

## **FACTOR 10: ACTS OF FAMILY VIOLENCE POSE AN IMMEDIATE AND SERIOUS PHYSICAL AND/OR EMOTIONAL DANGER TO THE CHILD.**

Note: In domestic violence situations, it is important to interview family members separately.

### **Observations**

- Observe the adult victim. Does he/she present as depressed, fearful, secretive, aggressive, hopeful, hopeless, independent, dependent?
- Are there visible injuries to the adult victim? Does he/she have difficulty in movement?
- Are there visible injuries to the child? Does he/she have difficulty in movement?
- Has the adult victim reported the domestic violence to the authorities? Has he/she obtained an order for protection?
- Has the adult victim moved away from the alleged batterer? Is the adult victim living at a new address?
- Is the alleged batterer living in the home? If the alleged batterer is in the home, how does he/she interact with the adult victim? How does he/she present him/herself?
- If the adult victim reports that the alleged batterer does not live in the home, is there evidence to the contrary such as clothing, personal articles, a car in the driveway/street, etc.?
- Complete criminal record check if indicated.
- Do home conditions indicate evidence of out of control behavior, such as: holes in walls, broken furniture, broken windows, broken doors, etc.

### **Suggested Questions for Adult Victim**

- Does your partner ever prevent you from leaving home, working or going to school, from seeing friends or family?
- Does your partner destroy your possessions or things of value to you?
- Has your partner threatened to, or tortured or killed a family pet?
- Has your partner ever hit, slapped, pushed, kicked or used a weapon against you? Has your partner ever caused serious harm to you?
- Have you ever felt afraid of your partner? In what ways?
- Has your child ever overheard or observed the yelling and/or violence?
- Has the child ever tried to intervene or protect you during an event of family violence?
- Has your child ever physically hurt you or other family members?
- Has your child ever been fearful of leaving you alone?
- Have you told anyone about the abuse? What happened? Have you seen a counselor or attended a group about the abuse?
- Have you left home as a result of the abuse? Where did you go? Have you ever gone to a domestic violence shelter? Did you take the children?
- Have the police ever been called and by whom? What happened? Pressed charges or filed a restraining order? Did you both abide by it?
- Have you ever fought back? What happened? What do you think the abuser is capable of?
- Do you have any current injuries or health problems?
- Does your partner prevent you from responding to your child's needs?
- Does your partner drink or use drugs, has it increased?

- Has your partner been depressed, suicidal?
- Is there a pattern to the abuse? Has the pattern of abuse changed? (Frequency/severity of abuse, weapons or threat of weapons, suicidal or homicidal threats toward family members, stalking, taking hostages, violence in public, workplace violence.)
- Does your partner have access to weapons?
- Does your partner have a past criminal record?
- How many times have you tried to end your relationship due to the abuse? Do you want to end the relationship now?
- Do you and your children have a plan when the violence occurs?
- Has your partner ever injured the child during an episode of family violence? Was the child the target of this violence?
- Is your extended family aware of the abuse? How have they been supportive of you?
- How do household members express anger and frustration? Are these behaviors extreme?

**Suggested Questions for Child** (To assess what child saw and how he/she understands the violence impact on the child and the child's worry about safety)

- What do your Mom and Dad do that makes you happy? Sad?
- Do your (caretakers) fight with each other? What happens when they fight?
- What do they argue/disagree about? How do the arguments start? How often do they argue? What happens?
- What happens to you or your siblings when Mom and Dad are arguing? (Use child's own words). Do you ever get hit or hurt?
- What do you do when Mom and Dad (boyfriend, partner) are arguing/fighting? (Ex: Stay in same room, leave/hide, phone someone, go outside and get someone, go to older sibling, ask parents to stop...)
- Has anyone ever stopped you from doing any of the above?
- In an emergency, whom would you call?
- When Mom and Dad are fighting, what do you worry about the most?
- What do you think about the fighting? When do you think about it?
- How do you sleep at night? Do you have nightmares?
- Who have you talked to about this problem? What happened?
- What would help to make it better in your home?

**Examples of Evidence to Support the Safety Factor**

- Child has received a serious physical injury while present during family violence.
- Child observed serious family violence and expressed fear and terror for safety of self and of adult victim.
- The perpetrator repeatedly violates restraining order by returning to the home after family violence incident that causes serious injury to the child's emotional, intellectual or psychological capacity to function.
- The adult victim takes no action after child witnessed the abuser assault the adult victim.

**Examples that may not reach the serious threshold**

- Partner family member assault occurred while children were outside of the home.

- Child is fearful due to frequently observing parents arguing with one another.
- Law enforcement called to the home for a domestic disturbance and no violence was found to have occurred.