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Mothers in Domestic Violence Shelters Face Losing their Children

By Valarie Honeycutt Spears, The Lexington Herald-Leader

April 16 – Domestic violence shelter directors say the state is increasingly taking children away from women who have done nothing more than move to a shelter to escape a violent home.

In the past year, the Cabinet for Health and Family Services has removed the children of about 50 women served by the Bluegrass Domestic Violence Program, said Darlene Thomas, the program's director. The program covers Fayette and 16 surrounding counties.

Some Cabinet workers have been telling women that shelters aren't an appropriate atmosphere for children, said Kentucky Domestic Violence Association executive director Sherry Currens. Currens and other domestic violence victim advocates worry that the trend could dissuade victims from seeking help.

"You don't have to hurt the baby or neglect it; at this point, being an abused woman who shows up at a shelter is often enough grounds to take a child," Thomas said.

That's a shift from the past, when child-protection workers applauded mothers who fled abusive partners and took their children to shelters.

Shelters provide a safe, structured environment for families and also offer programs designed for the children, Thomas said.

A recent child advocacy report suggested that officials could be removing more children of domestic violence victims as part of a broader push to increase adoptions from state foster care in order to get federal financial bonuses for the state.

The Cabinet disputes that.

"It has nothing to do with federal enticements or raising adoption numbers. Our motivation is to protect the child," said Tom Emberton Jr., commissioner of the Department for Community Based Services. "There is no policy that children of domestic violence victims are removed. We look at each case."

Emberton said he is aware of the concerns by the victim advocates and that the Cabinet is looking into them.

Thomas said the domestic violence professionals on her staff agreed that the Cabinet removals were appropriate in only about five of the 50 cases, in which mothers had other problems, such as drug addiction, in addition to domestic violence.

Thomas said she knows of three cases in the 17-county area in which the state found new adoptive families for infants who were taken from domestic violence victims at the hospital immediately after birth.

Currens said officials at shelters statewide are concerned about the trend. She said Cabinet workers and courts are sending mixed messages to victims: They could lose custody if they don't leave an abuser; but they are viewed as unstable if they flee to a shelter.

Currens said some domestic violence workers are so concerned that they have provided information for a state inspector general's investigation into foster care adoptions.

David Richart, executive director of the Louisville-based National Institute on Children, Youth and Families Inc., said shelter employees have come to him with concerns that victims were losing their children – especially infants and toddlers who looked like “Gerber babies.”

“I'm very concerned about what appears to be a trend,” Thomas said. “I don't know why it's happening. I can't pretend to have the big picture.”

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