

# An Analysis of Media Reports of Pediatric Homicides in the Context of Parental Separation, Divorce, and Intimate Partner Violence

IVAT 20<sup>th</sup> Annual Hawai'i International Summit

Honolulu, Hawaii

April 25, 2023



Kathryn J. Spearman, MSN, RN, PhD(c)  
Johns Hopkins School of Nursing

Kathleen Russell, Executive Director  
Center for Judicial Excellence

Jacquelyn Campbell, PhD, RN, FAAN  
Johns Hopkins School of Nursing

# Acknowledgements

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The data in this presentation was collected under the umbrella of the PAIR Studies. The PAIR Studies are supported in part by an award from the National Institutes of Health (Funded by NIH/NICHD (1R61HD104570-0)). CJE data and media reports are triangulated with data from medical examiners, police departments, and proxy interviews in the PAIR Studies.

Johns Hopkins IRB00263554

K. Spearman's time on this presentation was supported under a F31 training grant from NICHD (1F31HD111297-01) and her dissertation work is supported through a Johns Hopkins School of Nursing Discovery and Innovation Grant.



# Presentation Outline

1. Background
  - Epidemiology of pediatric homicides
  - Separation as a known risk factor for lethality
  - Domestic homicide and the media
2. Research Gaps
3. About Center for Judicial Excellence
4. W's story: A case study
5. Study sample & Methods
6. Results
7. Limitations
8. Directions for Future Research, Practice, & Policy



# Child homicide

THESE ARE PREVENTABLE DEATHS



- Firearms are now the leading cause of death of children and youth in the US<sup>1,2</sup>
- **Homicide is the 4th leading cause of death for children/youth under 18 in the US<sup>3</sup>**



- Parents and caregivers are primary perpetrators of child homicides<sup>4,5</sup>
- Estimates of 20% of homicides of children ages 2-14 related to parental IPV<sup>6</sup>
- Disproportionately affects school age kids, with a recent study finding that nearly 1/3 of children ages 6-10 murdered were in the context of IPV<sup>8</sup>
- Over 60% of homicide-suicides (H-S) involving children had intimate partner problems as an antecedent<sup>7</sup>



**2008-2020:**  
**21,449 children under 18 murdered in the US**  
(2.2 per 100,000)<sup>3</sup>

PER YEAR:  
1,420  
(1.9 per 100,000)  
in 2013

to

2,059  
(2.8 per 100,000)  
in 2020

1. Goldstick, J. E., Cunningham, R. M., & Carter, P. M. (2022). Current causes of death in children and adolescents in the United States. *New England journal of medicine*, 386(20), 1955-1956.  
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5. Stöckl, H., Dekel, B., Morris-Gehring, A., Watts, C., & Abrahams, N. (2017). Child homicide perpetrators worldwide: a systematic review. *BMJ paediatrics open*, 1(1).  
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7. Logan, J., Walsh, S., Patel, N., & Hall, J. (2013). Homicide-followed-by-suicide incidents involving child victims. *American Journal of Health & Behavior*, 37(4):531-542.  
8. Wilson, R. et al. (2023). Trends in Homicide Rates for US Children Aged 0 to 17 Years, 1999 to 2020. *JAMA Pediatr*, 177(2), 187-197. <https://doi.org/10.1001/jamapediatrics.2022.4940>



# Why is the post-separation context important?

- Separation is well established as a risk factor for lethality<sup>1,2</sup>
- Separation may increase other forms of victimization<sup>2</sup>
- Role of legal systems that regulate parenting, separation, and divorce, particularly when children are shared in common<sup>3</sup>
- Jaffe et al. (2014) identified three contextual situations when children are killed in the context of parental separation:<sup>4</sup>
  1. Child/youth trying to protect or interfere with an intimate partner homicide, but is not the direct or intended target
  2. Child(ren) killed as part of a murder-suicide plan
  3. Child(ren) murdered as direct revenge or in retaliation, usually for leaving the relationship (“revenge filicide”)

1. Campbell et al. (2003). (2003). Risk factors for femicide in abusive relationships: results from a multisite case control study. *Am J Public Health*, 93(7), 1089-1097. <https://doi.org/10.2105/aiph.93.7.1089>

2. Rezey, M. L. (2020). Separated Women's Risk for Intimate Partner Violence: A Multiyear Analysis Using the National Crime Victimization Survey. *J Interpers Violence*, 35(5-6), 1055-1080. <https://doi.org/10.1177/0886260517692334>

3. Spearman, K., Vaughan-Eden, V., Hardesty, J., & Campbell, J. (2023). Post-Separation Abuse: A literature review connecting tactics to harm. *Journal of Family Trauma, Child Custody & Child Development*. <https://doi.org/10.1080/26904586.2023.2171927>

4. Jaffe, P., Campbell, M., Olszowy, L., & Hamilton, L. (2014). Paternal Filicide in the Context of Domestic Violence: Challenges in Risk Assessment and Risk Management for Community and Justice Professionals. *Child Abuse Review*, 23. <https://doi.org/10.1002/car.2315>



# Revenge Filicide

*“He had called the friend and said he wanted to kill himself and [son] while leaving [mother] alive so she would “live with the hurt” the rest of her life”*

Branson, P. (2023, April 23). He threatened to kill his son. He was still able to purchase a gun. Now, a bereaved mother asks how. *Los Angeles Times*. Retrieved from <https://www.latimes.com/california/story/2023-04-24/la-me-california-gun-law-child-murder>



# Domestic Homicide and the Media

Media plays role in narrative framing and providing contextual information of a phenomenon<sup>1,2</sup>:

- Influences public perception of event and contextual risk factors
- Can have a strong impact on influencing policy agenda
- “Isolated incident” versus understanding of systemic issues, including systems failures
- Can provide in-depth insight, interviews with survivors that may provide more contextual information than is available in large national databases on violent deaths
- Most research on domestic homicide in the media focuses on femicide victims, and less on child victims

Other recent examples of media reports of child homicides:

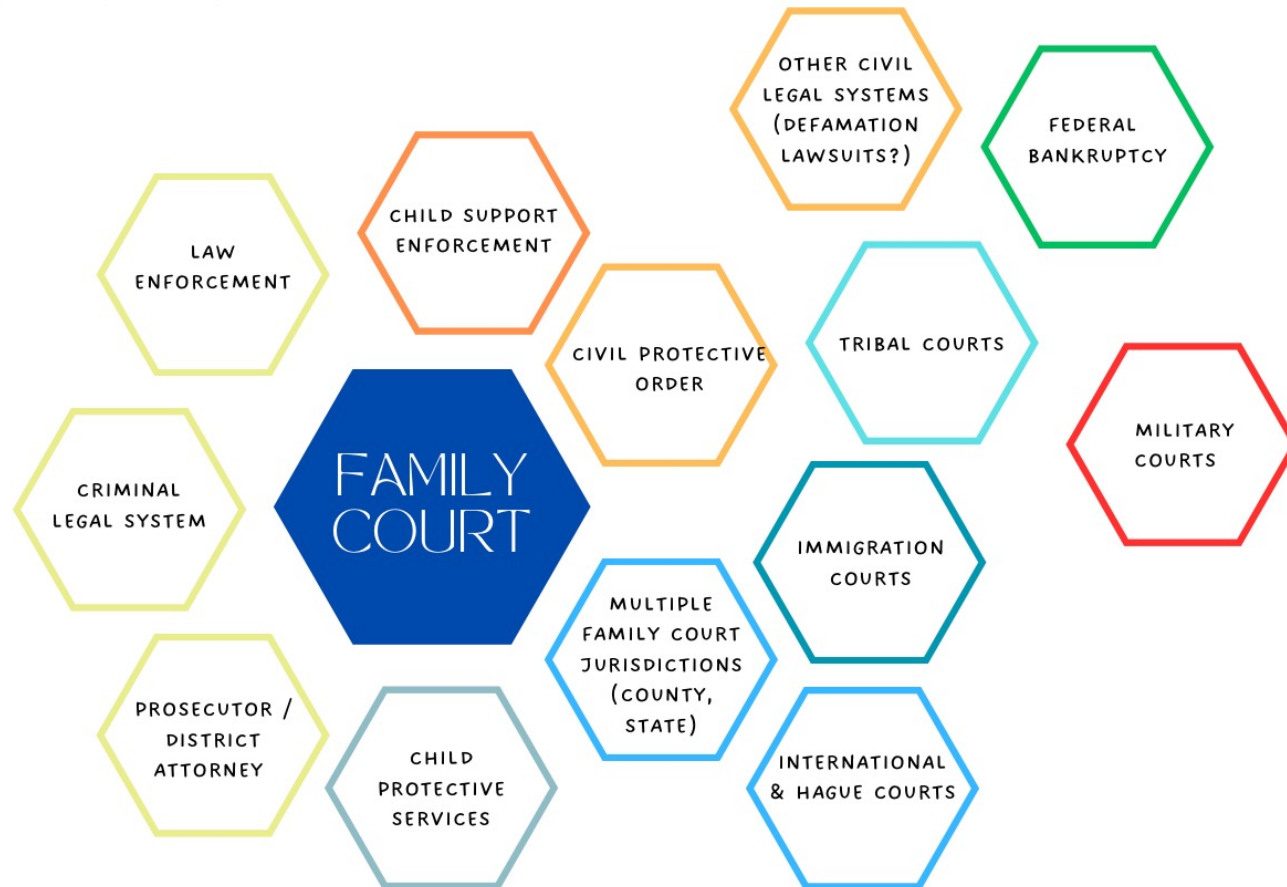
- Branson, P. (2023, April 23). He threatened to kill his son. He was still able to purchase a gun. Now, a bereaved mother asks how. *Los Angeles Times*. Retrieved from <https://www.latimes.com/california/story/2023-04-24/la-me-california-gun-law-child-murder>
- Pape, E. (2023). Sins of the Father. *The Atavist Magazine*, no. 137. Retrieved from <https://magazine.atavist.com/sins-of-the-father-san-francisco-vaccines-murder-suicide/>

1. Gillespie, L. K., Richards, T. N., Givens, E. M., & Smith, M. D. (2013). Framing Deadly Domestic Violence: Why the Media's Spin Matters in Newspaper Coverage of Femicide. *Violence Against Women*, 19(2), 222-245. <https://doi.org/10.1177/1077801213476457>

2. Hanson, K., & Lysova, A. (2021). The Father, the Son, and the Abuser: The Portrayal of Male Victims of Intimate Partner Homicide in the News Media. *Homicide Studies*, 10887679211047445. <https://doi.org/10.1177/10887679211047445>



# Post-Separation Legal Systems Involvement



Spearman, Pizarro, Zeoli, Messing & Campbell (in progress).





# POST-SEPARATION ABUSE



- In landmark Campbell et al. (2003)<sup>1</sup> study on femicide risk, 44% of femicide victims had recently separated from their partner
  - Even in cases with no prior physical IPV, 58% of femicide victims experienced stalking and 72% of attempted femicide victims experienced stalking
- Parental separation/divorce, child custody disputes, and intimate partner problems identified as antecedents to child homicides<sup>2,3,4,5,6</sup>



- Role of family court and legal systems that regulate post-separation context, particularly when children are shared
- Male perpetrated H-S with firearm: 57% had family court involvement or partner had expressed intent to begin family court proceedings<sup>7</sup>

1. Campbell et al. (2003) Risk factors for femicide in abusive relationships: results from a multisite case control study. *Am J Public Health*, 93(7), 1089-1097. <https://doi.org/10.2105/ajph.93.7.1089>
2. Holland, K. M., Brown, S. V., Hall, J. E., & Logan, J. E. (2018). Circumstances Preceding Homicide-Suicides Involving Child Victims: A Qualitative Analysis. *Journal of Interpersonal Violence*, 33(3), 379–401. <https://doi.org/10.1177/0886260515605124>
3. Adhia, A., Austin, S. B., Fitzmaurice, G. M., & Hemenway, D. (2019). The role of intimate partner violence in homicides of children aged 2–14 years. *American journal of preventive medicine*, 56(1), 38-46.
4. Jaffe, P., Campbell, M., Olszowy, L., & Hamilton, L. (2014). Paternal Filicide in the Context of Domestic Violence: Challenges in Risk Assessment and Risk Management for Community and Justice Professionals. *Child Abuse Review*, 23. <https://doi.org/10.1002/car.2315>
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7. Logan et al. (2008). Characteristics of Perpetrators in Homicide-Followed-by-Suicide Incidents: National Violent Death Reporting System—17 US States, 2003–2005. *American Journal of Epidemiology*, 168(9), 1056-1064. <https://doi.org/10.1093/aje/kwn213>



# RESEARCH GAPS

- Pediatric homicides related to IPV are understudied compared to adult intimate partner homicide
- Studies of intimate partner homicides and IPV-related homicides risk factors have primarily examined prior systems involvement including prior criminal history, or seeking protective orders, and have focused less on family court involvement (custody disputes, divorce, child support)
- No government entity (to our knowledge) tracks children killed in the context of family court proceedings or parental separation/divorce
- No existing lethality risk assessment tool for children
- Lack of understanding of judicial decision making and risk factors in child custody cases to identify potential points of intervention





**CENTER *for***  
**JUDICIAL**  
**EXCELLENCE**

- Non-profit that tracks media reports of children killed in the context of parental separation and family court proceedings
- CJE was founded in Marin County, California 16 years ago to advocate for child abuse and domestic violence survivors in our nation's family courts and to foster accountability throughout the judicial branch
- Involved in leading legislative efforts to improve child safety, including Kayden's Law in the 2022 VAWA
- CJE's data collection methods:
  - Started by creating Google alerts with keywords
  - Media coverage of child homicides must include mention of divorce, separation, child custody or child support
  - Data occasionally cross-referenced with the Gun Violence Archive data
  - Additionally, CJE receives cases to consider from advocates across the U.S.
  - Utilizing the news media as primary source brings limitations as data reflects the well-documented biases that drive media coverage in the U.S.



# W.'s story



**Domestic violence:** after being beaten unconscious by her boyfriend, mom left relationship

**Parental separation:** W. was 4 months old when parents separated

**Joint custody granted:** father petitioned court for joint custody which was granted

**Mom starts moving on:** 5 months later, when W. was 9 months old, mom started dating someone new

**Threats begin:**

After learning that mom had a new boyfriend, in an email sent to mom, **father threatened to murder W.,** calling it “a necessary evil” that was “revenge for [mom] abandoning” [father]

**During a custody exchange** of W., father threatened to kill mom



# W.'s story



## Seeking help through the legal system:

- W.'s mom sought a protective order against his dad **5 months** after separating, and after receiving threatening emails and being assaulted during a custody exchange
- Despite evidence – including emails, texts with threats, sheriff's reports, the judge refused to grant the emergency restraining order
- The judge repeatedly told W.'s mom:  
**"My supposition, ma'am, is that you're lying"**
- 10 days later, father shot his son, 9 month old W., and then shot and killed himself

Read more about W.'s story and CJE's work here:

<https://www.deseret.com/2019/9/17/20805882/fatal-family-court-parental-rights-custody-battles-child-deaths-harm-center-for-judicial-excellence>



## Danger Assessment

WWW.DANGERASSESSMENT.ORG

**Weighted Score: 21**  
**EXTREME DANGER**

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1. Has the physical violence increased in severity or frequency over the past year?
2. Does he own a gun?
3. Have you left him after living together during the past year?  
3a. (If you have *never* lived with him, check here: \_\_)
- \_\_\_\_\_ 4. Is he unemployed?
- \_\_\_\_\_ 5. Has he ever used a weapon against you or threatened you with a lethal weapon? (If yes, was the weapon a gun? check here: \_\_)
6. Does he threaten to kill you?
7. Has he avoided being arrested for domestic violence?
8. Do you have a child that is not his?
- \_\_\_\_\_ 9. Has he ever forced you to have sex when you did not wish to do so?
- \_\_\_\_\_ 10. Does he ever try to choke/strangle you or cut off your breathing?  
10a. (If yes, has he done it more than once, or did it make you pass out or black out or make you dizzy? check here: \_\_)
- \_\_\_\_\_ 11. Does he use illegal drugs? By drugs, I mean “uppers” or amphetamines, “meth”, speed, angel dust, cocaine, “crack”, street drugs or mixtures.
- \_\_\_\_\_ 12. Is he an alcoholic or problem drinker?
- \_\_\_\_\_ 13. Does he control most or all of your daily activities? For instance, does he tell you who you can be friends with, when you can see your family, how much money you can use, or when you can take the car? (If he tries, but you do not let him, check here: \_\_)
- \_\_\_\_\_ 14. Is he violently and constantly jealous of you? (For instance, does he say: “If I can’t have you, no one can.”)
- \_\_\_\_\_ 15. Have you ever been beaten by him while you were pregnant? (If you have never been pregnant by him, check here: \_\_)
16. Has he ever threatened or tried to commit suicide?
17. Does he threaten to harm your children?
- \_\_\_\_\_ 18. Do you believe he is capable of killing you?
19. Does he follow or spy on you, leave threatening notes or messages, destroy your property, or call you when you don’t want him to?

# SAMPLE & METHODS

- Secondary analysis of convenience sample of child homicides in the context of parental separation reported in the media from 2008-2022, collated by CJE
- Removed cases from database:
  - Cases prior to 2008 ( $n = 3$ ) due to lacking full year dataset
  - Fatal child maltreatment case not in context of parental separation ( $n = 1$ )
  - Involving young adult children (between ages 18 and 31) ( $n = 19$ )
- Final sample = 594 incidents of children/youth killed in the context of parental separation reported in the media collated by CJE from 2008 through 2022 for a total of  $n = 868$  child and youth homicides (under age 18)
  - CJE sample represents 3.5% of all pediatric homicides from 2008-2020
- Code demographic data, victim-offender relationship (VOR), and situational risk factors as presented in narratives from CJE's database
- Test bivariate associations using chi-square for group comparisons



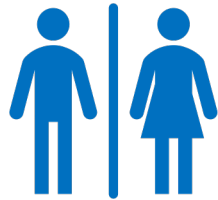
# RESULTS





# Demographic and descriptive data of sample

## Child sex



53% male 47% female

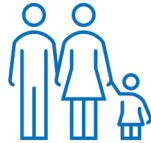
## Race/ethnicity

Asian or Asian American	2.0%
Black, African or African American	21.8%
Hispanic, Latinx or Spanish Origin	12.6%
Native American, Alaskan Native, Native Hawaiian	2.6%
Multiracial	8.8%
White or Caucasian	51.2%
Other	1.2%

## Child/youth age

Under 5: 52.3%  
Age 6-12: 35.7%  
Age 13-17: 11.98%

## Perpetrator



93.5% of perpetrators were biological parents

## Homicide method

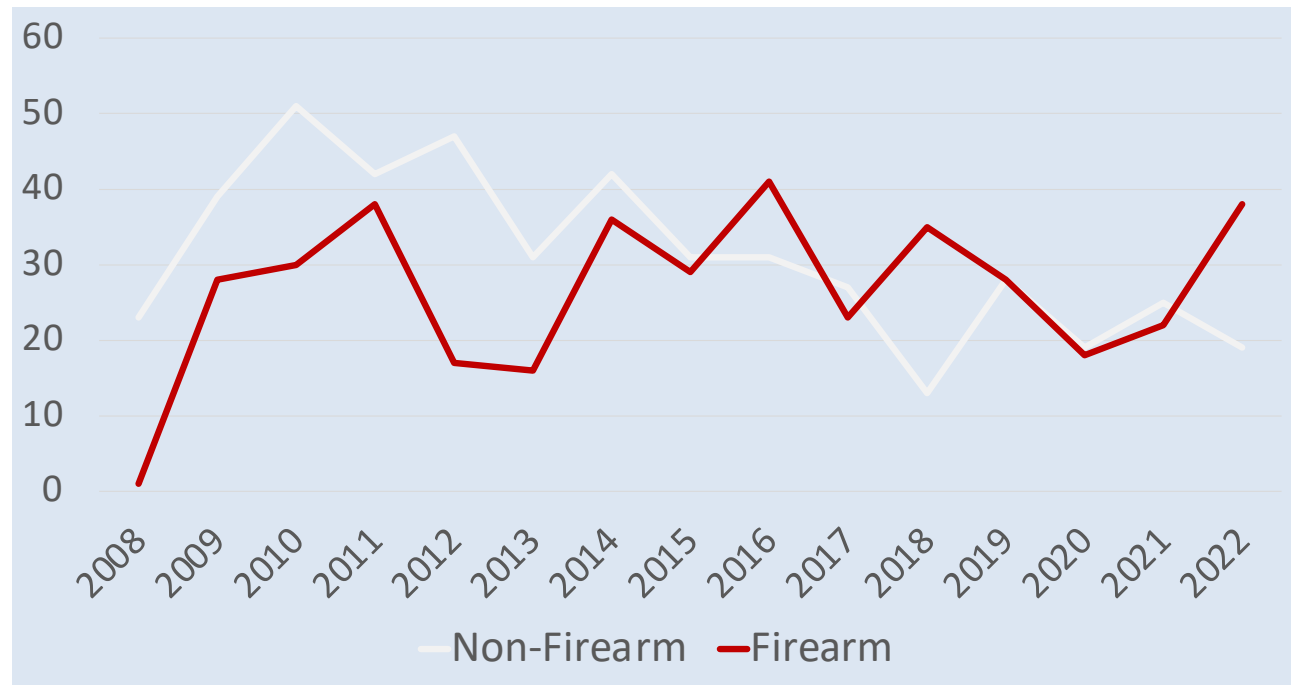
Arson	3.1%
Blunt force	12.9%
Drowning	5.3%
Drugs	1.0%
Gun shot	46.1%
Jump	0.2%
Other	3.5%
Stabbing	11.3%
Starvation/malnutrition	1.0%
Strangulation/asphyxiation	9.3%
Unknown	3.8%
Vehicle	2.4%

## Family Court Involvement



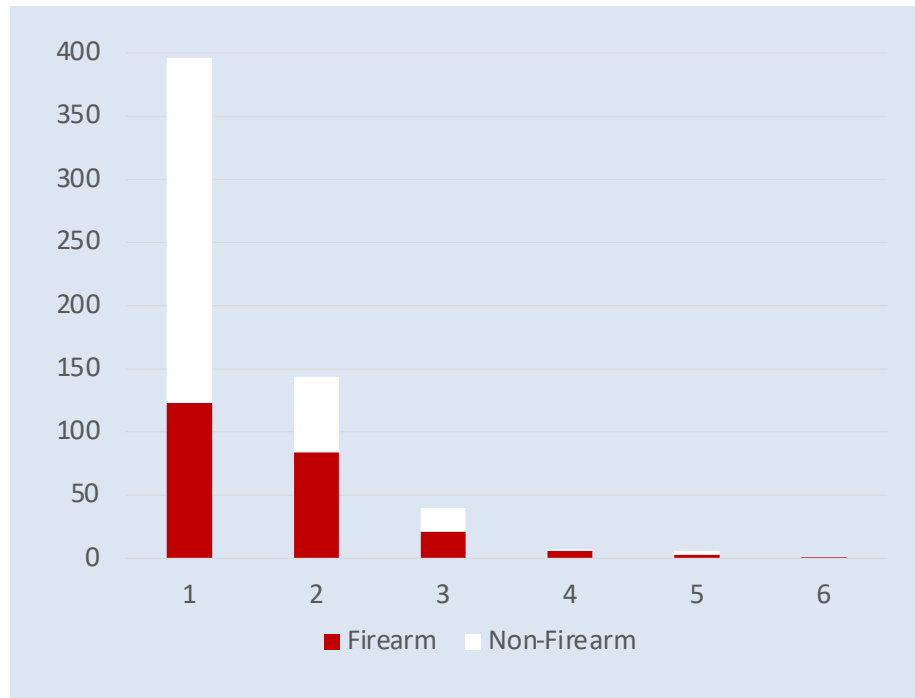
51.4% of cases had media mentions of family court involvement prior to the homicide (custody dispute, filing for divorce, child support)

## Pediatric Homicides in the Context of Parental Separation by Weapon Type\*\*\*



(Chi square 60.38, p-value 0.000)

**The proportion of homicides committed by firearm has increased since 2008**



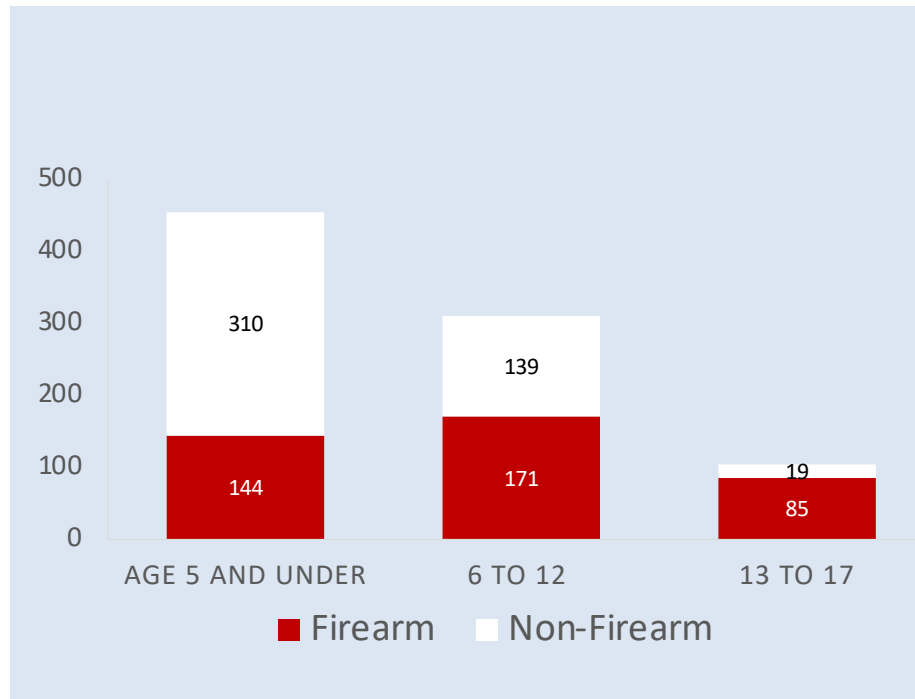
(Chi square 43.78, p-value 0.000)

## Number of children killed per Incident and Weapon Type\*\*\*

- 58% of incidents involving 2 or more children were perpetrated by firearm
- Incidents involving 2 or more child victims are 3 times more likely to be perpetrated by firearm

OR 3.08 (2.12-4.45)

Chi-square 40.13, p-value 0.0000



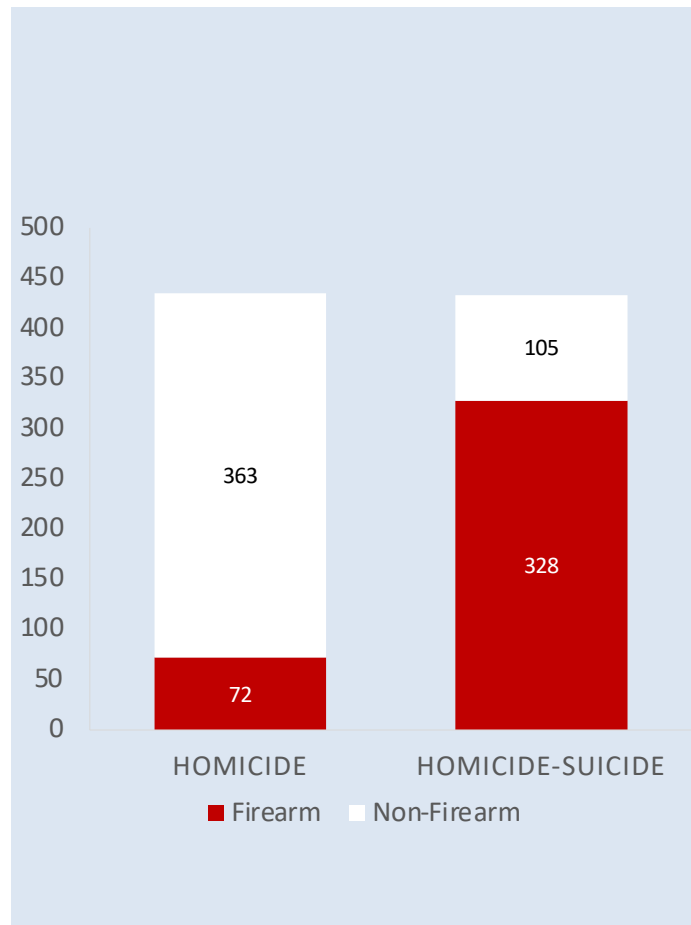
(Chi square 101.18, p-value 0.000)

## Age of children killed by Weapon Type\*\*\*

Children and youth over the age of 5 are nearly 3.5 times more likely to be killed by a firearm than children 5 and under

(OR 3.49, 2.61-4.66)

Chi square 79.05, p-value 0.000

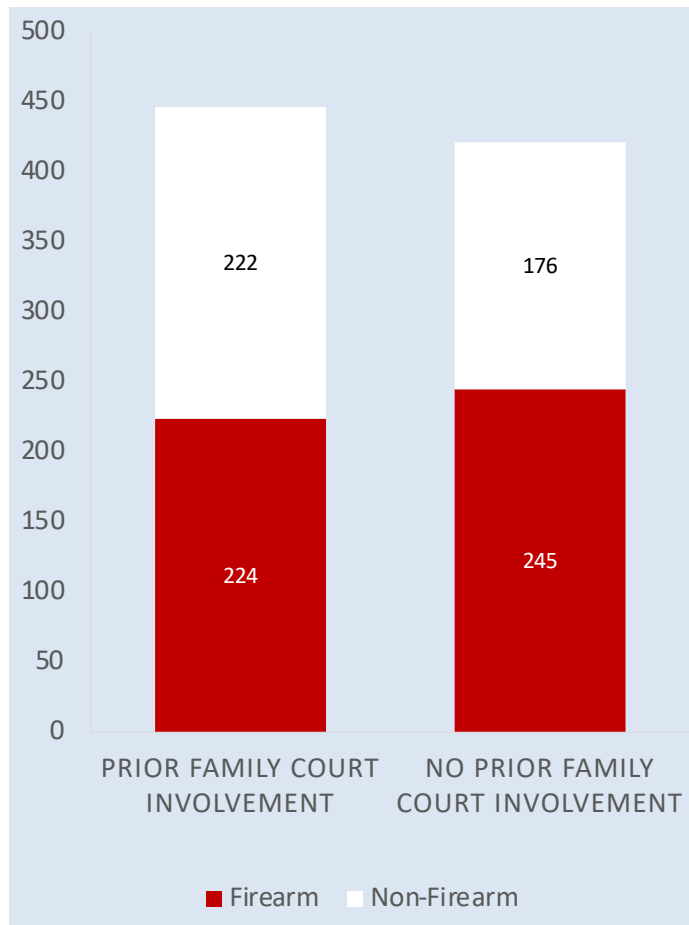


(Chi square 306.07, p-value 0.000)

## Pediatric fatalities by weapon and homicide versus homicide-suicide\*\*\*

- Half (49.9%) of children murdered in the context of parental separation reported by media are killed in murder-suicides
- 75% of children killed in homicide-suicides are killed by firearm
- 30% of H-S incidents of children also involved other adult homicide victims, often the child's mother
- **Homicide-suicides are 15.8 times more likely to be perpetrated by firearm (OR 15.75, 11.12-22.35)**

**Family court involvement:**  
Media mentions that a parent had filed in family court for divorce, child support, or custody prior to the homicide



(Chi square 6.18, p-value 0.01)

## Pediatric homicides by family court involvement and weapon type\*

- 50.2% of children with prior family court involvement were killed by firearm
- Children with family court involvement were 1.4x more likely to be killed with a firearm than children without prior family court involvement identified in media reports (OR 1.41, 1.06-1.85)

# Incident characteristics

- **Multiple homicide victims:**
  - 43.9% ( $n = 261$ ) incidents involved at least 2 or more child or adult victims.
  - Of these incidents with more than one homicide victim, 60% were perpetrated by firearm (Chi(2)=75.26, p-value 0.0000)
- **Adult victims:**
  - 22.3% of incidents ( $n = 136$ ) involved adult victims – most often the child's mother
  - Incidents also involving adult victims were over 5x as likely to be perpetrated with a firearm (OR 5.10, 3.31-7.94; Chi(2)=65.17, p-value 0.0000)
- **Homicide-suicides:**
  - Incidents involving multiple victims were also more likely to be followed by the perpetrator's suicide (OR 3.78, 2.64-5.39, chi(2)=60.19, p-value<0.0000).
  - Incidents of children murdered in homicide-suicides were over 20 times more likely to be perpetrated by firearm (OR 21.6, 13.73-34.19, chi(2)=239.9, p-value <0.0000).

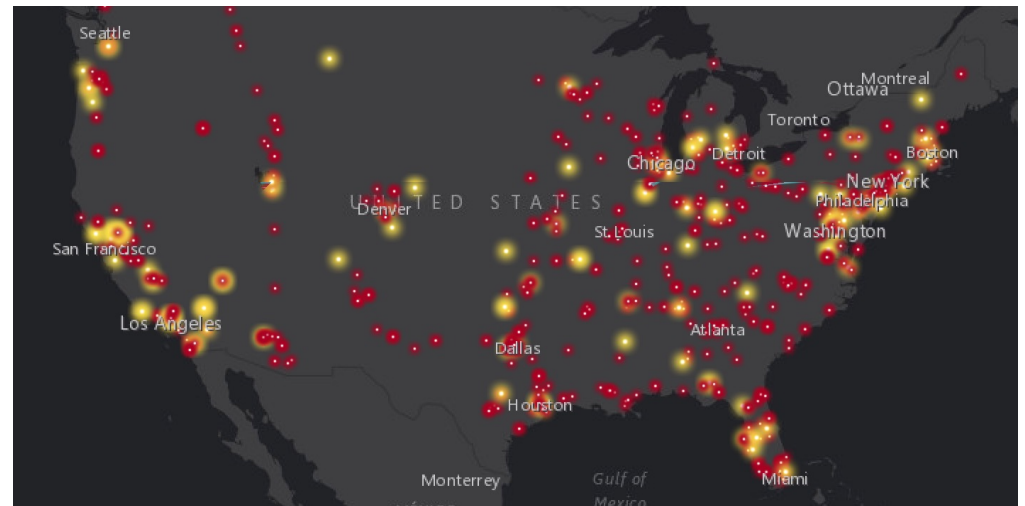
## Situational contexts

- **Victim-offender relationship:**
  - 74% of perpetrators were fathers, 19% of perpetrators were mothers => overall, biological parents were the perpetrators in 93.5% of homicides in this sample
- **Child support:** in 7% of cases ( $n = 62$ ), court involvement over child support was identified in the media as an issue preceding the homicide
- **Sole custody:** in 12% of cases ( $n = 105$ ), the homicide perpetrator had sole custody of the child prior to the homicide
- **Custody transitions/exchanges:**  $n = 57$  cases children were killed in the context of custody exchange or around the time children should have transitioned from visitation
- **Separation timing:** at least 10.9% of pediatric homicides ( $n=95$ ) happened over 1 year after separation
- **Prior threats to harm children:**  $n = 43$  cases there were threats to harm children before the homicide noted by the media



# At least 446 children and youth in the US with family court involvement have been murdered since 2008

- Family court involved homicide of child
- Preventable family court- involved child homicide: identified by CJE as a family court failure (a non-offending parent or others had warned family court of dangers to child and/or took measures to protect the child which the court rejected)



<https://centerforjudicialexcellence.org>

# Limitations

- Convenience sample, not systematic
- **Bias:** data collected by CJE is limited by what media chooses to report
- Media attention to homicide varies
  - 2008 data collected retroactively
  - fewer CJE cases in 2020/2021 as a result of less media attention(?), courts closed in 2020(?)
  - Links to media stories, especially local news reports, are often removed making retroactive data collection challenging
- **Missing data:** database is limited to context that media has reported. In some cases, the media report mentions that parents are separated or that perpetrator had sole custody but the reasons not always included in media report (e.g., judicial mishandling of DV, “parental alienation”, incarceration, substance use)
- Some cases in CJE’s database have been supplemented with interviews with surviving family or court documents, but not all
- Timing around separation not quantified in media reports (e.g. “recent”) to further understanding of risky times; e.g. “recently” filed for divorce, “recently” separated, “recently” filed a protective order



# Directions for Future Research & Policy



# Directions for Future Research, Practice, & Policy

1. Need for risk assessment for children in family court
2. Early safety planning and intervention – especially around firearms – could save lives
3. More attention, research, and training needed on family court response to violence in the family
  - Judicial decisions on custody with allegations of DV/child abuse
  - Intersecting legal systems – do protective orders protect children?
  - Language matters: mutualizing language “custody disputes”, “custody battles”, and “high conflict” may obscure underlying danger
  - Other important situational contexts: child support, suicidality
4. Firearm policy

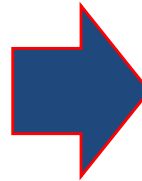


# 1. Need for risk assessment and safety planning for children in family court

## Femicide research:

Children killed in context of parental separation

"If I can't have you, no one can"<sup>1</sup>



- ❖ "If I can't have them neither can you"
- ❖ The dad *"allegedly didn't want [mother] to have the baby if he couldn't"*
- ❖ [Father] *"had threatened to kill her if she took the couple's children away from him"*

[Quotes are from qualitative data in CJE database]

**No existing lethality risk assessment tool for children, and children often left out of safety planning and risk assessment.**

1. Campbell et al. 2009 The danger assessment: Validation of a lethality risk assessment instrument for intimate partner femicide. *Journal of interpersonal violence*, 24(4), 653-674.  
2. US News (2022). Retrieved from <https://www.usnews.com/news/us/articles/2022-06-15/murder-suspect-dad-if-i-cant-have-them-neither-can-you>



## 2. Early safety planning and intervention – especially around firearms - could save lives

Qualitative data suggests that there may be certain “higher risk” time periods around separation

- ❖ **“On the day [mother] filed for divorce, [father] bought a handgun”**
- ❖ **“The family court case was scheduled to have a review hearing on...the same day both children were found dead”**
- ❖ **“a murder-suicide the day after the court granted mother full custody”**
- ❖ **“hours before the hearing”**
- ❖ **“had just finalized their divorce last week”**
- ❖ **“The couple reached a child custody agreement on June 14, just four days before the killings.”**
- ❖ **“was served with divorce papers...just days before the murders”**
- ❖ **“filed a request for a domestic violence restraining order...three days before [their] deaths”**

**Advocates:** need for safety planning around high risk times, especially motions and court dates, expiration of protective orders

**Research:** need to better understand separation timing as a risk factor



# 3. More attention needed on family court

## Judicial decisions on custody:

- Family court framework and state laws that prioritize “friendly” parenting where parties that bring allegations of abuse (even documented, criminal convictions) during family court proceedings are punished with threat or actual loss of custody of their children.
- W’s story:
  - ❖ The judge told mom during the hearing: *“If you’re lying, ma’am, there’s going to be adverse consequences. [Father] claims it’s total fabrication on your part”*<sup>1</sup>
- More research needed on claims of “parental alienation” – litigation strategy used to deflect allegations of abuse, and consequences for children’s health and safety<sup>2,3</sup>
- **Sole custody** granted to perpetrator prior to homicide despite history of domestic violence and/or safety concerns raised by other parent
  - **in 12% of cases in the CJE database, the perpetrator was the sole custodial parent prior to the homicide**

1. Transcript publicly available from media article: <http://photos.vvdailynews.com/files/multimedia/soundslides/Court.pdf>  
2. Meier, J. (2020). U.S. child custody outcomes in cases involving parental alienation and abuse allegations: what do the data show? . *Journal of Social Welfare and Family Law*, 42(1), 92-105 <https://doi.org/10.1080/09549069.2020.1701941>  
3. Spearman, K. J., Hardesty, J. L., & Campbell, J. (2022). Post-separation abuse: A concept analysis. *Journal of Advanced Nursing*, 00(n/a). <https://doi.org/https://doi.org/10.1111/jan.15310>



# 3. More attention needed on family court

## **Children & protective orders:** protective orders mentioned in 18% of cases, yet children often not covered under PO

- ❖ *"Because there was no protection order after [date mutual restraining order expired], [Father] was able to purchase firearms and did so that summer. The protection order had prevented him from possessing firearms. He later used one of those firearms to kill [our child] and then himself."* (Quote in media from surviving mother)
- ❖ *"The mother had obtained a restraining order against the father due to domestic violence and concerns were expressed for an infant in the home. Upon assessment, the children were viewed as safe and their needs were appropriately being met."* (2 children – including infant - murdered by the father shortly after this and judge would not renew PO)

## **Custody "disputes" / custody "battles":**

Media and court framing as "custody dispute" or "custody battle" obscures underlying family violence and safety concerns – IPV perpetrators frequently file for custody to control, harass, and as a litigation strategy in response to IPV-victim help-seeking behaviors<sup>1,2</sup>

- ❖ *"Clearly he was a very controlling individual"*
- ❖ *"described him as an "unbending" man who would "do anything he could do to make it more difficult" for the mother [Custody case involved nearly 300 court motions and hearings]*

1. Spearman, K. J., Hardesty, J. L., & Campbell, J. (2022). Post-separation abuse: A concept analysis. *Journal of Advanced Nursing*, 00(n/a). <https://doi.org/https://doi.org/10.1111/jan.15310>  
2. Zeoli, A. M., Rivera, E. A., Sullivan, C. M., & Kubiak, S. (2013). Post-Separation Abuse of Women and their Children: Boundary-setting and Family Court Utilization among Victimized Mothers. *J Fam Violence*, 28(6), 547-560. <https://doi.org/10.1007/s10896-013-9528-7>





### 3. More attention needed on family court

**Child support (59 cases, 7% of cases):**

- ❖ *“murdered [son] during visitation, allegedly to avoid child support”*
- ❖ *“man admits killing son over child support”*
- ❖ *“never wanted to have anything to do with the baby until she hired an attorney and sought child support” (child killed during visitation shortly thereafter)*
- ❖ *“four months behind on child support payments and had a bench warrant issued” [for his arrest the month before the murders]*

**Suicidality:** safety planning, especially around firearms, needed when suicidality expressed during family court proceedings



## 4. Firearm policy

Need for integrations across systems

- Even in states with mandatory waiting periods following background checks, difficulty in integrating data and rulings from court orders
- When high risk is indicated, consider background checks that flag high risk events –divorce/custody filings, expiration of restraining orders
- Extreme risk protective orders





## Key Takeaway:

# Family court is a key intervention point to prevent firearm-related homicides of children and youth

### ➤ TRAINING & ASSESSMENT

- Family court judges and all family court professionals should receive training on the ways that the legal system and children are weaponized as forms of post-separation abuse and on child development, domestic violence, ACEs, child maltreatment, and lethality risk
- Assess for firearm access in custody cases involving domestic violence and child maltreatment and those that are characterized as “contentious”, “bitter”, “high-conflict”
- Include universal safe storage provisions for firearms at a minimum, and firearm removal when lethality risk is indicated, suicidal ideation, and during high-risk time periods (e.g. around court hearings, rulings)

### ➤ POLICY

- States should enact Kayden’s Law and mandate training for family court judges
- Systems integration: need for specialized family violence courts to integrate and coordinated systems responses across family court, CPS, criminal courts, child support enforcement, civil POs

### ➤ Other initiatives:

- Pierce’s Pledge (CJE) – asks family law attorneys to pledge to require their clients to declare firearms in their possession and store out of the home with a licensed third-party while being represented in family law proceedings. More info here: <https://www.piercespledge.org/>



# QUESTIONS? COMMENTS?

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Kathryn Spearman, MSN, RN, PhD(c)  
Johns Hopkins School of Nursing  
[kspearm2@jhu.edu](mailto:kspearm2@jhu.edu)

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Kathleen Russell, Executive Director  
Center for Judicial Excellence  
[kr@centerforjudicialexcellence.org](mailto:kr@centerforjudicialexcellence.org)



# Supplemental Slides





# CENTER *for* JUDICIAL EXCELLENCE

## POLICY:

CJE has been involved in numerous federal and state policy changes focused on child safety in family courts.

- From 2016-2018, CJE co-led the 3-year campaign to unanimously pass the first Child Safety in Family Courts resolution in the U.S. House of Reps by Rep. Pete Sessions (R-TX), with 86 co-sponsors from both parties.
- From 2020-2022, CJE co-led the 2.5 year campaign to develop and pass Kayden's Law as part of the Violence Against Women Act, which incentivizes state legislatures to adopt child safety measures in family courts. President Biden signed this into law in March 2022.
- In California, CJE has passed numerous bills to better protect children in family courts. These bills have, among others:
  1. Audited the use of court-appointed specialists in two problematic county family courts (Leno, 2009)
  2. Mandated that children 14 & older be allowed to speak directly with family court judges (Ma, 2012)
  3. Audited the state's only judicial oversight agency for the first time in 60 years, exposing glaring problems (Jackson, Baker 2016)
  4. Required that judges make findings on the record when entering an order for unsupervised visitation with a parent with a history of domestic violence or substance abuse (Min, 2021).

## MEDIA:

In April 2010, CJE co-produced a hard-hitting episode on **The Dr. Phil Show** about family-court-related child homicides, with a focus on W's case.

**Cara Tabachnik of The Daily Beast** covered this crisis back in May 2010, when only 75 children had been murdered by their fathers in a 9-month period  
<https://www.thedailybeast.com/when-fathers-kill-their-kids>

**Marisol Bello from USA Today** covered it in Sept. 2014, when 287 kids had been murdered.  
<https://www.usatoday.com/story/news/nation/2014/10/25/parents-who-kill-custody-battle/13721487/>

**Gillian Freidman from The Deseret News** reported on the crisis in Sept. 2019, when more than 700 children had been murdered by a divorcing or separating parent or caregiver.  
<https://www.deseret.com/2019/9/17/20805882/fatal-family-court-parental-rights-custody-battles-child-deaths-harm-center-for-judicial-excellence>