

# Children Who Witness Domestic Violence - Manifestations and Resources

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- This training material was excerpted from “Living With Terror: Children Exposed to Batterers” which is a curriculum created by Dr. Frank Putnam Jr., Dr. Erna Olafson, and Dr. Barbara Boat for the Children Who Witness Domestic Violence Committee of the Hamilton County Family Violence Prevention Project. For more information, contact [kschrimplin@ywcaain.org](mailto:kschrimplin@ywcaain.org).

# PRESENTER:

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# HISTORY

- Rule of Thumb
- State v. Rhodes (1868)
- State v. Oliver (1874)
- Does the idea of children and wives being chattel still persist?

# Must We Address Domestic Violence

- “It is more likely than not, according to current research, that judges presiding over contested custody cases will have to grapple with two related questions:
- Whether one parent has been physically violent or otherwise abusive to the other, and, if so, how that violence or abuse should affect the court’s decisions about ongoing custody and visitation arrangements”

SJC & NCJFCJ “Navigating Custody and Visitation Evaluations in Cases with Domestic Violence: A Judge’s Guide”

- “Court’s fundamental task is to determine specifically how and to what extent each child has been affected by what has gone on inside the family; the quality of the child’s relationship with each parent (both historically and at the present time); each parent’s capacity to meet the child’s needs; and how best to assure the child’s ongoing physical, psychological, and emotional well-being.”

Id.

# Violence in Children's Lives

## Percent of Children Exposed per Year

- Exposure to domestic violence – 5 to 16%
- Violent crime victimization – 5.6%
- Physical Abuse – 1.2%
- Sexual Abuse – 0.12%
- Victim of bullying at school – 7.9%
- Teen suicide attempt – 8.8%
- Fighting with peers – 33.2%

## Numbers: Are Many Children Affected by Domestic Violence?

- From 1967-1973, the United States lost 39,000 soldiers in the line of duty during the Vietnam War while during the same time period 17,500 American women and children were killed by members of their families (Grusznski, Brink, & Edelson, 1988 quoted in Jaffe, Wolfe, & Wilson, 1990).



# Trauma in Children's Lives

- 332,000 are seriously injured in accidents each year
- 155,000 are bitten by dogs
- 88,000 are seriously burned
- Tens of thousands lose a parent, sibling or close friend each year

# Additional Traumatic Factors

Adapted from: Pynoos, Steinberg, Goenjian, 1996

- Exposure to direct life threat
- Injury to self – extent of physical pain
- Witnessing of mutilating injury/grotesque death (especially to family or friends)
- Hearing unanswered screams or cries of distress
- Being trapped or helpless
- Unexpectedness or duration of the experience
- Number and nature of threats during episode
- Degree of violation of physical integrity of child
- Degree of brutality and malevolence

# Definitions: Domestic Violence

“Domestic violence is a pattern of assaultive and coercive behaviors, including physical, sexual, and psychological attacks, as well as economic coercion, that adults or adolescents use against their intimate partners. Domestic violence is not an isolated, individual event, but rather a pattern of multiple tactics and repeated events.”

(Cuyahoga County Model Program, 2000)

# Definitions: The Batterer

“A batterer is a person who exercises a pattern of coercive control in a partner relationship, punctuated by one or more acts of intimidating physical violence, sexual assault, or credible threat of physical violence.

(Bancroft & Silverman, 2002, p. 3)

# What about the Women?

- A great many women leave batterers, but the violence, stalking, and emotional abuse often increases after women leave.
- During child visitation exchanges, batterers often harangue, beat, or rape ex-partners.
- Batterers can cause homelessness. A great many homeless women and children are refugees from domestic violence.

# Why Do Some Battered Women Stay with Batterers?

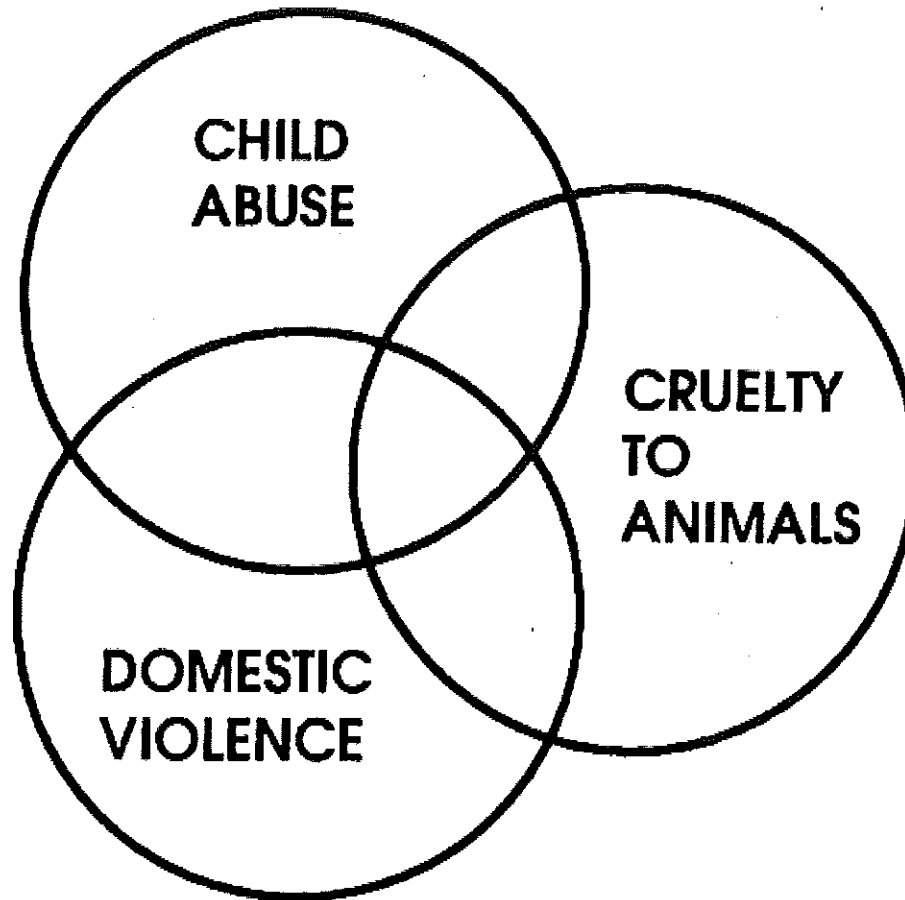
- Women stay in order to stay alive. Statistics show, and battered women know, that they may be at greatest risk of being murdered when they leave.
- Women stay in order to keep the children alive. Many batterers threaten that they will kill or endanger the children if the mother leaves.

# Why Do Some Battered Women Stay with Batterers?

- Many women stay in order to keep the pets alive. In one domestic violence shelter survey, over half the women reported that their partner had harmed or killed a pet. 21% reported that they did not seek shelter sooner in order to protect their pets.

(Ascione & Arkow, 1999)

# The Toxic Triad: Domestic Violence, Child Abuse & Animal Cruelty





# Lethality Assessment

Top 3 Indicators That a Woman Will Be Killed By Her Batterer:

- Homicide or suicide gestures
- Access to weapons
- Threat to mutilate or kill pets

# H.B. No. 480    January 2003

- Ohio Revised Code
- Cruelty to companion animals: cats and dogs
- 1<sup>st</sup> conviction: first degree misdemeanor
- 2<sup>nd</sup> conviction: fifth degree felony
- Humane agents are *mandated* reporters of child abuse and neglect
- Other investigators are responsible for reporting animal abuse and neglect

# Accountability and Children

- We now have evidence that exposure to battering damages children in many ways.
- Are women responsible for the victimization children suffer when they witness their mothers being bullied and beaten? Who is accountable?

(Bancroft & Silverman, 2002)

# How Does Living with a Batterer Affect Children?

- Exposure to battering can terrify and traumatize children. Children who see their mothers beaten can suffer posttraumatic stress disorder as severely as if they were beaten themselves.
- Many child witnesses also suffer depression, anxiety, school problems, conduct disorders, impaired physical health, and low self esteem.

# How Does Living with a Batterer Affect Children?

- Battering a mother deprives children of caretaking. Although recent studies show that many battered women are nurturing parents, other studies suggest that being battered can interfere with consistent caretaking (Sullivan, et al., 2000; Holden, et al., 1998).
- Many batterers sow discord in homes by undermining the mother's authority or interfering with the mother-child relationship.

# Child Maltreatment as a Risk Factor for Psychiatric Illness

- Depression: 2-3 X's higher in CAN
- Suicide: 3-12 X's higher in CAN
- Borderline Personality Disorder: >60%
- PTSD: Direct & Indirect Effects
- Dissociative Identity Disorder: 85-98%
- Somatization: GI, GYN, Pelvic pain
- Self-Mutilation: 4 X's higher in CAN

# Child Maltreatment as a Risk Factor for Substance Abuse

- Alcohol abuse - History of CAN is the single best predictor in women
- Substance abuse - History of CAN is the single best predictor in women

# Child Maltreatment as a Risk Factor for School Problems

- Greater than 50% of abused children have significant school problems (including conduct problems)
- Greater than 25% of abused children require special education programs
- Several studies suggest CAN decreases IQ
- CAN victims 2 X's more likely to be unemployed as adults



# Child Maltreatment as a Risk Factor for Poor Physical Health\*

- Multiple adverse childhood experiences increase adjusted<sup>†</sup> odds ratio
  - Ischemic heart disease - 2.2 X's
  - Any cancer - 1.9 X's
  - Stroke - 2.4 X's
  - Chronic bronchitis/emphysema -3.9 X's
  - Diabetes - 1.6 X's
  - Hepatitis - 2.4'x

# How Does Childhood Maltreatment Exert Such Powerful Effects?

- It occurs during sensitive developmental periods (e.g., Synaptogenesis, Experience-Dependent Maturation of Neuronal Systems)
- It impacts on fundamental developmental processes (e.g., Attachment, Emotional Regulation, Impulse Control, Integration of Self, Socialization)

# Experience Affects Brain Development

- Childhood is a time for learning (languages, music, motor skills most easily acquired)
- Number of synapses increases dramatically after birth
- Environment-stimulated neuronal activity is critical for elaboration of synaptic territories and 'proper' connections

# Exposure to Battering Lowers IQs in Young Children

- A well-designed recent British study showed that children age 5 who were exposed to high levels of domestic violence had IQs that were, on average, 8 points lower than unexposed children.
- To put this number in perspective, consider that chronic lead exposure decreases children's IQs on average 3 or 4 points.

(Koenen, et al, 2003; Putnam, 2003)

# Abnormal Inter-Hemispheric Connections in Maltreated Child

- Corpus Callosum-mid sagittal region and areas 4, 5, 6, & 7 were smaller in maltreated children with post traumatic stress disorder
- Decrease correlates with intrusive thoughts, avoidance, hyperarousal & dissociation
- Effects boys more than girls

# **Trauma Impacts Key Structures Underlying Emotional Regulation**

# Social & Emotional Deficits in Maltreated Children

- Maltreated children have lower social competence
- Have less empathy for others
- Have difficulty in recognizing other's emotions
- Are less able to recognize their own emotional states
- Are more likely to be insecurely attached to their parents

# What Promotes the Healthy Development of the Human Brain?

- Good nutrition
- A stimulating environment
- Healthy human relationships with loving caretakers



# What Symptoms and Behaviors Do Children Show?

- Even infants can be traumatized by exposure to domestic violence. They may show startle reactions, disturbed patterns of eating or sleeping, or extreme fear of certain adults.
- Children can remember emotionally arousing events before they can talk.

# Predictors of Type D Attachment

- History of early maltreatment
- Mother with high Dissociation Experience Scale (DES) score
- Single parenthood with parenting difficulties
- Type D attachment is **NOT** predicted by maternal medical problems, complications during pregnancy, infant anomalies, infant temperament

# Trauma-Related Types of Psychopathology

- Affect dysregulation (depression, mood swings, panic attacks, affect liability)
- Attentional problems (ADHD Sxs, impulsivity, hypervigilance)
- Disturbances in sense of self and identity (suicidality, self-mutilation, low self-esteem, risk taking, alter personalities, depersonalization)

# Trauma-Related Types of Psychopathology

- Impaired stress response (sensitivity to traumatic reminders, alterations in neuroendocrine stress response systems)
- Use and abuse of substances to regulate mood, sense of self, and behavior
- Interpersonal and relationship problems (attachment disorders, social withdrawal, promiscuity, antisocial behavior, spouse abuse, parenting problems)

# What Symptoms and Behaviors Do Children Show?

## **Symptoms are most severe when:**

- Children are younger
- The domestic violence exposure is severe, pervasive, and long lasting
- Children have no reliable caretaker upon whom they can rely
- Children feel helpless and hopeless

(Holden, Geffner, & Jouriles,  
1998)

# What Symptoms and Behaviors Do Children Show?

1. In one group are the “resilient” children, who behave and test as if they are coping well. However, “sleeper” effects may be operating, and these children may develop symptoms at some later date.
2. At the other extreme are the very distressed children, who exhibit anxiety, depression, sleep disturbances, behavior problems, and posttraumatic or dissociative symptoms.

(Holden, Geffner, & Jouriles, 1998)

# What Symptoms and Behaviors Do Children Show?

**Not all children show negative results.**

**Protective factors include:**

- Having a supportive person in the environment
- Having a protected place that is safe from violence exposure
- Having individual coping resources such as intelligence and temperament

# Practical Suggestions to Promote Safety

- Request courtroom security
- Request pretrial to address security issues
- Notify Court at earliest possible date of possible domestic violence issues



# Safety First

- Separation is a High Lethality Time
- Address at Outset of Case
- Address During Litigation
- Address When Framing Final Custody and Visitation Orders

# Ohio Revised Code 3109.04

- Best Interest Dictates Custody and Visitation Decisions (B)(1)
- In Camera (B)(1)
- Order Investigation (C)
- Order Medical, Psychological, or Psychiatric Evaluations (C)
- Parent's Convictions or Actions Yielding a Court Finding That a Child is Neglected or domestic violence conviction (C)

# 3109.04 Best Interest (F)(1)

- Wishes of Parents
- Wishes of Child as Expressed in In Camera
- Child's Interactions and Relationship with Parents, Siblings, and Significant Others
- Child's Adjustment to School, Home, and Community

- Physical and Mental Health of All Persons Involved
- Parent More Likely to Honor and Facilitate Court Approved Parenting Time Rights or Visitation
- Parent's Convictions regarding Children or Their Actions Yielding an Adjudication of Neglect or Abuse or plea to domestic violence

## 3109.04 Shared Parenting (F)(1)

- Ability of Parents to Cooperate and Make Decisions Jointly
- Ability of Parent to Encourage Sharing of Love, Affection, and Contact Between Child and Other Parent
- Any History of or Potential for Child Abuse, Spouse Abuse, Other Domestic Violence, or Parental Kidnapping

# Ohio Revised Code 2151.03, Neglected Child Defined

(1) Who is abandoned by the child's parents, guardian, or custodian;

(2) Who lacks adequate parental care because of the faults or habits of the child's parents, guardian, or custodian;

(3) Whose parents, guardian, or custodian neglects the child or refuses to provide proper or necessary subsistence, education, medical or surgical care or treatment, or other care necessary for the child's health, morals, or well being;

(4) Whose parents, guardian, or custodian neglects the child or refuses to provide the special care made necessary by the child's mental condition;

(5) Whose parents, legal guardian, or custodian have placed or attempted to place the child in violation of sections 5103.16 and 5103.17 of the Revised Code;

(6) Who, because of the omission of the child's parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child's health or welfare;

(7) Who is subjected to out-of-home care child neglect.

# Ohio Revised Code 2151.031, Abused Child Defined

- (A) Is the victim of "sexual activity" as defined under Chapter 2907. of the Revised Code, where such activity would constitute an offense under that chapter, except that the court need not find that any person has been convicted of the offense in order to find that the child is an abused child;
- (B) Is endangered as defined in section 2919.22 of the Revised Code, except that the court need not find that any person has been convicted under that section in order to find that the child is an abused child;
- (C) Exhibits evidence of any physical or mental injury or death, inflicted other than by accidental means, or an injury or death which is at variance with the history given of it. Except as provided in division (D) of this section, a child exhibiting evidence of corporal punishment or other physical disciplinary measure by a parent, guardian, custodian, person having custody or control, or person in loco parentis of a child is not an abused child under this division if the measure is not prohibited under section 2919.22 of the Revised Code.
- (D) Because of the acts of his parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child's health or welfare.
- (E) Is subjected to out-of-home care child abuse.

# Ohio Revised Code 3113.31, Protection Orders

- Can Issue Orders to Protect Petitioner or On Behalf of a Child
- Can Make Ex Parte Order
- Can Order Respondent Out of Home, To Have No Contact, To Pay Child Support, To Attend Counseling



# Ohio Revised Code 2151.33 and Juvenile Rule 13

- Allows Juvenile Court to Make any Necessary Interim Orders to Protect Children
- Can Make Orders Ex Parte
- Can Make All Orders Allowed Under Ohio Revised Code 3113.31