district attorney's office and OVS

What kind of expenses may I be eligible for?

OVS offers compensation related to: personal injury, death and loss of essential personal property. The specific expenses OVS may cover include:

- Medical and counseling expenses
- Loss or damage of essential personal property (up to \$500)
- Burial/funeral expenses (up to \$6,000)
- Lost wages, savings, or lost support, including lost wages of parents if a child victim is hospitalized (up to \$30,000)
- Transportation (necessary court appearances for prosecution)
- Occupational/vocational rehabilitation
- Use of shelters by domestic violence victims and their children
- Crime scene clean-up (up to \$2,500)
- Good Samaritan property losses (up to \$5,000)
- Moving expenses (up to \$2,500)

What if my property was lost, damaged or destroyed because of the crime?

- If you are under 18, 60 or over, disabled or were injured, you may apply for benefits to repair or replace your essential personal property lost, damaged or destroyed as the direct result of a crime that was not covered by any other resource
- Essential means necessary for your health, safety and welfare, such as eyeglasses and clothing

How do I obtain an application?

- Visit ovs.ny.gov to file a claim online
- Contact any victim assistance program near you; an advocate can help you file an application
- Obtain an application from any police department or hospital emergency room

What other documents does OVS need from me?

Depending on the type of claim, you may need to provide copies of some or all of the following when you file your application online or via surface mail:

- Police reports
- Insurance cards
- Receipts for essential personal property
- Proof of relationship (examples: victim's birth certificate, marriage license)
- Death certificate and funeral contract
- Itemized medical bills
- Letters from any insurers denying or authorizing payment for the services listed on the form
- Proof of age (examples: driver's license, birth certificate)
- Legal guardianship papers

What if I don't have the documents OVS needs?

You may submit only the application. OVS will contact you once your claim has been accepted and request any additional documentation needed to process your claim.

Please keep in mind that OVS cannot make a decision on your application without the required documents, as they are necessary to determine if you are eligible for assistance.

What is the HIPAA authorization form?

This form allows providers to discuss health information with OVS. You must sign this form for each health care provider that has treated you.

Who can sign the application?

The victim must sign the application. If the victim is under 18 or is physically or mentally incapable of signing, then his/her legal guardian must sign.

ovs.ny.gov



Participant Reaction Questionnaire

- Access the course evaluation website by using link posted in the Chat
- Enter the Class ID

Please indicate to what degree you agree with each statement below.

Trainer(s)/Presenter(s) were knowledgeable about the content.	<input type="radio"/> Strongly Disagree	<input type="radio"/> Disagree	<input type="radio"/> Neutral	<input type="radio"/> Agree	<input type="radio"/> Strongly Agree
Trainer(s)/Presenter(s) were well prepared.	<input type="radio"/> Strongly Disagree	<input type="radio"/> Disagree	<input type="radio"/> Neutral	<input type="radio"/> Agree	<input type="radio"/> Strongly Agree
Trainer(s)/Presenter(s) taught effectively.	<input type="radio"/> Strongly Disagree	<input type="radio"/> Disagree	<input type="radio"/> Neutral	<input type="radio"/> Agree	<input type="radio"/> Strongly Agree
The learning objectives were clearly stated.	<input type="radio"/> Strongly Disagree	<input type="radio"/> Disagree	<input type="radio"/> Neutral	<input type="radio"/> Agree	<input type="radio"/> Strongly Agree
The learning objectives were achieved.	<input type="radio"/> Strongly Disagree	<input type="radio"/> Disagree	<input type="radio"/> Neutral	<input type="radio"/> Agree	<input type="radio"/> Strongly Agree
The course supported my learning.	<input type="radio"/> Strongly Disagree	<input type="radio"/> Disagree	<input type="radio"/> Neutral	<input type="radio"/> Agree	<input type="radio"/> Strongly Agree
The materials reinforced my understanding of the content.	<input type="radio"/> Strongly Disagree	<input type="radio"/> Disagree	<input type="radio"/> Neutral	<input type="radio"/> Agree	<input type="radio"/> Strongly Agree
The content of this training program was relevant to my job duties.	<input type="radio"/> Strongly Disagree	<input type="radio"/> Disagree	<input type="radio"/> Neutral	<input type="radio"/> Agree	<input type="radio"/> Strongly Agree
The delivery method (e.g., classroom, il, inc, webinar, webcast) was effective for this training content.	<input type="radio"/> Strongly Disagree	<input type="radio"/> Disagree	<input type="radio"/> Neutral	<input type="radio"/> Agree	<input type="radio"/> Strongly Agree

How to Contact

Stephanie Belveg, PhD

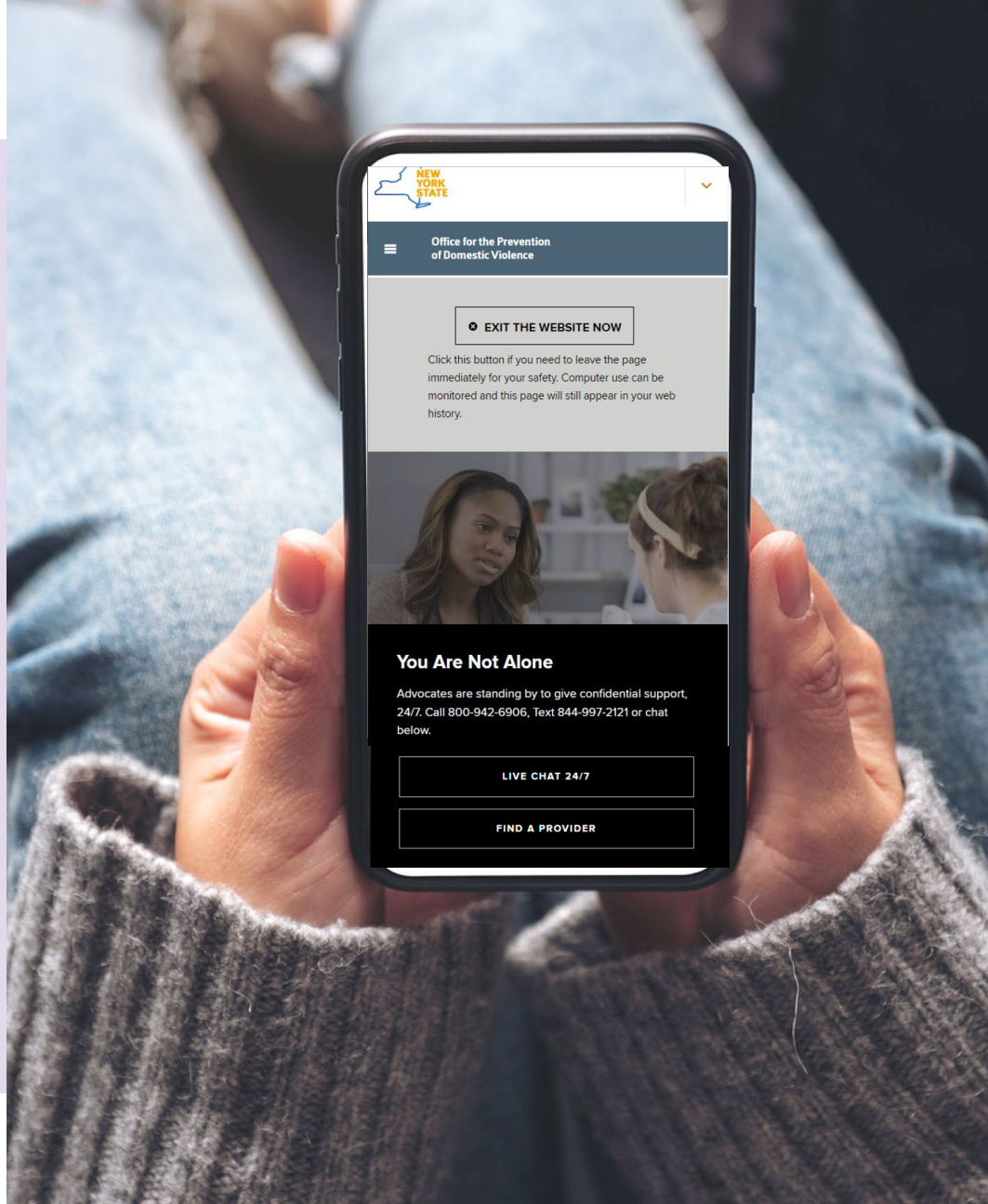
Gender Violence Program Specialist I



stephanie.belveg@opdv.ny.gov



(518) 457-6981



Visit Us Online





 Facebook



[Facebook.com/NYSdomesticviolence](https://www.facebook.com/NYSdomesticviolence)

 Twitter



@NYSOPDV

 Instagram

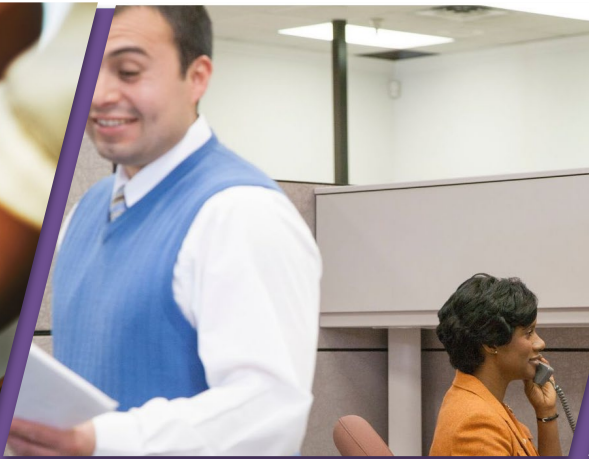


@NYSOPDV





We All Have a Role in Ending Domestic and Sexual Violence



Improved Case Processing

Safety





Given the prevalence of gender-based violence in our society, we know that there are survivors in this training, and we want to take a moment to acknowledge you.

If you have experienced gender-based violence in any form, please know there are people who care about what you have endured. While this training must have been hard to watch, we hope it can serve as a reminder that you are not alone, and it was not your fault.

There is no timetable for healing, but there are resources and support that can help you through.

A close-up photograph of a dandelion seed head, showing the intricate, spherical structure of the seeds. The background is a soft, out-of-focus green and yellow, suggesting a natural outdoor setting.

Help is Available 24/7



How to Contact

Alejandro Arango-Londono, PhD

Gender Violence Program Specialist I



alejandro.arango-londono@opdv.ny.gov



(518) 457-5853

NEW YORK STATE DOMESTIC AND SEXUAL VIOLENCE HOTLINE

TEXT.

844.997.2121



CALL.

800.942.6906



CHAT.

OPDV.NY.GOV



FREE. CONFIDENTIAL. 24/7.
AVAILABLE IN MOST LANGUAGES.

Michigan



STATE TIMELINE

1908

1956

1970

1975

1985

Friend of the
Court
created
(Detroit)

Paternity Act
Passed

Child Custody
Act Passed

Federal Child
Support
Program
Established

FOCB
Established

STATUTES

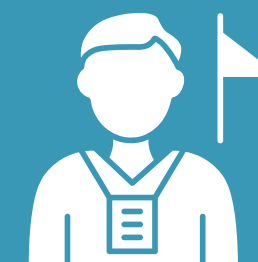
FAMILY SUPPORT ACT & PATERNITY ACT

If there is no dispute regarding a child's custody, the court shall include in an order for support issued under this act specific provisions governing custody of and parenting time for the child

If there is a dispute regarding custody of and parenting time for the child, the court shall include in an order for support issued under this act specific temporary provisions governing custody of and parenting time for the child.



MCL
552.451-454



MCL
722.714A, 717B



OFFICE OF CHILD SUPPORT IV-D MEMORANDUM 20 16-0 3 1

ANNOUNCEMENT OF THE AVAILABILITY OF IV -D FUNDING
FOR THE ESTABLISHMENT OF CUSTODY/PARENTING TIME...

IV-D funds are available for IV-D worker time spent establishing custody and parenting time provisions in first-established child support orders. However, the amount of IV-D funding available is limited. IV-D program costs must be minimal and incidental to IV-D establishment activities. IV-D funding is available for up to one hour of billable IV-D staff time when establishing parenting time.



BEST INTEREST FACTORS

01

CUSTODY

"best interests of the child" means the sum total of the following factors to be considered, evaluated, and determined by the court...

(j) The willingness and ability of each of the parties to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent or the child and the parents. A court may not consider negatively for the purposes of this factor any reasonable action taken by a parent to protect a child or that parent from sexual assault or domestic violence by the child's other parent.

(k) domestic violence, regardless of whether the violence was directed at or witnessed by the child



BEST INTEREST FACTORS

02

PARENTING TIME

The court may consider the following factors when determining the frequency, duration, and type of parenting time to be granted:

- (c) The reasonable likelihood of abuse or neglect of the child during parenting time.
- (d) The reasonable likelihood of abuse of a parent resulting from the exercise of parenting time...
- (h) The threatened or actual detention of the child with the intent to retain or conceal the child from the other parent or from a third person who has legal custody. A custodial parent's temporary residence with the child in a domestic violence shelter shall not be construed as evidence of the custodial parent's intent to retain or conceal the child from the other parent



BEST INTEREST FACTORS

03

GRAND-
PARENTING
TIME

If the court finds that a grandparent has met the standard for rebutting the presumption... the court shall consider whether it is in the best interests of the child to enter an order for grandparenting time

(h) Any history of physical, emotional, or sexual abuse or neglect of any child by the grandparent

CURRENT PROCESS

**Varies by county!



PROSECUTING ATTY

First “formal” screening, typically set a very generic custody/PT order, “as parties agree”

- MOVING TO MORE SPECIFIC ORDERS
- SCREENING SOMETIMES SKIPPED



FOC OFFICE

More detailed custody/PT orders conducted after investigation

- JOINT MEETINGS & INTERVIEWS
- PRESUMPTION OF JOINT CUSTODY



ENFORCEMENT

Brought to FOC within 21 days of issue, in formal process, “makeup PT” standard

- HANDLED BY FOC, NOT COURT
- COUNTY SPECIFIC GUIDELINES

STATE RESOURCES

01

GUIDES & MANUALS

- Custody and Parenting Time Guidelines (for parents)
- DV Best Practices Manual

<https://www.courts.michigan.gov/administration/offices/friend-of-the-court-bureau/pub/guides/>

02

TRAININGS

- Joint Meetings
- Mediator Training Requirement

03

PILOT PROJECTS

- Safe & Together Pilot Project



MUSKEGON DESIRED IMPROVEMENTS

01. Change to Summons and Complaint

Explanation



02. Supervised Parenting Time Provider Requirements

Explanation

03. Specific Temporary Orders

Explanation

04. County-Wide, Multiple Parenting Time Plans

Explanation





STATEWIDE WORKGROUP DESIRED IMPROVEMENTS

01

MODEL CODE

Review for legislative changes
(SAVES Workgroup - Legislative
Committee)

02

RESOURCES

Update SCAO resources,
including Custody & PT
Guideline (to Model), DV Best
Practice Guide, Screening
(SAFeR)

03

PT ENFORCEMENT

Standardizing process for
parenting time violations

03

TRAINING

Required judicial and referee
training



THANK YOU



KEN PAXTON
ATTORNEY GENERAL *of* TEXAS

Parenting Time in Texas

Child Support Division and Access & Visitation Services

Ana M. Hansen

Senior Regional Attorney

Texas Office of Attorney General- CSD

Nikki Hunt

Director of Family Centered Programs

Texas Office of Attorney General-CSD

The Office of the Attorney General of Texas Presents

MY STICKER CALENDAR

2023-2024



The Why & the How

- Public Policy §153.001 & §153.251
- Texas Family Code- Title 5, Chapter 201 Sub B.(Associate Judges)
 - Powers of Associate Judge in IV-D cases
- Texas Family Code – Title 5, Chapter 231 (Title IV-D Services)
 - Powers and Duties of Title IV-D Agency



Statutory Requirements

- Public Policy §153.001 & §153.251
- Address Disclosure (Tex. Fam. Code § 105.006)
- History Of Domestic Violence or Sexual Abuse (Tex. Fam. Code §153.004)
 - > Direct impact on Conservatorship and Access
- Conservatorship - rights and duties to both parents (Tex. Fam. Code § 153.073)
- Parenting Time Schedule (Tex. Fam. Code § 153.251)

Statutory Requirements: Address Disclosure

(c) **If a court finds** after notice and hearing that **requiring a party to provide the information** required by this section to another party **is likely to cause the child or a conservator harassment, abuse, serious harm, or injury, or to subject the child or a conservator to family violence**, as defined by Section 71.004 (Family Violence), the court **may**:

(1) order the information not to be disclosed to another party; or

(2) render any other order the court considers necessary.



Statutory Requirements: Conservatorship (§ 153.004)

(a) In determining whether to appoint a party as sole or joint managing conservator, **the court shall consider evidence of the intentional use of abusive physical force, or evidence of sexual abuse**, by a party directed against the party's spouse a parent of the child, or any person younger than 18 years of age committed within a two-year period preceding the filing of the suit or during the pendency of the suit.

(b) The **court may not appoint joint managing conservators if credible evidence is presented** of a history or pattern of past or present **child neglect, or physical or sexual abuse by one parent** directed against the other parent, a spouse, or a child....

Statutory Requirements: Access

(§ 153.004)

(c) The court shall consider the commission of family violence or sexual abuse in determining whether to deny, restrict, or limit the possession of a child by a parent who is appointed as possessory conservator.

(d) The court may not allow a parent to have access to a child for whom it is shown by a preponderance of the evidence...



“Best Interest” Requirement

Best Interest of the Child
(Tex. Fam. Code § 153.002)



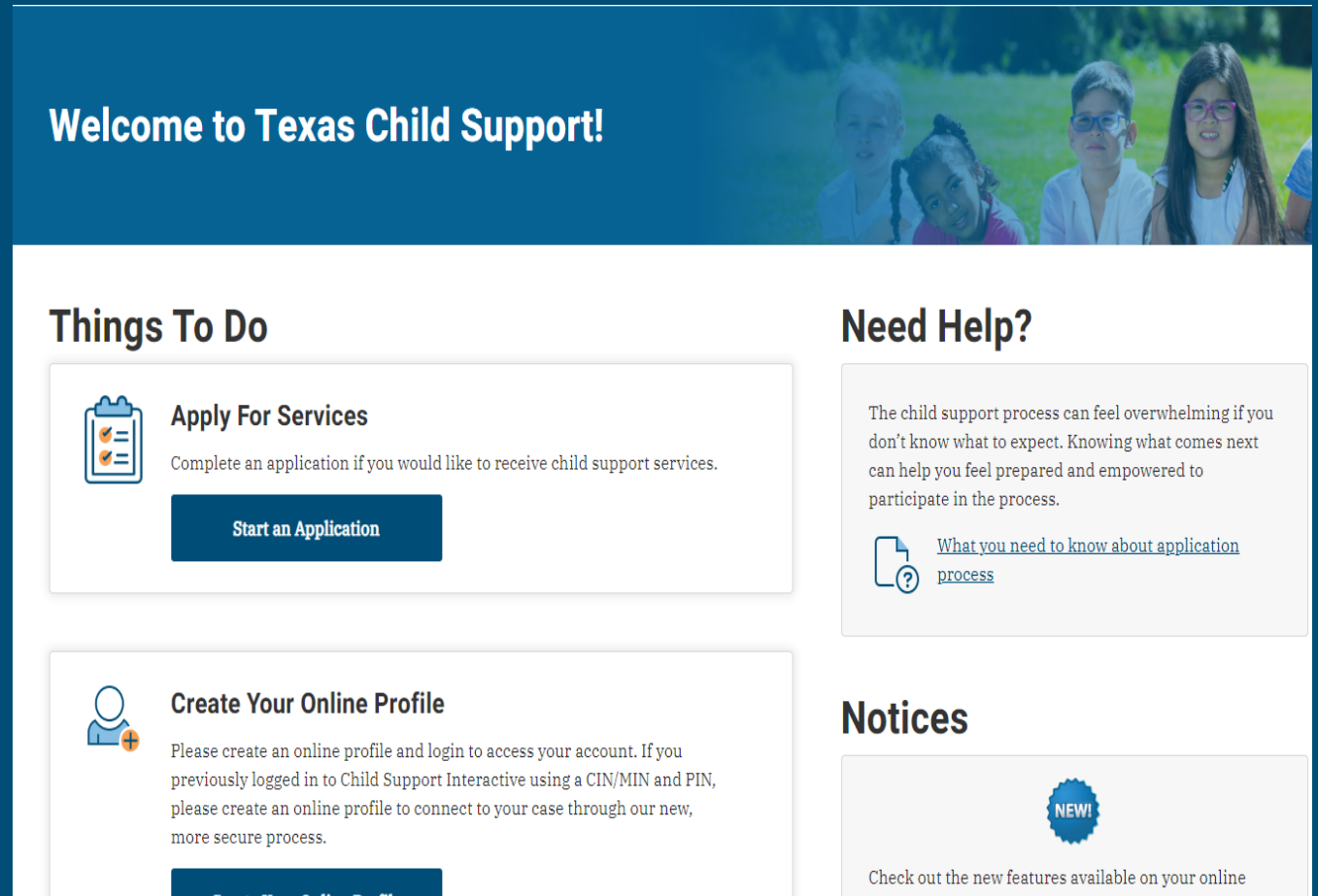
People Service Requirements

- Safe “Workable” Orders
- Empowering with Knowledge
- Warm Hand Off to Partners
- Impact of History of Family Violence (Tex. Fam. Code § 153.004)



Texas Child Support Division Process

- Application
- Policy Requirements
- AAG and Staff Expectations



The screenshot shows the Texas Child Support website interface. At the top, a blue banner reads "Welcome to Texas Child Support!" with a background image of diverse children. Below the banner, the page is divided into several sections:

- Things To Do:** This section contains two main cards. The first card, "Apply For Services", features a clipboard icon and a "Start an Application" button. The second card, "Create Your Online Profile", features a person icon with a plus sign and a "Create Your Online Profile" button.
- Need Help?:** This section includes a text block explaining that the process can be overwhelming and offers a link to "What you need to know about application process" accompanied by a document icon with a question mark.
- Notices:** This section features a blue "NEW!" badge and a text block that says "Check out the new features available on your online".

Pre-Court Practices

- FVI Prep Sheet
- History and Party Relevant Considerations
- Access and Visitation Issues
- Relevant Documents
- Preparing the Survivor



Court Practices

- Due Diligence
 - FVI Prep and Docket Prep
- Candor to the Court
 - Ethical Duty as Officer of the Court
- Courtroom Safety Processes
 - Parties and Staff
- Negotiation and Witness Questioning Practices
- Presentation of Relevant Evidence



Evidentiary Examples

- Documentary
 - Protective Orders
 - Criminal Records
 - Text/Voice Messages
 - Police Reports
 - Medical Reports
 - Social Media Posts
- Witness Testimony



Access and Visitation Order Considerations

- Survivor Centered Considerations
- Communication Considerations
- Exchange Considerations
- Modified Visitation/Step-up Orders
- 3rd Party Supervision Considerations



Access and Visitation Services

Common Post-Order Issues



Texas Office of Attorney General- Child Support Division's Access & Visitation Program



- Access & Visitation Hotline - statewide parenting time telephone service



- Domestic Relations Offices – county specific services for mediation, modification and visitation enforcements



- POLL LiveChat – statewide chat service with attorneys regarding visitation issues and limited legal services



- My Sticker Calendar – calendar specifying standard visitation schedule



- <https://txaccess.org/> – website providing information and links to referrals

Thank you!

Texas CSD-OAG is on a mission to make sure every child receives the support they need and deserve.

Service-Oriented

Each day, we go to work on behalf of Texas children and families. Whether you are a mom, a dad, a grandparent or a guardian —we are here to help.

Committed to Excellence

Each year, we collect more child support than any state in the U.S.—but our work won't be done until every child receives the support they need and deserve.

A Partner for Everyone

The Child Support Division works closely with Texas employers, community organizations and other state agencies to serve Texas families.



Questions

Ana M. Hansen

Senior Regional Attorney

Texas Office of Attorney General- CSD

Ana.Hansen@oag.texas.gov

Nikki Hunt

Director of Family Centered Programs

Texas Office of Attorney General- CSD

Nicole.Hunt@oag.texas.gov