

Episode 25 Transcript

Tamar Rodney

Hi, I'm Tamar Romney and you're listening to On the Pulse, a podcast from the Johns Hopkins School of Nursing. On this podcast, we take a deep dive into the experiences of frontline providers and researchers. We explore their insights and invaluable stories of how health care works in today's world. April is Child Abuse Prevention Month, and our guest today is doing some significant work in this area. Katie Spearman, a PhD candidate at the Johns Hopkins School of Nursing, is researching the impact of post-separation abuse on children's health and flourishing, and also looking at the risk factors for children's lethality within the context of parental separation and divorce. Katie, thank you for joining us to discuss this extremely important topic.

Katie Spearman

Dr. Rodney Thank you so much for having me.

Tamar Rodney

So, Katie, as I said, you're a PhD candidate, but you're also a pediatric nurse. That means that you work with both children and their mothers who have experienced abuse. What does this look like for you? And can you tell us some more about your specific research that you're doing now?

Katie Spearman

Sure. Thank you. I began my career as a pediatric nurse working at the bedside on an infant and toddler inpatient unit caring for children under the age of five. And many of my young patients had experienced family violence. A number of patients we cared for had been hospitalized from injuries due to non-accidental trauma and some from firearm injury. And then a number of my patient's parents, even if they were hospitalized for another reason, usually they're mothers, but not always, were experiencing violence from their child's other parent. And I noticed that the legal context and specifically the context of family court made it really difficult for non-offending parents to get their children the medical care that they needed. I have also worked in a residential treatment facility for children who are in foster care, most of whom have experienced a lot of trauma and violence throughout their lives. And this clinical experience, you know, working as a pediatric nurse really informs my research. And I saw that there was this huge gap in understanding the structural context of the civil legal system and how that impacts the safety, health, education and really every domain of a child's life.

Tamar Rodney

As you're saying, it's not just as there are childhood in their childhood, because it does affect the way they grow up into adults as well.

Katie Spearman

Right. And we know a lot more from the studies like the adverse childhood experiences, that experiences of violence and adversity in childhood have consequences throughout the lifespan. And I often say that judicial decisions are a profound social determinant of a child's health. But little research has really been done on judicial decisions, and the civil legal system is either a barrier or a facilitator to children's health. So my dissertation research is looking at the impact of post-separation abuse. So

abuse that continues after parents separate. And when we're thinking about adverse childhood experiences, we know that parental separation is one of them. And we know that domestic violence or, you know, witnessing a mother treated violently is how it was measured in that original study. And those two things are counted in the Adverse Childhood Experiences study and those measures. But it really requires differential systems responses. And part of my dissertation study, I'll be creating a measure of maternal childhood experience of post-separation abuse. I look at it from a dyadic standpoint, and my measure will incorporate a broad range of abusive tactics that impact health. And examples include legal abuse, economic abuse, weaponizing children, stalking, threats and intimidation. I also want to mention that I have the great privilege of learning from my advisor, Dr. Jackie Campbell, and I've been working as a research assistant on her NIH funded study on intimate partner and intimate partner violence related homicides.

And I've been working with Dr. Campbell and her co-investigators, looking more closely at risk factors for homicides of women and children following separation and in the context of family court involvement. And that study triangulates data across multiple sources from police homicide records, medical examiner records, media reports, interviews with next of kin, to better elicit the context and the risk factors prior to homicides.

And so that research has been a really good adjunct to my dissertation study to really help me better understand what are the risk factors and the different types of abuse that are happening after parental separation.

Tamar Rodney

What an amazing opportunity this is, not just as a nurse, but as a researcher and with excellent mentorship. I can't wait to see what comes out of this, although a difficult topic, important topic, and to think about it from the legal perspective as well, not something you hear about frequently, which is why I guess that you're studying it.

If you could tell me a little bit more about the process of what happens when parents separate because of abuse. What do we know about the likelihood of whether or not the abuse will stop?

Katie Spearman

Well, we do know that the risk for lethality increases following separation. About half of femicides, so murders from intimate partners of women in the United States, are followed after separation.

It's thought that the first year is the most lethal. There is some epidemiological data that suggests that separation often increases the risk of other forms of victimization for adult women. We know that parental separation and domestic violence have been identified as antecedents for children killed in what is sometimes called revenge filicide. And this is where a child is murdered to retaliate or to cause suffering in the adult victim of domestic violence for leaving the relationship. Sometimes these happen as part of a murder suicide. And studies from the national violent death reporting system of male perpetrated homicide suicides with a firearm that involved children, about 50 to 60% of these have prior family court involvement. Part of the issue with understanding the scale of post-separation abuse and, you know, really what happens after separation is that a lot of our population based studies on domestic violence, they're cross-sectional.

They often don't assess for the timing of victimization. So it's really hard to know if someone was victimized before or after separation. And then to my knowledge, there's no population based research that assesses for children's victimization in the context of parental separation. I think in society in general, separation is commonly assumed to be the solution when someone is in a relationship with an abusive partner.

You know, we've all heard the victim blaming trope: Why doesn't she leave? But we know that abuse doesn't necessarily stop when you leave. Sometimes for some people, it actually begins with separation. Sometimes it escalates. And then what about the kids? You know, one of the participants in my study who I recently interviewed told me the abuse after separation has been a thousand times worse than what she experienced within the relationship.

The other thing that is important to note is that abuse often changes form when physical proximity is limited. So when someone has left the relationship, they may replace physical violence with financial abuse, legal abuse, stalking, or what I call weaponizing the children. And that's how perpetrators use children to harass or surveil or put them in dangerous situations to sort of terrorize or control the adult victim of domestic violence.

These large population based studies on domestic violence that I mentioned, they're often typically based on physical or sexual incident models of abuse without assessing around the broader context or the patterns of other types of abuse that may be occurring. And many of the survivors I've talked to so far in my study find the types of abuse, you know, for example, when their children are being weaponized or threatened, the stalking, the legal abuse, they find some of that to be the most profoundly distressing.

So it's really important that we understand these types of abuse more so that we can measure it and so that we can intervene. So in general, we don't really know a lot about children's victimization following parental separation. Part of that's a measurement problem. And part of that is what I'm hoping to address in my dissertation study.

Tamar Rodney

Wow. Something you said was quite profound, because frequently we think about abuse as physical. And it extends to way more than that. Thank you for pointing that out. Another piece of this is involvement in courts. So when does family separation and domestic violence, there's often going to be times when you're in courts working with attorneys and judges and a whole host of other individuals and factors that could impact the outcome of separation. Can you tell us a little bit more about what the legal system means for survivors and how they navigate it and how this specifically impacts children? And what specific kind of advocacy work you did in this area?

Katie Spearman

Well, the legal system, when there's parental separation and domestic violence, it's a very fraught landscape. You know, it's not just one legal system. There's many.

And survivors often become caught up in these different legal systems that don't overlap and they don't talk to each other. You know, for example, there's the criminal legal system, which you might think of as calling the police or maybe even prosecuting domestic violence as a crime if there's enough evidence.

But if it's not or if a conviction is not obtained and there's children in common, the survivor oftentimes is still going to have to co-parent with that person.

They may even lose custody in family court for reporting it to the police. You know, that is seen as a very unfriendly action or that they're not willing to co-parent. So that is, you know, one of the complexities. Child welfare, child protective services may become involved, but depending on the jurisdiction that you're in, domestic violence, so sort of parental domestic violence, isn't necessarily considered part of CPS's mandate, depending on the jurisdiction.

There's also the civil protective order system, which is what people think of, you know, if you want to get a restraining order, that is oftentimes a different court than family court and even if a protective order is obtained, it may not cover the children. It might only cover the adult victim. And a lot of survivors in my study, in qualitative interviews, have talked about how they're often discouraged from asking for having their children covered under the protective order, even when they know that their child isn't necessarily safe because then when they get to family court, it will be viewed as unfriendly and they'll risk losing custody of their kids for having asked their child be covered under a protective order. And then there's the family court system, which ultimately the judge there will decide who has care and custody of the child, regardless of what these other legal systems decide. And there's even additional legal systems that can get involved depending on other aspects of the adult survivor, the children's identities, for example, immigration or tribal courts.

You know, people move around multiple state jurisdiction or other county jurisdictions can be involved and even international courts. So it becomes this very complex problem. And then survivors are often caught in this catch 22 position. Some states have failure to protect laws that criminalize adult victims of domestic violence for not protecting their children. Most states in the United States have statutes and policies that prioritize friendly parenting and joint custody, which I think we can all agree is a really laudable ideal, but one that's complicated if there is an abusive or an unsafe parent and allegations of abuse when there's a custody dispute or when parents are separated is really viewed with skepticism.

And so survivors end up in the situation where they're threatened with loss of custody for their children, for failure to protect them, where they may even be criminalized for it, or they may lose custody of their children to the abusive former partner for being perceived as failing to co-parent. So I think that's why it's really important that we address child abuse prevention from a dyadic standpoint.

But our legal systems and oftentimes even our advocacy responses are really siloed so child abuse and domestic violence are addressed from different lenses. To my knowledge, only one large study has looked at custody outcomes involving allegations of domestic violence or child maltreatment in the United States. This was done by Joan Meier at the National Family Violence Law Center, and she found that nearly one third of mothers who allege a father's abusive, lose custody of their children to that father.

And when the allegedly abusive father kind of counter claimed that the mother was alienating or she was just claiming abuse to alienate him from his children, that percentage rises to half of mothers lost custody of their children to the person that they alleged was abusive towards them. The other thing that is really important to think about from a health standpoint is that the civil protective order system and family court, these are private legal systems in the United States, and that requires resources to access.

So money for attorneys, experts, motions, time away from employment, you need transportation, you need child care. And victims of domestic violence are almost always under-resourced compared to perpetrators. That's part of the power and control dynamic, and that really places them at a disadvantage to be able to negotiate and obtain safety. And thinking long term, that can really exacerbate health disparities.

It's really an incredibly expensive process. And if you've been stalked or strangled or threatened with a firearm, you know, you might be told that the legal solution is to obtain a protective order. One survivor in my study, who I just recently interviewed, has been trying to obtain a protective order that also covers her children because of what's going on in her family.

And this protective order is temporary. In just a couple of months, it's already cost her over \$20,000. And she doesn't even have the money to continue representation, to get to the family court process to decide custody. And so, you know, that's just one example. I have many from my study, but it's really I think a lot of people don't understand how expensive that process is to try to protect yourself and to protect your children.

Tamar Rodney

I'm happy you're the one who is doing this because not only is it complicated, it's like the abuse continues, even, I guess unknowingly, just from the standpoint of how many different agencies that you have to navigate. I have two follow up questions for you, Katie. You mentioned looking at this dilemma from a dyadic standpoint. What exactly does that mean?

Katie Spearman

Sure. So, for example, the measurement instrument I'm trying to create in my dissertation, I'm calling it maternal child experiences of post-separation abuse. Again, because the understanding that, you know, from my standpoint, abuse of the child's primary caregiver also is that threatens that child's connection to safety. And so it's really important to look at it from a dyadic standpoint. It's you can't look at it really separately.

For example, one of the tactics that a lot of survivors talk about is how their children are weaponized, and that impacts a child's health, too. So it's a really complicated situation. But the more you can try to look at it from a lens that isn't siloed, I think the more you can find potential points for intervention.

Tamar Rodney

And then for the multiple issues that you raised here and there are quite a few, what is a main way would you say that your research is helping to solve some of these issues or shed more light on these issues?

Katie Spearman

So I think there's really two aspects of my work that I really hope will affect change. So one, I guess it's really more like an individual or a family level. It's about risk assessment and intervention. So there's currently no risk assessment tool that assesses a child's risk of lethality or danger in domestic violence or after separation. So I'm hoping both through my dissertation, and then to build on that through my

program of research and my career, is to focus on improving risk assessment and intervention for children exposed to domestic violence.

How do we come up with validated ways to measure and assess this risk? And how can we get this tool in the hands of decision makers, law enforcement and judges? And then the other goal of my work is to really address these upstream factors that impact children's health when they're exposed to violence. Again, most research on domestic violence is really focused on this like family and individual level risk factor.

And even on the legal side, you know, a lot of effort has gone into sort of the criminal legal response to domestic violence and not as much has been paid to family court responses to violence in the family, even though what a judge decides, that's a much more proximal determinant of a child's health than the criminal legal system.

And so, like the hope for my work, really, I guess I would say, is that if we can address policies and court systems and train legal professionals and judges so that they better understand the impact of domestic violence on children and that they can use the power of the bench to make better decisions for kids. They can use the power of the bench to de-escalate violence. If they can use the power of the bench to improve safety.

I think that's huge. I think that will save lives. And even when we're not talking about lethality, but we're talking about a child who has to live with this for the rest of their lives. The more that we can do and that we can teach judges to do, that's protective, that will have a huge impact on outcomes. And because of what we know about the intergenerational transmission of family violence, I think that secondary and tertiary prevention now, it's really primary prevention for the next generation.

Tamar Rodney

I think everybody would agree with you that if we can solve some of these, we will not just be saving lives, but having children grow up to have better lives. I know there's lots of work you're doing and that you're going to do, but there's a piece that you mentioned before that I want you to go back to. You've also done some advocacy work. Can you tell us what's that like and exactly what did you do?

Katie Spearman

So another piece, I also have to credit the Johns Hopkins School of Nursing that sort of got me into this. But a few years ago, Maryland established a workgroup to look at child custody involving allegations of domestic violence and child maltreatment.

So they established a workgroup. They had experts come in from around the country and then they came up with some suggestions for policy changes. I was able to attend those workgroup meetings. I was able to meet with policymakers and state delegates and state senators. And so out of that, there have been a number of bills that have come up.

And one was, you know, last year in 2022, it was signed by then Governor Hogan. And it's one of the first. Maryland is one of the first states in the United States to have a bill that requires judges to be trained on adverse childhood experiences, on domestic violence, how that impacts children's neurodevelopment. And so it's been a really fantastic opportunity for me to, you know, get to meet

policymakers and the people writing the policies and, you know, the senators and the delegates who are sponsoring it and talking to them.

And again, kind of understanding where those gaps were also really influenced my research as well.

Tamar Rodney

To say you're busy is understatement here, Katie. In the next couple of months, you will be equally busy. You will be presenting some of your work. So one of the places that you're going to is the Institute for Violence and Trauma and also the American Professional Society for Abuse of Children and for the Homicide Research Working Group.

But you also recently gave a presentation at a National Research conference on Firearm Injury Prevention. Can you share a little bit with us about what your research presentation was like?

Katie Spearman

So firearms are now the leading cause of death in children and youth in the United States. Gun violence and domestic violence are inextricably linked, and we often hear about mass shootings at schools in the media, but most firearm related fatalities of children, they occur at home.

And a prior research is estimated about 20% of these are in the context of intimate partner violence. Firearms are often used to further exacerbate power and control dynamics. They're used to threaten and coerce. So in these presentations, I'm going to be presenting some data from Dr. Campbell's study on children that have been murdered in the context of intimate partner violence.

And I'm specifically looking at firearm and family court involvement as risk factors. Children who are killed in the context of IPV are more likely to be killed by firearm than in other types of fatal child maltreatment cases that are not related to domestic violence. And because many child homicides have parental separation, domestic violence, and family court involvement as antecedents, the family court context is really important for firearm injury prevention.

I've been working with a nonprofit called the Center for Judicial Excellence that's been collecting media reports of children killed in the context of parental separation for the last sixteen years and analyzing their data. No government entity is tracking this problem and little to no prevention work has been done in the family court context on firearm safety. So, for example, one intervention that I think is promising that I often talk about and that I talk about in these presentations is that all custody and parenting time orders should have universal safe storage provisions for firearms. If there are children in the home, any firearms need to be locked up where children can't access them.

I think this is one possible intervention that has the possibility to save lives and reduce mortality. I'm also presenting some work from my dissertation on post-separation abuse, including a conceptual framework I've been working on called Assault on Fundamental Needs, and that really emphasizes the importance of recognizing and responding to a broad range of post-separation abuse tactics that impact fundamental human needs.

I think we've all learned about Maslow's hierarchy of needs, but abusive tactics that impact food and shelter, physical safety, child safety, employment, need for resources, you know, living in fear. All of these things have profound impacts on a child's neurodevelopment and can impact their functioning

across a range of domains, their academic life, their social life, their health. And it's important to measure that.

Tamar Rodney

Thank you for the sneak preview and best wishes as you present. I think the world needs to hear that the work you're doing is such significant work, Katie, honestly. From your standpoint, what do you hope your work will accomplish in the future?

Katie Spearman

I hope it will save lives. One of it, I think, is sort of like a systems change. You know, how do we build systems and integrate the legal system so that it better responds to the needs of survivors and really the needs of children who are experiencing family violence? And then the other piece of that is, you know, about risk assessment and intervention. So how do we better understand a child's risk? How do we create environments and, you know, put as much like of the love and protective resources around children? So I think I think that's the other piece that I really hope to accomplish as well.

Tamar Rodney

And if I could push you a little bit further, any words of hope for what is a very grim problem from your perspective?

Katie Spearman

Well, I think the most hopeful part of the science is that safe and supportive and nurturing relationships, the science is really clear, that is the single most protective factor for kids who have experienced adversity. Kids can really overcome a lot when they have support and that they know that they are loved. And so I think our role as a society is to try to help build that around so all kids have the chance to lead happy and flourishing lives.

Tamar Rodney

That's an excellent note and a positive note to end our interview on, Katie.

This has been wonderful interview and thank you for doing it with us. Child abuse is a very difficult topic and I'm thankful that there are individuals like you who are addressing it and advocating for children. Your research will be saving lives. I can honestly say that I'm looking forward to see where it goes and it will also have a direct impact on the safety and health of children and families. So I'm so happy you're able to take the time to speak with us.

Katie Spearman

Thank you again for the invitation to talk about this work. And I just want to note, I'm really grateful to the survivors who shared their stories and their strength and their wisdom with me, and also for the excellent mentorship I have received at Johns Hopkins School of Nursing, and especially from my advisor, Dr. Campbell.

Tamar Rodney

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