

Narration of Domestic Violence



Many questions have surfaced concerning domestic violence and narration. The critical need around domestic violence narration is family safety. We want to narrate what's safe and to find alternative methods of tracking information when it's not safe.

Examples of when it may not be safe:

- The abuser is a DHS employee (or a relative/friend of the abuser is a DHS employee)
- The abuser is a DHS partner and has access to TRACS or other case file information
- The abuser is part of the household and has access to case records. (Remember that when the abuser is in and out of the household, he should only have access to records that cover the time period he is in the household)
- The client believes that the abuser may have some way to access the records. (e.g. The abuser works for law enforcement, a government agency, or is a computer hacker (even if we think this is unlikely, we should respect the survivor's safety concerns.))

Safer ways to use TRACS:

- If something is narrated that may put the client at risk, and a copy of the narrative had been requested by someone who has a right to see the case, use a black felt marker to cover the concerning references and then copy before sharing it with the requester. (Make sure there are proper releases and that you follow the protocol for sharing information as documented in the generic program guide on confidentiality) A judge will make the final decision if the information must be released.
- Use a separate narrative and code it as DVS, so those narratives can be excluded if you're required to print out information and you don't want to include DV related information.
- Use the sticky memo function of TRACS - it is not part of the case record.

Alternatives to using TRACS:

- Narrate in Word Perfect or Word
- Hand narrate and remove from the file before allowing a potential abuser to review the file or transferring the file in cases where the abuser is an employee of DHS or a partner agency

What we narrate when working with domestic violence:

- The safety concern...
- If the client is applying for TA-DVS, narrate what happened, or the client is afraid might happen, that led the client to apply for help.
- Narrate what you actually see (not opinion).
Example: Mary came in with a black eye and broken tooth.
- Record the clients' description of the incident.
Example: Mary said "My boyfriend got a little drunk and threw a bottle at me."
- Narrate any reference to previous abuse. Put all information supplied by others in quotations.
- If the client says "boyfriend/husband" it is good to ask for an actual name and document it. This can help if that boyfriend/husband ends up in the office at some point or is also a client. (Though we do not ask for copies of a

restraining order as proof of domestic violence, if the client has a restraining order, asking for a copy for the file in case the abusers shows up in the office is a good idea.)

- Document any eligibility or other information pertinent to working with the client (i.e. eligibility determinations; decision notices or other information sent to or given to the client; calls to central office on second or subsequent requests within 12 months; Child support good cause determination; support services or TA-DVS issuances; reason for waiver of TANF/TA-DVS requirements; etc.)
- Delivery of appropriate notices (456DV if approved for TA-DVS or 456 if denied)

Use the *Domestic Violence Assistance Agreement* (DVAA) DHS 1543 to record plan information. If you are entering information in the PDP and narrative in-lieu of the DVAA, include the following:

- Activities to address immediate safety concerns and activities to address stabilization for the domestic violence.
- Coordination and referral to community partners. Include agency name for all referrals and reason for referral (i.e. Referred to ABC counseling as client indicated she would like counseling for her child who has been acting out and getting in trouble at school.)
- Agreed upon TA-DVS and Support Service payments.
- If future housing cost are above available income...a concrete plan on how these costs will be covered in the future
- Narrate any follow-up plans.

Notes on narration:

- If it is not safe to narrate domestic violence in TRACS, do not use the TA-DVS addendum on TRACS as it is considered part of the narrative.
- DO NOT USE the A&D/MH secure narrative...adding DV information would not be an appropriate use of that narrative type.
- Your narrative should not include:
 - conclusions
 - personal opinions or criticisms
 - speculations
 - graphic detail of abuse

Confidentiality around domestic violence:

Confidentiality policy directs us not to narrate child abuse, elder abuse and information about HIV in the case record. You can narrate a referral to child welfare, but no description of the actual abuse should be narrated.

Mandatory Reporting in domestic violence cases:

Though we can all agree that witnessing domestic violence is bad for children, it is not necessarily considered abuse. Child protective services may or may not investigate if a referral is based solely on a child witnessing or being in a household where domestic violence has occurred.

If a child is abused or neglected, you must notify child welfare or law enforcement.

If you feel that the child is at risk of abuse based upon “Threat of Harm” you should report to child welfare. For more information on recognizing and reporting child abuse refer to the “What you can do about child abuse” booklet (PAM 9061 Rev. 12/04) or call your local child welfare office.

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