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Representing Battered Women During Welfare Reform

Prisoners of Abuse: Policy Implications of the Relationship Between Domestic Violence and Welfare Receipt

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I. Introduction

New research linking long-term welfare receipt and domestic violence has important implications for the current drift of welfare reform policy at both the federal and state levels. /1/ Given emerging evidence of the high percentages of current and past domestic violence victims within the Aid to Families with Dependent Children (AFDC) caseload, the conclusion is inescapable that time-limited welfare proposals will serve to exacerbate domestic violence where it currently exists or cause it to arise. Moreover, unless specialized domestic violence services are made available to victims who continue to suffer from the effects of past trauma, they will be unable to sustain employment over time. This article summarizes the recent research and offers some basic guidance for the development of welfare policies at the state level that are more sensitive to the unique needs of AFDC recipients who are domestic violence victims and survivors. /2/

II. Research Data

Over the past few years, grassroots welfare-to-work and job training providers have learned that many women on welfare have a formidable obstacle on the road to work. Many of the men who move in and out of the lives of women on AFDC do not want their partners to become independent. In fact, many women, and the welfare-to-work and job training programs that help them, report that these men sabotage their efforts to move from welfare to work and frequently resort to violence to prevent the women from completing employment training programs or from entering the work force. /3/ Anecdotal reports from grassroots welfare-to-work programs around the country describe multiple cases of sabotage, from physical violence, emotional coercion, destruction of books and homework assignments, and harassment on the job, to turning off alarm clocks and failure to show up to drive their partners to important job interviews or the general equivalency diploma (GED) examination. /4/

Nor do the sabotage and violence end when women leave their abusers. Although divorced and separated women comprise only 10 percent of all women in this country, they account for three-quarters of all battered women. Divorced and separated women report being physically abused 14 times as often as women still living with their partners. /5/ Programs report that survivors of domestic violence often face more violence and potential injury when they end abusive relationships and attempt to leave welfare through work. Stalking, kidnapping, and physical

violence and harassment on the job often force women to quit work to hide out; sometimes, unfortunately, these women are severely injured and even killed. /6/

Program providers also report that women on AFDC who have effectively removed themselves from a violent relationship can suffer effects of prolonged trauma that interfere with their ability to succeed on the job. Often labeled posttraumatic stress, symptoms include poor concentration, markedly diminished interest in significant activities, failure to sleep at night, and a sense of a foreshortened future. /7/ Some trauma victims describe difficulty in dealing with control and supervision on the job. Still others have low reading skills because living with long-term, persistent violence has temporarily interfered with their ability to read, to process new information, or to learn, a result of disassociation, the coping mechanism used by trauma victims to deal with the reality of the violence. /8/ Domestic violence experts believe that these factors account for the difficulty some women have in successfully completing job training programs and finding and keeping work.

Moving from the collection of anecdotal information to determining the extent of the problem has proven difficult. To date, only one formal study to determine the number of AFDC participants who are affected by domestic violence has been undertaken. In 1992, the Washington State Institute for Public Policy's Family Income Study asked a representative sample of the entire AFDC population in the state of Washington if they had been physically or sexually abused as adults. Sixty percent reported some type of abuse. /9/ Unfortunately the study did not differentiate between current and past abuse.

Until a comprehensive survey of a state's AFDC caseload is completed, /10/ it will be necessary to rely on data from programs working at the grassroots with welfare participants in literacy, GED, job training, and job placement activities. Recent data compiled as a result of interviews with welfare-to-work program providers conducted by Taylor Institute, a Chicago-based research and advocacy organization, uncovered startlingly high percentages of domestic violence among participants.

The Chicago Commons West Humboldt Employment Training Center (ETC), a comprehensive welfare-to-work program on Chicago's west side, has been tracking the incidence of domestic violence since 1991 and discovered that, of approximately 90 participants who entered the program between July 1, 1994, and June 30, 1995, 58 percent were current victims of domestic violence and 26 percent were past victims. Twenty-three percent were currently addicted to drugs or abusing alcohol, and 15 percent were past or recovering drug or alcohol abusers. Twelve percent were past victims of sexual assault or incest survivors. /11/

Available figures from other programs around the country confirm ETC's experience. The Passaic County Board of Social Services annually provides services to 845 women who are required to participate by the local welfare department. From an initial sample of 105 participants gathered in December 1995, the board found that 58 percent reported having been a victim of physical domestic abuse in the past, and 66 percent reported having been a victim of verbal or emotional abuse. Sixty-seven percent of respondents were currently in a relationship with a man; of those, 21 percent were currently a victim of physical domestic abuse, and 36 percent were currently a victim of verbal or emotional abuse. Forty-nine percent of the respondents stated that their boyfriends did

not encourage education or training efforts, and 16 percent that their boyfriends prevented them from obtaining education or training. In addition, 27 percent had been victims of sexual assault; 21 percent, childhood molestation; 13 percent, incest; 25 percent, sexual abuse. Fourteen percent had a problem with drugs or alcohol. /12/ Welfare-to-work programs in Colorado Springs, Colorado; /13/ Kansas City, Missouri; /14/ Marshalltown, Iowa; /15/and one southeastern state /16/ report similar data.

III. Policy Implications

Domestic violence may be exacerbated where it already exists, or arise for the first time, when women receiving AFDC are required to work for the first time and under extremely tight deadlines. Anecdotal evidence suggests that many men, threatened by their partners' education and job training, continue to prevent them from working, even at the risk of losing welfare benefits. /17/ Although ultimately time limits may encourage many women to end violent and abusive relationships in an effort to go to work, the welfare-to-work transition could result in serious injury, or even death, if attention is not paid to the issue of domestic violence. /18/ Certainly, short time limits will restrict some women's ability to make and implement safe choices for themselves and their families. Past victims may also need more time and access to specialized services than will be available under some states' time-limited programs.

That percentages of domestic violence victims and survivors in AFDC caseloads is large should not paralyze state advocates or policymakers. With proper assessment, effective case management, and service referral, many women may be able to go to work within time limits. Clearly, failure to assess and refer women properly will doom many domestic violence victims to multiple failures, will waste scarce programmatic resources, and may leave many women without welfare benefits and hence more dependent upon their male abusers than ever before.

A. Policy Principles

The interconnection of AFDC and domestic violence compels a new way of looking at welfare reform. Accordingly, state welfare reform programs must consider the safety of women and their children first. Next, programs must offer sufficient time and supportive services to allow current victims or survivors of domestic violence the opportunity to recover from trauma in a way that honors and deals with what has happened to them. Experts know that the recognition of trauma as the source of dysfunctional symptoms such as depression or persistent anxiety is essential to recovery from the effects of domestic violence. /19/

To accomplish these goals, up-front assessment of domestic violence in welfare department offices must be mandatory. If women are to be safe and to recover from the trauma resulting from domestic violence, the inherent difficulties in its assessment in welfare offices -- most important, resolution of the issue of confidentiality -- must be overcome.

Whenever possible, a welfare-to-work system must be flexible with the amount of time and services offered to domestic violence victims, who suffer from differing degrees of crisis and have

widely divergent needs. Some domestic violence victims want to work, and their choice should be honored. For others, 24-month limits can be more than adequate, provided that domestic violence support services are made available. For still others, the difficulties or danger to themselves and/or their children must be acknowledged and an appropriate safety plan designed and executed before employment is a viable option. Some women with large families, for example, need time to plan for an affordable housing arrangement before they can escape from violence. Because entry-level jobs paying the minimum wage do not often provide enough income to make independent living possible, short-term job training -- with its promise of higher wages -- is often a better option. What domestic violence victims and survivors need is information and choices. At the same time, they must have the flexibility to be able to revisit their decisions when an emergency arises and the family is put in danger of violence.

Lastly, an integrated, community-based services system must be developed to meet the specific and specialized needs of AFDC recipient domestic violence victims. Undoubtedly, early assessment and referral by welfare departments will overwhelm already overstretched and underfunded local domestic violence services. /20/ Domestic violence victims making the transition from welfare to work need information and referral, group support and other therapeutic activities, assistance in safety planning and locating affordable housing, and information about using the legal system, as well as skills enhancement through literacy, GED, job training, or preemployment job placement programs. Not surprisingly, their children may suffer trauma, and treatment services for them are in order. /21/ Because it is highly unlikely that one agency can provide all the necessary assistance, an enhanced level of coordination and integration of services is necessary. Battered women's service providers must work with welfare-to-work, literacy, and job training providers to create and implement such systems within their communities.

B. The Issue of Time

A welfare reform plan should allow domestic violence victims or survivors the time needed for safety planning and recovery. In such a system, women who were in crisis because of domestic violence, and for this reason were not job ready, would be referred to domestic violence services and provided the time needed until the crisis abated. /22/ This flexibility can take the form of an up-front exemption from state time limits -- a provisional pause -- or an extension of time, provided by the welfare caseworker when necessary. In addition to gauging the effects of current domestic violence, the assessment process must also be capable of determining whether the participant is in crisis due to the effects of past domestic violence or sexual assault, including depression and other symptoms of posttraumatic stress disorder.

For some victims or survivors, domestic violence may not be creating current barriers to labor market participation, and they may be considered "job ready." However, welfare departments must be careful to pay attention in employment planning to the issue of domestic violence and, during the assessment process, to the likelihood of the ex-abuser's sabotaging the employability plan. Moreover, if domestic violence does recur or become exacerbated during the welfare-to-work process, participants must be reassessed as being in a crisis.

C. The Assessment Process

Assessment for domestic violence should be viewed as a process during which participants obtain information and, in partnership with their caseworkers, make choices regarding their own safety and that of their children. Women's ability to evaluate their potential risk at the hands of an abusive partner should be given credence.

I. Confidentiality

In the past, AFDC recipients would not share information with the welfare department about domestic violence for obvious reasons lest their eligibility for AFDC be compromised or they lose custody of their children due to the violence in the home. In order for welfare departments to obtain information about domestic violence, participants must be informed that all information given will be held in confidence and will not affect eligibility for AFDC. For this reason, assessment for current or past domestic violence, sexual assault, or incest should not occur during the financial eligibility process in the welfare department office. Participants are at their most anxious during the AFDC eligibility process.

One welfare department explains that, in assessing domestic violence, it does not ask whether the abuser is in the home and what the participant's relationship is to the abuser. This practice ensures that eligibility-related information not relevant to the screening for domestic violence is not collected during the assessment. /23/

2. Assessment Method

The challenge for welfare reform advocates is to devise an assessment method that works best within the context of a state's welfare-to-work system. The assessment protocol is best designed by using the expertise of domestic violence practitioners and welfare department staff. One welfare department has successfully experimented with a written self-assessment questionnaire, which asks participants open-ended questions and allows them to express themselves freely. /24/

A different assessment strategy involves a group orientation process of at least two days. A group facilitator, often a former victim, presents information about domestic violence, sexual assault, incest, and drug and alcohol abuse and tells her own successful welfare-to-work story. Even within the welfare office, most participants will talk about their own situations as long as they feel safe and comfortable and confidentiality is assured. Information about components, services, and referrals can be given. At its end, the welfare case manager can approve the welfare-to-work module and services selected by the participant. /25/

All AFDC participants should be informed in writing about the assessment process and the procedure for changing from one module to another if a crisis due to domestic violence develops. Optimally, standard protocols to define crisis situations, possible referrals, and the time frame for progress should be created jointly by welfare departments and domestic violence experts so that case workers have some standard policies and procedures and know what is expected. Of course,

such protocols should be flexible enough for caseworkers to make necessary judgments about individual participants' needs. Obviously, caseworkers need training in the use of the protocol, the menu of services, and information about domestic violence services available in the community.

D. Paternity and Child Support

Current federal law mandates a "good cause" exemption from mandatory cooperation in paternity and child support collection efforts if the participant is afraid that serious physical or emotional harm will come to her or her children as a result of child support enforcement. /26/ According to the Department of Health and Human Services, less than 1 percent of AFDC recipients nationally use the exemption for good cause. /27/ This low percentage raises questions about whether AFDC participants are being told about the exemption or whether worries about confidentiality affect its use.

Many domestic violence victims who have gone "underground" to avoid violence cannot seek child support because they might alert their abusers to their location. By their very nature, paternity and child support enforcement court proceedings involve physical contact with the abuser in the courtroom, and this often leads to renewed violence or stalking. Advocates have seen that many abusers react to child support enforcement by beginning or reviving efforts for visitation and child custody, which could endanger the women and children. For these reasons, several important policy principles must be implemented within the context of paternity and child support enforcement.

I. Information

AFDC participants need written information about the paternity and child support requirement, what participation means, and the exemption that is available to them. Domestic violence experts should work with welfare departments to design these materials. Optimally, participants should sign a statement indicating that they have received, read, and understood them. The process should facilitate the AFDC participants' ability to make the best decisions about their and their children's potential risk and safety.

2. Timing

Many state welfare reform schemes have placed new emphasis on child support collection efforts. In many welfare offices, information about paternity and child support is now obtained during the first eligibility interview. This up-front placement of child support enforcement works against domestic violence victims and survivors. Applicants do not readily give information about domestic violence at the intake level when financial eligibility for needed AFDC benefits is at stake. Child support enforcement information should be given to applicants during the domestic violence assessment process. In that context, the information given is confidential and the participant is being attended to in a safe setting by a caseworker with some knowledge and understanding about domestic violence.

3. Location

Many states are adopting systems that begin the paternity and child support enforcement process at the hospital bedside after the birth of the child. A hospital worker is activating a legal process when the participant is not at her most alert or at ease and when her abuser might also be present in the hospital room. All hospital workers involved in the paternity process ought to have comprehensive training in domestic violence as well as written materials to leave with participants.

4. Corroboration

Federal regulations require AFDC participants claiming good cause for failure to cooperate to furnish corroborative evidence of their claims of domestic violence. /28/ Sworn statements from individuals other than the applicant with knowledge of the circumstances are allowed under the regulations and should be relied on as much as possible. /29/ Any requirement for orders of protection or police reports as corroboration of domestic violence can put women in danger. Police involvement increases the amount of danger many domestic violence victims face, and as a result these victims often choose not to seek the protection that the legal system theoretically gives. Advocates should work carefully to ensure that an AFDC participant's invocation of the good-cause exemption does not result in a legal inquisition that further victimizes a woman coming forward to admit she is living with domestic violence. The federal regulations also make clear that a claim can be credible without corroborative evidence. /30/

IV. Conclusion

The process of building a state welfare reform model more sensitive to domestic violence victims, survivors, and their children involves dialogue between domestic violence providers and experts, welfare-to-work providers and advocates, and welfare department officials. In each locality, a structure should be created to bring about this dialogue. This structure should allow for training both welfare department caseworkers and workers in other portions of the social service delivery system (literacy, GED, job training and job placement providers). All need extensive information about domestic violence in order better to serve their participants and to make on-site accommodations to victims' needs.

In the long run, however, new assessment procedures and training in their use will prove ineffective unless a delivery system in the locality can bring the necessary services and supports for battered women on AFDC. In most communities, these services are poorly funded and cannot offer the full range of opportunities required for the welfare-to-work transition. Nor are there many national models to draw upon. In this era of declining resources, the extension of existing services and creation of new supports require all the coordination and innovation that advocates working with low-income persons can provide.

Footnotes

/1/ Jody Raphael, *Prisoners of Abuse: Domestic Violence and Welfare Receipt* (Apr. 1996) (Clearinghouse No. 51,815) [hereinafter *Prisoners of Abuse*]. See also Jody Raphael, *Domestic Violence: Telling the Untold Welfare-to-Work Story* (Jan. 30, 1995) (Clearinghouse No. 51,820) [hereinafter *Telling the Untold Welfare-to-Work Story*].

/2/ Policy recommendations contained in this article reflect the ongoing work of Taylor Institute's Women, Welfare and Abuse National Task Force.

/3/ See *Prisoners of Abuse*, supra note 1.

/4/ *Id.* at 6 -- 10. Other patterns of sabotage include: men battering their partners in highly visible places, so that the women become too embarrassed or too injured to expose their black eyes, bruises, and cigarette burns to the outside world; abusers engaging their partners in nightlong quarrels the night before an entrance examination or job interview and leaving the women sleep-deprived and unable to perform well; abusers coming to the job training program itself and making threats of violence to project staff, most likely hoping that their behavior will result in the participants being barred from the programs; partners visiting the job site and creating embarrassing or threatening situations, causing them to lose their jobs, or calling the women on the job and harassing them; abusers hiding or destroying women's clothing, including their winter coats, so that they are unable to leave the house to take the general equivalency diploma (GED) test or to complete an important job interview; abusers promising to provide needed child care for an important job interview and failing to show up or appearing inebriated; and abusers cutting off women's hair so that they will be too embarrassed to return to work.

/5/ Caroline Wolf Harlow, U.S. Dept. of Justice, *Female Victims of Violent Crime* 5 (1991).

/6/ In September 1995, Betty Clark and her three children were blown up and killed by her ex-husband Mark. Betty Clark had left her husband, had obtained her GED from a program in rural Maryland, and was enrolled in a medical secretarial training program in Baltimore, Maryland, when the incident occurred. Galina Komar finally decided to press charges against abuser Benito Oliver and, after she left him, obtained a job at an automobile dealership in Woodside, Queens. Oliver, threatening to kill her, tracked her down on the job and was evicted from the premises when he showed up there to harass her. In February 1996, Oliver returned to the dealership, shot Galina Komar in the head with a .44 caliber revolver, and then shot himself in the head. Both died instantly. *Prisoners of Abuse*, supra note 1, at 10.

/7/ Patricia A. Murphy, *A Career and Life Planning Guide for Women Survivors: Making the Connections Workbook* 53 -- 56 (1995). Unless proper assessment of domestic violence becomes routine in welfare department offices, the story recently recounted by one Chicago job placement provider may prove all too typical. A participant suffering from profound depression as a result of past domestic violence had received a mandatory referral to the program from the welfare department. Under pressure to go to work, she locked herself in the program's bathroom and attempted to commit suicide by slitting her wrists.

/8/ *Id.* at 235.

/9/ Peggy Roper & Gregory Weeks, Washington State Institute for Public Policy, *Over Half of the Women on Public Assistance in Washington State Reported Physical and Sexual Abuse as Adults* (1993).

/10/ The results of a face-to-face randomized survey of 800 Aid to Families with Dependent Children (AFDC) participants in Massachusetts, including questions about past and current abuse, will be available late in 1996. The study, the first of its kind, is being undertaken by the Center for Social Policy Research and the Center for Survey Research at the University of Massachusetts -- Boston.

/11/ *Prisoners of Abuse*, supra note 1, at 11. The Employment Training Center defined domestic violence as both verbal and physical abuse and coercion serving as a major barrier to program participation.

/12/ *Id.* at 12 -- 13. The survey of participants is ongoing. However, the questionnaire is administered in the second week of the program, and participants who drop out before that time and are not surveyed are probably those with the most problems of one kind or another. For this reason, the program's staff believe that the survey undercounts the incidence of domestic violence and trauma.

/13/ Staff at Goodwill Industries' New Directions Program, which provides comprehensive welfare-to-work services to AFDC participants, find that approximately 50 percent of those who come through the program each year are current domestic violence victims. *Id.* at 14.

/14/ In Kansas City, Missouri, the Women's Employment Network, which provides job readiness and placement services for women on welfare, reported that 75 -- 80 percent of its participants self-reported domestic violence during the course of the program. *Telling the Untold Welfare-to-Work Story*, supra note 1, at 3.

/15/ In 1993, Mid-Iowa Community Action (MICA), a comprehensive family development and self-sufficiency program in rural Iowa, conducted a survey of 91 heads of household participating in its family development program who had been on welfare for two years or longer. From this study MICA learned that 22 percent were current domestic violence victims; 51 percent, past victims. *Id.*

/16/ One welfare program in a southeastern state, which has asked to remain anonymous, obtained information from a questionnaire administered in its program to a sample of 216 mandatory AFDC participants in 1995. Of the responders, 55.1 percent had been physically abused by husbands, boyfriends, or family members as adults; 9 percent were currently being physically abused by a man with whom they had a relationship; and 25.9 percent had been involved in a relationship in which they were physically abused within the last three years. *Prisoners of Abuse*, supra note 1, at 14.

/17/ *Telling the Untold Welfare-to-Work Story*, supra note 1, at 9.

/18/ More time and less pressure might have enabled Roberta Lee Russell, 18, to locate child care for her two young children while she attended school in Milwaukee, Wisconsin. The babies' father, David Hall, 24, became increasingly recalcitrant about providing child care. Hall wanted Russell to quit school and stay at home to care for the children, but she refused. When their seven-month-old baby began to cry, Hall lost his temper and punched the boy three times in the stomach. The child stopped crying. Then Hall pushed on the boy's distended stomach, thinking he needed to be burped. The next day the baby stopped breathing and died. *Id.* at 10.

/19/ "When survivors recognize the origins of their psychological difficulties in an abusive . . . environment, they no longer need attribute them to an inherent defect in the self." Judith Herman, *Trauma and Recovery* 127 (1992). According to Dr. Herman, a domestic violence victim's recovery must occur in several stages: recognition of the trauma; confrontation of the events that caused the trauma; reconnection to the world around her; and achievement of a sense of commonality with others. Over time, the action of telling the story of the trauma can reverse the neurosis induced by terror.

/20/ Experts estimate that less than 2 percent of battered women can find shelter space. Joan Zorza, *Woman Battering: A Major Cause of Homelessness*, 25 *Clearinghouse Rev.* 421 (Special Issue 1991.)

/21/ Experts now believe that children exposed to domestic violence display the same symptoms as children who are actually abused, including symptoms related to posttraumatic stress disorder. See P.G. Jaffe et al., *Children of Battered Women* 71 (1990).

/22/ Domestic violence victims and survivors of domestic violence can find themselves in various crisis situations, each requiring a different service approach. Where danger is present, the AFDC participant needs safety planning, shelter, and an order of protection. Because of a high level of danger, another participant may be better off hiding out from the stalker and using the legal system. Still another participant may be suffering from depression or have other symptoms necessitating a formal recovery process before she can be successful on the job. Another participant may require alcohol or drug treatment. Intensive literacy services or special educational services may be the prerequisite for still another because living with long-term, persistent violence has temporarily interfered with her ability to read, to process new information, or to learn.

/23/ Interview with William Curcio, Assistant Training Supervisor, Passaic County Board of Social Services (Mar. 21, 1996).

/24/ Interview with Mary Lloyd of the Utah Single Parent Employment Demonstration Program, Kearns Unit (Apr. 9, 1996).

/25/ Life Skills Modules employing the group support method are being successfully used in various milieus. The Passaic County Board of Social Services currently employs the model in its own offices over an eight-week period; in sixteen, primarily rural counties in east Tennessee, the model was used in the Fresh Start program, an off-site, three-week curriculum that all nonexempt AFDC participants were required to attend in 1995. Numerous nonprofit welfare-to-work programs around the country also employ the model.

/26/ 42 U.S.C. Sec. 602(a)(26)(B) (West Supp. 1995).

/27/ See 60 Fed. Reg. 33211 (June 27, 1995).

/28/ 45 C.F.R. Sec. 232.43(b).

/29/ Id. Sec. 232.43(c)(6).

/30/ Id. Sec. 232.43(f)(i).