

**SAFELY
TOWARD
SELF-SUFFICIENCY**

**Battered Women's Path
Through Welfare Reform**

**A Report by the
AFDC Working Group
of the
Massachusetts
Governor's Commission on Domestic Violence**

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SAFELY TOWARD SELF-SUFFICIENCY:

Battered Women's Path Through Welfare Reform

EXECUTIVE SUMMARY

The extent of overlap between domestic violence and receipt of public assistance under Transitional Aid to Families with Dependent Children (TAFDC) is the subject of this report and a companion report of the University of Massachusetts Boston entitled, "In Harms Way? Domestic Violence, AFDC Receipt and Welfare Reform in Massachusetts."

Battered women's experts and others working with mothers who receive public assistance have long suspected that a significant number of women eligible for TAFDC are survivors or current victims of domestic violence. Because batterers often exercise tight economic control over their partners and prevent them from working, many battered women lack independent means of support. In the experience of battered women's service providers and other professionals, this phenomenon frequently leads women to turn to public assistance as they try to escape violent relationships.

State and federal welfare reform efforts have brought fundamental changes to the systems of public assistance for poor women and their children. Hallmarks of these changes include the loss of entitlement to assistance, time limits in the receipt of benefits, work requirements, and strict child support cooperation mandates. At the same time, the changes have prompted service providers, advocates, and policymakers to focus on how domestic violence particularly affects poor women and their children, focusing on two key questions:

- How will abuse affect the ability of low-income families to meet new welfare program requirements and become self-sufficient?
- How can the Commonwealth design a transitional assistance program that serves battered women and their children appropriately?

To begin answering these questions, the AFDC Working Group of the Governor's

Commission on Domestic Violence set out to document the levels of abuse among TAFDC-eligible women. The Center for Social Policy Research at the McCormack Institute and the Center for Survey Research of the University of Massachusetts Boston conducted a groundbreaking survey of a representative sample of recipients of TAFDC. The Massachusetts Mothers Survey confirmed the experience of battered women's service providers: nearly two-thirds (64.9%) of Massachusetts women receiving TAFDC have been abused by an intimate partner at some time in their lives and almost one out of five (19.5%) recipients has been abused in the past year. The survey findings are summarized in this report and are set forth in more detail in the companion report by the University of Massachusetts Boston. In addition to the findings of the Massachusetts Mothers Survey, the recommendations in this report are informed by research and emergent policy proposals on the subject of domestic violence and welfare reform that are being produced throughout the United States.

The Massachusetts Mothers Survey is the first of its kind in the nation. Its findings have important implications for welfare reform here in Massachusetts and throughout the country. Implementation of this report's recommendations will give the Commonwealth a unique opportunity to lead the nation in developing programs that will enable women and children to achieve both freedom from violence and economic independence. The authors of this report do not advocate automatically excusing all current and former battered women from TAFDC program requirements. Many battered women on TAFDC will want to take the fullest possible advantage of aggressive child support services and welfare-to-work activities. Some will have been harmed deeply by their experience of domestic violence and will be unable to participate in these activities for a period of time. Still others will be able to take advantage of some of the transitional services provided under the new law.

The complexity of the lives of battered women on TAFDC calls for individualized responses rather than blanket exemptions from program requirements. At the same time, the Mothers Survey results give us no reason to expect widespread disclosure of abuse along with a wave of requests for whatever exemptions we may choose to offer. Rather, we advocate a balanced policy shaped by two equally important and complementary goals: safety **and** self-sufficiency for low income battered women and their children.

The key components of such a policy are:

1. An unequivocal commitment to safety for battered women and their children;
2. A program of education and training that will enable those who administer the Commonwealth's TAFDC program components to understand the dynamics of domestic violence and identify women and children at risk for family violence;
3. The creation of a team of domestic violence specialists to be placed within the

Department of Transitional Assistance (DTA) to assess the circumstances of battered women who apply for or receive TAFDC and make referrals for specialized services when necessary;

4. Individualized assessments and planning that modify welfare-to-work, child support and other TAFDC requirements for battered women when necessary;
5. Policies and procedures that guarantee the privacy, and therefore, the safety, of battered women and their children;
6. Pro-active and sustained collaboration among government agencies and between government and private sector agencies that serve battered women and their children;
7. A commitment to increased funding for services for battered women and their children; and,
8. Funding for additional research aimed at enriching our understanding of the forces that keep poor battered women and their children from achieving safety and independence and the strategies most likely to overcome these barriers.

The authors of this paper, members of the AFDC Working Group, represent diverse agencies and organizations including executive branch departments and community-based advocacy organizations. In the course of searching for answers to the challenge of creating a program of transitional public assistance that responds to the needs of victims and survivors of domestic violence, the AFDC Working Group found common ground in a shared concern for the safety of battered women and their children and a commitment to empowering battered women to take and keep control of their lives.

I. INTRODUCTION

Domestic violence in Massachusetts, as well as across the United States, has reached epidemic proportions. In 1992, one study estimated that approximately 190,000 women in the Commonwealth are abused by their partners every year.¹ The number of civil protection orders issued in Massachusetts continues to grow, totaling 46,265 in fiscal year 1995 -- about one every two minutes during the hours that the courts are open.² The majority of these orders mention the presence of one or more children, most of them under age 8.³

In response to this domestic violence “state of emergency,” Governor William F. Weld established a Governor’s Commission on Domestic Violence in 1992. The Commission has supported a number of creative and positive steps toward responding comprehensively to violence against women⁴ and children. In April 1996, it issued a report examining the impact of domestic violence on children and recommending the creation of integrated community networks to serve children whose mothers have been battered.⁵ Uniform standards of enforcement of abuse prevention orders have been developed by the Commission for use by law enforcement agencies throughout the Commonwealth. Working with battered women’s experts, various Massachusetts agencies have produced educational materials about family violence and have established model programs such as the Domestic Violence Unit within the Department of Social Services (DSS) and the first statewide registry of protection orders.

¹ Schechter, S. And Mihaly, L. K. (1992). *Ending Violence Against Women and Children in Massachusetts Families*. p. 5

² See Cochran, D., Brown, M., Adams, S., and Powell, A (1995) *Tragedies of Domestic Violence - A qualitative analysis of civil restraining orders in Massachusetts*. Report of the Office of the Commissioner of Probation of the Massachusetts Trial Court.

³ Id.

⁴ In the overwhelming majority of cases involving adults, domestic violence is perpetrated by men against women. See Browne, A. (1987). *When Battered Women Kill*. (citing National Crime Survey data that only five percent of violent crimes between spouses involved abuse of husbands by wives or ex-wives). For that reason, this report uses the term “battered women” and female pronouns to refer to adult victims of domestic violence. However, we acknowledge that men are battered by women in a small number of cases and that domestic violence also occurs between same-sex partners.

⁵ See Lennett, J., and others. (1996). *The Children of Domestic Violence*.

Batterers typically exercise tight economic control over their partners and isolate them from family and friends. Women who escape violent relationships may lack independent means of support and may be forced to turn to public assistance for survival. The experience of battering can also leave women and children with signs and symptoms of trauma that need attention if they are to lead full and violence-free lives. Professionals who work with battered women have long suspected that a significant number of women receiving TAFDC are current or formerly battered women. Recent state and federal welfare reform initiatives have prompted increased public attention to this issue, raising awareness that in implementing some of the key changes in public assistance programs (such as time limits, work requirements and strict child support requirements), policy makers will need to identify battered women in the TAFDC caseload and find ways to meet their needs.

As Massachusetts was proceeding with state welfare reform, the AFDC Working Group of the Governor's Commission on Domestic Violence set out to document the relationship between domestic violence and TAFDC in order to be able to suggest policies that would promote safety and self-sufficiency for battered women. The University of Massachusetts Boston was commissioned to conduct a survey of a representative sample of TAFDC recipients. The Department of Transitional Assistance (DTA) provided administrative and logistical support for the project. In the most detailed study of its kind to date, researchers from the Center for Survey Research interviewed 734 women eligible for TAFDC from across the Commonwealth. The results of this survey are contained in a companion report by the University of Massachusetts Boston, "In Harms Way? Domestic Violence, AFDC Receipt and Welfare Reform in Massachusetts."

The survey paints a complex picture of the lives of women on TAFDC that includes physical violence by current and former partners, infliction of serious injury, use of guns and knives, sexual abuse and threats of harm. Nearly two-thirds of those surveyed had been abused by a husband or boyfriend at some time in their lives; almost 20% have been abused in the past year.⁶

These rates outpace available estimates of the prevalence of abuse in the general population.⁷ And, while the Mothers Survey showed that domestic violence is a

⁶ Abuse was defined to include being hit, slapped, kicked; being thrown or shoved onto the floor, against the wall, or down stairs; being hurt badly enough to go to a doctor or clinic; having a partner use a gun, knife or other object in a way that made the respondent afraid, and forced sex or sexual activity.

⁷ See p. 8, below.

widespread problem in the lives of poor women and children, it does not follow that there is a higher propensity toward violence among poor men than men who are not poor. Poor people in general have less access to legal and social services that can function as forms of intervention in families of means and this may account, in part, for the differences seen.⁸

On August 22, 1996, as this report was being prepared, comprehensive Federal welfare reform legislation was signed into law.⁹ In October 1996, in conjunction with National Domestic Violence Awareness Month, President Clinton urged state governments to implement the new law in ways that are responsive to the needs of battered women, and he promised federal technical assistance. The President also called for studying the prevalence of statutory rape, domestic violence and sexual assault “as threats to safety and barriers to self-sufficiency” for poor families. With the completion of the Massachusetts Mothers Survey, the Commonwealth is poised to exercise innovation and leadership in meeting the President’s mandate.

Massachusetts is not alone in examining these issues. In recent years, domestic violence experts have produced a number of policy and research papers all suggesting that welfare reform, if not implemented carefully, may have the effect of actually harming battered women and their children. These efforts and the Massachusetts Mothers Survey present a number of challenges that need to be met as transitional assistance programs are implemented. These include:

- Finding ways to support women who are struggling with the effects of past or ongoing battering to secure and keep jobs;
- Responding to the need for assistance that may arise if a woman is severely battered and flees to a shelter just before her time-limited benefits are to end; and
- Assisting battered women in their efforts to receive child support without placing them and their children at increased risk of physical or emotional harm.

In developing this report’s recommendations, the AFDC Working Group drew upon the growing body of literature examining the overlap between domestic violence and public assistance, along with the findings of the Massachusetts Mothers Survey and the direct experience of those who work closely with battered women and their children. Given the

⁸ See Allard, M. A., and others (1997). *In Harms Way? Domestic Violence, AFDC Receipt and Welfare Reform in Massachusetts*, University of Massachusetts Boston. (hereafter, Allard), p. 7.

⁹ The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), P.L. 104-193.

significant numbers of battered mothers in the TAFDC population, many believe that the program changes associated with welfare reform may jeopardize the safety and well-being of thousands of poor women and their children. If the Commonwealth is to have an effective transitional program of public assistance that leads to self-sufficiency, TAFDC policies must incorporate an understanding of the impact of domestic violence on women and their children. Failure to do so may result in women being trapped both in violent relationships and in TAFDC, never to become self-sufficient or safe.

The purpose of this report is to present recommendations that, if implemented, will enable battered women on TAFDC to succeed in making the transition from public assistance to self-sufficiency. It begins with an overview of the dynamics of domestic violence experienced by many families receiving TAFDC and summarizes key provisions of state and federal welfare reform laws. The report then provides a review of national research and policy analyses on domestic violence and welfare reform and a summary of the findings of the Mothers Survey.

Finally, this report makes recommendations for meeting the needs of battered women who are making a transition to economic independence and violence-free lives. These include:

1. An unequivocal commitment to safety for battered women and their children;
2. A program of education and training that will enable those who administer the Commonwealth's TAFDC program components to understand the dynamics of domestic violence and identify women and children at risk for family violence;
3. The creation of a team of domestic violence specialists stationed within DTA to assist in assessing the needs of battered women and making referrals for appropriate services;
4. Individualized assessments that enable modifications as needed for battered women within welfare-to-work, child support, and related TAFDC program components;
5. Clear policies and procedures that guarantee the privacy and, therefore, the safety, of battered women and their children;
6. Strong collaboration among all of the public and private agencies serving low-income battered women and their children;
7. Increased funding for services for battered women and their children; and
8. Funding for additional research aimed at enriching our understanding of the forces

that keep poor battered women and their children from achieving safety and independence and the strategies most likely to overcome these barriers.

By implementing this report's recommendations, the Commonwealth can transform TAFDC into an effective transitional program that gives battered women and their children the tools they need to move safely toward self-sufficiency.

A. The Dynamics of Domestic Violence

Research on the prevalence of domestic violence in the general population reveals disturbingly high rates of violence across all communities, racial and ethnic groups, social classes and sexual orientations. An overview of large scale studies suggests that at least 8% of adult women experience violence in the course of a year¹⁰ and that between 25 and 30% of American women are beaten at least once during the course of their intimate relationships.¹¹ However, researchers agree that, due to reluctance to report abuse as well as variations in sampling and survey methods, studies tend to underestimate the true prevalence of violence.

To isolate their victims and retain control over them, batterers often keep their partners from working, developing marketable skills, or managing household finances.¹² Batterers may use physical violence and threats to enforce these prohibitions. They may also sabotage women's efforts by destroying work clothes and school books, making

¹⁰ The 1993 Commonwealth Fund Survey of Women's Health, Special Survey on Domestic Violence, found that a minimum of 4.4 million women (8.4%) were abused in the previous year.. Similar results were found in three national random surveys done under the auspices of the Family Research Laboratory of the University of New Hampshire in 1975, 1985, and 1992.

¹¹ Pagelow, M. D. (1984). *Family Violence*. New York, Prager, pp. 45-46. Methodological differences in research studies work against direct comparisons between the findings of the Massachusetts Mothers Survey and surveys of the general population. For a discussion of this problem and more extensive data on the general prevalence of domestic violence, see Allard, pp. 5 -10.

¹² Zorza, J. (1995). *Recognizing and Protecting the Privacy and Confidentiality Needs of Battered Women*. 29 *Family Law Quarterly*, pp. 273, 275. (hereafter, Zorza); Browne, A (1987). *When Battered Women Kill*. New York: Macmillan/Free Press, pp. 43, 57 (hereafter, Browne).

harassing telephone calls to the workplace, or failing to provide promised child care.¹³ As a result, when a woman leaves a violent relationship, she often lacks economic resources of her own and may well be forced to turn to public assistance. Domestic violence can make rich women poor and keep poor women poor.

Battered women and their children frequently suffer short and long-term physical and psychological trauma that may affect their ability to function. For women, the effects of battering may manifest in poor concentration, lack of interest in significant activities, inability to sleep, and pessimism about the future.¹⁴ Children may need special support that makes it difficult for their mothers to work or find appropriate child care. Many children of battered women have been physically abused themselves. Children who have witnessed one parent's violence against the other often have behavioral and emotional problems. These range from nightmares and regression in young children to aggression, poor concentration, and depression in adolescents.¹⁵ Children may also have trouble functioning in school because they are afraid to leave their mothers and feel it is their role to protect them.

The cycle of domestic violence is frequently difficult to break. And, very often, steps that women take to escape violence (such as fleeing or seeking a restraining order) leave them at continued or greater risk of harm;¹⁶ separated or divorced women are 14 times more likely to report domestic violence than married women.¹⁷

TAFDC recipients are required to cooperate with establishing paternity and seeking child support unless they have good cause for not cooperating.¹⁸ If a caseworker

¹³ Zorza, p. 277.

¹⁴ Raphael, J. (1996). *Prisoners of Abuse*. 30 Clearinghouse Review, p. 187 (hereafter, Raphael), citing Murphy, P.A. (1995). *A Career and Life Planning Guide for Women Survivors: Making the Connections Workbook*. pp. 53 -56.

¹⁵ *The Children of Domestic Violence*. pp. 15-16.

¹⁶ Zorza, p. 274. See also Browne, pp. 109 – 122; Hart, B. (1993). *Children of Domestic Violence*, in *Courts and Communities: Confronting Violence in the Family*, A Conference of the Family Violence Project of the National Council of Juvenile and Family Court Judges; Walker, L. Thyfault, R., and Browne, A. (1982). *Beyond the Juror's Ken: Battered Women*. Vermont Law Review, Vol. 7, No. 1.

¹⁷ Zorza, p. 274 (citing Harlow, C. W. (1991). *Female Victims of Violent Crime*. U.S. Dept. of Justice).

¹⁸ See pp. 11 - 12, below for additional discussion of the good cause exception to cooperation.

fails to explain good cause or a battered woman fails to claim the exemption, she and her children may be at risk of additional harm. A child support case may further enrage a batterer who has already lost day-to-day control of a victim who has fled or obtained a restraining order. Court appearances may give the perpetrator an opportunity to harass a woman, follow her home or discover her current address from court papers.¹⁹ Retaliation by abusers is also common, ranging from repeated hang-up telephone calls to further violence to claims for child custody.²⁰

Finally, we need to recognize that domestic violence takes many forms, some of them subtle and complex. A battered woman may, for example, separate from the abuser and still be at risk of violence; she may be abused by a man who is not the father of her children, or may live with an abuser who is also eligible for assistance.²¹ Even when a woman is not at risk of ongoing physical violence, she may have been abused severely enough in the past to be suffering the effects of post traumatic stress disorder. Her children may, likewise, have been harmed by exposure to domestic violence and may have needs for skilled intervention and treatment. In order to fashion a transitional program of cash assistance, welfare to work activities, and child support enforcement that will actually work for victims of domestic violence, policy makers need to acknowledge and be prepared to respond to these dynamics when they are present in the lives of TAFDC recipients and applicants.

B. State and Federal Welfare Reform

1. Massachusetts Welfare Reform

By the time federal welfare reform was enacted in 1996, Massachusetts had already overhauled its AFDC program, creating in its place, Transitional Aid to Families

¹⁹ See Zorza, pp. 281 – 83, 308-311.

²⁰ Browne, pp. 109-113.

²¹ Faced with threats to herself or her children, a battered woman may commit welfare fraud. Without excusing these behaviors, we need to be willing to determine whether such fraud is, in fact, intentional, and therefore subject to appropriate sanction, or the result of threats and duress by an abusive partner, in which case criminal action against a TAFDC recipient may be quite inappropriate.

with Dependent Children (TAFDC).²² Most of the changes implemented in Massachusetts in November 1995, are also included in the new federal law. Some key provisions of the Massachusetts TAFDC program include:

- Limiting assistance to twenty-four out of every sixty months. Certain recipients are exempt from the time limit, including those who are disabled, those caring for a disabled child or other close relatives, parents of children under age two, and teen parents attending high school or GED programs;²³
- Requiring that parents of school age children work at least 20 hours per week in paid or community service jobs. Those exempt from the time limit are also exempt from work requirements.²⁴ In addition, work absences are excused for certain specified family emergencies, transportation breakdown, loss of housing, or required court appearances;²⁵
- Denying additional cash payments for children born to TAFDC recipients. Exceptions are available in cases of rape, incest, and sexual assault,²⁶ and
- The possibility of monetary and other sanction against children under age 14 who have excessive unexcused absences from school. Children of parents who have disabilities are not subject to Learnfare.²⁷

2. Child Support Enforcement

Much of what has been written to date about the impact of welfare reform on

²² Chapter 5 of the Massachusetts Acts of 1995 (enacted February 1995). Most provisions were implemented in November 1995, under the terms of a federal welfare reform waiver.

²³ 106 Code of Massachusetts Regulations (CMR) 203.100, 203.200. This provision took effect on December 1, 1996. The Massachusetts time limit differs from the federal requirement, which imposes a sixty-month lifetime limit on assistance.

²⁴ 106 CMR 203.100, 203.400. The Massachusetts program and the Federal bill differ somewhat in the number of hours required and the types of work activities allowed.

²⁵ 106 CMR 207.190.

²⁶ 106 CMR 203.400.

²⁷ 106 CMR 203.900.

battered women has focused on work requirements and time limits. However, paternity and child support enforcement requirements can also put domestic violence victims at risk.

Federal law requires custodial parents receiving AFDC to cooperate with paternity establishment and child support enforcement efforts in order to receive assistance. Parents are excused from this requirement if they are found to have “good cause” for not cooperating.²⁸ The federal welfare reform law turns the responsibility of defining good cause and other exceptions to cooperation over to the states. Under the new law, the state child support agency determines whether a parent has cooperated; the state may choose to have good cause determined in individual cases by the child support, welfare, or Medicaid agencies.²⁹ In Massachusetts, the Child Support Enforcement Division of the Department of Revenue (DOR) determines cooperation, and DTA determines good cause.

Historically, states, including Massachusetts, have reported to the federal government that minuscule numbers of AFDC recipients have claimed good cause for not cooperating with child support enforcement activities. Possible reasons for these low numbers include the fact that good cause is generally not well publicized, nor well understood by recipients. In addition, the good cause notice is one of myriad forms given to applicants during the eligibility process, and may not be orally explained by DTA caseworkers.

3. Federal Welfare Reform and Optional Protections for Battered Women

The federal welfare reform legislation enacted in August 1996, permits states to use welfare block grant funds to screen and identify domestic violence victims and to make referrals to counseling and other support services.³⁰ States providing these screening services may also waive certain program requirements if enforcing them would make it more difficult for women to escape domestic violence or would “unfairly penalize” current or formerly battered women. The requirements that can be waived include time limits, residency requirements, child support cooperation and family cap

²⁸ Good cause may also be claimed when the child is the subject of adoption proceedings.

²⁹ PRWORA, § 333 (codified at 42 USC § 654(29)).

³⁰ PRWORA, P.L. 104-193, § 103 (codified at 42 USC § 402(a)(7)). These provisions are also known as the “Wellstone/Murray Family Violence Provisions,” after the Senators who sponsored them.

provisions.

Although these family violence provisions are optional, President Clinton has strongly encouraged the states to implement them and has committed federal resources to providing states with technical assistance. In an October 1996, memorandum to the Secretary of Health and Human Services and the Attorney General, the President stated, “As we reform our nation’s welfare system, we must make sure that welfare-to-work programs across the country have the tools, the training and the flexibility necessary to help battered women move successfully into the work force and become self-sufficient.”³¹ The President recommended working collaboratively to develop “standards and procedures that will help make transitional assistance programs fully responsive to the needs of battered women,” and to “make it a priority to understand the incidence of statutory rape, domestic violence and sexual assault in the lives of poor families, and to recommend the best assessment, referral, and delivery models to improve safety and self sufficiency for poor families who are victims of domestic violence.”³²

The new federal law also includes major changes to the federal and state child support programs, including expanded collection of data and automated enforcement. In particular, the Federal Parent Locator Service (FPLS) will be the repository for a significant amount of data reported by the states, such as information on newly hired employees and on all child support orders. While the law generally requires restrictions on access and mandates confidentiality, it also establishes specific privacy safeguards for domestic violence victims. The FPLS may not disclose any information to any person when a state notifies the Secretary that it has “reasonable evidence” of domestic violence or child abuse and such disclosure could be harmful to the custodial parent or child.³³ In turn, states are required to establish privacy safeguards that prohibit the release of location information about one party to the other party when there is a protective order or a risk of physical or emotional harm.³⁴

The transformation of public assistance programs presently underway at the federal and state levels is meant, in part, to reduce long term dependence on public assistance and, in part, to reduce spending on public assistance programs. The changes also reflect an increased willingness to integrate an understanding of the particular needs of women who have been battered and/or sexually assaulted into the new federal system

³¹ Presidential Memorandum on Guidelines for Implementing Family Violence Provisions, October 3, 1996.

³² *Id.*

³³ PRWORA, § 316(a)(2) (codified at 42 USC § 653(b)).

³⁴ *Id.*, § 303 (codified at 42 USC §654(26)).

of cash and related assistance. The challenge for Massachusetts and the country will be to simultaneously redirect the funding historically spent on public assistance programs and still meet the needs of battered women and their children who, we now know, constitute a significant segment of the TAFDC population.

C. Related Research

The Governor's Commission on Domestic Violence is not alone in its search for a better understanding of the connection between domestic violence and the need for public assistance. Complementary research conducted in Massachusetts and studies on domestic violence and poverty in other parts of the country all contribute to a fuller understanding of the connection between violence against women and poverty. This material, along with the findings of the Massachusetts Mothers Survey, was used to develop the recommendations contained in this report.

A five-year study undertaken by the Washington State Institute for Public Policy revealed that 60% of that state's AFDC recipients had been physically or sexually abused at some time in their lives.³⁵ The Taylor Institute, in Chicago, has gathered qualitative data from participants and staff in welfare-to-work programs throughout the United States. This data reveals that batterers "sabotage [battered women's] 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."³⁶ Welfare-to-work program staff interviewed by the Taylor Institute commented on the often unabating efforts of batterers to terrorize the victim through harassment, including physical and legal maneuvering, and noted that these behaviors often serve as continual sources of stress and anxiety that make concentration on self-sufficiency difficult.³⁷ Based upon its research, the Taylor Institute puts the percentage of participants victimized by domestic violence at approximately 60%.³⁸

³⁵ Family Income Study (1992) Washington State Institute for Public Policy.

³⁶ Raphael, p. 187.

³⁷ Raphael, J. (1995). *Domestic Violence: Telling the Untold Welfare to Work Story*. The Taylor Institute: Chicago.

³⁸ Id.

A symposium sponsored by the University of Utah earlier this year was called “Family Violence and Welfare Reform: What are the Links?” Drawing on a panel of national and local experts in domestic violence and poverty policy, its far-reaching findings included calls for the institution of a screening process for domestic violence and the provision of free counseling services for adults and children; the elimination of time limits, where necessary, to enable victims of violence to fully recover from the effects of trauma; a prohibition of sanctions against women whose “non-cooperation” in welfare-to-work programs are a result of coercion by the abuser; and the creation of transitional and permanent affordable housing for battered women and their children.

Closer to home, the Worcester Family Research Project sought to describe the characteristics of homeless and low-income housed women across a range of domains including identifying risk factors for family homelessness. In this six year longitudinal study investigators found that an overwhelming majority of housed low income mothers have experienced severe levels of physical violence and/or sexual abuse (82% reported experiencing severe physical and/or sexual assault at some point in their lives; 79% experienced violence perpetrated by a family member or intimate partner during their lifetime; 58% experienced severe physical violence by an adult intimate partner). Additional findings of significance were that 20% of the women needed medical treatment because of actions of a male partner and 39.8 % of the homeless women reported losing housing because of a male partner generally due to abuse or the partner’s loss of a employment.³⁹

In addition to confirming the fact that significant numbers of battered women and their children are among those seeking and receiving public assistance, studies and reports such as those mentioned here, underscore the complexity that marks the lives of poor battered women and challenge policy makers in their efforts to fashion transitional assistance programs that keep battered women and their children out of harm’s way.

³⁹ See Bassuk, E. L. and others. (1996). *The Characteristics and Needs of Sheltered, Homeless, and Low-income Housed Mothers*. Journal of the American Medical Association, vol. 276, pp. 640 - 646.

II: THE MASSACHUSETTS MOTHERS SURVEY

The Massachusetts Mothers Survey, conducted by the University of Massachusetts Boston, is the most thorough and detailed study of the overlap between domestic violence and receipt of AFDC undertaken to date in the United States. Apart from its value to Massachusetts policy makers, its findings will most certainly be of value to the federal government and to every state grappling with welfare reform in the face of widespread battering of poor women.

The methodology and findings of the Massachusetts Mothers Survey are set out in a companion report entitled, “In Harms Way? Domestic Violence, AFDC Receipt and Welfare Reform in Massachusetts.” Since these two reports are intended to be read together, we will summarize the methodology and findings only briefly here.

A. Methodology

The Mothers Survey interviewed 734 AFDC recipients in all but two local DTA offices. Interviews took place on the day women were to have their eligibility for assistance re-certified under what was then a new set of standards⁴⁰. The sample was fully representative of the Commonwealth’s TAFDC population mirroring age, race, education, number of children in the home and age of children.

Several indicators of abuse by an adult intimate partner were used in the survey.

⁴⁰ The requirement that all current TAFDC recipients present themselves for re-certification under the new welfare reform statute gave researchers a singular opportunity to capture a completely representative sample of recipients. It was also recognized as a time of exceptionally high anxiety for those seeking re-certification. Compounding this was the concern that women would be reluctant to reveal the existence of their relationships with men and an awareness that battered women are often ashamed to acknowledge the violence in their relationships. To respond to these challenges and insure maximum disclosure of domestic violence in these less than desirable circumstances, the Massachusetts Coalition of Battered Women Service Groups provided surveyors with special training on the dynamics of domestic violence and on community resources available to women who did choose to speak about domestic violence and who wanted to access safety and related services.

For purposes of this report, we chose to focus on a six-item index describing behaviors that most closely mirror the acts included in the definition of abuse that is contained in the Massachusetts Abuse Prevention Act (Chapter 209A).⁴¹ This six-item index included:

- **being hit/slapped/kicked,**
- **being thrown/shoved,**
- **being hurt badly enough to go to a doctor,**
- **the use of a gun/knife, in a way that caused fear,**
- **being forced to have sex, or**
- **placed in fear of being hurt.**

B. Findings

The Massachusetts Mothers Survey found that 64.9% of TAFDC recipients have been abused at some time in their lives. Nearly one out of five (19.5%) have been abused within the past year and are, therefore, likely to be currently struggling with violence in their lives. In short, The Mothers Survey has confirmed a significant overlap between domestic violence and receipt of public assistance among the Commonwealth's poorest women.⁴²

⁴¹ Massachusetts General Laws c. 209A, sec. 1, defines "abuse" as "attempting to cause or causing physical harm," "placing another in fear of imminent serious physical harm," or "causing another to engage involuntarily in sexual relations by force, threat, or duress."

⁴² Battered women's service providers recognize a broader cluster of behaviors as indicators of abuse than the one being used in this report. If one were to apply this broader and more inclusive cluster of behaviors (i.e., one that would include having possessions destroyed or taken, being kept from seeing friends/family, and being told that you were worthless/was demeaning) 70.3% of AFDC recipients would be considered to have ever been abused and a 26% would be understood to be presently battered women.

As the following chart shows, battered women have experienced a mix of abusive behaviors, ranging from just one of the behaviors used in the six-item index, to all six:

PERCENT OF BATTERED WOMEN WHO EXPERIENCED 1 - 6 OF THE LISTED ABUSIVE BEHAVIORS	
Experienced 1 item on the abuse index:	16.0%
Experienced 2 items on the abuse index:	18.3%
Experienced 3 items on the abuse index:	17.9%
Experienced 4 items on the abuse index:	18.3%
Experienced 5 items on the abuse index:	17.9%
Experienced 6 items on the abuse index:	11.8%

The Mothers Study found that the vast majority of TAFDC recipients (89%) would rather work or go to school than stay at home full time. It also found that almost nine out of ten (88.3%) have, in fact, previously held a job and that over two-thirds of the women (69.8%) have held a full-time job at some time in their lives.

The Survey revealed that women who have experienced abuse at some time in their lives are much more likely to have been married (47.1%) than those who have never been battered (31.8%). It also found that battered women are significantly more likely to be laboring under a physical disability or emotional problem (31.7%) than women who have never experienced abuse (21.4%).

Women who have been abused by intimate partners at some time in their lives are more than twice as likely to have experienced or witnessed abuse as children than women who were never abused. The University of Massachusetts Boston report discusses this important finding in detail. For purposes of this report it may be useful to note only one indicator of this finding in which women were presented with a list of the following behaviors:

“kick, bite, or hit with a fist; hit or try to hit with something;
beat up; choke; burn; or scald.”

Of those who reported never having been abused by an adult intimate partner, 17.4% reported that an adult member of their household had done at least one of these things to them when they were children. Of those who had been abused by partners at some time in their lives, the response rose to 33.5%. Similarly, 15.1% of the women who had never been abused reported that adults in their homes had done at least one of these things to other adults in the household. Among women who had been battered at some time in

their lives, the figure rose to 33.5%. As the authors of the University of Massachusetts Boston report note, “[t]hese data point to the link between childhood victimization and adult victimization and highlight the potential consequences of exposure to violence and conflict in childhood.”⁴³

Although not included in the definition of abuse contained in Chapter 209A of the Massachusetts General Laws, pressures associated with child custody, visitation and support can be quite stressful and can impact a mother as severely as actual abuse. The chart that follows illustrates this, showing significant differences between women who have experienced violence recently and those who have never been abused in dealing with custody, visitation and child support issues:

Have you:	ABUSED IN PAST YEAR	NEVER BEEN ABUSED
argued with a man over child custody in the past year	24.5%	4.7%
argued with a man over visitation issues in the past year	36.4%	9.3%
argued with a man over child support in the past year	38.3%	17.5%
called police because a partner threatened to hurt or hurt you	50.7%	0.8% ⁴⁴
had a restraining order against a partner in effect in the past year	46.2%	0.4% ⁴⁵

On measures of self esteem, mastery, and symptoms of psychological distress more generally, the study revealed significant differences between women who have experienced abuse at some time in their lives and those who have never been abused and

⁴³ Allard, p. 21.

⁴⁴ The respondent here had called the police because of abuse by another family member and, therefore, answered this question in the affirmative.

⁴⁵ Here, again, the respondent had a restraining order against another family member and, therefore, answered this question in the affirmative.

also between women who have been battered at some time in their lives and those who have been abused more recently. In the words of the authors the University of Massachusetts report, the data from this section of the survey shows that “abused women bear emotional and psychological effects of violence. Their self-esteem is considerably lower, they experience more symptoms of psychological distress, and have less sense of control and mastery over what happens in their lives.”⁴⁶

As troubling as these findings and those detailed in the report of the University of Massachusetts Boston may be, it is important to recall that they more than likely understate the incidence of domestic violence among TAFDC-eligible women. This is so because victims of violence tend to under-report abuse due to their shame or inability to recognize the abuse as such. An additional factor already noted is the fact that interviews were conducted in DTA offices on the day of recertification for assistance, a place and time of higher than usual stress for those being interviewed.

⁴⁶ Allard, p. 27.

III. RECOMMENDATIONS

The Mothers Survey found that a majority of TAFDC recipients are survivors of domestic violence and that a significant minority are currently struggling with abuse. To succeed in helping families become independent of public assistance, the Massachusetts transitional assistance program must recognize and take steps to address the impact of domestic violence on poor mothers and their children.

Taking domestic violence into account does not mean creating a blanket exemption from welfare-to-work or child support enforcement requirements for all battered women. The Mothers Survey found that the vast majority of TAFDC recipients want to work, and battered women's experts have consistently found that economic self-sufficiency is a key to escaping domestic violence. Every battered woman who is able to participate in welfare-to-work activities and other program requirements should receive the support she needs to do so. Ensuring that families receive child support is also a critical component of helping them achieve independence.

Furthermore, nothing in the Mothers Survey's findings suggests that two-thirds, or even one-fifth, of women in the TAFDC caseload will identify themselves as survivors of abuse or as currently battered with the goal of obtaining exemptions from transitional assistance program activities. Battered women continue to labor under a powerful stigma that works against revelation of their circumstances. There is no valid reason to suspect that poor mothers will suddenly overcome this stigma in large numbers in order to obtain whatever battered women's services or alternatives the Commonwealth may decide to offer. Rather, we can expect that the stigma associated with domestic violence will combine with poor women's strong and demonstrated desire for economic self-sufficiency to work against disclosure of violence in the welfare context as it has in others.

In general, an appropriate response to the needs of battered women receiving TAFDC requires recognizing the possibility that domestic violence has had a significant impact on TAFDC recipients and their children. It also requires willingness to support battered women in taking the steps that will enable them to move safely and successfully from public assistance to economic independence. Massachusetts has already made a commitment to implementing the Wellstone-Murray Family Violence Provisions of the federal welfare reform law. This legislation provides a ready-made framework for developing procedures to identify and assist families struggling with domestic violence. The recommendations that follow can serve as a blueprint for the Commonwealth's implementation of the Wellstone-Murray provisions.

All of the recommendations that follow are designed to achieve two equally

important goals for battered women and their children: safety and self-sufficiency. The recommendations include commitments to:

1. Safety for battered women and their children who apply for or are receiving TAFDC;
2. Education and training programs that increase consciousness among DTA and DOR staff about domestic violence and enable staff to identify victims of violence and initiate discussion of the issue of domestic violence with them;
3. Stationing domestic violence experts within the DTA to assess a woman's ability to meet welfare-to-work and related requirements and to make referral to battered women's services when necessary;
4. Individualized assessments and planning that modify welfare-to-work and related requirements when necessary and enable families to pursue child support safely;
5. Privacy protections for women who disclose abuse or other confidential information;
6. Pro-active and sustained collaboration among government agencies and between government and private sector agencies that serve battered women and their children;
7. Increased funding for services for battered women and their children; and
8. Additional research that will enable policy makers to continually improve programs of transitional assistance to poor battered women and their children.

Effective implementation will require creativity, strong cross-community collaboration, and a fundamental shift in the organizational culture of agencies such as DTA and DOR. In recent years, DTA caseworkers have functioned primarily as gatekeepers who determine financial eligibility for benefits. DOR has largely automated the child support enforcement process, making it more difficult to tailor remedies to specific cases. To implement the recommendations in this report, both agencies will need to provide more individualized services in certain cases. We strongly recommend the creation of a special task force whose members would be drawn from all branches of government that serve families and the battered women's community and whose mission would be to develop specific plans for implementing each of the above recommendations. Implementing these recommendations will also require a commitment to provide the public and private funding needed to put these new programs and policies in place.

1. Safety

An unequivocal commitment to safety is essential if women and their children are to shield themselves from domestic violence and take advantage of those aspects of welfare reform aimed at helping them achieve economic independence.

Without a commitment to safety, requiring women to seek work or participate in a welfare-to-work program, or to pursue child support, can put battered women and their children in grave danger of physical abuse. As we noted earlier in this report, violence often escalates after a woman has separated from the perpetrator and has sought court orders of protection. Increased awareness of this fact is evidenced by the fact that Massachusetts (along with an increasing number of states) has enacted an anti-stalking statute aimed at protecting battered women after they have left the perpetrators. At the same time, safety for children while a mother participates in a welfare-to-work program (or, for that matter, in work itself) is essential if survivors of domestic violence are to succeed in welfare-to-work programs. Safe and adequate child care is an essential expression of policy makers' commitment to safety; without it, the children of domestic violence will be at continued risk of harm and their mothers will be unable to fully participate in welfare-to-work programs and activities. Similarly, when a child support case is filed, steps must be taken to keep a perpetrator of abuse from discovering his former partner's address or following her home after court.

Battered women's advocates have a great deal to teach welfare policy makers in the area of safety for battered women and their children. The process of safety planning is one example. A key component of the services provided by battered women's programs, safety planning involves helping a woman assess her own needs in relation to safety and construct her own safety plan with the help of a knowledgeable provider.

In particularly dangerous or volatile situations, safety may also mean being in hiding for a time. In these instances, TAFDC policy re-crafted in light of what the Massachusetts Mothers Survey reveals should support a battered woman's need to keep her whereabouts secret while she takes the steps necessary to guarantee her own safety and the safety of her children.

Paternity and child support enforcement policies should also embrace a commitment to protecting the safety of battered women and their children. Among other things, this means taking strong and unambivalent steps to ensure that TAFDC recipients are fully informed of their right to claim good cause to refrain from child support enforcement activities if cooperation with paternity and child support enforcement efforts places them and their children at serious risk of harm.

While provisions of the new federal statute intended to maximize child support

payments are clearly in the interests of battered women, they may be implemented in a way that actually places battered women and their children at serious risk of injury. One prime example of this is a provision of the new law that encourages states (through grants administered by the federal Administration for Children and Families) to establish and administer programs that support visitation between children and non-custodial parents. In cases where non-custodial parents are violent, encouraging unrestricted visitation is not only dangerous for children but also flies directly in the face of trends in domestic violence policy toward statutory presumptions against granting custody or visitation to perpetrators of domestic violence.

Balancing the drive to achieve economic independence with safety has always been difficult for battered women and their advocates and there are no simple answers to this challenge. In our commitment to bringing an awareness of the impact of domestic violence on women and children to the TAFDC program, we will likewise need to tread carefully in implementing welfare-to-work and child support enforcement procedures under the new statute.

2. Education and Training

Battered women are more likely to disclose violence in their lives if they feel that they will be believed, if they feel safe to disclose the presence of violence, and if they believe they will receive help. The battered women's movement has made great strides in raising national consciousness about domestic violence. Still, deep feelings of shame and hopelessness persist among many women who are beaten by their partners. Combined with fear and distrust of government, this psychology of internalized self-hatred makes disclosure of domestic violence difficult to facilitate. If battered women on TAFDC are to succeed, it must be possible for them to disclose family violence. And, to accomplish this, DTA and DOR staff (and all other government agency personnel who, like DTA and DOR, enforce public assistance rules and regulations) need to be educated about the dynamics and impact of domestic violence.

To enable battered women to make a safe and successful transition to economic independence, DTA and DOR staff need to be aware of the high incidence of violence among TAFDC applicants and recipients and to be sensitive to the difficulties confronted by current and former battered women. All DTA and DOR staff should receive regular training that includes:

- Education about the adverse impact of domestic violence on efforts to achieve

economic independence or to enforce child support obligations;

- Interviewing skills, including identification of victims of domestic violence;
- Procedures for providing all applicants with oral and written information about services available to current and past victims of domestic violence, including referrals to DTA domestic violence specialists and information about community services for battered women;
- Overview of local government and community resources for battered women and how to access them;
- Confidentiality and privacy safeguards;
- How to handle emergency situations, should they arise; and
- How to carry out program requirements effectively, sensitively and safely.

Education and training should be developed and presented collaboratively among DOR and DTA supervisory staff and battered women's organizations. Joint regional training is recommended to encourage local collaboration and communication between DOR, DTA and local service providers, as well as to ensure uniform standards and procedures. One way to implement this recommendation would be for each region or local office to have a training team composed of DTA and DOR staff and representatives of local battered women's service programs. These teams could fashion and deliver specific training programs based on a general curriculum developed by the Massachusetts Coalition of Battered Women Service Groups. This recommendation is consistent with the April 1996, report of the Governor's Commission on Domestic Violence, "The Children of Domestic Violence," which recommended domestic violence training and screening for a number of state agencies, including DTA, DSS and the Department of Education.

Education and training developed under this recommendation would address basic awareness of domestic violence with modules added to take up specific agency needs. A template for screening could be included that could be adapted to individual agency needs and mandates. The virtue of such a strategy is that education and training about domestic violence would be developed uniformly across all executive branch offices with the built in capacity to reflect requirements specific to each agency. In this way, battered women who may turn to any one (or more) of several government agencies could come to expect and receive similar responses regardless of the initial point of entry. For their part, government providers of assistance could more readily rely on the findings of colleague agencies with respect to battered women and their children.

3. Domestic Violence Specialists

Building upon the groundbreaking work of the DSS Domestic Violence Unit, DTA should establish a unit of domestic violence specialists. This unit would be responsible for the screening and assessment tasks specified in the Family Violence Provisions of the federal welfare reform law. While all DTA and DOR personnel need to be trained in domestic violence, this is a new area for many agency staff, who will need backup and guidance. A specialized unit would put professional expertise within staff's reach on a convenient and regular basis. Unit staff should be assigned to local DTA offices, where they can meet with individual recipients and caseworkers to discuss issues related to work requirements, child support and referrals for domestic violence services. Although physically based at DTA, the unit should also be available to DOR staff for consultation and referral in individual child support cases.

Specialists should have experience with counseling battered women, familiarity with community-based programs and services available to battered women, and knowledge of DTA and DOR program requirements and procedures. Specialists' responsibilities should include:

- Providing safety planning and referrals;
- Assessing a woman's need for waivers, extensions, impoundment of a confidential address, modified child support enforcement, specialized services to make a welfare-to-work transition or other individualized needs;
- Making a determination of how program requirements should be waived or modified to assist the recipient in achieving safety and self-sufficiency; and
- Conducting follow-up assessments at designated intervals.

4. Individualized Assessments

Women respond to domestic violence in a range of ways that can affect their ability to take advantage of welfare-to-work programs, cooperate with child support enforcement and meet other program requirements. Some women who are battered and in danger may, with the support of a well-crafted safety plan, be able to begin a successful transition to work. Others who are not currently in danger may suffer from long-standing trauma due to domestic violence and require support services to improve their everyday functioning. Still other women may need help assessing their own risk by,

for instance, exploring which steps in the child support enforcement process may be particularly likely to provoke an abusive partner. Although the specific needs of individual battered women receiving TAFDC may vary, the Mothers Survey shows that many women receiving welfare have serious and complex problems. Flexibility to respond to individual women and a commitment to individualized assessments is a key component of a successful transitional assistance program.

The DTA Domestic Violence Specialists should be responsible for conducting individual assessments of battered women applying for and receiving TAFDC and for determining on an ongoing basis whether and how program requirements should be modified to assist individual recipients in achieving safety and self-sufficiency. While this report does not recommend or anticipate the need for wholesale exemptions from work, cooperation with child support, and other program requirements, it is necessary to recognize that some battered women will need complete exemptions for at least some period of time.

Areas where individual assessment and program planning are needed include work requirements, child support enforcement, time limits in the receipt of assistance and “learnfare.” A few words are offered on each as examples of how specialized assessments may be appropriate for battered women and their children.

Work requirements

As the Mothers Survey confirmed, most women who are eligible for TAFDC have worked at paying jobs at some time in their lives and the overwhelming majority want to work. Nevertheless, some battered women will be unable to work for periods of time. This may be the case solely for safety reasons: a woman may need a period of time in which she is “in hiding” in a shelter for battered women and their children. It may be that the trauma of repeated or intense violence requires a period of recovery with mental health services before a particular woman is able to cope with the demands of the workplace. A woman with a very long history of emotional and economic dependence on a batterer may need job training and education services that are more extensive than those generally provided by DTA. Finally, a woman whose children have been harmed by exposure to the violence to which she has been subject may not be able to handle out-of-home child care without a period of therapy especially geared to children who witness violence. In instances like these, individual deviations from welfare-to-work requirements are appropriate and should be supported.

At the same time, it is true that empowering battered women economically is an essential component of ending domestic violence and welfare-to-work efforts are most likely to succeed if they incorporate an understanding of the particular barriers battered

women face in their struggles for economic independence. It would be worthwhile, we believe, to look to the battered women's service community for models of effective programs. One such program is the Personal Economic Planning (PEP) model of economic empowerment created by Elizabeth Stone House in Jamaica Plain and funded, in part, by the federal Department of Housing and Urban Development. This initiative focuses on economic literacy and goal planning for victims of domestic violence and is designed to support women to identify internal and external resources and access tools to define and pursue a personal economic development strategy. In this program, women on TAFDC devise their own economic plans which they then present to the local DTA office, enabling them to construct a plan they have developed and individualized including determining how welfare and other systems can assist them in achieving their economic goals. Consulting with Elizabeth Stone House and other battered women's agencies that are developing economic empowerment strategies for the women they serve would help DTA craft welfare-to-work policies that will work.

Child Support Enforcement

Most battered women need and want to receive child support. Many are concerned, however, that pursuing child support will place them and their children at greater risk of harm. When women express these fears, they need to be taken seriously. DOR, in collaboration with DTA and battered women's experts, should construct a system that offers domestic violence victims several options for managing their risk of harm. For example, when a woman or her children are in serious danger, support might not be pursued at all. When a battered woman wishes to pursue support but is concerned about safety planning, DOR could pursue support, but keep the woman from confronting her batterer in court and ensure that her address is not disclosed. DOR should also consult victims before taking enforcement measures that may be particularly likely to provoke a batterer, such as seizing real property, revoking licenses and filing criminal charges. In all cases, whether or not DOR pursues support, safety planning services should be provided to the family through DTA domestic violence specialists or local battered women's programs.

As part of designing a flexible and individualized response to battered women and in keeping with Wellstone-Murray, the Commonwealth should evaluate the need for changes in current regulations governing good cause for failure to cooperate with child support enforcement efforts. These regulations need to be expanded to cover work and other program requirements that may need to be modified or waived for particular battered women. The original federal good cause regulations, which form the basis for DTA regulations, were written in the 1970s when consciousness about domestic violence was low. New and comprehensive good cause regulations should be developed in consultation with a wide range of agencies and organizations serving battered women and

their children, including the Departments of Transitional Assistance, Revenue, Public Health and Social Services; judicial and law enforcement personnel; and battered women's service providers.⁴⁷

Time limits

Absolute time limits in the receipt of TAFDC may well collide with the needs of particular TAFDC recipients who are also battered women. A TAFDC recipient, for example, who becomes a victim of violence toward the end of the statutory time limit and who needs the safety net of cash assistance to carry her through a crisis, or who needs a period of time receiving intensive services in a shelter for battered women, should not be met with the loss of benefits. With the twin goals of prioritizing safety for battered women and their children and maximizing their chances for a successful transition, the time limit provisions of the TAFDC statute should be tolled for any periods during which TAFDC recipients are in need of specialized battered women's services.

Learnfare

Children exposed to the battering of their mothers frequently experience serious school-related problems, including an inability to even attend school on a consistent basis. To the extent that family violence is the underlying cause of a particular child's absence from school, withholding assistance to the family because of that absence may not be appropriate.

5. Privacy protections

Protection of privacy is a critical element of safety for battered women and their children. Information in the possession of government agencies as well as private non-profit organizations serving battered women that, if disclosed, could place a mother and her children at risk of greater harm, must be kept confidential. Moreover, battered

⁴⁷ DTA has already begun this process by publishing draft regulations, inviting public comment, and meeting with battered women's advocates and other providers. Based upon input received, DTA will revise its draft and issue final regulations shortly.

women need to have their right to privacy affirmed strongly if they are to feel they can disclose abuse in their lives.

To create an atmosphere of trust and to more fully assure the confidentiality of information about battered women and their children, DTA and DOR should:

- Consistently inform TAFDC applicants and recipients that any disclosure of domestic violence is voluntary;
- Establish protocols for keeping any information provided about abuse confidential. Information should be shared only between DTA and DOR, to the extent necessary for proper case processing, and with DSS (or other protective agency) to the extent legally required. Recipients should be informed of the extent to which information will or will not be disclosed;
- Prohibit any DTA or DOR staff, including domestic violence specialists, from contacting an alleged abuser to disclose or seek confirmation of a recipient's allegations that domestic violence has occurred; and
- Establish protocols at DOR to prevent disclosure of confidential addresses and other information about domestic violence victims in both state and Federal child support databases.

6. Collaboration

DTA, DOR, and the domestic violence advocacy community have much to learn from each other about the services that each offers and the best ways to address the needs of battered women. DTA, DOR, battered women's advocates and service providers should communicate regularly to address each other's needs, concerns and expectations. This goal can be accomplished through formal task forces to design trainings and program procedures. Informal outreach and networking should also be encouraged by government administrators and domestic violence program managers.

Strong cross-agency collaboration is inherently challenging. For poor battered women and their children, however, the failure of government agencies and service providers to collaborate can be lethal. We need to break down the barriers between individual agencies and between government and private social service agencies. Those

in leadership and management roles within and outside government need to send a strong message that cooperation is not only acceptable; it is necessary, productive and effective. We all serve the same families and share many common goals. Working together, we can create a public assistance program that safely and effectively meets the needs of women and children struggling to overcome the ravages of family violence.

Just as the writing of this report brought together battered women's service providers, legal and health advocates for battered women, representatives of academia, survey research professionals, and representatives of a variety of government agencies, so too must all those who meet and serve battered women and their children come together to suggest policies that respond appropriately to the many battered women within the TAFDC caseload.

At the beginning of this report we recommended the creation of a Special Task Force on Domestic Violence and TAFDC to coordinate the implementation of these recommendations. The Task Force should be convened by the Executive Office of Health and Human Services. Its meetings should be co-chaired and its day-to-day work coordinated jointly by the Commissioner of DTA and the Massachusetts Coalition of Battered Women Service Groups. It should have a membership that strikes a balance between those within and those outside government. It should have representatives of all executive branch agencies that serve battered women and their children, including the Department of Revenue's Child Support Enforcement Division, the Department of Social Service's Domestic Violence Unit, and the Departments of Youth Services, Mental Health and Education. It should include representative battered women's service providers; legal advocates for battered women; health care providers; representatives of private, non-profit, child protective agencies and private, non-profit providers of mental health services; and members of the law enforcement and criminal justice communities.

The Special Task Force on Domestic Violence and TAFDC should be funded and staffed sufficiently to enable it to exercise strong and consistent leadership in the implementation of these recommendations. Sufficient staffing includes the hiring of a Special Task Force Director with adequate administrative support to meet all of her responsibilities. It may also include funding for the hiring of staff within executive branch agencies (DTA and DOR, for example) that have key responsibilities for implementing these recommendations.

Should the Special Task Force determine, in the course of its work, that legislation is needed to fully implement the recommendations contained in this report, it should exercise leadership in the drafting of such legislation. The exercise of leadership should include, as appropriate, drafting legislation along with documentation of its need and seeking support for the legislation from key leaders in the House and Senate.

Finally, the progress made by DTA and other relevant agencies in implementing

these recommendations should be monitored by the Special Task Force and progress reports should be made regularly (at least at six month intervals) to the Executive Office of Health and Human Services and the Governor's Commission on Domestic Violence.

7. Increased Funding for Battered Women's Services

The network of services for battered women and their children (including services delivered through the Commonwealth's network of public and private child protective agencies) continues to be seriously underfunded. Because a comprehensive response to poor battered women requires the full support of these networks, they should be sufficiently funded to enable the collaboration called for in this report.

Increases in funding for battered women's services includes giving local battered women's organizations the financial ability to collaborate with local DTA offices in developing and delivering training and education sessions for DTA caseworkers. It includes increased funding for emergency shelter, 24 hour hotlines, safe house and court advocacy services; for children's services; and for costs associated with exercising leadership in the creation of strong community-based networks of the many social service providers who work with battered women and their children every day.

Increased financial support is also needed by the network of private social service and child protective agencies that serve battered women and children who witness domestic violence. These include family and children's service agencies as well as community-based mental health agencies that target services to battered women and their children.

8. Additional Research

The Mothers Survey gives us a strong, albeit preliminary, understanding of the overlap between domestic violence and public assistance. Funding is needed for additional research aimed at enriching our understanding of the forces that keep poor battered women and their children from achieving safety and independence and the strategies most likely to overcome these barriers.

Research is needed, for example, to answer these questions:

- Why are some poor women more resilient than others and more able to complete welfare-to-work activities?
- How can we screen more effectively for domestic violence in the course of determining eligibility for public assistance?
- How does the trauma associated with domestic violence effect women's ability to work?
- What effect does family-centered mental health intervention have on women's ability to recover sufficiently from the effects of domestic violence sufficiently to be able to join the work force?

As we gain insight into these and similar questions, our ability to fashion transitional assistance program requirements will become more sophisticated. This will benefit not only women currently receiving TAFDC but will also help those who have yet to turn to the Commonwealth for assistance.

IV. CONCLUSION

The Massachusetts Mothers Survey found that among poor women on public assistance a strong majority have been battered by their intimate partners at some time in their lives and a significant minority may be struggling with violence in their lives now. Similar studies elsewhere in Massachusetts and across the country confirm these findings.

Responding appropriately to this data will be costly. And just as the wave of welfare reform initiatives spilling out of Washington and across the United States is calling on poor women to fundamentally change their relationship to government assistance, so does the data on domestic violence among women eligible for TAFDC call upon government agencies to make fundamental changes in the ways they have operated for many years.

The Massachusetts Mothers Survey gives us a unique opportunity to develop a

model program of transitional assistance that actually empowers battered women and their children to move with integrity from a life gripped by violence and the aftermath of violence to one marked by safety and self-sufficiency. By reflecting carefully and working collaboratively, those who meet and serve battered women and their children can, together, create systems in which appropriately individualized services are provided by knowledgeable and caring staff whose first concern is, as it surely should be, the safety of the adult and child victims of violence.