

## **New York City Administration for Children's Services Principles for Addressing Domestic Violence<sup>1</sup> in Children's Services**

The mission of the Administration for Children's Services (ACS) is to ensure the safety and well-being of all the children of New York City. In keeping with this aim, ACS has developed a set of guiding principles that address domestic violence between or against caretakers receiving ACS services, including: Protective Services; Foster Care; Preventive Services; Homemaking; Child Care; Child Support; and Teenage Services.

Of the many factors that place children at risk, domestic violence is one of the most pervasive and complex. In addition to crossing boundaries of race, class, religion, culture, and sexual orientation, domestic violence challenges traditional methods of service delivery. Effective domestic violence interventions require unique and deliberate coordinated services both within ACS and across agencies. These guiding principles reflect ACS's philosophy regarding domestic violence and are intended to help direct policy, formulate practice guidelines and protocols, and provide a framework for staff training in this area.

### **DOMESTIC VIOLENCE**

ACS believes that one of the most effective ways to enhance children's safety after the detection of domestic violence in their homes is to support and help non-abusive parents to protect themselves and their children while engaging abusive partners<sup>2</sup> in services and holding them accountable for their actions. When appropriate, preventive services for the family are preferred. Preventive services should help families create or maintain a safe home and promote the stability and well-being of both parents and child. If placement into foster care is required, the non-abusive parent and the abusive partner should be engaged in service and/or safety planning to facilitate the child's safe return home as soon as possible.

---

<sup>1</sup> Domestic violence, as defined in Section 459-a(1) of the Social Services Law and 18 NYCRR 452.2(g), is an act against a family or household member that would be a violation of the Penal Law including, but not limited to, disorderly conduct, harassment, menacing, reckless endangerment, kidnapping, assault, attempted assault, or attempted murder. It may also include sexual, psychological, and economic abuse that impairs the ability of the abused person to function in a self-determining and healthy way or causes a person to be afraid. Children's Services uses a broader definition that includes non co-habiting partners and adolescents/young adults in dating relationships. All of these types of relationships are addressed throughout this document.

<sup>2</sup> The term "partner" refers to an individual with whom the custodial parent has a marital, cohabiting or significant dating relationship. The partner may or may not be the parent of the child.

**All children deserve to live in homes free of domestic violence.**

- ACS child welfare and child care staff should be equipped to effectively identify and respond to domestic violence and have access to expert consultation and adequate resources.
- Every family involved with ACS should receive timely and appropriate assessments that evaluate for domestic violence. Individual family members must be interviewed separately during this assessment. The adult/adolescent survivor's prior help-seeking efforts and experiences must be explored and incorporated into the assessment.
- Family members should be provided with appropriate and responsive interventions, including ongoing safety planning for the adult/adolescent survivor.
- The non-abusive parent and the abusive partner must be engaged in appropriate services to help maximize the safety and stability of the home for the child. These services must be provided separately when indicated by the assessment.
- When domestic violence creates an immediate danger of serious physical harm or serious emotional impairment to a child, every effort should be made to provide for safety without separating the non-abusive parent and child. If preventive services cannot effectively curtail domestic violence within the household, the abusive partner should be removed from the home by the police, or the non-abusive parent should be assisted in entering emergency shelter or another safe living situation with her child.
- When safety planning with the non-abusive parent and/or criminal justice intervention does not reasonably provide for children's safety in the context of domestic violence, appropriate safety interventions, including foster care placement, must be made.
- In considering kinship foster care placement in cases involving domestic violence, a careful assessment must be conducted to ensure that such arrangements will not compromise the safety and well-being of the adult /adolescent survivor or child, or interfere with permanency planning with the adult /adolescent survivor.
- Children entering foster care must not be placed with any person who is currently a perpetrator of domestic violence. If the assessment reveals past domestic violence, a thorough assessment must be done to document that it is no longer present in the household.

**All families in domestic violence situations deserve assessment and proactive services that meet their individual needs and respect their unique strengths.**

- Every child and family member must receive individual assessments and age appropriate service plans that address the trauma and impact of domestic violence.
- All family members must receive culturally and linguistically competent services in safe and appropriate settings when domestic violence is identified.
- All family members must be provided with an understanding of their rights and options.

- All non-abusive parents should be referred to needed services, including domestic violence programs. Referrals must be made to law enforcement agencies or the courts for legal intervention when appropriate.
- Every parent who is a survivor of domestic violence should be engaged in developing a strategy for increasing their safety and preparing in advance for the possibility of further violence.
- Every parent who is a survivor of domestic violence should be engaged in developing their service plan to ensure that it is responsive to their needs.
- All abusive partners should receive individual service plans, referral to batterer intervention programs, when appropriate, and monitoring of the progress of their plans.
- The history of domestic violence must be taken into account in planning or making recommendations about visiting, to ensure that such arrangements do not endanger the child or the non-abusive parent. Children's visits with an abusive parent should be planned with the non-abusive parent to minimize risk.

**Abusive partners must be held accountable for their actions.**

- Mechanisms for holding abusive partners accountable may include criminal justice and law enforcement interventions, and required participation in batterer intervention programs.
- Non-abusive parents must not be held accountable for the violence committed by others.

**Every person and system involved with a child's care must work in partnership to ensure positive outcomes for children and their families.**

- Each individual involved in a child's care must be treated with respect and viewed as an integral part of the process.
- Children should be ensured of enhanced safety through a coordinated community response. This coordinated community response should engage domestic violence programs, the police, family and criminal courts, and other key systems and providers.
- Child welfare and child care staff should work together with domestic violence program staff toward a shared goal of overall family well-being.
- Families experiencing the overlap of domestic violence with other risk factors, such as child abuse/neglect, substance abuse, mental illness, and poverty, should be assisted through intra- and interagency collaboration that may include cross-training and collaborative programming.
- Families should receive consistent and appropriate judicial responses fostered by a partnership between ACS and the family and criminal court systems.
- Whenever possible, given legal and ethical standards governing client confidentiality, families should be more comprehensively served through the sharing of information among agencies and providers.