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Children betrayed: The unseen victims of domestic violence and how law enforcement can better protect them

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ABSTRACT

Domestic violence is a commonplace and serious societal problem with vast public health and economic consequences. Childhood exposure to domestic violence can blight children's biological and social development. Often, local police departments are first responders to domestic violence. This is because danger is associated with these events, which requires police presence. Yet, children are often unseen victims of domestic violence. In general, law enforcement agencies (i) are ill-equipped to identify the risks experienced by children; (ii) struggle to find alternative outcomes for children at risk other than removal or criminalization; (iii) do not use scientifically informed assessment tools which might improve their interactions with children; and (iv) inconsistently share data with other agencies in a timely manner. Moreover, gaps in criminal legal, child welfare, and family court responses to violence in the family create circumstances where children may fall through the cracks. Positive interventions in relation to domestic violence and children who suffer as a result of it should be viewed as a public priority. Improving responses to these issues should be reframed as (i) a way to reduce the amount of future violent crimes committed, and (ii) reduce the resource burden felt by public services. This commentary discusses the scope and scale of children's exposure to domestic violence and child maltreatment and discusses international best practices that can serve as models to improve law enforcement's response to children.

INTRODUCTION

Worldwide, domestic violence causes vast societal problems, as well as being a public health and economic burden. It is also commonplace. In the USA, an estimated 10 million adults experience intimate partner violence (IPV) annually (Huecker *et al.*, 2023). Up to one in four children experience parental/caregiver IPV before the age of 18 (Hamby *et al.*, 2011). Early childhood experiences of IPV are associated with suffering future child maltreatment (McGuigan and Pratt, 2001), and IPV and child maltreatment frequently co-occur in families (Appel and Holden, 1998; Hamby *et al.*, 2011).[1]

Throughout this commentary, we attempt to integrate the literature on IPV and child maltreatment to demonstrate the need for a comprehensive approach to violence within families. Currently, siloed approaches lead to interagency gaps which place children in harm's way. Child maltreatment and IPV are often addressed as separate issues without coordinated responses from public agencies. Consequently, criminal legal, civil legal, and child welfare systems often work alone when trying to address the needs of children and their families experiencing co-occurring violence (Renner, 2021).

Our commentary focuses primarily on the criminal legal system response (e.g. law enforcement) and its intersection with child welfare systems, focusing on data from the United States Child Protective Services (CPS) to illustrate the scale of the challenges.

While legal systems vary across jurisdictions and countries, throughout the world, there are similar shortcomings in the ways in which law enforcement and child welfare cooperate.

In the USA, law enforcement refers the greatest number of children to CPS for maltreatment and uncovers the greatest number of child victims.[2] Police officers encounter a large number of

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[1]A brief note about language: In this commentary, when we refer to intimate partner violence (IPV), we are referring to violence that occurs among parents or adult caregivers of children. Some of these incidents may reach a threshold of criminal acts, but many incidents of IPV may not reach an evidentiary threshold to be prosecuted as criminal incidents, but the patterns are nonetheless devastating for children and warrant further understanding by law enforcement to identify 'red flags' before violence escalates to lethality. Adult IPV and child maltreatment frequently co-occur, and we refer to this intersection as 'domestic violence'. We discuss children's experiences of IPV and child maltreatment rather than 'childhood exposure' or 'child witnesses' because of the evidence on the lifelong harms to health and well-being that children can experience when the adults that should care for them use violence against them or others in their household.

[2]In 2021, law enforcement made up 21.8% of all children referred to the CPS, uncovering 37.8% of children who would later be substantiated as victims of maltreatment. In contrast, education personnel made up 15.4% of all children referred to CPS, uncovering 8.4% of children who would later be substantiated as victims of maltreatment. Medical personnel, another group of mandatory reporters, made up 12.2% of all children referred to the CPS, uncovering 14.2% of children who would later be substantiated as victims of maltreatment (CRM, 2021). Despite irregularities in the dataset for 2021 in comparison to previous publications of the annual *Child Maltreatment Report*, which the authors of this commentary believe is mainly due to the influence of COVID-19, law enforcement typically uncover a higher proportion of child victims than any other profession.

children who have been—or are at risk of being—maltreated. This intuitively makes sense considering the types of situations they are called to or come across, including IPV. However, in general, law enforcement agencies (i) are ill-equipped to identify the risks experienced by children; (ii) struggle to find alternative outcomes for children at risk other than removal or criminalization; (iii) do not use scientifically informed assessment tools which might improve their interactions with children; and (iv) inconsistently share data with other agencies in a timely manner.

While there is no panacea to these sprawling societal issues, best practices are being used in some parts of the USA and internationally that can serve as models for beneficial change.

Part I details the challenges facing children, including domestic violence, IPV, and maltreatment; the economic consequences of these issues; and the challenges facing the agencies responsible with responding.

Part II focuses on solutions, and in particular how law enforcement in the USA can build on international best practices to change its current approach.

PART I

The prevalence of IPV and child maltreatment

IPV, child maltreatment, and other adverse childhood experiences (ACEs) frequently co-occur (Brown *et al.*, 2019; Renner, 2021). Of children exposed to domestic violence, 95% have the co-occurrence of another ACE (Bethell *et al.*, 2017). Additionally, children who experience IPV are more likely to have other family risk factors which trigger law enforcement and child welfare involvement, including parental substance use (Kohl *et al.*, 2005).

Accurately estimating the prevalence of maltreatment is challenging. Nevertheless, retrospective surveys of adults asked to report on their childhood experiences illuminate how common domestic violence in childhood is. Before the age of 18, this proportion of children will likely experience the following:

- emotional neglect (14.8%);
- emotional or psychological abuse (34%);
- parental IPV (17%);
- physical abuse (23%);
- physical neglect (9.9%); and
- sexual abuse (12%).
(Swedo *et al.*, 2023).

These prevalence rates differ significantly from the rates and types of maltreatment substantiated by CPS. The reason for this is not agreed upon; the authors of this commentary believe it is a worthwhile subject for future research.

Women and children bear most of the burden of morbidity, mortality, and economic consequences of domestic violence. In the USA, IPV occurs most frequently in households inhabited by one adult female and children (e.g. single mothers as head of household); this group is more than ten times as likely to experience IPV than married women living with children; and six times more likely than households with one female only and no children (Catalano, 2012).

Internationally, pregnancy and motherhood are linked to female victimhood of IPV, too. Analysis of the Scottish longitudinal survey (2014–15) from 2022 found that '14% of mothers report experiencing any type of domestic abuse [after] the birth of the study child (age 6)' (e.g. between the time of a child's birth and the time the study was conducted (a period of 6 years), mothers surveyed had a 14% chance of suffering IPV) (Skafida *et al.*, 2022).

Scholarship focussed on the aetiology of IPV and maltreatment is relatively new. Not until the 1960's was child abuse and neglect identified as a problem by medical professionals, and it took until the 70's to understand that low-income families were disproportionately impacted by maltreatment and IPV (Gelles, 1992). Moreover, despite being treated as a homogenous group, male IPV abusers are heterogeneous with various typologies (Cavanaugh and Gelles, 2005),

Race, class, and sexism contribute to the disparities in victimization in various ways, the extent to which this is the case is only now being understood. In the USA, Black and Indigenous women experience the highest rates of IPV victimization and intimate partner homicides; these disparities hold for children as well (Stockman *et al.*, 2015; Petrosky *et al.*, 2017). This must be understood through a historic lens. Minority groups have long been marginalized and suffered discriminatory policies. For instance, Black individuals were subjected to Jim Crow-era laws and redlining, while Indigenous individuals experienced the creation of tribal reservations and mandated American Indian boarding schools; this resulted in concentrated poverty, family separation, and systematic exclusion. This significantly diminished the chances of members of these groups to create intergenerational wealth, which has led to lasting health disparities, income inequality, disparities in education, and employment, which are transmitted across generations (Brockie *et al.*, 2015; Goodman and Fauci, 2020).

Morbidity and mortality

There are numerous adverse health consequences for children who experience IPV and/or maltreatment. Abuse, neglect, and domestic violence each result in toxic stress. Stress-induced inflammation, immune dysregulation, and disrupted neurodevelopment are some of the mechanisms that explain the health disparities of children exposed to trauma and adversity (Shonkoff *et al.*, 2009). Indeed, children exposed to multiple ACEs experience higher rates of diabetes, depression, obesity, cancer, asthma, kidney disease, substance use, cardiovascular disease, and poor socioeconomic outcomes (Merrick *et al.*, 2019).

In addition to adverse health consequences, children can suffer fatal consequences from maltreatment. In 2019, the CPS estimated that 1,840 children died due to maltreatment. Young children are most at risk of fatal maltreatment:

- 80.9% of maltreatment fatalities occurred to children younger than 5 years old; and
- 45.6% of maltreatment fatalities were suffered by infants younger than 12 months old
- (US Department of Health & Human Services, 2021).

Infants are at particular risk due to their vulnerability, lack of agency, and dependency on adult carers. A similar trend occurs

in other countries, children under 12 months old are the group most at risk of homicide in the UK. In 2020–2021, children younger than 12 months old were murdered at a rate of 44.4 per/million, more than 22 times as often as children murdered between the ages of 5–15 (1.9 per/million) (Office for National Statistics (ONS), 2022).

In the USA, many of these child fatalities are preventable. In 2019, 91% of the children who died due to maltreatment were known to the CPS, and 8% of this group had been referred to the CPS on multiple occasions. Additionally, firearms are currently the leading cause of mortality of children in the USA. Among firearm homicides of children ages 0–17, 12.6% of these homicides were related to parental IPV (Wilson *et al.*, 2023). In a study (Reif and Jaffe, 2021) examining domestic agency involvement prior to IPV-related homicides, only 9% of cases involving murdered children had formal risk assessments completed and follow-up safety planning. This was the case despite on average more than four agencies engaging with the family prior to the homicide.

Economic burden of IPV and maltreatment

Human suffering comes with measurable economic costs. International comparisons indicate that domestic violence causes a significant loss in national GDP,[3] with the economic burden costing between 2 and 8% of global GDP (Perezneito *et al.*, 2014; Whitten *et al.*, 2023). The UK's Home Office, the government agency which oversees UK policing and criminal justice, estimates domestic violence costs the British taxpayer £66 billion per year, or 2.95% of GDP (2019) (UK Home Office, 2019). The USA made its own estimate for the cost of IPV against women in 2003, which was calculated to be in excess of $5.8 billion annually (National Center for Injury Prevention and Control, 2003). This is likely a substantial underestimate,[4] and is significantly lower than independent estimates made in other countries. For instance, in 2016, the estimated cost of violence against women and their children in Australia was approximately $18.2 billion (KPMG, 2016).[5] The gap between these estimates cannot be satisfactorily explained by currency fluctuations, the differing scope of the studies or what was being measured.

Independent estimates suggest that the USA is suffering a heavy burden:

- Fang *et al.* (2012) estimates the lifetime cost of new childhood abuse and neglect cases is between $100 billion and $500 billion; and

- Bellis et al. (2019) estimated the annual costs attributable to ACEs to be 'US$581 billion in Europe and $748 billion in north America [sic]'.

The variation in estimates indicates the difficulty in calculating the costs of these issues, nevertheless, it is clear this is a huge economic burden globally.[6]

The complexity of legal systems involvement

Disjointed legal system responses, lack of specific training on IPV and maltreatment, and heavy caseloads, leads to opportunities to safeguard children being missed and children falling through the cracks (Hester, 2011; Saunders and Oglesby, 2016).

In the USA, CPS investigates the welfare of children referred by mandatory reporters and others, evaluates the risks experienced by a child, and provides children and families services whenever necessary. In general, CPS consists of investigators, intake workers, and supervisors. Child welfare systems may not view IPV as part of its mandate in child protection. Indeed in the *Child Welfare Report* (2023), the US Department of Health and Human Services explicitly states:

> Although Child and Family Safety (CFS) recognizes the emotional impact of domestic violence on children, due to capacity of intake, we only can respond to referrals of domestic violence that involve a child's safety[…] Referrals alleging that a child is witnessing their parent/caregiver being hurt will be forwarded to law enforcement for their consideration.

As established, IPV and child maltreatment often co-occur. Therefore, taking an 'either, or' approach (e.g. the incident is treated by either the CPS as a child maltreatment incident or law enforcement investigate family members for IPV) means agency responses to vulnerable children and families are siloed. In fact, IPV is the most common caregiver risk factor in substantiated maltreatment cases across reporting states (28.2% of cases) (US Department of Health & Human Services, 2023).

One of the main constraints to the child welfare system's efficacy is the sheer volume of cases CPS investigators are supposed to manage. Approximately, 1 in every 10 children in America is referred to CPS each year (CRM, 2021). Current estimates suggest that 37% of American children are investigated by CPS before their 18th birthday, and this increases to 53% for African-American children (Font and Maguire-Jack, 2020; Kim *et al.*, 2017). In 2021, nearly 7.2 million children appeared in roughly 4 million referrals which were received by CPS.[7]

For a systems overview, see Fig. 1. In 2019, like most years, just shy of half (45.5%) of all referrals made to CPS were screened out. This means a CPS worker decided the report did not meet the statutory definition of maltreatment for investigation in that jurisdiction (Child Welfare Information

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[3]How was this figure calculated—The estimated GDP of the UK in 2019 £2,238,348,000,000 (World Bank, 2023), £66,000,000,000 as a percentage of this is 2.95%.

[4]For example, a study that set out to solely estimate the cost of sexual violence in Iowa in 2009, found that nearly three out of four victims were women and the economic cost to be in excess of $4.7 billion for the state of Iowa alone (Yang *et al.*, 2014).

[5]In 2016, Australia had a population of 24.19 million in comparison to the USA's 323.1 million; KPMG estimated the cost of violence against women and their children in Australia to be roughly $18.2 billion. (*How was this figure calculated—KPMG estimated that the cost of domestic violence could be up to $26 billion AUD (estimate includes Aboriginal and Torres Islanders who were underrepresented in the study). During May 2016, the exchange rate between the AUD to USD was approximately 0.72AUD—1USD. $26 billion multiplied by 0.72 equals.*) This price gap cannot be satisfactorily explained by currency fluctuations, the differing scope of studies and what was being.

[6]While a more in-depth review is outside the scope of this commentary, we recommend the review by Peterson *et al.* (2023) for additional information on per person violence costs.

[7]In years unaffected by COVID-19, like 2019, there is a similar distribution of referral sources, however, the number of children referred to CPS is higher, at 7.9 million children detailed in 4.4 million referrals (US Department of Health and Human Services, 2019). Due to COVID-19 related disruptions, 2019 will be used as the example of a so-called *typical* year hereafter.
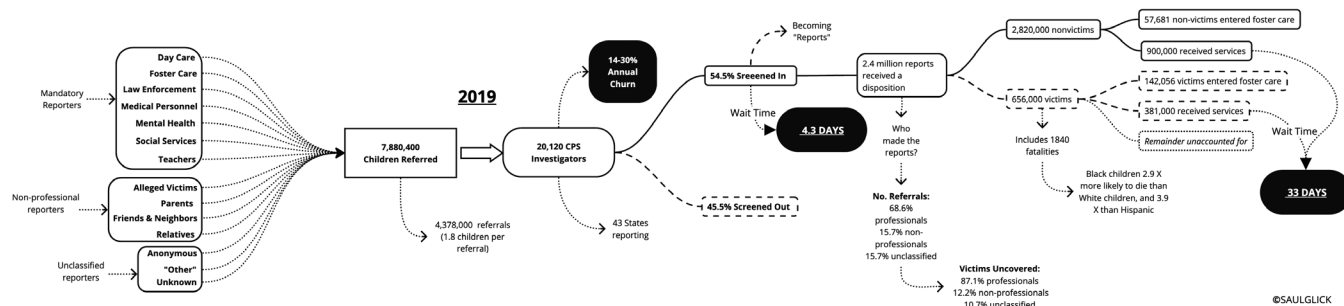
Figure 1: Overview of CPS investigation process from referrals to outcomes

Table 1: CPS reasons for screening-out referrals

CPS may screen-out a referral for the following reasons:

- Allegations of a criminal act may are forwarded to law enforcement
- The alleged perpetrator is not a parent or caregiver for a child
- The alleged perpetrator no longer has access to the child
- The child's parent or caregiver is able to be protective of the child to prevent the child from further maltreatment
- Pre-existing child custody issues; and
- Allegations of abuse or neglect do not meet the agency's definition of abuse or neglect

Source: US Department of Health and Human Services (2023).

Gateway, 2021), or that another agency was more appropriate to respond to the safeguarding concerns for the child reported (Damman *et al.*, 2020). This means no further action was taken (see Table 1).

The remaining 54.5% of children are screened in, at which point the referral becomes a report.

All reports are supposed to be investigated. These investigations may be conducted by CPS, law enforcement, or collaboratively. The investigation should establish whether or not a child has been maltreated or is at risk of maltreatment. Some reports (13.3% in 2021) receive 'alternative responses'. These focus on the needs of the family and the child, rather than possible offences which have, might have, or likely will occur.

Relatively few children investigated by CPS are identified as victims. Indeed, 12% of children referred are identified as maltreatment victims, but disparities exist across race and ethnicity with 18% of Black children and 16% of Native American children will be found to be victims (Bald *et al.*, 2022; Yi *et al.* 2020).

These numbers, high as they are, only capture the number of maltreated children who are reported, screened in, and subsequently substantiated. It is possible CPS data underestimates the total incidence of child maltreatment (Fang *et al.*, 2012). In 2019, CPS confirmed 656,000 victims of maltreatment including fatalities, 74.9% of whom suffered neglect, 17.5% were physically abused, 9.3% were sexually abused, and 6.8% were in the 'other' category (CRM, 2019).

The volume of child victims known to state agencies in America is not unusual in comparison to countries with simi-

lar law enforcement and child welfare systems. In the UK, for instance, children's social care services completed 655,540 child welfare assessments in 2023 (Department for Education, 2023). That year, 403,090 children were categorized as 'in need', meaning the child was deemed 'in need of children's social care services'. In 2021, At a per 1,000 rate, 32.1 children in the UK were 'in need'; during the same year, in the USA 40.7 in every 1,000 children received an investigation response or alternative response from CPS (CRM, 2021; Department for Education, 2023). In the UK in 2023, 50,780 children were put on child protection plans, which means they are 'are assessed as being at risk of harm' (Department for Education, 2023).

There are significant disparities in the way that Black, Indigenous, immigrant, and low-income children experience CPS. In 2021, African-American children were roughly twice as likely to be determined victims as white children. Black children were more likely to be removed from their families and make up a disproportionate percentage of the US foster care system (Roberts, 2022). Once found to be victims, African-American children were also the least likely to receive services of any racial or ethnic group in America. (52.7% of African-American child victims received services in comparison to 59.8% White child victims).

The number of children referred to CPS are certainly high, and even more so when you consider the scale over the 18-year period of childhood from ages of 0 to 17. To demonstrate the burden of the status quo over the next 18 years, see Fig. 2 for our projection extrapolated from a typical year.

If the status quo remains, the number of children we project will be investigated over 18 years by CPS is 79,072,524, (which is greater than the number of children currently in the USA today (US child population, 2021: 74,112,223) (CRM, 2021).

Both the time it takes to screen in/out and the time it takes to provide services are enormous pain points for the CPS and—more importantly—the children requiring immediate attention and services. In 2021 there were just 20,024 investigation and alternative response workers in America (43 states reported, some particularly populous States such as New York and Florida did not report their workforce numbers) (CRM, 2019). This workforce decided whether or not approximately one-tenth of the children in America were at risk of maltreatment or not.

Attrition rates are an aggravating factor for CPS. The median length of time between a caseworker being assigned their first
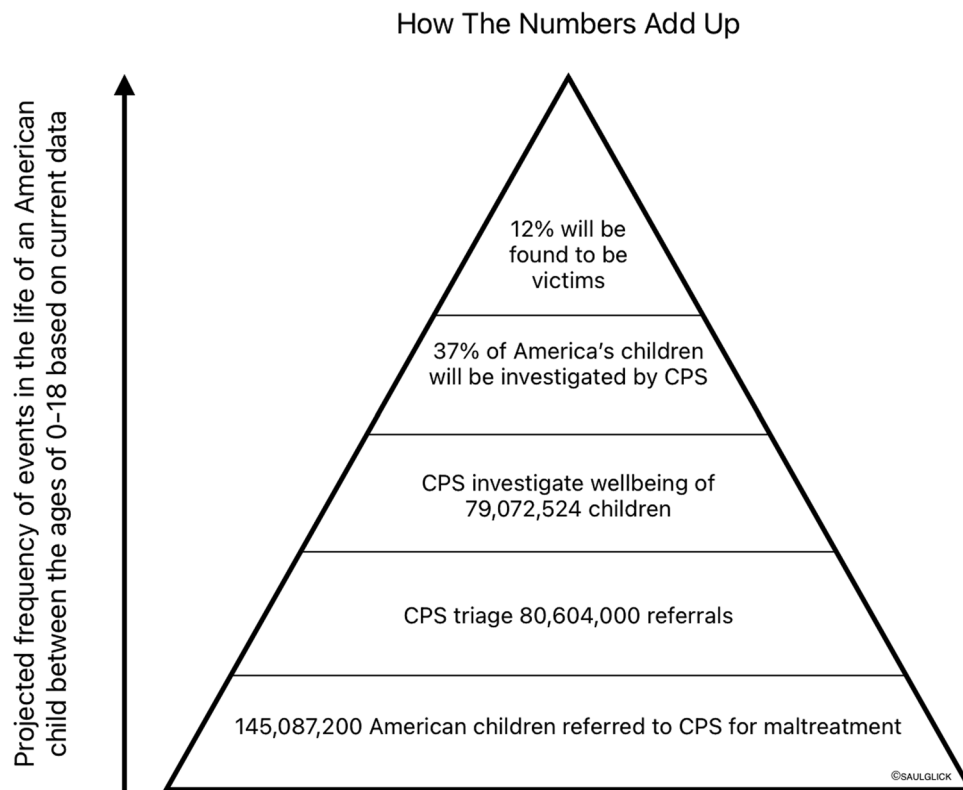
How The Numbers Add Up

Projected frequency of events in the life of an American child between the ages of 0–18 based on current data

12% will be found to be victims

37% of America's children will be investigated by CPS

CPS investigate wellbeing of 79,072,524 children

CPS triage 80,604,000 referrals

145,087,200 American children referred to CPS for maltreatment

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Figure 2: Projections of CPS referrals and investigations

and last case is just 1.8 years; the median turnover rate of case-workers is between 14 and 22% (some estimate as high as 30% (Patel *et al.*, 2017)), while it is 20% for supervisors (Edwards and Wildeman, 2018).

In 2019, it took 102 h for a referral to be responded to by CPS.[8] Delays come with a variety of consequences. In the 4 or 5 days between an incident being referred, and a welfare enquiry taking place, forensic evidence may be lost (especially due to rapid cellular turnover in young children), testimonies can be retracted, memories can be forgotten or repressed, statements can be suppressed, and victims can be coerced, be abused, be killed or die.

If a child is screened in, CPS decides whether or not the child subject to investigation requires services or not. In 2019, roughly 1.3 million children were provided services which took on average (mean) 33 days to occur (Fig. 1).

There are dramatic differences in the ways in which states handle referrals and the speed at which they investigate them (CRM, 2021). There are also inconsistencies and disparities regarding children's outcomes (see Table 2).

When abuse is substantiated, CPS workers may remove children and either place them in foster care, kinship care, determine if in-home services are appropriate, or what type of safety plan should be developed (Child Welfare Information Gateway, 2018). There is also inconsistency and disparities regarding the outcome of investigations (see Table 3).

These inconsistencies are in part a result of variations in statutes and practices between States, which makes describing child maltreatment at a national level challenging. Standardized reporting assessments and training reforms for mandatory reporters are necessary.

PART II: HOW AMERICA'S CHILDREN CAN BE BETTER SERVED

The following section will focus on positive examples which might improve the ability of police departments to protect USA's most vulnerable children. These recommendations stem from the authors' professional experiences in academic settings as well as experiences as frontline law enforcement (SG) and as a paediatric nurse (KS). As laid out in Part I, IPV and maltreatment are widespread, costly, and have fatal consequences. This is why urgent action is necessary from law enforcement, CPS, and other agencies.

Improving law enforcement responses to IPV and child maltreatment should be reframed as (i) a necessary economic policy, and (ii) domains which law enforcement is best placed to make a positive impact upon. We propose three steps that law enforcement should take immediately to address this situation: (1) the right tools, (2) the right mindset, and (3) the right collaboration.

As well as being the right thing to do, prioritizing these issues must be presented as the smart thing to do, too, especially in terms of the economy. As discussed in Part I, the cost to society from IPV and child maltreatment in lost GDP is enormous.

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[8]The average time taken to respond to referrals is calculated by aggregating the total time taken to respond to all referrals in a State and then dividing this by the number of referrals made in the State.

Table 2: Examples of CPS response variations and inconsistencies among states

CPS inconsistencies, year 2021 (CRM, 2021)

- Pennsylvania, New York, New Jersey, Illinois, and North Dakota screen-in every referral, while Alabama screens in almost every referral (98.5%)
- South Dakota screens in 15.3% and Vermont screens in 15.5%
- In West Virginia it took 174 h (over a week) to respond to a referral, while Florida claims that it took their workers just 10 h to respond to each referral
- Alabama, Pennsylvania, Tennessee, Utah, Vermont, and West Virginia substantiated more physical abuse than neglect cases in 2021
- Vermont reported 414 child victims of abuse, and only four of them suffered from neglect
- In Maryland, only four victims out of 6,303 victims were substantiated for psychological maltreatment

Table 3: Examples of inconsistencies in CPS outcomes

Inconsistencies in outcomes

- Rate per 1,000 children in foster care nearly doubled in West Virginia (10–20.2) and Montana (9.1–16.1), but fell substantially in Nebraska (14–7.1) and the District of Columbia (21.6–5.2) between 2004 and 2019 (Bald et al., 2022)[a]
- Roughly 5% of American children will end up in foster care at some point (Bald et al., 2022)
- Black children have a 10.99% likelihood of being placed in a foster home; this number is higher for American Indian/ Alaska Native children, 15.44%, whereas it is 4.86% for White children (Wildeman and Emanuel, 2014)

[a]It has been hypothesized that the rises in foster placements have been caused in part by the opioid epidemic (Hou, 2022).

The right tools

Mandatory reporting and child protection are just two of many duties police officers are tasked with, however, they are of particular importance to society. In spite of this, law enforcement has little relevant training specifically on mandatory reporting and child protection. In 2018, the highest average number of hours of instruction for recruits was dedicated to firearms skills (73 h), followed by defensive tactics (61) and patrol procedures (52). In contrast, an average of 11 h was spent on juvenile justice law (by comparison, 26 h was spent on traffic law) (U.S. Department of Justice Office of Justice Programs Bureau of Justice Statistics, 2021). In order for law enforcement to better conduct investigations into crimes of child abuse and improve their on-scene responses to victims of domestic violence, they require improved training on domestic violence, child maltreatment, and they must be compelled to collaborate across agencies. The amount of training police officers receive about developmental issues, abuse and neglect, is negligible and in some cases non-existent.

A major limitation in the current law enforcement and child welfare system response to family violence is a lack of reliable, evidence-based, and structured assessment tools that assess children's risk and need for services. The need for universal assessment tools, information-sharing practices enabling multiple agencies to communicate using standardized language, and shared metrics across agencies is great. A reimagined law enforcement response would involve the 'right tools': evidence-based risk assessment tools to assess children's risk of (non-lethal) harm and lethality.

The Danger Assessment (Campbell et al., 2009), used for adult victims of domestic violence, is a model that could be adapted for use in children's risk assessment. The DA is widely used and can help officers identify adult victims of domestic violence that are at high risk of lethality. No such instrument exists to assess a child's risk of lethality, although some research indicates that children should be considered at risk if their mother is at high risk (Olszowy et al., 2013). Homicide data supports this: in about half of cases where children are murdered by firearm in the context of parental IPV in the USA, the adult victim of IPV is also murdered (in 94% of cases this is the child's mother) (Wilson et al., 2023).

Safety planning for children in the context of parental domestic violence must include assessing lethality risk for the adult victim of domestic violence. Protocols such as the Lethality Assessment Program (LAP) (Messing et al., 2015) can be used as a way to connect survivors with needed resources. Tools such as these have been deemed so useful by legislators that States such as Utah have mandated that the LAP be used by all police officers during any IPV or domestic violence call.[9]

Other risk assessments are used in other countries. DASH (Domestic Abuse, Stalking and Harassment, and Honour-based violence) has been used widely across police departments in England and Wales since 2009 (the majority of police forces in the area have been using some version of DASH since 2014). Similarly, ODARA (Ontario Domestic Assault Risk Assessment) was first developed in Canada in 2001. A retrospective analysis of both assessments has found that they are useful for law enforcement, but used inconsistently, and do not necessarily predict law enforcement's ability to prosecute IPV suspects criminally (College of Policing, 2016; Hegel et al., 2022; Radatz and Hilton, 2022).

However, a recent study found that standardized assessment tools for IPV are substantially less effective when law enforcement fails to take robust follow-up action to reduce the possibility that offenders can retaliate against their partners (Black et al., 2023). Indeed, evidence suggests that arrests following domestic violence calls reduce the chance of reoffence (in relation to domestic violence) by up to 51% (Black et al., 2023); this is a relatively new finding which challenges existing beliefs about male backlash (the belief that men have hostile reactions to female empowerment and policies deemed to be 'pro-female') (Amaral et al., 2023). Prior arrest for IPV has also been found to be associated with a decreased risk for lethality (Campbell et al., 2003). Yet policies such as mandatory arrests are controversial, and these policies are associated with both higher mortality rates for Black women and higher arrests for Black victims

[9]Following the murder of Gabby Pettito in 2021, the Utah State Senate unanimously voted to pass bill S.B. 117 Domestic Violence Amendments in 2023, which mandates that the LAP be used by all police officers during any IPV or domestic violence call. Advocates for the bill argued that police officers had missed the signs which could have saved Pettito's life due to poor training and failures to assess her danger.

of IPV. These studies underline the importance of law enforcement's response to these situations, and how best to implement procedures.

Standardized reporting assessments and evidence-based procedures following domestic violence and child maltreatment are not shared amongst the various agencies with safeguarding responsibilities. If law enforcement personnel, education personnel, and medical personnel all used the same assessment tool and made referrals using the same procedures, approximately 2 million referrals (concerning roughly 3.6 million children), would use the same language and ensure consistency in reporting styles, reducing bias and easing the child welfare backlog.

There is currently no universal risk assessment tool or strategy for identifying child maltreatment or mitigating its effects from a law enforcement perspective (apart from arresting and prosecuting suspects). Nor is there a comprehensive strategy to address the disparate responses from law enforcement, CPS, and family courts in safeguarding children in the context of domestic violence (see Hester, 2011; Saunders and Oglesby, 2016). Children can only be helped to achieve safety if the right information is shared with the right agencies, and these children receive the appropriate services and responses from legal systems that do not further retraumatize them. A recommendation of this commentary is that this must be addressed immediately.

The right mindset

In general, current police training practices at a local level mean that police officers are unable to provide the best possible service to children and those suffering domestic violence. In 2022, the Police Executive Research Forum (PERF), a national organization which researches policing practices and trains police executives, did a sweeping assessment of training across America's local police departments. Their findings laid out what many already knew, 'Recruit training presents an immediate crisis for policing' (PERF, 2022).

In comparison to other countries, local police in America are under-trained and much of the training they receive is related to stress testing and paramilitary-style policing. Police recruits in the USA spend approximately 20 weeks in academy instruction, whereas, Japanese recruits receive between 15 and 21 months of training (depending on pre-existing educational level). In Europe, Finnish police recruits require 3 years of training at the Police University College; in Germany, police recruits complete about 2.5 years in the police academy; in the Netherlands, 4,050 h; and in England, 2,250 h (PERF, 2022).

This level of academy training dwarfs the average amount a US police officer receives, just 807 h on average, which is considerably shorter than police in the US's North American neighbour, Canada receives: their officers experience 1,040 h academy hours on average (PERF, 2022). Due to the decentralized nature of American policing, training, and standards are also inconsistent. According to data compiled by the Institute for Criminal Justice Training Reform, the number of hours mandated by each state ranges from 408 in Georgia to 1,321 in Connecticut (national average: 652) (ICJTR, 2020). These variations in standards and training are made more acute by the fact that there are

roughly 18,000 law enforcement departments across America, 12,261 of which are local police and 3,012 are sheriff's offices; the majority of recruits for these departments are trained within 700–800 different academies (U.S. Department of Justice Office of Justice Programs Bureau of Justice Statistics, 2019; PERF, 2022). In contrast, England and Wales have 43 police departments.

Examples showing that police officers can retrain on the job in order to provide better informed, more careful, and evidence-based practices are available. Perhaps the clearest and most relevant parallel in relation to what responses to IPV and child maltreatment could look like can be found in recent changing approaches to people with serious mental ill health ('PWMI').

A systematic review found that PWMI calls account for between 6 and 10% of all police calls in America (Livingston, 2016). To address this challenge, many departments adopted enhanced training and collaborative approaches. Specialized law enforcement programmes for treating PWMI were created to achieve two purposes: (1) to promote on-scene safety and crisis de-escalation strategies; and (2) to prevent the penetration of the mentally ill into the justice system (whenever feasible) (Lurigio et al., 2008).

In general, three (3) alternative response options for PWMI have been adopted: (i) the Crisis Intervention Team (CIT) model, (ii) co-response models (cooperation models between the police and local mental health service providers), (iii) and other models with reduced training hours (OMRTH) (Seo et al., 2021).

A meta-analysis by Seo and colleagues in 2021 of these methods found that all of these approaches change 'officer reported perceptions/beliefs' and lead to at least some positive improvements in police handling of PWMI. In particular, co-response models were found to be beneficial. Collaborations between mental health professionals and law enforcement resulted in more effective handling of encounters with PWMI's by police than occur in departments where officers are only given enhanced training.

Domestic violence-related incidents are believed to be the largest category of service calls received by police, accounting for anywhere between 15 and 50% of all calls and increased during the COVID pandemic in many jurisdictions (Babaloloa et al., 2022). It is important that the training required for responding to domestic violence reflects how significant the volume of these calls is to the police. Moreover, domestic violence is also lethal to law enforcement responding: it's the most dangerous call for responding officers. A 5-year study found that nearly one in four officers killed in the line of duty (22%) were killed responding to a domestic dispute (Bruel and Keith, 2016).

As is true for responding to PWMI's, to improve the law enforcement response to domestic violence and child maltreatment, police officers need regularly updated and enhanced training as well as better collaboration with partner agencies. While officers are often trained to look for evidence of physical assaults, patterns of stalking, economic abuse, coercive control, threats to children, and other less visible forms of IPV that result in deprivation of fundamental human needs and liberty (Spearman et al., 2023; Stark and Hester, 2019) are important for officers to comprehend and understand as they may precede

lethal events. The deleterious effects of domestic violence are well-known and well-researched, including its impact on children's development and the intergenerational consequences it can cause (Edleson, 1999; Felitti *et al.*, 1998; Graham-Bermann *et al.*, 2012)

The emphasis of new training programs such as the CIT and co-response models is to prevent vulnerable people with significant challenges from penetrating the criminal justice system. This is a worthwhile cause and the aforementioned meta-analysis shows that these programs lead to officers changing their perceptions. The same training and mindset change is needed if law enforcement is to effectively treat the consequences of domestic violence and child maltreatment, and prevent these cycles of abuse perpetuating.

The right collaboration

Assessment tools and information-sharing software are available which enables multiple agencies to communicate using the same language and risk metrics. In general, this has the benefit of reducing information gaps and streamlining data sharing; additionally, this can also lead to transparency in decision-making. However, this is the exception rather than the norm in most American jurisdictions. Allegheny County, Pennsylvania, which uses a predictive assessment tool (Allegheny Family Screening Tool (AFST)) to aid CPS workers screen in/screen out children (Vaithianathan *et al.*, 2017), provides an example. Allegheny County shows ambitious procedural and technological interventions can be implemented in highly populous American jurisdictions. The AFST is a predictive risk modelling tool which uses integrative data mining techniques to analyse the experiences relayed to child protection hotline workers by individuals in order to generate risk scores. While the long-term impact of such reforms is yet to be seen, this model shows the integration of law enforcement with relevant local partners is possible. Nevertheless, AFST does not solve one of the major problems identified in this article: the lack of training mandatory reporters receive in identifying the risks children are experiencing.

Family Justice Center (FJC) Models, first conceptualized in 1989 in San Diego and eventually spinning out into a national network called Alliance for HOPE in 2002, provide an example of how the third sector can work hand-in-glove with law enforcement. This model has been identified as a best practice in the field of domestic violence intervention. Published outcomes include reduced homicides, increased victim safety, reduced fear, and anxiety for survivors of abuse, reduced recantation, increased efficiency in collaboration, and increased prosecution of offenders (ABT Associates for NIJ, 2018; Duncan *et al.*, 2021; USDOJ Office on Violence Against Women, 2007). As of September 2023, there were 116 FJCs across America, most of which are located in and around metro areas (Family Justice Center Alliance, 2023).

FJC's, depending on their capacity and mission, are able to straddle the public and private sector in order to provide services to both law enforcement and vulnerable adults and their children. The Norfolk Family Justice Center, for instance, located in Hampton Roads, Virginia, provides support to Norfolk Police Department's specialized domestic violence unit, participates in multi-agency meetings for high-risk domestic abuse victims

alongside CPS, and has the ability to provide private resources such as Camp HOPE to children who have—or might—suffer maltreatment (Norfolk FJC, 2023).

Camp HOPE is an evidence-based camping and mentoring program available to children impacted by DV, sexual assault, and child abuse. This intervention improves children's resiliency and hope scores of children who have acquired considerably higher ACE scores than the average American child (Duncan *et al.*, 2021; Jackson-Stowe *et al.*, 2019). Programs such as this must be seen as complementary to law enforcement's response to child protection. In order to put child victims at the centre of investigations, children's welfare must be cared for so that they can make long-term recoveries as well as prosecuting their abusers. Camp HOPE is an example of wraparound services being provided at a local level. This can be difficult to achieve without an FJC or equivalent focal point that can bypass standalone government agencies like police departments which are constrained by resource and role limitations.

At the heart of many solutions proposed concerning police shortcomings is ensuring more effective and efficient information sharing, and reducing wait time for services and protection. There are examples of police departments in the USA and abroad implementing simple solutions to address this problem in relation to domestic violence and child maltreatment.

First created in the UK in 2010, Operation Encompass started as a movement to ensure children living in violent homes did not suffer punishment or further hardship in school for being tired, distracted, or irritable. Domestic abuse is commonly associated with child abuse, and both phenomena are related to disruptions in schooling and diminished educational attainment (Lloyd, 2018). Teachers who are not fully aware of the situation might mistakenly diagnose the child's symptoms as disengagement or behavioural issues; this can lead to children suffering disciplinary consequences.

Reports of domestic violence and child abuse are often siloed in police records. To ensure this information reached stakeholders in schools all domestic abuse incidents recorded by police, crime, and non-crime, were shared with a school's 'Key Adult', a role which required enhanced training.[10] By 2020, 27 police departments in England and Wales[11] had passed on 143,000 reports to schools, and in 2021 Northern Ireland created legislation to enable them to fully implement (Operation Encompass, 2023).

A similar initiative, *Handle With Care*, was piloted in Charleston, West Virginia, in 2013 (Administration for Children and Families, 2020). This has recently spread to other jurisdictions, such as LaGrange, Georgia (USA), where in 2022 the Troup County School System and heads of all the county's law enforcement agencies signed a memorandum of understanding (MOU) to share information about potentially traumatic incidents involving children with one another (LaGrange News, 2022).

Neither Operation Encompass nor *Handle With Care* have been formally evaluated using a peer review process, meaning their impact cannot—as yet—be assessed. Nevertheless, both programs show that innovative collaborations between law enforcement, schools, CPS, and charities are possible in order

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[10]Nurseries are included in the definition of school.

[11]There are 43 police departments in England and Wales.

to protect vulnerable children. Sharing information in a timely manner to prevent children suffering poor outcomes or falling through the cracks requires multiple agencies to acknowledge and buy-in to a shared vision and best practices. This must become a national priority, rather than something which happens only sporadically and at a local level.

CONCLUSION

IPV and child maltreatment take a heavy toll on the lives of individual children as well on society. Many gaps exist in the current response to child maltreatment and children who experience parental IPV. Some best practices have been developed as outlined in this commentary, and these can serve as inspiration for other jurisdictions. The sharing of standardized assessment tools, improved training, and collaboration across agencies is key to improving law enforcement response to children in the context of domestic violence and maltreatment. These are worthy investments in time and funding to promote safer and healthier communities and to save lives now and in the future.

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