

Children Exposed to Domestic Violence: Silent Victims

By Judge (Ret.) Kathleen Stewart Richey

As every family law attorney recognizes, children are impacted by the events in the lives of their parents and caretakers. This reality is underscored in matters involving child custody, visitation, termination of parental rights and child support. What receives little or no attention is the impact of domestic abuse or intimate partner violence on the children of the household.

Domestic violence is recognized as a pervasive and devastating social problem, with Louisiana leading the nation in female homicides related to domestic violence. The National Coalition Against Domestic Violence reports that, in 2010, Louisiana ranked fourth in the country for femicide and that 81 percent of all female homicides are committed by a partner or ex-partner. On one day, Sept. 16, 2015, domestic violence programs in Louisiana served 714 victims. (National Network to End Domestic Violence, *2015 Domestic Violence Counts: A 24-Hour Census of Domestic Violence Shelters and Services*.) In Louisiana, one in four women will experience domestic violence in their

lifetimes; more than 5,000 women a year living in Louisiana will experience domestic violence. (Tjaden and Thoenne, *National Institute of Justice and the Centers for Disease Control and Prevention Survey*, 2000.) Many of these women have children impacted by these traumatic events.

While the devastating effects of domestic violence on women are well documented, far less is known about the impact on children who witness a parent or caregiver being subjected to violence. It is documented that, on the census day, Sept. 16, 2015, of the individuals seeking refuge, 269 children (and 180 adults) were placed in shelters or transitional housing provided by domestic violence programs in Louisiana. It is estimated that, nationally, one in 15 children are exposed to intimate partner violence each year.

Children exposed to domestic violence or intimate partner violence have been called “the silent victims.” A growing body of research shows that children who witness violence at home are at risk for a wide range of physical, mental, emotional and behavioral problems.

(*Children Exposed to Marital Violence: Theory, Research, and Applied Issues*, Holden, Geffner & Jouriles, 1998). A review of the literature reveals that children who witness domestic violence are at risk for maladaptive reactions in one or more areas of functioning — emotional, social, behavioral, cognitive and even physical that persist into adulthood. (*Journal of Interpersonal Violence*, 11(2), Kolbo & Engleman, 1996). Truancy, ungovernable behaviors, immaturity and delinquency are behavioral concerns linked to exposure to domestic violence. Physical symptoms include failure to thrive, sleeplessness, regressive behaviors, eating disorders, poor motor skills and other psychosomatic symptoms. Cognitive symptoms linked to exposure to domestic violence include poor academic performance and language delays. (*Partner Violence: A Comprehensive Review of 20 Years of Research*, Wolak & Finkelhor, 1998.)

Additionally, children who reside in homes marked by domestic violence are exposed to various forms of aggression which may include repeated physical assaults, mental humiliation and

degradation, threats and assaults with weapons, threats of suicide and homicide, and destruction of property. (L.A. McClosky, A.J. Figueredo and M.P. Koss (1995), *The Effects of Systemic Family Violence on Children's Mental Health*, *Child Development*, 66, 1239-1261.) Investigation of the negative effects of a child's exposure to domestic violence reveals a link between witnessing violence in the home and a wide array of adjustment problems. Child witnesses of domestic violence experience chaotic, distressing events over which they have little control. Expressions of hostility between intimate partners are often followed by what appear to be loving exchanges, which may inhibit a child's ability to trust, develop a sense of safety and security or personal control. (A. Tyndall-Lind, *International Journal of Play Therapy*, 8,9-25, 1999.) Lastly, a review of the Adverse Childhood Experiences (ACE) Study indicates that witnessing domestic violence as a child may have long-lasting effects well into adulthood, promoting engagement in risky health behaviors that seriously impact adult physical and mental health. (The Adverse Childhood Experiences (ACE) Study, Vincent J. Felitti, MD, Robert F. Anda, MD, et al., *American Journal of Preventative Medicine*, 1998.)

Lenore Walker, author of *The Battered Woman*, describes the world of children who grow up in violent homes:

Children who live in battering relationships experience the most insidious form of child abuse. Whether or not they are physically abused by either parent is less important than the psychological scars they bear from watching their fathers beat their mothers. They learn to become a part of a dishonest conspiracy of silence. They learn to lie to prevent inappropriate behavior, and they learn to suspend fulfillment of their needs rather than risk another confrontation. They expend a lot of energy avoiding problems.

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Not surprisingly, there is a common link between domestic violence and child abuse. Among victims of child abuse, 40 percent report domestic violence in the home. (World Health Organization, *World Report on Violence and Health*, 2002). One study in North America found that children who were exposed to violence in the home were 15 times more likely to be physically and/or sexually assaulted than the national average. (J.S. Volpe, *Effects of Domestic Violence on Children and Adolescents: An Overview*, The American Academy of Experts in Traumatic Stress, 1996.)

Equally troubling is that children who grow up with violence in the home learn early and powerful lessons about the use of violence in interpersonal relationships to dominate others and might even be encouraged in doing so. (A.C. Baldry, "Bullying in Schools and Exposure to DV," *Child Abuse and Neglect*, vol. 27, no. 7, 2003, pp. 713-732.) The single best predictor of children becoming either perpetrators or victims of domestic violence later in life is whether or not they grow up in a home where there is domestic vio-

lence. Studies from several countries support the findings that rates of abuse are higher among women whose husbands were abused as children or who saw their mothers being abused. (David Indermaur, *Young Australians and Domestic Violence*, Trends and Issues in Crime and Criminal Justice, No. 195, Canberra, 2001.)

As part of the U.S. Attorney General's Defending Childhood Initiative in 2010, a National Task Force on Children Exposed to Violence was commissioned to study the impact of violence on children. The Task Force was composed of a diverse group of leaders in the legal, academic, medical, psychiatric and psychological, and child welfare professions. In 2012, the Task Force issued findings and recommendations "to ensure that our nation's past inadequate response to children's exposure to violence does not negatively affect children's lives any further. . . The long-term negative outcomes of exposure to violence can be prevented, and children exposed to violence can be helped to recover." With recent advances in neuroscience and understanding child development, effective methods of interrupting and responding to the consequences of children's exposure to violence do exist. It is time, as a state, to commit to the protection of Louisiana's children. The legal profession can and should play a significant role in addressing this pressing problem.

Judge (Ret.) Kathleen Stewart Richey became the president/CEO of LouisianaChildren.org in 2015. She began her career as an attorney representing children in child dependency and delinquency matters. During this time, she served on the Children's Code Project Committee which drafted the Louisiana law regarding children's issues. In 1991, she became the first juvenile judge in East Baton Rouge Parish. During her 24 years on the bench, she was instrumental in establishing Capital Area CASA. She has served on several legislative task forces, most notably the Legislative Task Force on Legal Representation in CINC Matters which created the Child Advocacy Program in Louisiana. (krichey@louisianacasa.org; 1120 Government St., Bldg. I, Baton Rouge, LA 70802)

