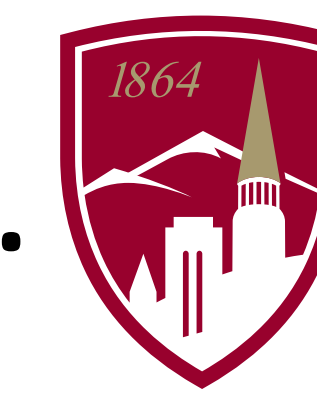


Measuring Fears related to Failure-to-Protect Laws in a Sample of Women Involved in a Child Abuse Investigation

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INTRODUCTION

- The systems that investigate and respond to IPV and child abuse have histories of holding women responsible for children witnessing or being exposed to intimate partner violence (IPV), such as so-called “failure-to-protect laws.”¹
- These laws penalize caregivers who do not prevent others from abusing children in their care, including witnessing IPV.²
- Dependence on the victim-offender relationship and distrust of law enforcement related to racial/ethnic factors have been found to affect women’s decisions to report IPV to law enforcement.^{3,4}
- While research has documented IPV-related fears that affect women’s decisions to report IPV to law enforcement, little is known about women’s fears of engaging with child abuse and neglect investigators.
- Understanding how failure-to-protect fears affect women’s engagement with police or other services is important to better predict their decisions after domestic violence occurs; however, we are aware of no measures of failure-to-protect fears.

Study Purpose

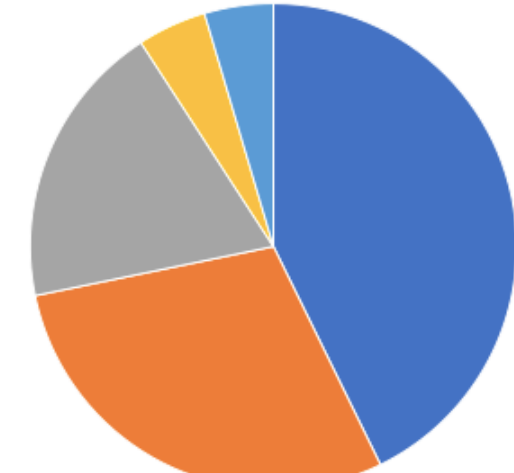
- To develop items to measure failure-to-protect fears
- To test the items in a sample of women caregivers involved in child abuse investigations
- Item validity was assessed by evaluating the extent to which failure-to-protect fears were present and related to factors identified from theory and past research in a sample of women involved in child abuse investigations, including dependence on the victim-offender relationship, racial and ethnic identity, and perceptions of the investigation process.



PARTICIPANTS

Caregivers ($N = 31$) involved in a child abuse or neglect investigation were recruited through flyers or heard about the study when visiting the office where investigations were conducted. A subset of women ($n = 16$; Age = 36 (6) years old) reported a history of IPV and were administered the developed items.

Race and ethnicity



■ Mexican American ■ Black/African American
■ Native American ■ White/Caucasian
■ Other

Current Employment	Percent
Employed full time	31
Employed part-time	44
Unemployed and looking for work	6
Unemployed and not looking for work	13

Highest Level of Education Completed	Percent
9 th grade or less	31
High school	13
Some college	38
4-year college	13
Postgraduate	6

METHOD

Measures

- Fears Related to Failure-to-Protect Laws
 - Based on a literature review,^{1,6,7} participants were asked how worried (1-not worried at all to 5- extremely worried) they were about:
 - being arrested
 - losing child custody
 - not being believed
 - being blamed for not protecting their child
 - being blamed for staying with the offender.
- History of IPV: Brief Betrayal Trauma Survey⁵
 - Women reported whether they had experienced IPV
- Dependence on the Victim-Offender Relationship
 - Economic Dependence: Importance of the offender’s money to participants’ financial stability was assessed.
 - Functional Dependence: Dependence on the perpetrator to help with a mental or physical disability was assessed.
 - Social/Emotional Dependence: The relationship status with the offender was assessed.
- Racial and Ethnic Identity
 - Participants who indicated belonging to either a racial/ethnic minority were coded as 1, and those who did not were coded 0.
- Caregivers’ Perceptions of the Investigation
 - Perceptions of the investigation were assessed in a semi-structured interview using standard prompts. Interviews were transcribed and coded by two independent scorers for relevant themes (kappas ranged 0.6-1.0).

RESULTS

Response distributions for each failure-to-protect item were examined. The arrest item was removed from further analyses due to lack of variance.

Item	n	1 Not worried at all	2 A little worried	3 Somewhat worried	4 Worried	5 Extremely worried	M(SD)
Arrested	16	15	0	1	0	0	1.13(.50)
Losing custody	13	5	0	2	0	6	3.15(1.91)
Not being believed	15	6	1	2	1	5	2.87(1.81)
Not protecting your children	13	6	1	2	0	4	2.62(1.81)
Stay with the offender	12	3	1	1	1	6	3.50(1.78)

Average scores of the remaining items were found to be significantly greater than 1 (not at all worried).

Internal consistency for the remaining items was determined to be good ($\alpha = .69$).

A total fear score was calculated and correlated with qualitative data.

Women with and without a disability did not report differences on items.

Item	Economic dependence	Social/emotional dependence
Losing custody	-.62*	.37
Not being believed	-.24	.13
Not protecting your children	-.51	-.47
Stay with the offender	-.40	.43

Latina women reported higher average fears for loss of child custody ($M = 4.14$, $SD = 1.57$, $n = 7$) than non-Latina women ($M = 2.00$, $SD = 1.67$, $n = 6$, $t(11) = -2.38$, $p = .04$, $d = 1.32$).

Qualitative responses	Average score
State response should be more understanding of family circumstances	.35
Played no role in investigation	-.32
Validated and respected by being believed, not blamed, or reassured this was not their fault	-.23
Believed that the investigative personnel's beliefs about the child or family influenced investigation outcomes	-.18
Believed that criminal history or past DHS involvement influenced investigation outcomes	.12
State response should not blame families/ caregivers	-.08
Invalidated or disrespected by not being believed, being blamed, or insinuated guilty	-.06
State response should give the family more voice/be believed	-.02

DISCUSSION

- Participants reported failure-to-protect fears for 4 of the 5 items tested.
- Examination of item responses in relation to other data suggested good validity. For example, economic dependence was related to fear of losing child custody, as predicted by betrayal trauma theory. The negative relationship between economic dependence and fears may suggest that women who are more economically dependent on an offender minimize their legal vulnerability.^{3,8}
- Latina participants reported more fear than their non-Latina counterparts, consistent with previous research demonstrating that women from racial and ethnic minorities face more complex situations after IPV and broader distrust of formal systems.^{9,10}
- Small-to-medium size correlations showed links between participants’ perceptions of the investigation and the four failure-to-protect items. These links highlight relevant criticisms of failure-to-protect laws, such as the expectation for women to leave abusers without considering the complexities involved in IPV cases.

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