



Domestic Violence
Safe at Home
Identifying and Working with Victims




Office of Minnesota Secretary of State
Steve Simon

Safe at Home 


**Minnesota's Address
Confidentiality Program**

Presenter: Maggie Larson
Safe at Home Program Administrator

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Safe at Home is governed by
Minnesota Statutes,
Chapter 5B
and
Minnesota Administrative Rules,
Chapter 8290

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Safe at Home began September 1, 2007.

There are approximately 1,900 participants, representing over 800 households, and the program continues to grow.

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The most frequently reported reason for enrollment is domestic violence.

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Other reported reasons:

- Stalking
- Sexual assault
- Professional safety concerns
- Witness to a crime

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To be eligible to join, an applicant must:

- reside in Minnesota; and
- be in fear for their safety or fear for the safety of someone with whom they reside; and
- not be a registered predatory offender; and
- agree to abide by the program requirements

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Safe at Home helps people who fear for their safety by assigning them an alternate address that they can use for all purposes.

This allows them to keep their real location inaccessible to the person they fear.

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The PO Box that is assigned is:

PO BOX 17370
SAINT PAUL MN 55117

All program participants share this PO Box. There is no other Safe at Home PO Box.

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Each household is assigned a unique Lot Number that distinguishes their mail from another household's mail.

LOT #####

PO BOX 17370
SAINT PAUL MN 55117

10/05/2015 This is a complete Safe at Home address. 10



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By law, when a participant presents their Safe at Home address, that address must be accepted. The participant cannot be required to disclose their real address.

Minn. Stat. § 5B.05(a)

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Eligible people enroll in Safe at Home with the help of a Safe at Home Application Assistant

Application assistants are professional victim advocates.



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Upon enrollment, Safe at Home sends everyone in the household a Safe at Home participation card.

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Front of card

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Address Confidentiality Program


By law all private public and private mail use the address for all mail sent to the principal participant's current address. All correspondence must include the state and complete address of those listed.

Signatures:

Back of card



Disclaimer to 65A, 126A: "When a program participant provides the address designated for the receipt of mail in any program, that address shall be accepted as the address of the program participant." You may not sue anyone, the program participant, about any consequences of his or her participation in the program. If you have questions or need more information regarding Safe at Home contact:

651.281.3300
1 main floor, 3000 Paul Hall
400 Jefferson Ave SE
www.safeathome.mn.gov
TTY: 1-800-627-0729 or 711



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➔


All mail is sent to the PO Box in St. Paul.

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Safe at Home staff pick up the mail and separate it according to Lot Number.

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Safe at Home forwards First Class Mail to the participant's actual address.


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Safe at Home must always know the participant's address.

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Withdrawals and Cancellations


- Participants can withdraw at any time
- Participation can be cancelled
 - ✓ Undeliverable mail
 - ✓ False information on an application
 - ✓ Not disclosing prosecuting jurisdiction

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Participants can have their Safe at Home address listed on their driver's license or state ID card.

They **DO NOT** have to disclose their actual address when applying for a driver's license or state ID card.

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Private Data

- All information Safe at Home has on applicants and participants is private data.
- We cannot** talk about anything without written consent from the participant.
- We cannot** disclose an actual address without a court order or unless the BCA procedure is used.
- We can** confirm or deny participation if given a potential participant's full name and lot number.


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If there is a law enforcement emergency, law enforcement can request the actual address of a program participant by calling the Duty Officer at the BCA. The Duty Officer will contact Safe at Home promptly.



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Service of Process

When a person enrolls in Safe at Home they assign the Secretary of State's Office as their agent to receive service of process.



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Personal Service of Process

If personal service is required, documents should be served upon the Secretary of State between the hours of 8 am and 4 pm at:

State Office Building, Room 180
100 Martin Luther King Jr. Blvd
St. Paul, MN 55155

No fee is charged for accepting service.

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Questions or Feedback


Call Maggie Larson
at 651-201-1357
or email
Maggie.larson@state.mn.us

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Screening for Domestic Violence


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Some of the following information is provided by the
Battered Women's Justice Project

Basic Framework Module

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Learning Objectives

- What is domestic violence/intimate partner violence?
- Understand the importance of incorporating a practice of systematically screening for domestic violence in every child support case
- Learn how to screen for domestic violence
- Apply child support laws related to domestic violence

Why Does Someone Stay in a Relationship?

Love	Community pressure
Family pressure	Afraid of the unknown
Financial	Afraid to be alone
Children	No where to go
Comfortable	Companionship
Religion	Afraid to leave

What is Domestic Violence?

A Working Definition:

Any incident or pattern of behavior directed towards a current or former **intimate partner** that results in physical, emotional or psychological harm, sexual or reproductive **coercion**, economic **control**, and/or coercive interference with personal liberty.

Domestic Violence Includes

- Physical and sexual abuse
- Emotional Abuse
- Control of daily life
- Economic abuse

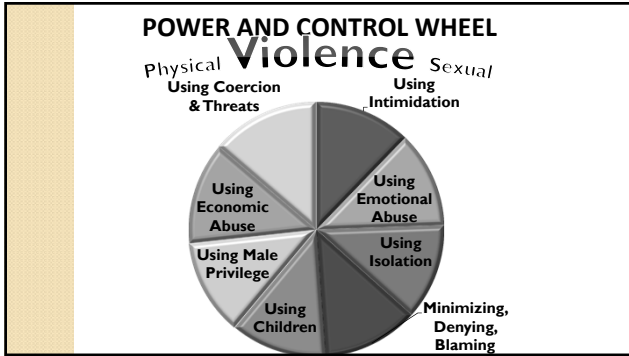
Statutory Definition

Minn. Stat. 518B.01, subd. 2

- Physical harm, bodily injury of assault
- Infliction of physical harm, bodily injury or assault
- Criminal sexual conduct
- Terroristic threats
- Interference with any emergency call

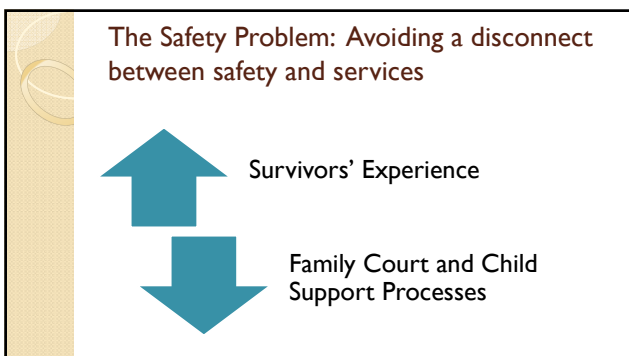
Multiple forms of abuse





Why Do County Attorneys and Child Support Officers need to know about domestic violence?

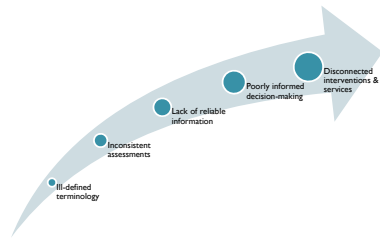
1. To keep clients and themselves safe
2. To properly apply child support laws
3. To provide information and referrals



Emerging Themes

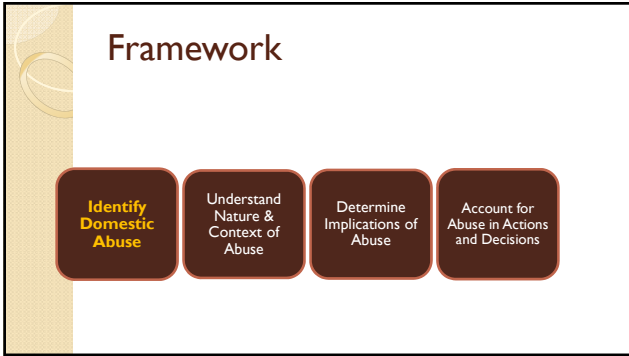
- Ill-defined terminology
- Inconsistent assessments/assumptions
- Lack of reliable information
- Poorly informed decision-making
- Disconnected interventions and services

Interconnections



The Solution: Using THE BWJP Framework





Why is Systematic Screening for Domestic Violence important?

- Domestic violence is often not detected.

◦ Johnson, Saccuzzo & Koen, 2005; Ballard, Holtzworth-Munroe, Applegate & Beck, 2011.



Screening Research

- Screening for physical violence alone is insufficient to detect coercive controlling abuse.
 - Beck & Raghavan, 2010.
- Practitioners who do not use systematic screening methods tend to under-detect inter personal violence between parents.
 - Holtzworth-Munroe, Beck & Applegate, 2010; Ballard, Holtzworth-Munroe, Applegate & Beck, 2011.

Statistics

- 25% of women and 7.6% of men are sexually or physically assaulted by an intimate partner
- 50 to 60% of women receiving public benefits have experienced physical abuse by an intimate partner at some point during their adult lives
- 92% of homeless women have experienced severe physical or sexual abuse at some point in their lives.
- 48% of Latinas have reported that their partner's violence against them had increased since they immigrated to the United States.
- Women with disabilities are more likely to experience abuse by a greater number of perpetrators and for longer periods than nondisabled women.

Barriers to Disclosure

Detection and/or disclosure of domestic abuse can be difficult for...
County Attorneys & Child Support Workers
Survivors
Perpetrators

Barriers to Disclosure –

*County Attorneys and
Child Support Officers*

Practitioner inquiry issues

Why do we miss DV?

We are not looking for it or seeing it
We don't have time for it
We don't want to know
It's a sensitive topic
We haven't been trained
We don't have the confidence to talk about it

Barriers to Disclosure

Survivors

Survivor's disclosure issues

Disclosure of DV can:

- o Jeopardize safety of battered parents and children
- o Prompt unwanted referral to police or child protection
- o Invite unwelcomed government intrusion into private affairs
- o Seem unnecessary because “everything’s under control”
- o Raise concern about unnecessary delays
- o Feel like a betrayal or cause torn allegiances
- o Make abused parent worry that s/he won’t be believed, understood or trusted to protect children

Deciding Whether to Disclose

- Why disclose?**
 - What do I hope to gain by disclosing?
 - Is disclosure likely to get me what I need?
- What to disclose?**
 - What does this person need to know?
 - What happens if they don’t know it?
- How to disclose?**
 - What is the best way to convey this information?
 - Should it come from me or somebody else?
- When to disclose?**
 - Is now the time to disclose?
 - What happens if I wait? What happens if I don’t?
- To whom to disclose?**
 - Does this person need to know and can I trust him/her?
 - What will s/he do with the information?
- At what cost?**
 - What will the likely effect(s) of disclosure be?
 - Can negative effects be mitigated and, if so, how?

Facilitating Disclosure

What encourages safe & informed disclosure of domestic abuse?

What is DV Screening?

Identify Domestic Abuse

A routine process for identifying a potential problem

- It's tentative (**not** a judgment, ruling or diagnosis)
- A way to find out if there is reason to take a closer look
- Distinct from an assessment

Strategies for Safe & Informed Disclosures

- Explain your role & function in the case.
- Explain why you are asking about domestic abuse.
- Explain how you will use the information.
- Explain whether & how information will be shared.
- Explain whether disclosure will be part of the record.
- Explain the scope and/or limits of confidentiality.
- Explain your duty to report.

Screening Protocols

- Elements of a good screening protocol
 - Systematic and universally applied
 - Behaviorally-specific
 - Focused on multiple forms of abuse
 - Attuned to both past abuse and more recent abuse
 - Alert to established risk factors
 - Structured in a way that promotes safe and informed disclosures

Concrete Actions	Abstract Concepts
<ul style="list-style-type: none"> • Hitting, punching, strangling • Destroying things • Damaging credit • Disabling vehicles • Following, stalking, timing activities • Denying access to money 	<ul style="list-style-type: none"> • Domestic violence • Abuse • Alienation • High conflict • Emotional abuse

Behavioral Specificity

Screening – Questions

<ul style="list-style-type: none"> • Question <ol style="list-style-type: none"> 1. What is the worst thing, true or untrue, the other party will say? 2. What is your biggest fear about what will happen during this process? 3. Are you currently afraid that the other parent will harm/kill you or the children? If yes, do you believe you are in immediate danger? 	<ul style="list-style-type: none"> • What to Listen For <ol style="list-style-type: none"> 1. Victim blaming, saying client is the abusive one 2. Imminent danger, fear of use of court process by other party 3. Emotional/physical risk; safety issues for client and/or children; fear
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Screening – Questions

<ul style="list-style-type: none"> • Questions <ol style="list-style-type: none"> 1. What do you believe are the issues in dispute? 2. Does he/she know you are seeking child support? What will his/her reaction be? 3. Would you feel comfortable in a room/hearing with [other parent/obligor]? 	<ul style="list-style-type: none"> • What to listen for <ol style="list-style-type: none"> 1. Fear of harm to client, children; Focus on other party's behavior 2. Expresses fear or believes is in danger – look at immediate danger 3. Fear/apprehension of being in same room/hearing
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Screening – Employment/Financial

- Questions
 - 1. Currently employed? Where? How long?
 - 2. Have you ever lost a job/laid off/fired?
 - 3. Is [other parent] employed?
 - 4. Do you know what your family's assets/debts are?
 - 5. Whose name(s) are on bank and other financial accounts
- What to Listen for
 - 1. Access to money, isolation, dependency
 - 2. Job interruption because of partner
 - 3. Unemployment can be a risk factor
 - 4. Control/access to resources
 - 5. Control/access to resources

Risk Factors

- Increased frequency/severity
- Access to firearms
- Recent separation
- Threat to kill/commit suicide
- Avoidance of arrest for DV
- Forced sex
- Attempted strangulation
- Obsessive jealousy
- Stalking
- Control of daily activities
- Assault during pregnancy

Risk Assessment Questions

- Has [other parent] ever used or threatened to use a weapon against you (or children)?
- Has [other parent] ever attempted to strangle or choke you?
- Has [other parent] ever threatened or tried to kill you?
- Has physical violence increased in frequency or severity in the last year?

Risk Assessment Questions

- Does [other parent] try and control most or all of your daily activities?
- Is [other parent] constantly or violently jealous?
- Has [other parent] ever tried or threatened to commit suicide?
- Do you believe that [other parent] will try to re-assault or attempt to kill you?
- **Note:** These factors can indicate elevated risk of serious injury or lethality – however, absence of these factors is not evidence of absence of risk or lethality

How to Approach an Abuse/Assault Victim

- In private
- You are not a “Hero”
- Be patient
- Let go of your expectations
- Not all victims are alike or have the same needs
- Don’t tell a victim how to feel

Supporting and Empowering

- Believe the person and tell them you do
- Listen
- Build on the victim's strengths
- Support their decisions
- Validate their feelings
- Avoid victim-blaming
- Take their fears seriously
- Offer help
- Be an active, creative partner in a victim's safety planning effort

What Can I Say?

- I believe you
- I am afraid for you
- You are not alone
- It is not your fault
- You do not deserve to be abused
- Help is available

More Resources

- Day One Crisis Line
 - 1-866-223-1111
- Legal Aid = offices statewide
 - www.lawhelpmn.org
- Domestic Abuse Service Provide Directory
 - Originally compiled by Battered Women's Legal Advocacy Project
 - www.bwlap.org
 - Is included in materials
- Minnesota Coalition for Battered Women
- Talk with your county attorney

Questions? Contact us!

- Julia Craig
 - julia.craig@smrls.org
- Christy Snow-Kaster
 - csnow-kaster@centralmnlegal.org
- Melinda Hugdahl
 - mthugdahl@mnlisap.org

Good Cause and Safety Concerns

Melissa Froehle
Child Support Supervisor
Ramsey County Attorney's Office

Safety & Child Support Services

Key facts:

- Safe access to child support plays a critical role in keeping families out of poverty and financially independent.
- 90% of domestic violence survivors want to pursue child support if they can do it safely.
- Child support establishment and enforcement procedures have a potential to trigger a violent response.
- Domestic violence issues can arise at any point in the child support process.

From DHS-SIR Milo

Domestic Violence can show up:

- As a claim for Good Cause
- As a request to keep an address confidential or as a Safety Concern
- Or when someone is accepted in the Same at Home Program
- If someone is in the Safe at Home program, they should be automatically granted Good Cause, but they do not have to claim Good Cause
 - However, must have Safety Indicator Y on PRISM

Safety is important



- The parties' safety is of utmost importance
- We must take certain actions or precautions to make sure locate information for one party is not released to another party
- There are some automated things PRISM does to prevent disclosure, but some things must be done manually.
- Worklists and CAAD notes are also important reminders to alert anyone working on the case to safety concerns!

Reasons to not release any locate information

Do not include the residence, mail, or work address of a party in any document, including federal interstate forms, and do not release any location information if any of the following apply:

- The party has requested a nondisclosure order. See the [Intergovernmental](#) section of DHS SIR for more information.
- An order for protection exists from Minnesota, another state, or an Indian tribe.
- Good Cause is pending or granted.
- Either party expresses a safety concern.
- The IV-D agency has reason to believe release of locate information may result in physical or emotional harm to the party or to the child(ren).
- The party is a current participant in the Minnesota Safe at Home program.

From DHS-SIR Milo

GCSC Screen

- Documents Good Cause
- Documents Safety Concerns
- Also contains information about the CP's cooperation with child support – this interfaces with IV-A
- Prevents certain activities from happening on a case
 - For example, if Y code for Safety Concern, address information will not be released to FCR

Good Cause – What is it?

- When a CP open on PA claims good cause, they are requesting to be exempt from the statutory requirement to cooperate with the Child Support Agency because:
 - child support actions could reasonably result in physical or emotional harm to the individual or child, or would otherwise be detrimental to the child for whom the agency seeks support.
- **Good cause = stopping a child support case**
- Any existing child support order is still valid – good cause stops our efforts



Good cause process

- CP may claim good cause at the time they apply for any public assistance program.
 - Or request good cause later on in the case.
- Good cause claims are determined by the IV-A Agency in consultation with the child support office and other agencies (Good Cause Committee).
- MAXIS to PRISM interface updating Good Cause indicator on GCSC, creates worklists



Good cause pending or approved

- The assigned SEA must stop any establishment or enforcement activity
- The assigned SEA must terminate income withholding on the case. However, money that is receipted in the meantime can still be disbursed.
- We must not send notices to the alleged father (ALF) or noncustodial parent (NCP) when a good cause claim is pending or granted.
- **We can never tell an ALF or NCP that good cause is pending or granted.**
- **If granted, close case immediately.**

Safety Concerns

- Any participant can claim a safety concern at any time
- No documentation is required, we make no independent determination or judgment of their request
- If there is a OFP (DAB on PRISM) loaded, it will automatically update Safety Concern indicator on GCSC
- Safety concern indicator on PRISM = keeping address confidential

What to do if Safety Concerns exist

Step 1. Update the GCSC Safety Indicator appropriately – indicate effective date, source and add comments (example on next slide)



Step 2. Adding a Y to the safety indicator will add one of the following CAAD notes:

- M2670 – NCP REPORTS FAMILY SAFETY CONCERN
- M2671 – CP REPORTS FAMILY SAFETY CONCERN

Modify the note to add details in the CAAD note to indicate information for the safety concern. For example – "CP returned Contempt Questionnaire and indicated Yes for Safety Concerns. She stated that NCP can be violent when he is abusing drugs."

Step 3. Add a CAWT note that there is a Safety Concern - indicate CAAD note date of the Safety Concern

```

06/08/10                Good Cause Safety Concerns
                        12:21 PM
*Action (A,B,C,D,M,N,P): _
Case: 000000702 01
Case: 000000702 01                Worker: 123ACC01 Stat:
OPN Func: EN
CP Name: CANDLE, SALLY A.                Prog: NPA
NCP Name: CANDLE, WILLIAM A.                IntSt: I File Loc:

Effective Date: _____

Safety Concerns Current Protection Status
CP (Y/N): Y Source: CP Concerns Eff: 01/01/XX
NCP (Y/N): N Source:

IV-D Cooperation Code: Y
Good Cause Code: NC NOT CLAIMED
Good Cause Source: MAX MAXIS Cnty: AITKIN
Comments:
SALLY IS CONCERNED IF BILL KNOWS WHERE SHE WORKS HE'LL START HARRASSING HER AT
WORK AGAIN.
Direct Command: _____ (GCSC)
F1=Help,F2=Quit,F3=Retrn,F4=Prev,F13=Trbl,F18=Main,F19=Glob,F20=Audit

```

What to do if a Safety Concern no longer exists

- Send document F0446 - CHANGE IN SAFETY CONCERNS STATUS to the party.
- Do not update indicator unless the party has signed and returned the F0446 document.
- The CSO has added the appropriate activity to the CAAD screen:
L8006 - RELEASE OF SAFETY CONCERNS FORM SIGNED - CP
L8007 - RELEASE OF SAFETY CONCERNS FORM SIGNED - NCP



From DHS-SIR Milo

- When you change the Safety Indicator to N, it will add:
M2673 NCP NO LONGER REPORTS FAMILY SAFETY CONCERN
M2674 CP NO LONGER REPORTS FAMILY SAFETY CONCERN

Modify the note to add details in the CAAD note to indicate information about why the indicator was changed.

When a party cannot request to remove the Safety Indicator

The participant cannot complete the F0446 form if any of the following apply:



- Good Cause is either pending or granted.
- There is an active order for protection.
- There is an active nondisclosure order.

(The existence of any of these over-rides any wishes of the party to no longer have a safety concern indicator.)

- ALSO – If the party is in the Safe at Home program, the Safety Indicator must remain Y.

From DHS-SIR Milo

Safe at Home program

- There is no indicator on PRISM for participants in Safe at Home program
- No worklist or interface that identifies cases
- Address is the key – will be listed as:

Care Of: LOT XXXXXXXX _____
Addr: PO BOX 17370 _____

City: SAINT PAUL _____ St: MN Zip: 55117 0370

- Replace 'XXXXXXX' with the actual lot number on the participant's identification card. Be sure to enter this on the 'Care Of' line.

Steps if current Safe at Home participant

1. Update address to correct LOT format
2. Update Safety Indicator to Y
3. Request Global Block
4. If no existing order, identify county of residence
5. If NPA applicant, request copy of Safe at Home card (unless written notice provided)
6. In our county, we add CAAD & CAWT note

Connection between Good Cause, Safety Concern, and Safe at Home program

- When good cause is pending or granted the CP's 'Safety Concerns' field changes to 'Y' but a safety concern of 'Y' does not change the 'Good Cause' field.
- Anyone in Safe at Home should have a Safety Indicator of Y.
- If a current Safe at Home participant receives PA and claims Good Cause, DHS has directed the Good Cause Committee to automatically grant the Good Cause.
- If the Safe at Home participant does not claim Good Cause, then the child support case must remain open to establish or enforce a court order, while the address continues to be protected.