

Domestic Violence and Children's Safety  
By  
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Several years ago a survey by the National Institute of Justice and the Centers for Disease Control and Prevention found in a sample of 16,000 adults that more than 20% of females and less than 10% of males reported physical assault by a current or former intimate partner. These and other figures on domestic violence are considered by some researchers to underestimate the true extent of intimate partner violence. Accurate prevalence rates of domestic violence in disputed child custody cases are even more difficult to ascertain because of the lack of research on this subject. Despite the paucity of empirical data, there is no dispute regarding the importance of protecting children who may be at risk for violence when their parents are divorcing.

As research on domestic violence has expanded, typologies that describe batterer dynamics and classify batterers have been developed. To date, however, no single classification system has been empirically validated, and the lack of such validation limits the usefulness of typologies in estimating the level of risk a potential batterer poses to a child. In view of this limitation, other reasonable steps must be taken to evaluate a child's safety when establishing custody and parenting time schedules.

This evaluation is accomplished through multiple steps that should include: (a) interviewing and observing the child and the parents (b) observing the child's interaction with each parent (c) administering psychological tests, standardized checklists or questionnaires to the parents and, if indicated, to the child (d) collecting information about the child's well being from each parent and from collateral sources such as teachers, therapists, day care providers, medical and hospital records, police reports, court documents, and witness statements.

By comparing and contrasting these varied sources of information, the examiner is able to formulate a comprehensive picture of the parents' and child's psychological functioning and to determine whether the child is evidencing behavioral problems associated with or indicative of physical or emotional abuse, or domestic violence.

During the child's interview it is critical to ascertain how the child feels about spending time with each parent. Parent-child relationships exist along a continuum from positive to negative and sufficient information must be gathered to enable the evaluator to understand the child's true feelings about each parent.

If a child verbalizes fear of a parent or if the child's behavior indicates fear, the examiner should investigate alternative hypotheses that may account for this reaction. For example, while a child's fear may be produced by having been abused or neglected, it may also result from having witnessed violence between the parents, having been exposed to poor, inadequate or ineffective parenting, or being alienated from a parent. Additional hypotheses may be generated for a specific family's situation and these should be carefully examined as well.

The interactions of each parent with the child should be observed and assessed. In addition, it is important to gather information about the parents' philosophy of child rearing, their use of discipline and their expectations of the child's performance in all major areas of life. It is also important to inquire whether the parents have cooperated in child rearing decisions, or whether either parent has habitually undermined the other parent's authority.

Assuring a child's safety also requires careful evaluation of each parent. For example, it is necessary to determine if an alleged victim of domestic violence has sought a personal protection order, and if the alleged perpetrator has followed or violated any such orders.

Other factors to be evaluated include the parents' use of alcohol, and non-prescription, mood-altering drugs, as well as their history of psychological functioning. Careful inquiry should be made into whether weapons are present in the home, and whether either parent has a history of making threats, stalking, domestic violence with former partners or other criminal behavior.

Assessing allegations of domestic violence and assuring a child's safety requires comprehensive investigation and evaluation. As with all child custody and access evaluations, it is imperative that the examiner undertakes the evaluation with an open mind and considers alternate hypotheses to explain important findings. Such an approach will yield a balanced evaluation and credible findings that can help to insure a child's safety while permitting appropriate access to each parent.

For more information or to make an appointment, please call Swerdlow-Freed Psychology at (248) 539-7777. Our offices are conveniently located at 30600 Northwestern Highway, Suite 210, Farmington Hills, Michigan 48334, and 55 North Pond Drive, Suite 6, Walled Lake, Michigan 48390.