

Power and Control in Relationships

An Assessment Tool



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Introduction

The following Assessment Tool was created by the New York State Lesbian, Gay, Bisexual, Transgender & Queer Intimate Partner Violence Network's (the Network) Shelter Access Committee to assist intimate partner violence¹ programs in assessing for Power and Control in intimate partner relationships. The tool was created to ensure that survivors of intimate partner violence (IPV) across the spectrum of gender identity and sexual orientation can access safety, support, and services. Additionally, the tool is designed to assist programs to be in compliance with the New York State Office of Children and Family Services (OCFS) Administrative Directive (15-OCFS-ADM-23)². The tool was developed over a period of two years with input from licensed and approved domestic violence programs throughout New York State, as well as LGBTQ community organizations, and legal services providers. The participating organizations are all committed to and

have experience with providing inclusive and welcoming IPV-related services.

IPV affects those within the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community, as well as other communities of victims. While the mainstream domestic violence movement has tended to focus on the needs of and services to heterosexual cisgender³ female victims, the same abusive power and control tactics, risk factors, trauma, and silencing that impacts those victims also equally impacts victims in LGBTQ communities. In developing their services, organizations throughout New York State have largely focused on a heteronormative paradigm of domestic violence that is based on the misbelief that cisgender men are the only ones who abuse and that they only abuse cisgender women. This perspective is not only factually inaccurate, but is also inherently alienating to those who identify as LGBTQ because it silences and renders invisible

1. The Network uses "intimate partner violence" to describe domestic violence, dating violence and stalking between intimate partners and "sexual violence" to include sexual assault and other sexually violent acts that may not rise to the level of an assault. We believe these terms are more accessible to LGBTQ communities than "domestic violence and sexual assault."

2. On October 16, 2015, the New York State Office of Children and Family Services (OCFS) released an Administrative Directive (15-OCFS- ADM-23) to all Commissioners of Social Services and licensed and approved domestic violence programs statewide. (Administrative Directive referred to hereafter as the "ADM"). The ADM reaffirmed the legal requirement that state-funded residential and non-residential programs for victims of domestic violence provide shelter and appropriate, nondiscriminatory services for all victims, and provided guidance to domestic violence programs for also fulfilling federal funding requirements under both the Federal Violence Prevention and Services Act (FVPSA) and the Violence Against Women Act (VAWA) that some programs simultaneously have. Furthermore, the ADM required that all domestic violence service providers, regardless of their funding source, establish written policies affirming acceptance of all persons in the above-referenced categories and the prohibition of harassment, bullying, or discrimination against any client based on that person's sexual orientation, gender identity and/or gender expression.

3. See glossary for definition of cisgender.

their experiences of IPV⁴.

Historically, IPV violence programs have denied LGBTQ survivors full and equal access to their services, including safe shelter, because LGBTQ survivors did not meet many programs' traditional assumptions about who experiences IPV. As services were designed and structured to assist cisgender women, abused by cisgender men in heteronormative⁵ intimate relationships, LGBTQ survivors were excluded from services, and forced to endure abuse far longer and with greater intensity, because no competent service providers opened their doors. Like other survivors, LGBTQ people were forced to choose between homelessness, or going back to their abusive partner, or stay in homeless shelters, increasing an LGBTQ individual's risk of harm, from their partner stalking them at a non-confidential location, and/or due to extensive hate violence experienced by LGBTQ people in homeless shelters. This form of institutional oppression is not only re-traumatizing and further isolating, but it is also a violation of state and federal law.

Throughout the tool, we use various gender pronouns to reflect the variety of gender identities of the survivors

with whom we work and to break down the assumption that all IPV survivors are straight, cis women.

The overall purpose of the Assessment Tool is to assist advocates and service providers to move beyond basing assessment decisions solely on individual behaviors and instead look at context, intent, and effect to determine whether an abuser is using a pattern of behaviors to control their partner. Although this tool aims to specifically provide guidance around conducting assessments with LGBTQ survivors of IPV, it may be useful when working with all survivors. We challenge service providers to think beyond the assumption that gender is binary, and that cisgender men are always perpetrators of violence and cisgender women are always survivors.

This Assessment Tool is designed to be inclusive to all survivors of IPV, regardless of a survivor's gender identity or sexual orientation. It is the hope of the Committee that the Assessment Tool provides a useful starting or reference point for programs. Programs are encouraged to develop their own tools that are most relevant to the communities each program serves.

4. National Coalition of Anti-Violence Programs (NCAVP). (2016). Lesbian, gay, bisexual, transgender, queer, and HIV-affected intimate partner violence in 2015. New York, NY: Emily Waters.

The Williams Institute at UCLA School of Law. (2015). Intimate partner violence and sexual abuse among LGBT people: A review of existing research. Los Angeles, CA: Taylor N.T. Brown and Jody L. Herman.

5. See glossary for definition of heteronormative.

The Assessment Tool is based on a screening and intake forms used by the National Coalition of Anti-Violence Programs (NCAVP), a program of the New York City Anti-Violence Project (AVP), as well as Network members Equinox, a human services agency providing services to individuals affected by IPV, and In Our Own Voices, an organization focusing on serving LGBTQ communities of color around IPV, both based in Albany, New York. Additionally, the tool

builds off the work of AVP, many NCAVP members, and the Northwest Network have done over the past several decades. The Assessment Tool offers instruction on how to assess for Power and Control and determine whether a person seeking services is a survivor of abuse, a perpetrator, neither or both, by asking questions related to individual autonomy, effect/consequences of behavior, use of physical violence & sexual coercion, entitlement, fear/dread, and isolation.

Implementation

The Assessment Tool is not meant as a definitive list of questions or to take the place of a program's existing screening, assessment, or intake process. The tool should be used to strengthen your current intake process, especially when working with LGBTQ survivors of IPV. It is important to remember that the process of assessing for Power and Control is not simply about checking off a list of behaviors on a checklist, but instead requires a much deeper analysis. The Shelter Access Committee recommends anyone who uses this Assessment Tool check in with their colleagues or supervisor(s) to determine which questions and parts of the Assessment Tool are most relevant and helpful to the survivors they serve. We strongly suggest that organizations provide training on how to use the tool when introducing the tool to the organization. You can contact the Network to schedule a training or receive technical assistance around implementation.

For information regarding trainings related to the Assessment Tool, please contact:

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Power and Control Assessment Tool

Intimate partner violence is defined as a pattern of abusive behavior that one person uses to maintain power and control over their current or former intimate partner. This guide was developed to help intimate partner violence programs assess for the presence of power and control dynamics within the relationship of the person seeking their services. Assessing for power and control is an essential part of determining whether a person seeking services is a survivor of abuse, a perpetrator of abuse, neither or both. Assessing for power and control is particularly important as an abuser may call a hotline or show up to an office pretending to be a survivor, in hopes that they will prevent the survivor from getting help. Many intimate partner violence programs have policies which prohibit providing support to more than one partner at the same time, causing the other partner to automatically be ineligible for services. Proper assessment can mean the difference between assisting a survivor in escaping abuse and isolating a survivor from help by mistakenly assisting their abuser.

Programs should never assume someone is a survivor or a perpetrator based solely on that person's sex, gender identity, race, class, nationality or other identities. Similarly, assumptions regarding use of physical violence should be avoided as well, as a survivor may use tactics in an attempt to protect themselves or their children.

One behavior alone is not enough to determine if someone is a survivor or abuser. Instead, programs should work to establish whether there is a pattern of behavior used to control or intimidate a partner or ex-partner. It is essential to understand the context, motive and impact of the behavior(s). Assessing the context, motive and impact of the behaviors helps determine if the behaviors are being used to stay safe, being used to abuse, or are part of a mutually aggressive pattern.

Once it has been determined that power and control are part of the relationship, advocates can then work to determine if the person they are speaking with is the abuser or the survivor.

The following principles are key elements of conducting a Power & Control Assessment.

The Interview

When interviewing people, assess the **context, intent and effect** of the abusive behavior. The following model can be used to assist you in making your determination.

- To determine **context**, ask questions about what was happening leading up to the behavior, and what was happening when the behavior occurred. Ask about prior incidents, including the most recent, the one that precipitated the call, the most severe, and the first time they noticed the behavior.
- To determine **intent**, ask questions about the reasoning behind the behavior. Ask questions that will help you determine if the behavior was about trying to survive, resist, avoid or minimize violence, or if it was about trying to control or dominate.
- To determine **effect**, ask questions about how the behavior impacted the caller and the caller's partner. Work to determine the outcomes of the behavior.

Be careful with your tone as you ask questions, making sure not to come across as blaming or suspicious.

- Questions beginning with “why” may appear to blame the caller, so try to avoid use of the word “why”. Instead ask questions that begin with “what”, “how”, and “who”. For instance: instead of asking “Why did you hide his car keys?”, ask “What were your reasons for hiding his car keys?”

Sample Questions By Category

Individual Autonomy

When assessing **Individual Autonomy**, ask questions which indicate the person's feelings regarding whether they feel they can make decisions about their own life, or if they have a say in shared responsibilities, such as parenting, finances, or the way they spend their time each day as a couple. It is important to note that even though a survivor may have the power to make some of their own choices in a relationship, an abuser is usually determining how much. For example, a survivor might say about their abuser "No, she doesn't mind if I have a job as long as I'm back to the house by 5:15 pm every night. If I'm late, she accuses me of cheating on her and not being a good parent. She also doesn't think I spend money well, so she takes my paycheck."

Consider Asking:

- How do you and your partner communicate?
- How do you feel when you are in public places with your partner?
- How do you make decisions about things you want to do individually?
- How do you make decisions about things you want to do as a couple?
- How much time do you spend alone with friends or family?
- Does your partner accept your children? Does this create any problems?
- Do you have access to money?
- Does your partner have access to money?
- Who makes the decisions about how money is spent? How does this affect you?
- How do you and your partner divide up household duties?
- Do you feel like you have the freedom to express who you are in your relationship?
- Is there a difference in immigration status between you and your partner? If yes, how does that play out in your relationship?
- Do you have access to any medication you might be taking?

Effect/Consequences of Behavior

Answers to these questions can help determine the intention behind a particular behavior, the impact it has, and who has more power and control as a result. Ask questions that give the person a chance to describe the emotional, physical, and financial impact the behaviors had.

Consider Asking:

- What usually happens when you disagree with your partner?
- What kinds of things do you disagree about?
- How do disagreements usually end?
- Does anyone get angry?
- What happens when anger is expressed?
- Who gets angry?
- What do you hope to achieve when you get angry?
- What do you think your partner hopes to achieve when they get angry?
- How many times a day does your partner check in? Does it affect your day?
- How are problems resolved in your relationship?
- Do you feel problems stay resolved?

Use or Threat of Physical Violence & Sexual Coercion

Remember that a person's disclosure that they have used physical violence is not always an indicator that the person is abusive. Ask questions that help you discern what happened before the violence and why the person used violence. Was the violence in self-defense? Was the violence to further protect themselves or their children? Look at who had the power and control in the entire interaction not just the moment of violence.

Additionally, survivors may engage in sex with their partners in an attempt to lessen further violence. They may use sex as a way to appease their partner's demands

and keep a situation from escalating. There may still be power and control dynamics at play here. Although the individual may be making a choice to have sex with their partner, they may be doing so to try to stay safer in the relationship.

Ask questions that help you discern what caused the violence, as these questions will help you determine the motive and impact.

Did the survivor become violent to protect themselves? Did a survivor coerce/force sex on their partner to keep them from going after the kids, or did an abuser coerce/force sex on their partner to assert power and control? Ask open-ended questions that encourage the caller to tell their side of the story in as much detail as they feel comfortable.

Consider Asking:

- Has your partner ever used physical violence or threatened to use physical violence with you? Are you comfortable sharing with me about what happened?
 - When did the violence begin? Has it worsened over time?
- Have you ever used physical violence or threatened to use physical violence with your partner? Are you comfortable sharing with me about what happened?
 - When did the violence begin? Has it worsened over time?
- Was someone injured? If so, who and what type of injury?
- Did someone leave the home? Who?
- How do you feel after something violent or hurtful happens? How do you think your partner feels?
- Have you ever had sex when you didn't want to? Are you comfortable with telling me about what happened?
- Has your partner ever had sex when they didn't want to? Are you comfortable with telling me about what happened?
- Have you ever called the police on your partner before? If so, what led up to that? What was the result?
- Does your partner ever accuse you of cheating?
- Have you ever thought your partner was cheating?
- Does your partner ever use derogatory language to hurt you?
- Have your children ever tried to intervene during an argument? What happened?
- Has your partner ever threatened those close to you? What happened?

Entitlement

When someone feels entitled, they believe they inherently deserve privilege or special treatment because of their gender, race, education, economic resources, citizenship/immigration status, or other characteristic. They generally believe others with different characteristics are less deserving. This topic can be difficult to ask direct questions about, but entitlement can be a strong indicator of abuse and is important to make note of.

Examples of entitlement:

- An abuser will likely speak in ways that indicate they set the standards of behavior and do not tolerate their partner veering away from those standards.
- An abuser is more likely to blame others for their behavior and more readily point out their partner's flaws as a way to discredit them. If their partner thinks or feels a different way, they will say demeaning things about them ("they're just stupid, crazy, etc.")

When assessing for entitlement, listen for stereotypes. Remember, an abuser who comes from a group (or groups) that has more power in society (i.e., men, white people, cisgender people, those of higher economic status, legal permanent residents/United States citizens, able-bodied people, etc.), may have more power over their partner if that partner is part of another group. For example, an abuser who is a United States citizen will be able to utilize that status to gain power and control over their partner who is an undocumented immigrant. Ask open-ended questions to help determine if entitlement is a factor.

Consider Asking:

- How would you describe your partner?
- How do you think that your partner would describe you?
- How do you feel about your partner's behavior toward you?
- How would you describe your children?
- How would you describe your partner's acceptance of your gender or sexual identity?
- Do you feel respected and understood by your partner when they talk to you or about you?

Fear & Dread

Ask questions that help determine if the caller is experiencing fear and dread. Some callers may experience acute fear while others may experience a more subtle feeling of dread. Be sure to listen for signs that the person feels like they are always walking on eggshells. The caller might not explicitly say that they are afraid of their partner but may describe modifying their behavior to plan around their partner's reactions.

Consider Asking:

- How do you feel when you go home and believe that your partner will also be home?
- How do you feel when you know your partner is on their way home or is coming through the door?
- Describe what happens if you don't do a certain task exactly the way your partner wants?
- Are there times that you dread, like holidays or payday?
 - What do you think causes your sense of fear and dread in these specific situations?
 - When did you first begin feeling this way?
- How does all of this impact you being able to do what you want to do?
- Have you ever felt you were in serious physical danger?

Isolation

Ask questions that will help you determine the person's ability to connect with family, friends, and other supports. A survivor may feel isolated in the middle of a city or on a farm- the important factor to look for is whether or not they have access to their support systems. A survivor may come from a traditional or religious community where disclosing their relationship with their abuser could result in loss of community. An abuser may use this knowledge to further isolate their partner.

Consider Asking:

- How are your relationships with family and friends?
 - If you no longer see your friends and family, is there a reason that you can share?
- Have these relationships been affected by your relationship with your partner?
- Do you feel obligated to tell your partner where you are going?
 - If you hide the fact that you are visiting with certain people, why do you feel you have to hide that information?
- Does your partner go out often visiting with friends and family?
 - How do you feel about your partner going out to visit their friends and family?
- Do they tell you where they are going?
- Have you and your partner ever moved in together?
- Did you move away from your family and friends?
- Did you move away from your partner's family and friends?
- Do you work or go to school?
- Does your partner work or go to school?
- Are you able to leave the house when you want to?
- Do you ever stop your partner from leaving the house?
- Have you ever feared that your partner might disclose your gender identity to your family, friends, employers or community members?
- Are you connected to any resources, organizations, community groups, programs?
- How are your connections to those resources?
- Have you ever had to stop using those resources? Can you share more information about that?

Inability to Provide Services

Occasionally there are times when an individual may not be appropriate for services. The Network strongly believes intimate partner violence service providers need a more comprehensive approach to an assessment for eligibility or appropriateness for services. The goal is to always link individuals to services that match their needs. Here is some helpful language for dealing with individuals to whom you cannot provide service, either due to capacity issues, or because your assessment has led you to believe that this person to be the one exhibiting power and control.

Consider Saying:

- Thank you for sharing so much information with me. I'm sorry you are having such a difficult time right now. Based on what you shared, it seems as though our services may not be the best fit for you. Sounds like you would find the following more helpful for what you are experiencing. **Make a referral.**
- Thank you for sharing your experience with us today. We are sorry you are having a difficult time right now. Currently, we are not the right program for you. We do know of other community programs that may better meet your needs. Would you like us to make a referral? **If yes, make a referral.**
- Thank you for sharing so much information with me. Currently what you are experiencing doesn't meet the requirements of our program. Therefore, we would like to give you some additional referrals that may be better suited to your needs. **Make a referral.**

Glossary of Terms

These are not legal definitions and should not be considered or relied upon as legal advice. It is important to note that these are not legal definitions, but commonly understood meanings of the following terms taken from the New York City Anti-Violence Project.

Sexual Orientation:

Sexual Orientation is who you are romantically, sexually and/or spiritually attracted to. Sexual orientation is not static and can shift over time.

Gender Identity:

A person's internal and lived understanding of their gender. One's gender identity can be the same or different from their sex assigned at birth and can shift over time. One's gender may not fit into western society's traditional ideas of male and female and can be fluid and non binary. Gender identity will often influence name and pronoun preference for an individual. This is separate from sexual orientation which is about who you are attracted to.

Sex:

A medical term referring to the biological and physiological characteristics (gonads, chromosomes, external gender organs, secondary sex characteristics and hormonal balances) of a person which are used to classify people as male and female. Intersex is a term referring to people who have biological and physiological markers that differ from the medical definitions of male or female. People who identify as intersex do not necessarily identify as part of LGBTQ communities.

Transgender:

A term used broadly that refers primarily to individuals who identify their gender differently from the sex assigned at birth or a term used by people for whom the sex they were assigned at birth is an incomplete or incorrect description of themselves. Transman - Typically refers to an individual assigned female at birth who at some point, starts to identify in a more male-oriented way or as a man. Transwoman - Typically refers to an individual assigned as male at birth and identifies their gender as female.

Gender Non-Conforming:

Used by someone whose gender expression does not fit traditional socialized expectations of masculinity or femininity. This term is not synonymous with transgender identity, as not all gender non-conforming people identify as transgender and not all transgender people identify as gender non-conforming.

Cisgender:

The term used to describe people whose sex assignment at birth corresponds to their gender identity

Heteronormative:

Denoting or relating to a world view that promotes heterosexuality as the normal or preferred sexual orientation and expects people to conform to binary gender roles (male/female).



**This tool was created
by the New York State LGBTQ
Intimate Partner Violence Network's
Shelter Access Committee.**

