

**How Can Wisconsin Help Battered Women Become
Economically Self-Sufficient?:
An Analysis of Wisconsin Works Domestic Violence Policy**

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EXECUTIVE SUMMARY

Poor women are especially vulnerable to being controlled and abused by their partners. They become caught in an endless cycle of violence and poverty that prevents them from becoming free and economically self-sufficient. Many of these low-income women are enrolled in their state welfare programs. In fact, domestic violence is very common amongst Temporary Aid to Needy Families (TANF) recipients. It is estimated that 20 to 30 percent of welfare participants are battered.

The prevalence of domestic violence amongst TANF recipients is a troubling issue. Women and children trapped in abusive homes often suffer extensive physical and emotional damage. Domestic violence can result in permanent physical damage, and it can also cause mental health problems, including Post Traumatic Stress Disorder. Many battered women are unable to find or sustain employment because of the abuse.

Domestic violence both directly and indirectly impacts a woman's participation in the labor market. While some battered women cannot work, others are able to use employment as a means of temporary and permanent escape from the abuse. Battered women are more likely to have experienced unemployment, and the abuse prevents many women from advancing in their careers. Batterers use many different tactics to threaten their partners' economic well-being. They prevent their partners from working by using violence or the threat of violence, or they sabotage their work efforts through constant harassment.

Wisconsin is one of the few states in the country that has not implemented the Family Violence Option. The FVO acknowledges the additional barriers faced by battered low-income women, and it permits states to exempt domestic violence victims

from many of TANF's work and time limit requirements. Although Wisconsin has not yet formally adopted the Family Violence Option, W-2 agencies have the discretion to exempt domestic violence survivors from work requirements.

None of the W-2 agencies formally track the number of participants being abused, and they do not keep statistics on the various responses to cases involving violence. It is unclear how often these agencies actually suspend or relax work requirements for domestic violence survivors. However, it is clear that W-2 agencies are not identifying abuse as often as they could: on average, they report that only 10 percent of participants are being battered.

Other states have established more progressive TANF policies that address the barrier of domestic violence. Most states have adopted the Family Violence Option. Some of W-2 agencies in these states and others have caseworkers dedicated to serving battered TANF participants. In some cases the caseworkers are employees of the state; in other instances, a domestic violence advocate from a local non-profit organization works on-site at the TANF office. Research indicates that these are more effective approaches to addressing domestic violence.

Based on my review of academic research and the survey responses of W-2 agencies, I offer the following recommendations:

1. Wisconsin should adopt the Family Violence Option, and W-2 agencies should also continue to use more flexible approaches to addressing domestic violence.
2. W-2 Agencies should employ Domestic Violence specialists.
3. Financial and Employment Planners should administer the Barrier Screening Tool prior to initial placement.

4. Additional studies should seek to answer the following questions: What types of experiences have domestic violence survivors had with W-2 over the past several years? Are they being placed in appropriate work categories? Do they have difficulty meeting TANF requirements? Are they being notified of the potential eligibility for exemptions from work and paternity establishment? How is the purpose of the BST being explained to participants? Is confidentiality clear? What types of W-2 responses have been helpful? What types of additional barriers are faced by battered women of color and battered immigrants? Does discrimination in the workforce and housing market further hinder her ability to leave an abusive relationship? How does a woman's immigration status impact her safety?

“I finally figured out what could be done to end home violence as far as I’m concerned, you know, I still haven’t figured it out for all women... I always knew that, if I could get me a job paying enough for me to take care of my children and I took care of my children, that I could do it, and I did... I would tell them [other women in abusive situations], unless you can find a husband that is really going to help you raise your kids and treat you like you’re a person, you don’t have to have one. All you need is a job, a good job, try to get you as much education as you can so you can get a decent job and you don’t need ‘em, you don’t need ‘em, like I said, especially if they’re abusive.”

-Survivor of domestic violence¹

Approximately one in three adult women will experience at least one physical assault by an intimate partner during their lifetime.² In 2001, there were 27 domestic homicides and over 27,000 reported incidents of domestic violence in Wisconsin.³ In addition, many more incidents went unreported. Contrary to popular belief, the vast majority of victims do repeatedly try to leave abusive relationships. Leaving a violent relationship is always difficult. The abuse often escalates when a woman attempts to separate from her partner, and most batterers try to coerce their partners into staying in the relationship. They may do this by threatening to kill them or their children, or they may try to isolate their partners from support networks. Another common tactic used by batterers is financial control. Abusive men often try to keep their partners financially dependent on them in order to maintain control in the relationship.

Poor women are especially vulnerable to being controlled and abused by their partners. They are often trapped in abusive relationships because they lack financial resources and human capital. In addition, the abuse often prevents them from gaining access to education and secure employment. They become caught in an endless cycle of violence and poverty that prevents them from becoming free and economically self-sufficient. Many of these low-income women are enrolled in their state welfare programs.

¹ Lloyd, Susan (1998), pg. 4

² American Psychological Association (1996)

³ Wisconsin Department of Justice (2001)

In fact, domestic violence is very common amongst Temporary Aid to Needy Families (TANF) recipients. Thus, it is essential that the State of Wisconsin's TANF program, Wisconsin Works (W-2), effectively addresses the relationship between domestic violence and poverty. The barriers faced by abused low-income women need to be tackled if these women are to be safe and economically self-sufficient.

In this report, I analyze the relationship between domestic violence and poverty and describe its effects on individuals and society. In particular, I review academic research to determine how violence affects battered women's participation in the labor force. After describing the nature of the problem, I outline and evaluate current W-2 policy related to domestic violence. In order to do this, I reviewed written W-2 policies and manuals and surveyed W-2 agencies across Wisconsin. I then consider alternate approaches to addressing domestic violence in TANF programs and analyze their effectiveness. I conclude the report by offering several policy recommendations.

I. THE NATURE AND SCOPE OF DOMESTIC VIOLENCE

For the purposes of this report, I define domestic abuse as *battering*, which the National Coalition Against Domestic Violence describes as “a pattern of behavior used to establish power and control over another person through fear and intimidation, often including the threat or use of violence. Battering happens when one person believes they are entitled to control another.”⁴ Although battering can occur in all types of relationships, this report is primarily focused on the effects of violence in intimate, or formerly intimate, relationships. Furthermore, I am primarily concerned with violence

⁴ National Coalition Against Domestic Violence (2004)

perpetrated against females in heterosexual relationships, because the majority of victims are women.⁵ In addition, most TANF recipients who are being battered are also female.

Domestic violence is extremely common amongst participants in the welfare system. Research has consistently shown that 20 to 30 percent of recipients are being currently battered at the time of participation in a program.⁶ In addition, 50 to 60 percent of recipients report being abused at some point during their lifetime.⁷ Not only is abuse very common amongst TANF participants, it also tends to be more severe. Research has found that women on welfare are more likely to suffer from extreme physical abuse, and they are also more likely to be abused than other low-income women.⁸ Although the W-2 agencies I surveyed do not formally track the number of recipients being abused, they did offer estimates. On average, Wisconsin's welfare agencies estimate that 10 to 20 percent of participants are disclosing the existence of domestic violence in their relationships. Most agencies suspect that abuse is even more prevalent, but they believe that some women are remaining silent for various reasons.

The prevalence of domestic violence amongst TANF recipients is a troubling issue. Women and children trapped in abusive homes often suffer extensive physical and emotional damage. In the most extreme cases, women and children are murdered by abusive men. In other violent relationships, there is a broad range and variety of negative effects. Domestic violence can result in permanent physical damage, and it can also cause mental health problems, including Post Traumatic Stress Disorder. Children who witness domestic violence also suffer from mental health illness, and they are more likely

⁵ Wisconsin Department of Justice (2001)

⁶ Raphael and Tolman (2000), pg. 5

⁷ Ibid, pg. 5

⁸ Ibid, pg. 6 & 8

to engage in dangerous behavior, such as teenage prostitution and drug use.⁹ Boys who witness domestic violence are twice as likely to be abusive in intimate relationships when they become adults.¹⁰ The cycle of abuse is perpetuated when children witness domestic violence.

Domestic violence also negatively impacts the rest of society. In fact, a study conducted by the Centers for Disease Control and Prevention found that, nationally, “the health-related costs of rape, physical assault, stalking and homicide committed by intimate partners exceed \$5.8 billion each year. Of that amount, nearly \$4.1 billion are for direct medical and mental health care services, and nearly \$1.8 billion are for the indirect costs of lost productivity or wages.”¹¹ It is likely that Wisconsin’s share of these health related costs total approximately \$100 million each year. Roughly \$77 million is spent on direct health care services and approximately \$33 million results from the costs of lost productivity.¹² Furthermore, domestic related crimes consume law enforcement and criminal justice resources. Although I was unable to obtain an estimate of the amount of criminal justice resources spent on domestic related crimes, it should be noted that, “one-third of all police time is spent responding to domestic disturbance calls.”¹³ Finally, as this report points out, many battered women need support from welfare and other state programs because of the abuse; the violence prevents them from becoming self-sufficient.

⁹ Family Violence Prevention Fund (2004)

¹⁰ Ibid

¹¹ Centers for Disease Control and Prevention (2003)

¹² Calculations based on US Census population estimates for the United States (290,809,777) and Wisconsin (5,472,299). I applied Wisconsin’s proportion of the US population (1.88%) to the national estimates of the costs of intimate partner violence

¹³ WCADV (2002), pg. 26

II. THE LINK BETWEEN POVERTY AND VIOLENCE

Leaders of the battered women's movement have long stressed that domestic violence affects women from all socio-economic classes. While this is true, many studies have indicated that violence is more common in relationships between low-income people. According to results from the National Crime Victimization Survey, "households with less than \$7,500 in annual income, for example, suffer five times the amount of domestic violence as households with income above \$50,000, and those with incomes between \$7,500 and \$15,000 experience three times the amount of domestic violence as households with income above \$50,000."¹⁴ One of the reasons is that poor women are more vulnerable to being controlled by an abusive partner. Because they have limited income and access to financial resources, they are less able to leave a violent relationship. Research shows that improvements in the economic status of women are closely linked with a lower probability of abuse.¹⁵

Another explanation focuses on the psychology of batterers. Some researchers argue that low-income men are more likely to be abusive due to the fact that they cannot find and sustain quality employment. Because they are unable to earn enough to support their families, they feel insecure and try to maintain control by engaging in physically and emotionally abusive behavior. Although it is commonly believed that women on welfare are single mothers, surveys indicate that the majority of them live with an intimate partner.¹⁶ According to many poor battered women, violence often escalates

¹⁴ Raphael (2000), pg. 143

¹⁵ Farmer and Tiefenthaler (2003), pg. 165

¹⁶ Raphael (2000), pg. 106

when their partners are unemployed.¹⁷ Batterers want to feel powerful within their homes because they feel powerless in the outside world.

Income disparity within a relationship is especially linked to the likelihood of violence. In other words, a low-income man will feel even more threatened if his partner earns more than he does. One study found that, “domestic violence increased when the wife had more education or higher income than her husband.”¹⁸ This explains why many abusive men interfere with their partners’ attempts to increase their education and/or become gainfully employed. This may also explain why women on welfare are more likely to be abused than other low-income women; poor batterers may feel less threatened by welfare recipients.

III. DOMESTIC VIOLENCE AND WORK

“I was working. I was getting up in my life. I [was] becoming what I wanted to be. I liked my job. I was doing good- It was a convenience store, and he didn’t like it that much, because there were a lot of men coming in. I mean it was a convenience store; they would stop for gas. He would stalk me outside. He would be watching me. He was across the street, and he parked his car, and he would be watching me, and if a guy would stay too long at the counter, God knows, [he thought] I would have slept with him... And my bills got really out of control, and he damaged the house real bad.”
-Survivor of domestic violence¹⁹

Domestic violence both directly and indirectly impacts a woman’s participation in the labor market. Qualitative research consistently reveals what most domestic violence advocates and welfare caseworkers have long realized: abuse often threatens a woman’s economic well-being.²⁰ However, the experiences of victims vary widely. While some battered women cannot work, others are able to use employment as a means of temporary and permanent escape from the abuse. This variation influences the results of

¹⁷ Ibid, pg. 141

¹⁸ Ibid, pg. 145

¹⁹ Ibid, pg. 33

²⁰ Ibid, pg. 37

quantitative studies on the effects of abuse. For example, some studies show that battered women are just as likely to be employed as other women.²¹

Quantitative studies do indicate that domestic violence contributes to job instability. One researcher summarizes these various findings:

“These survey responses suggest that women’s experience of male violence and coercion may influence their labor market experiences over time, rather than their labor force participation at any moment in time. Current employment status appears unaffected by women’s varying experiences of male aggression in intimate relationships. However, human capital characteristics (such as physical and psychological health) that influence employability and job performance, and wage income and past unemployment do appear to be significantly affected.”²²

Although some victims may be able to find employment, many have difficulty keeping their jobs due to the abuse. Indeed, battered women are more likely to have experienced unemployment.²³ Furthermore, abuse prevents many women from advancing in their careers.²⁴ It is important to remember that some women are completely thwarted in their attempts to find employment. Women whose partners threaten to harm their children or prevent them from going to school or work are more likely to be unemployed.²⁵ This means that certain types of abuse may be linked to a decreased likelihood of employment. The women who are unable to work are especially trapped in abusive relationships.

Batterers use many different tactics to threaten their partners’ economic well-being. Some do not allow their partners to work. In fact, battered women are ten times more likely to have had a partner that did not want them to work or go to school.²⁶

Batterers prevent their partners from working by using violence or the threat of violence.

The following excerpt vividly illustrates this:

²¹ Corcoran, et al (1999)

²² Lloyd (1998), pg. 3

²³ Ibid, pg. 6

²⁴ Nadel (1998), pg. 8

²⁵ Raphael (2000), pg. 39

²⁶ Raphael and Tolman (2000), pg. 10

“There were times where I couldn’t even get out of my room because I still had a handprint on my face. I couldn’t go to work because it was embarrassing- going to work, and you know that you are terrified. Or going to work and saying that you really don’t want to go home, and not being able to say why I don’t want to go home.”²⁷

This woman’s story is not uncommon; a survey of battered W-2 participants found that 57 percent were afraid to go to school or work because of their partner’s threats.²⁸ Some abusive men make non-physical threats to keep their partners from working. For instance, he may threaten to kidnap the children or report the woman to Child Protective Services if she goes to work.

Many battered women who are able to find a job or begin a training/education program struggle to maintain their economic status. Abusive partners sabotage their work and training efforts by using various tactics. They may continually harass women at their sites of employment or keep them from completing homework assignments. There are many stories of batterers keeping their partners up all night before an important interview or test. Some may sabotage their partner’s child care arrangements or refuse to assist with transportation. Others try to damage their partner’s reputation at work by making false accusations to coworkers. There are many other examples of batterer interference, and the tactics used by various batterers tend to be similar. The examples highlighted above are repeatedly reported by survivors of domestic violence.²⁹

Some employers fire battered women if the harassment or stalking causes too many disruptions. In fact, 30 percent of respondents in the previously mentioned survey of W-2 participants had been fired or lost their jobs because of domestic abuse.³⁰

Another researcher found that 24 to 52 percent of battered women had lost their jobs due

²⁷ Raphael (2000), pg. 34

²⁸ Moore and Selkove (1999), pg. 1

²⁹ Raphael and Tolman (2000), pg. 9

³⁰ Moore and Selkove (1999), pg. 1

to violence or harassment.³¹ Others are unable to advance in their jobs because their performance is negatively affected by the abuse. It is important to note that batterer interference with work does not always end when a woman leaves an abusive relationship. In fact, stalking and physical abuse often escalate during this time.³²

Domestic violence also has indirect effects on a woman's employability. Victims suffer from significantly higher rates of mental and physical illness, as well as substance abuse problems.³³ In one study, 62 percent of severely battered women and 34 percent of formerly battered women had at least one of the following five psychiatric disorders: major depression, generalized anxiety disorder, alcohol dependence, drug dependence, and post-traumatic stress disorder (PTSD).³⁴ Quantitative studies consistently show that mental health and substance abuse disorders are linked to lower rates of employment.³⁵ Low-income women who experience some of the symptoms of Post Traumatic Stress Disorder, such as hyperarousal, are less likely to complete welfare-to-work programs.³⁶

It is also probable that domestic violence interferes with cognitive development, especially if the battering begins during the teenage and young adult years.³⁷ Abuse also damages the self-esteem and/or social skills of many victims. One researcher found that many women have difficulty performing tasks at work, even after they are no longer being battered. They are unable to concentrate or control their emotions. One welfare caseworker shares her perspective:

“They're either very passive, afraid to ask for what they need or want, or are afraid to show that they don't understand. Or they're very aggressive and approach it from the standpoint

³¹ Nadel (1998), pg. 8

³² Raphael (2000), pg. 64

³³ Raphael and Tolman (2000), pg. 16

³⁴ Ibid, pg. 17

³⁵ Ibid, pg. 17 and Corcoran, et al, pg. 24

³⁶ Raphael (2000), pg. 86

³⁷ Raphael (2000), pg. 73

of, 'Well, what's wrong with me? I did everything you said,' but they lash out. They either totally withdraw or lash out, and as a result, they're unemployed or, in the case of education or training, they don't succeed.'³⁸

When a woman is battered and isolated from the rest of the world, she begins to doubt her self-worth and loses confidence in her abilities. These long-lasting effects of domestic violence may hinder a woman's ability to achieve economic self-sufficiency, even after she leaves an abusive relationship.

It is clear that domestic violence hinders the economic status of many abused women. While some are able to sustain employment, many others struggle to find and maintain jobs. Even if a woman is able to leave a violent relationship, she may still face barriers to working. Her former partner may continue to stalk, batter or harass her, or she may suffer with a mental health illness. A battered woman's inability to become self-sufficient and productive negatively impacts her own life, as well as the economic well-being of society.

IV. W-2 AND DOMESTIC VIOLENCE: CURRENT POLICY

Overview

Wisconsin is one of the few states in the country that has not implemented the Family Violence Option. After TANF legislation was passed in 1996, congress passed the Family Violence Amendment [42 USC 602(a)(7)], which allows states to adopt the Family Violence Option (FVO). The FVO acknowledges the additional barriers faced by battered low-income women, and it permits states to exempt domestic violence victims from many of TANF's work and time limit requirements. If a woman is granted a FVO waiver, she may seek counseling and other resources before being required to work. In

³⁸ Raphael (2000), pg. 78

addition, she may not be required to establish paternity in order to obtain benefits, if the state determines that her safety would be compromised by identifying the father of her child(ren). A state that adopts the FVO is also required to train their caseworkers on domestic violence dynamics. If a state chooses to grant a FVO waiver to a survivor of domestic violence, they are not penalized for doing so; these participants are not counted when a state's compliance with federal work participation requirements is evaluated. Finally, a state that adopts the FVO must notify participants of their possible eligibility for a waiver.

When the W-2 program was implemented in 1997, Wisconsin chose not to adopt the FVO because the Department of Workforce Development believed that this policy would prevent victims from receiving employment planning services.³⁹ Although the Wisconsin Council Against Domestic Violence (WCADV) initially supported this decision, they now believe that the FVO would better assist battered TANF recipients.⁴⁰ In fact, in 2001, they worked with Wisconsin Senator Gwen Moore to introduce the Family Violence Option to the Joint Finance Committee as part of the budget. The proposal was never accepted, but the legislature did pass an act that requires W-2's Financial and Employment Planners (FEPs) to complete twelve hours of training on domestic violence issues. The legislation, 2001 Wisconsin Act 16, also requires FEPs or other W-2 staff to administer a voluntary screen for domestic violence.

In response to this legislation, the Department of Workforce Development designed the Barrier Screening Tool (BST), which requires W-2 agencies to screen for several barriers to employment, including domestic violence, mental health and substance

³⁹ Wisconsin Department of Workforce Development (1998)

⁴⁰ Seager, Patti (4 March 2004)

abuse problems. The BST was implemented in May 2003, and it must be offered within the first 30 days after a participant is placed in an initial W-2 work category.⁴¹ TANF applicants have the right to decline the screen. The information gathered from the BST is intended to inform the caseworker's decision on a more permanent job category placement. It is also suppose to aid in the designation of work activities. There are four types of placements in the W-2 program: unsubsidized work, subsidized trial jobs, community service jobs, and W-2 Transition. Participants placed in community service jobs and W-2 Transition do not work for an employer, but they are required to participate in work development activities in exchange for a modest monthly cash payment. These activities could include GED and life skills courses, as well as mental health counseling.

Although Wisconsin has not yet formally adopted the Family Violence Option, W-2 agencies have the discretion to exempt domestic violence survivors from work requirements.⁴² For instance, a W-2 caseworker may chose to place a battered woman in the W-2 Transition category so that she may count domestic violence counseling towards her work activity requirements. The W-2 agencies I surveyed did not have formal policies in place to address domestic violence, but many of them indicated that they would consider altering work requirements. Their informal domestic violence policies varied.

I attempted to interview all of the W-2 agencies in Wisconsin. Over half of the agencies (25 out of 48) I contacted completed the survey. Although I interviewed representatives from two of these agencies by phone, the rest answered the survey over email. I asked them open-ended questions about their domestic violence protocols. See

⁴¹ Wisconsin Department of Workforce Development (2003), FFY 2004-2005 State Plan

⁴² Wisconsin Department of Workforce Development (2002)

Appendix A for the exact wording of questions. As mentioned previously, none of the W-2 agencies formally track the number of participants being abused, and they do not keep statistics on the various responses to cases involving violence. Thus, their answers to the survey are based on their informal perceptions of their agency's treatment of domestic violence survivors.

Almost all of them (88 percent) said they would refer victims to domestic violence services if abuse was identified as an issue. Nearly half said they would relax requirements and/or allow survivors to count domestic violence counseling as work activity. It is important to note that *more* than half of the agencies may practice this policy; because I asked open-ended questions, they may not have listed every possible response to these cases. The following table summarized their survey answers. Some agencies may employ more than one procedure.

Table 1: Informal W-2 Domestic Violence Policies

Response to domestic violence:	Number of Agencies	Percent of Total Respondents
Refer survivors to domestic violence and other resources in community	22	88%
Count counseling, legal appointments, etc. towards work requirements	11	44%
Alter time limits	10	40%
Develop plan to consider domestic violence; alter work requirements	8	32%
Work closely with local domestic violence shelter	5	20%
Make effort to meet with woman privately if abuse is suspected	3	12%
DV counselor on-site	3	12%
Social worker on-site	2	8%
Place survivors in W2-T	2	8%
Suspend work requirements while survivor seeks counseling	1	4%
Expedited enrollment	1	4%

There is considerable variation in the W-2 agencies' domestic violence protocols. It is important to note that these agencies do not treat all battered TANF recipients in a uniform manner. The majority said that individual circumstances would dictate whether or not they were willing to relax requirements. It is unclear how often these agencies actually suspend or relax work requirements for domestic violence survivors.

The W-2 agencies I surveyed said they would consider various factors when determining their response to a battered participant. The following table summarizes their survey answers.

Table 2: Issues Considered in Domestic Violence Cases

Issues considered in domestic violence cases:	Number of Agencies	Percent of Total Respondents
Require proof of domestic violence	6	24%
Require proof only if fraud is suspected	4	16%
Proof required if survivor does not want to establish paternity	1	4%
Never require proof	9	36%
Consider severity of violence	4	16%
Do not consider severity of violence	7	28%
Consider length of time since violence last occurred	5	20%
Length of time is not considered	5	20%
Require assessment by dv professional	2	8%

Nearly half (40 percent) require proof of the violence in all or some cases. Others consider whether the woman has been recently battered. On the other hand, five of the agencies (20 percent) said that they would not consider the length of time that had lapsed, because they believed that formerly battered women also face barriers to employment. Clearly, there is no standard W-2 domestic violence policy.

Evaluation of Current Policy

The general objectives and structure of the W-2 program make it difficult to effectively addressing domestic violence and other barriers. Because W-2 focuses on immediate employment, it is probable that the needs of battered low-income women are

not being adequately met. An Urban Institute study of various state TANF programs found that:

“Programs focused more on immediate employment rather than on longer-term self-sufficiency were not well set up to identify any type of barrier, and the same was true for domestic violence issues.”⁴³

Although W-2 recently implemented the BST, it is clear that domestic violence is not being identified as often as it should be. While studies consistently indicate that 20 to 30 percent of TANF recipients are being battered and nearly 60 percent were formerly battered, the W-2 agencies surveyed report that, on average, only 10 percent of recipients are experiencing abuse. Although some survivors of domestic violence will never disclose the details of their situation, it is likely that W-2 agencies could be more proactive in recognizing abuse.

One explanation for this lack of identification may be that the BST is not being consistently administered. I interviewed one Wisconsin advocate for W-2 participants who reported that the majority of her clients had not been screened for possible barriers.⁴⁴ She believes that some FEP workers are failing to emphasize the importance of the BST during the application process. Because the BST is voluntary, TANF participants may refuse to be screened without realizing the potential benefits of the tool. In addition, applicants are placed in job categories before the BST is offered to them; this is due to the fact that FEPs have 30 days to administer the BST from the date of initial placement. Although they are required to informally assess applicants before placing them in a job category, this procedure may not be sufficient in identifying domestic violence and other barriers. The administration of the BST needs to be explored in more depth.

⁴³ Burt, et al, (2000), pg. ix

⁴⁴ Selkove, Vicki (11 May 2004)

Another possible explanation for under-reporting of domestic violence is that FEPs are not adequately trained in domestic violence issues. Recognizing and responding to signs of abuse can be challenging. In addition, survivors may be reluctant to disclose private details about their lives to strangers, especially if they believe that the information will not be kept confidential. One study indicated that “domestic violence advocates obtain four and five times more disclosures than welfare caseworkers.”⁴⁵ Survivors are probably more likely to talk about the abuse with advocates because it is clear that communication is confidential. Although information provided during the BST process is to be kept confidential, victims may not feel comfortable discussing abuse with a government employee. One surveyed Wisconsin FEP believes that some applicants are wary of divulging personal information during the screening process, especially when their answers are typed into a computer.⁴⁶

Confidentiality is extremely important to many battered women. A survivor of domestic violence could face serious repercussions if their abusive partner knew they had disclosed the details of the relationship. Furthermore, many survivors are reluctant to talk because they feel ashamed of the abuse. Most women need to trust someone before they discuss the violence in their lives. W-2’s emphasis on immediate employment may be discouraging FEPs from recognizing signs of abuse. Most FEPs are not trained social workers; their primary role is to help applicants find employment, as opposed to counseling them on their private lives.

Even when domestic violence is identified, the needs of survivors may not be adequately met. It is difficult to evaluate W-2 agencies’ treatment of battered TANF

⁴⁵ Raphael and Tolman (2000), pg. 21

⁴⁶ Swenson, Perry (5 May 2004)

recipients, due to the fact that they do not track the specifics of these cases. They also have a great deal of discretion in the way they handle each case. Although it seems that many W-2 agencies are willing to tailor employability plans to address the barrier of violence, it is impossible to determine how often this is actually done. Currently, W-2 agencies are not required to inform survivors of their possible eligibility for exemptions from requirements.

In fact, a 1999 survey of battered W-2 participants found that, “when W-2 participants do disclose domestic violence, W-2 caseworkers frequently fail to advise women on available support services, program options or exemptions from certain regulations.”⁴⁷ Only 7.3 percent of the surveyed survivors were told by FEPs that they could count domestic violence related activities towards work requirements.⁴⁸ It should be noted that this study took place before Wisconsin passed 2001 Wisconsin Act 16, which requires FEPs to be trained in domestic violence. The Department of Workforce Development now requires FEPs to refer survivors to supportive services if abuse is identified.⁴⁹

Because abuse is not being identified in many cases, survivors participating in the W-2 program may be struggling to meet requirements. As this report has explained, abusive men consistently sabotage their partner’s efforts to work and engage in training programs. Women who are being battered or stalked will have a difficult time in fulfilling their work or training responsibilities. They may be consistently tardy and/or

⁴⁷ Moore and Selkove (1999), pg. 3

⁴⁸ Ibid, pg. 3

⁴⁹ Wisconsin Department of Workforce Development (January 2003), “Wisconsin Works Screening and Assessment Policy”, pg. 6

absent. Consequently, FEPs may sanction them according to W-2 policy, and battered women may have their benefits reduced or eliminated.

It is also troubling that some W-2 agencies require proof of the violence. Some battered women will not have the type of proof that is requested, especially if the W-2 agencies want an official document such as a police report. There are many reasons why a battered woman would not be able to obtain official documentation.⁵⁰ She may have never called the police or sought medical treatment. A battered woman may not have the time or transportation required to obtain official reports.

V. OVERVIEW AND EVALUATION OF ALTERNATE POLICIES

Other states have established more progressive TANF policies that address the barrier of domestic violence. As mentioned previously, most states have adopted the Family Violence Option. Some of W-2 agencies in these states and others have caseworkers dedicated to serving battered TANF participants. In some cases the caseworkers are employees of the state; in other instances, a domestic violence advocate from a local non-profit organization works on-site at the TANF office. In this section, I evaluate the effectiveness of these two, non-mutually exclusive alternative policies.

Family Violence Option

Wisconsin's TANF program has the discretion to exempt battered women from requirements and time limits. Although the FVO is not officially in place, they have the ability to follow the guidelines established by the FVO legislation. If Wisconsin were to formally adopt the FVO, however, it is likely that some W-2 agencies would change their

⁵⁰ Davies (1998), "Building Opportunities for Battered Women's Safety and Self-Sufficiency", pg. 18

approach to domestic violence cases. If the FVO was adopted, FEPs would be required to notify survivors of their possible eligibility for exemptions from TANF regulations. In addition, adoption of the FVO should encourage W-2 agencies to standardize and improve their domestic violence protocols. It is important to note that the Department of Workforce Development is currently in the process of implementing the FVO. Although it has been included in the 2004 state TANF plan, this administrative rule change still needs to be approved by the legislature.

Implementation of the FVO could improve the safety and economic well-being of battered TANF participants. Although the effects of the FVO in other states have not been fully researched, preliminary studies indicate that the FVO has been successful in some cases.⁵¹ The Urban Institute found that the effectiveness of the FVO depends on the overall culture of the TANF agency; agencies that promote long-term self-sufficiency had the most promising outcomes.⁵²

States that have the FVO in place have not granted many official waivers. One researcher found that, on average, only 300 waivers per state were granted during an 18-month period.⁵³ There are several possible explanations for this phenomenon. First, many battered women do not apply for the waiver because they want to work.⁵⁴ Other women may not be receiving notification of their eligibility for the waiver. In addition, these states use more flexible and less formal approaches to addressing domestic violence, because the official waiver application process is time consuming.

⁵¹ Raphael and Tolman (2000), pg. 23

⁵² Burt, et al, (2000), pg. xii

⁵³ Raphael and Tolman (2000), pg. 21

⁵⁴ Ibid, pg. 22

Although formal waivers are not often granted, the Urban Institute found that the “option of applying for and granting a waiver may be critically important for the relatively few TANF clients whose domestic violence-related issues cannot be settled quickly.”⁵⁵ A formal waiver would be most appropriate for those survivors that need to seek longer-term and more extensive counseling.⁵⁶ The FVO waiver would protect her from losing cash benefits. If a state has the FVO in place, domestic violence advocates would also be empowered to assist battered women with significant barriers in obtaining waivers.⁵⁷ Finally, because so few waivers have been granted, it is reasonable to conclude that concerns over wide-spread fraudulent use of the FVO are largely unfounded.

Caseworkers Dedicated to Domestic Violence Cases

Some TANF agencies employ caseworkers who specialize in serving welfare participants with domestic violence issues. Some of these efforts have been specially funded demonstration projects.⁵⁸ The specialist may be an employee of the TANF office, or s/he may work for a local non-profit domestic violence agency. The Urban Institute found that this approach was often successful.⁵⁹ They also found that the effectiveness of the on-site domestic violence advocates depended on several factors, including the general environment of the TANF office and their level of training. If the specialist is an

⁵⁵ Burt, et al, (2000), pg. xii

⁵⁶ Ibid, pg. xii

⁵⁷ Ibid, pg. xii

⁵⁸ Raphael and Tolman (2000), pg. 20

⁵⁹ Burt, et al. (2000), pg. xii

employee of another agency, it is important that they are fully supported by the TANF office and included in work activities, including staff meetings.⁶⁰

There are several advantages associated with having a domestic violence advocate on-site. First, they are more likely to have received extensive training in domestic violence issues. They are better suited to identifying abuse and addressing the needs of battered women. In addition, as mentioned previously, survivors are more likely to disclose the abuse to domestic violence advocates.

VI. POLICY RECOMMENDATIONS

Although current W-2 policy gives agencies the discretion to effectively address the barrier of domestic violence, it is unlikely that this is being done as frequently as needed. While some agencies have adopted progressive domestic violence policies, the majority of W-2 agencies do not seem to be consistently and aggressively addressing the challenges faced by battered women. The low rate of identification of battered women is the most telling sign of the short-comings of current domestic violence policy. Because there is so much variation in the informal protocols of W-2 agencies, it is likely that battered women in various regions are not being treated equally. A more uniform approach to domestic violence would improve the safety and economic well-being of battered women and their children. I offer the following policy recommendations:

1. Wisconsin should adopt the Family Violence Option, and W-2 agencies should also continue to use more flexible approaches to addressing domestic violence.

⁶⁰ Ibid, pg. xi

Implementation of the FVO would encourage W-2 agencies to standardize their protocols and be more pro-active in dealing with the barriers faced by domestic violence survivors. FEPs would also be required to notify survivors of the potential eligibility for relief from requirements. This would allow more women to improve their physical and emotional health and ultimately become economically self-sufficient. Having a formal waiver in place would also provide the most vulnerable battered women with more services and leeway. It is important that W-2 agencies continue to address domestic violence in employability plans, even if formal waivers are not granted or needed.

W-2 agencies should be encouraged to allow women to improve the status of their mental health and physical safety before being required to work. Battered women with significant barriers should be placed in Community Service Jobs or W-2 Transition so that they can count counseling towards work activity requirements. Proof of the violence should not be required unless fraud is suspected for good reason.

2. W-2 Agencies should employ Domestic Violence specialists.

Ideally, a domestic violence advocate from a local shelter should work on-site at the W-2 office. These advocates could be responsible for screening new applicants and offering supportive services to battered women. They could also use their expertise to assist FEPs in addressing domestic violence issues in a sensitive and effective manner. Survivors would be more likely to discuss their situations with these advocates, and they would have greater access to counseling. If communities are unable to fund such an effort, representatives from local shelters should periodically be invited to W-2 staff

meetings, so that they can assist TANF employees in improving their responses to domestic violence.

Another option is to have one or more FEPs dedicated to serving battered TANF participants. Because a significant portion of participants are in abusive relationships, this policy would be economically justifiable. This dedicated FEP should obtain more extensive training in domestic violence issues. All caseworkers should be required to receive additional training on domestic violence dynamics. This training would not need to be extensive or time consuming. In fact, it may be possible for local domestic violence advocates to offer the training on-site at the TANF office. Many domestic violence organizations across the state already have public education outreach programs in place.

3. Financial and Employment Planners should administer the Barrier Screening Tool prior to initial placement.

Domestic violence survivors are often in a state of immediate crisis. If a battered woman is placed in a category that requires her to immediately begin looking for work, her safety could be compromised. Administering the BST prior to placement would allow FEPs to identify abuse and place survivors in W-2 Transition if necessary. Written explanation of the purpose of the BST should be offered to all participants to reduce the likelihood of refusal of the screening tool.

In addition, many survivors need immediate access to benefits and counseling. One surveyed W-2 agency offers expedited enrollment for domestic violence survivors so that they have quicker access to cash assistance. This policy should be adopted by all W-2 agencies.

4. Additional studies should seek to answer the following questions:

- What types of experiences have domestic violence survivors had with W-2 over the past several years?
- Are they being placed in appropriate work categories?
- Do they have difficulty meeting TANF requirements?
- Are they being notified of the potential eligibility for exemptions from work and paternity establishment?
- How is the purpose of the BST being explained to participants? Is confidentiality clear?
- What types of W-2 responses have been helpful?
- What types of additional barriers are faced by battered women of color and battered immigrants? Does discrimination in the workforce and housing market further hinder her ability to leave an abusive relationship? How does a woman's immigration status impact her safety?

Wisconsin Works Agencies are in a position to provide valuable assistance to low-income battered women. Indeed, the W-2 agencies I surveyed believe that domestic violence is a significant barrier to employment, and they are interested in assisting survivors in becoming self-sufficient. Although there have been significant and positive changes in domestic violence related W-2 policy over the past several years, more work needs to be done. Addressing the problem of domestic violence is not an easy task, and it requires the cooperation and commitment of various organizations and institutions,

including welfare programs. Because domestic violence is so prevalent amongst welfare participants, W-2 agencies have the unique opportunity to provide services to women who are otherwise isolated from support networks. Improving W-2 domestic violence protocols will enhance the safety and well-being of battered women and help them become productive and economically self-sufficient.

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Door County Department of Social Services
Dunn County Department of Human Services
Eau Claire County Department of Human Services
Fond du Lac County Department of Social Services
Iron County Human Services Department & Associates
Jefferson County Human Services
Kenosha County Department of Human Services
La Crosse County Human Services Department
Outagamie County Department of Health and Human Services
Pepin County Department of Human Services
Racine County Human Services Department
Rock County Human Services Department
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APPENDIX A: W-2 SURVEY

1. Do you keep track of the number of W-2 participants in violent relationships? How many (on a monthly or yearly basis)? If you don't keep track, can you estimate the number/percentage of participants that are currently being victimized?
2. What is your office's policy for handling these cases? Do you alter time limits or work requirements? Do you refer them to other agencies? Which ones? Do you offer them Access Loans?
3. If it depends on the case, what factors do you consider in determining a response? Do you consider the severity of violence? If so, how is this measured? Do you require proof of the violence (from the courts or a domestic violence worker, etc.)? If the woman has left the relationship, do you consider the time that has lapsed since she left?
4. Any other thoughts or concerns on the relationship between domestic violence and W-2?