

PROTECTING THE SEVENTH GENERATION: IPV, ITS EFFECT ON OUR CHILDREN, AND THE SOLUTION OF RESILIENCY.

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This project was supported by Grant No. 2013-TA-AX-K025, awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication / program / exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women

INTRODUCTIONS

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- ❑ Haley Merrill, J.D.
- ❑ Caroline LaPorte, J.D.

DEFINING EXPOSURE TO INTIMATE PARTNER VIOLENCE

- There are as many as 10 different types of childhood exposure to intimate partner violence
 - Seeing
 - Hearing
 - Being Told
 - Becoming Aware of Injuries Afterwards
 - Prenatal Exposure
 - Victimization
 - Forced Participant
 - Experiences Aftermath

<https://www.ncjrs.gov/pdffiles1/ojdp/232272.pdf>, pg. 3

A CHILD AT RISK

- 31% of children who witnessed intimate partner violence **report being physically abused themselves.**
- The experience of racism, prejudice and discrimination increase children's vulnerability when exposed to other risks, such as witnessing IPV.
- There is a direct relationship between the amount of exposure to adverse experiences in childhood, such as intimate partner violence, and degree of health and behavioral problems in adulthood.
- Almost half of the children who witness intimate partner violence actively engage in some form of intervention:
 - 49% Yelled for abuser to stop
 - 43.9% Tried to Escape
 - 23.6% Called out for Help

<http://www.futureswithoutviolence.org/userfiles/file/Fact%20sheet%20on%20Children%20Exposed%20to%20IPV%202013.pdf>, pg 2

LIKELIHOOD OF MALTREATMENT

- Past Allegations of Neglect or Abuse
- Past Incidents of Neglect or Abuse
- Mental Health Issues
- Substance Abuse Issues
- Intimate Partner Violence/Family Violence
- Inconsistency of Care
- Inadequate Housing and Living Environments

Stage (Age)	Developmental Task	Significant Relationship	DV Effect
Infant (0-1)	Trust vs Mistrust	Mother	Illness, Irritability, Difficulty sleeping
Toddler (2-3)	Autonomy vs Shame/Doubt	Parents	Feeling responsible for violence, Separation anxiety
Elementary Age (6-12)	Industry vs Inferiority	School & Community	Desire to please, bullying, passiveness, lack of confidence
Adolescence (13-18)	Identity Development	Peers & Role Models	Depression, Substance abuse, insecurity, Running away, Mimicking abusive or victim behavior in intimate relationships
Young Adulthood (19-24)	Intimacy vs Isolation	Partners & Friends	Depression, Aggression, Promiscuous behavior, Victimization, Normalizing violence
Middle Adulthood (30-59)	Generativity vs Stagnation	Household & Workmates	PTSD, Stress, Tolerance of Violence
			TheHotline.org LoveisRespect.org

Published: Dec. 16, 2014

DOMESTIC ABUSE MAY AFFECT CHILDREN IN WOMB

Contact(s): [Alytia Levendosky](#), [Andy Henion](#)

The study is the first to link abuse of pregnant women with emotional and behavioral trauma symptoms in their children within the first year of life. Symptoms include nightmares, startling easily, being bothered by loud noises and bright lights, avoiding physical contact and having trouble experiencing enjoyment.

Levendosky said prenatal abuse could cause changes in the mother's stress response systems, increasing her levels of the hormone cortisol, which in turn could increase cortisol levels in the fetus.

"Cortisol is a neurotoxic, so it has damaging effects on the brain when elevated to excessive levels," Levendosky said. "That might explain the emotional problems for the baby after birth."



<http://msutoday.msu.edu/news/2014/domestic-abuse-may-affect-children-in-womb/>

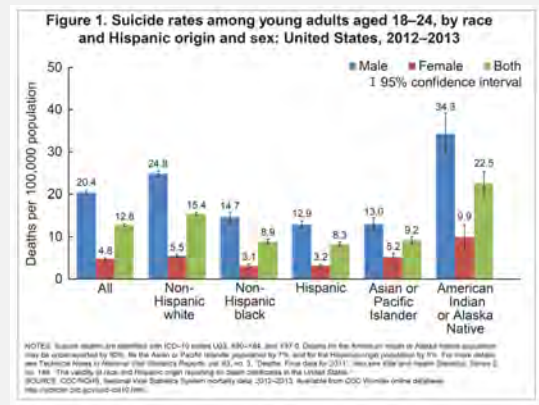
THE STATISTICS

- 1/4 of Native Children Live in Poverty
- Graduation rates are 17% lower than the national average
- Twice as likely than any other demographic to die before the age of 24
- 2.3% higher rate of exposure to trauma
- Two times the rate of abuse and neglect
- Violence, including intentional injuries homicide and suicide, account for 75% of the deaths of AI/AN youth age 12-20
- PTSD rivals the rates of veterans returning from Afghanistan

https://www.washingtonpost.com/world/national-security/the-hard-lives--and-high-suicide-rate--of-native-american-children/2014/03/09/6e0ad9b2-9f03-11e3-b8d8-94577f66b28_story.html?utm_term=.cd99ba35d9cc

INTERSECTIONS AND FUTURE IMPLICATIONS

- Crime
- Offending Partners
- PTSD/Mental Health/Depression/Anxiety
- Substance Abuse
- Poverty
- Access to Services
- Historical Trauma
- Cultural Genocide
- Suicide



https://www.cdc.gov/nchs/data/hestat/suicide/racial_and_gender_2009_2013.pdf, pg 3

IDENTIFYING AND BUILDING ON OUR EXISTING PRACTICES IN TRAUMA INFORMED CARE

VIDEO

- <https://vimeo.com/204550236>

KEY COMPETENCIES

- Being Intentional
- Trauma Informed
- Avoiding Re-traumatization
- Building Resiliency

INTERVIEWING/WORKING WITH CHILDREN

- Age Considerations/Appropriate Interventions
- How Trauma Effects Memory/Timeline
- Space Considerations, Especially in Tribal Communities
- Desire to Protect

RESILIENCY

- What is Resiliency:
 - <https://youtu.be/lr8hj72bfGo>
- Building Resiliency:
 - <https://www.youtube.com/watch?v=xSf7pRpOgu8&feature=youtu.be>

RESILIENCY FACTORS

Five Resilience Factors:

- A relationship with a significant adult
- A sense of hope
- Acquisition of skills
- Altruism or opportunities for service
- Locus of Control

<https://ric-zai-inc.com/Publications/cops-p349-pub.pdf>

WAYS TO BUILD RESILIENCY FOR AI/AN CHILDREN

Increasing the Cultural Bond

1. Language
2. Ceremony
3. Traditional Healing Practice
4. Mentorship by Elder
5. Participation in Tribal Government Activities (internships, access to leaders)
6. Skills Building

"Being connected to tribal culture promotes resiliency more than anything else."

[http://www.ucdenver.edu/academics/colleges/PublicHealth/research/centers/CAIANH/journal/Documents/Volume%2019/19\(2\)_StumblingBear-Riddle_Resilience_Urban_AI_Youth_1-19.pdf](http://www.ucdenver.edu/academics/colleges/PublicHealth/research/centers/CAIANH/journal/Documents/Volume%2019/19(2)_StumblingBear-Riddle_Resilience_Urban_AI_Youth_1-19.pdf)

DISCUSSION

- Survey
- Ways to Build on Existing Practices
- Considering Age, Culture and Access to Services

IPV, CHILDREN AND THE LAW

THE LEGAL COMPLICATIONS

VAWA 2013- no protections for children

Current Proposed Legislation

In May 2013, Congress passed the Violence against Women Reauthorization Act (VAWA).⁷ Among its provisions, Congress amended the Indian Civil Rights Act (ICRA) to authorize "special domestic violence criminal jurisdiction" to tribal courts over non-Indian offenders who (1) commit domestic violence, (2) commit dating violence, or (3) violate a protection order. It is troubling that tribes have no criminal jurisdiction over non-Indians who commit heinous crimes of sexual and physical abuse of AI/AN children in Indian country. Congress has restored criminal jurisdiction over non-Indians who commit domestic violence, commit dating violence, and violate protection orders. Congress should now similarly restore the inherent authority of AI/AN tribes to assert full criminal jurisdiction over all persons who commit crimes against AI/AN children in Indian country including both child sexual abuse and child physical abuse.

What currently offers protection to children in homes where IPV is present?

https://www.justice.gov/sites/default/files/defendingchildhood/pages/attachments/2014/11/24/ai_an_executive_summary.pdf

CHILD WELFARE LAWS

- IPV can and often results in a child welfare case
- "Failure to Protect"
- "Circumstances that Constitute Witnessing"

Problems:

- Punishment of victim**
- Further traumatization of children
- Leads to under-reporting

CHILD WELFARE LAWS CONTINUED

- "Concern that battered women will not seek services from professionals because of their fear of losing custody of their children if they admit their children witnessed violence;
- Concern that typically CPS involvement in cases of children exposed to domestic violence has not served the best interest of the children of the battered victim, most strongly represented by fear of removal as a result of CPS involvement;
- Concern that such intervention has been ineffective, discriminatory, and destructive, which endangers both the child(ren) and the victim of domestic violence and may inappropriately remove children from the battered parent's care;
- Bringing to the attention of the child welfare system *all* the cases in which children may have been exposed to domestic violence might flood an already overly burdened system, creating collapse; and
- Concern that not all children are adversely affected by exposure to domestic violence and as such court intervention may not be necessary."

<http://www.ncjfcj.org/sites/default/files/Childrens%20Exposure%20to%20Violence.pdf>, pg 55.

TYPICAL ACTORS

- Parent(s)/attorneys
- Child and GAL/AAL
- District Attorney
- CPS
- Judge
- CASA
- Tribe (if notice is triggered)

TIPS FOR ADVOCATE/COMMUNITY ORGANIZATIONS

- Be aware of limitations as a non-party
- Establish positive relationships with victim's attorney, GAL/AAL
- Work with CPS; encourage IPV victim to keep logs of each communication/dates of service plans/etc.
- Provide GAL/AAL with culturally appropriate resources for child/IPV victim (builds Resiliency)
- Confidentiality concerns
- Testifying
- Educate when you can about IPV (Specific to AI/AN Community)
- Advocate for the ICWA when necessary/relevant

WORKING WITH CASA WHEN IPV IS REMOVAL FACTOR

- What is CASA?
- Tribal CASA programs are limited in number
- Differences in each program
- Challenges
- Positives

UTILIZING CASA

- Find ways to use CASA to foster Resiliency
- Give the proper lens for the narrative
- Cross-training
- Invite in/educate on tribal traditions
- Educate on history of federal policies towards American Indians/Alaska Natives
- Modeling positive relationships
- Encourage CASA visits, if situation permits, to include cultural components

QUESTIONS FOR PANEL

If you have further questions or commentary, please do not hesitate to reach out to claporte@niwrc.org