

WOMEN'S ENEWS

Welfare Series: Services for Abused Women Scarce

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By Jennifer Friedlin, WeNews Correspondent

(WOMENSENEWS) – In 1998, Kalia, a 19-year-old mother of a 1-year-old, showed up battered and bruised at a welfare office in Oakland, Calif. She told her caseworker she needed to go on welfare as she struggled to break out of an abusive relationship.

Although the caseworker had the option to grant Kalia a domestic violence waiver that would relax the full-time welfare work requirements, she did not do so. And Kalia was unaware such a waiver existed for victims of abuse who went on welfare.

Instead, it took three years before another caseworker told Kalia – who declined to give her last name – that she had been entitled to a waiver and special services for victims of domestic abuse. In the meantime, Kalia missed out on the work waiver and counseling opportunities designated to aid abused welfare applicants as she exhausted 60 percent of the five-year lifetime limit imposed on all welfare recipients.

“I could have been receiving services that really would have helped me,” said Kalia, who now works as a peer advocate in Oakland to help other women navigate the welfare system. “The laws are there, but people do not follow them.”

In 1996, Congress adopted an amendment to the new welfare bill, The Personal Responsibility and Work Opportunity and Reconciliation Act, that recognized that people fleeing domestic violence would need more flexibility in making the transition to work than allowed for under the welfare guidelines, which require most recipients to work.

The amendment, known as The Family Violence Option, allows states to temporarily waive work requirements and increase services to families facing domestic violence. According to the Family Violence Prevention Fund of San Francisco, 50 to 60 percent of adult heads of families receiving welfare – 90 percent of whom are female – have suffered domestic violence at some point in their adult lives, compared with 22 percent of the general population. And, up to 30 percent of these heads of households receiving cash assistance have reported abuse in their current relationship.

Stopping the clock for survivors of domestic abuse is important because, experts say, it can take years for survivors to free themselves from abuse and its effects. During the initial period after leaving the abusive relationship, survivors tend to cycle between waged work and welfare while they cope with post-traumatic stress and other time-

consuming issues, like securing safe housing and getting orders of protection, said Sherry Leiwant, a senior staff attorney at Legal Momentum, a New York-based women's legal rights organization.

“Domestic violence victims have problems meeting work requirements because they first need to get away from the batterers,” said Leiwant.

In the years since the waiver provision was passed, every state except Idaho, Mississippi, Oklahoma, Virginia and Wisconsin has adopted the option or an equivalent law or policy. But advocates say too few states are aggressively implementing them.

“The vast majority have taken the option, but the big but is that even though 40-something states have something on the books, in a lot of states, things aren't working all that well,” said Leiwant.

Waiver Provides Chance to Break Away

Without the waiver, Leiwant said, parents trying to escape domestic abuse have a harder time becoming economically independent.

The Family Violence Option, she said, gives battered women (as well as men) the chance to seek the psychological and legal assistance they need to break away from an abusive relationship as they prepare to meet work and job training requirements.

The Option also gives states the right to waive the so-called child support cooperation requirements for domestic violence victims. Normally, adult heads of welfare families – again, 90 percent of who are women – must identify the other parents of their children to qualify for TANF benefits. For battered women, however, that requirement – which states use to pursue child-support payments – can be dangerous since violence may increase when legal action is taken against an abuser.

Yet, advocates say, many states have failed to train caseworkers to screen for domestic violence and to teach them about the provisions that have been made for battered women. While states such as Pennsylvania, Washington, New Hampshire, Kansas, West Virginia and Rhode Island are considered standouts in developing effective domestic violence programs, some of the largest cities and states lag behind.

In Texas, less than 1 percent of all waivers granted by the state are given under The Family Violence Option, the lowest utilization rate in the nation, according to Krista DelGallo, an advocate for battered women.

Texas was among the first states to adopt The Family Violence Option but has since failed to stress to caseworkers the importance of implementing it, according to DelGallo, a public policy specialist at the Texas Council on Family Violence, an Austin-based coalition of the family violence programs throughout Texas. DelGallo said politicians lacked the will to implement The Family Violence Option.

For victims of domestic violence in Texas, the problem of not getting a waiver is compounded by the state's stringent welfare laws, which allow single parents to stay on welfare for one to three years over the course of their lives, compared to five years in most other states.

"So, if somebody doesn't get The Family Violence Option, their clock is just running and running and running," DelGallo said.

Stopping the Clock

New York City – also considered a laggard in enforcing the waiver rule – has recently made some strides in providing services for domestic violence survivors. Today, caseworkers are instructed to explain to their clients that they are entitled to specific services if they are victims of domestic abuse. In addition, caseworkers give welfare recipients forms to screen for abuse.

When applicants reveal abuse, they are referred to a specially trained domestic violence liaison. In 2003, more than 6,000 people in New York City were referred to such liaisons, up from 4,400 in 2000, a considerable increase given the sharp drop in the welfare rolls during that period.

Yet, advocates say problems persist. Elizabeth Saylor, a staff attorney at the Brooklyn office of The Legal Aid Society, said there are not enough liaisons to handle the thousands of domestic violence cases a year and, as a result, not everyone who is eligible receives a waiver.

In 2003, only 11 percent of the applicants who were assigned liaisons were granted full waivers, down from 12 percent in 2000.

"A lot of people in New York City don't have a caseworker and there are too few liaisons," said Saylor. "Without an advocate working on your behalf it's very hard to get a waiver."

Representatives from welfare departments in Texas and New York City did not return calls and e-mails seeking comment.

In California, the numbers are also low. LIFETIME, a grassroots organization in Oakland that advocates on behalf of low-income families, said that nearly 30 percent of mothers currently on TANF are victims of domestic violence, but last year less than 2 percent of the welfare caseload received domestic violence services, referrals or waivers. In November 2003, LIFETIME found that 692 mothers, less than one-third of 1 percent of the state's caseload, received domestic violence waivers.

"The caseworkers don't get the training and there's a lot of uncertainty about what the regulations are," said Sheila Katz, a researcher at LIFETIME. "We've also heard stories

where a caseworker says, ‘I’m not going to give you a waiver until you come in with bruises all over your body.’”

Officials Say Some Pass on Waiver

Some officials say the situation may be more complex than the numbers suggest since not every person leaving a violent situation would opt out of the work requirement.

“It’s hard to account for the low number” of people getting waivers, said Dolores Heaven, the CalWORKs TANF program director in San Francisco’s Department of Human Services. “I think people may be making some assumptions that every person leaving an abusive situation would want a waiver.”

Like Heaven, many advocates for the poor believe that too little is understood about how state policies are affecting TANF recipients dealing with domestic abuse. For example, there are no nationwide studies that look at how many people who would have been eligible for a waiver received one or how many people who suffer from domestic violence actually disclose the abuse to a caseworker.

Given the lack of emphasis states have put on educating caseworkers about The Family Violence Option, many experts say they are concerned that the Bush administration’s \$300 million a year marriage initiative, which in some states comes with financial incentives to couples that marry, is going to hurt domestic abuse survivors a great deal.

Anne Menard, a welfare policy advisor to the National Resource Center on Domestic Violence, said poorly trained caseworkers do not have the skills to know when and when not to encourage their clients to get married.

“Many caseworkers across the country have not received adequate training on domestic violence so to the extent they are going to be primary players in marriage promotion activities that raises serious questions,” said Menard.

Jennifer Friedlin is a writer in New York.

For more information:

National Resource Center on Domestic Violence: <http://www.nrcdv.org/>

Legal Momentum: Advancing Women’s Rights: <http://www.legalmomentum.org/>

LIFETIME: Low-Income Families’ Empowerment Through Education: <http://www.geds-to-phds.org/>

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