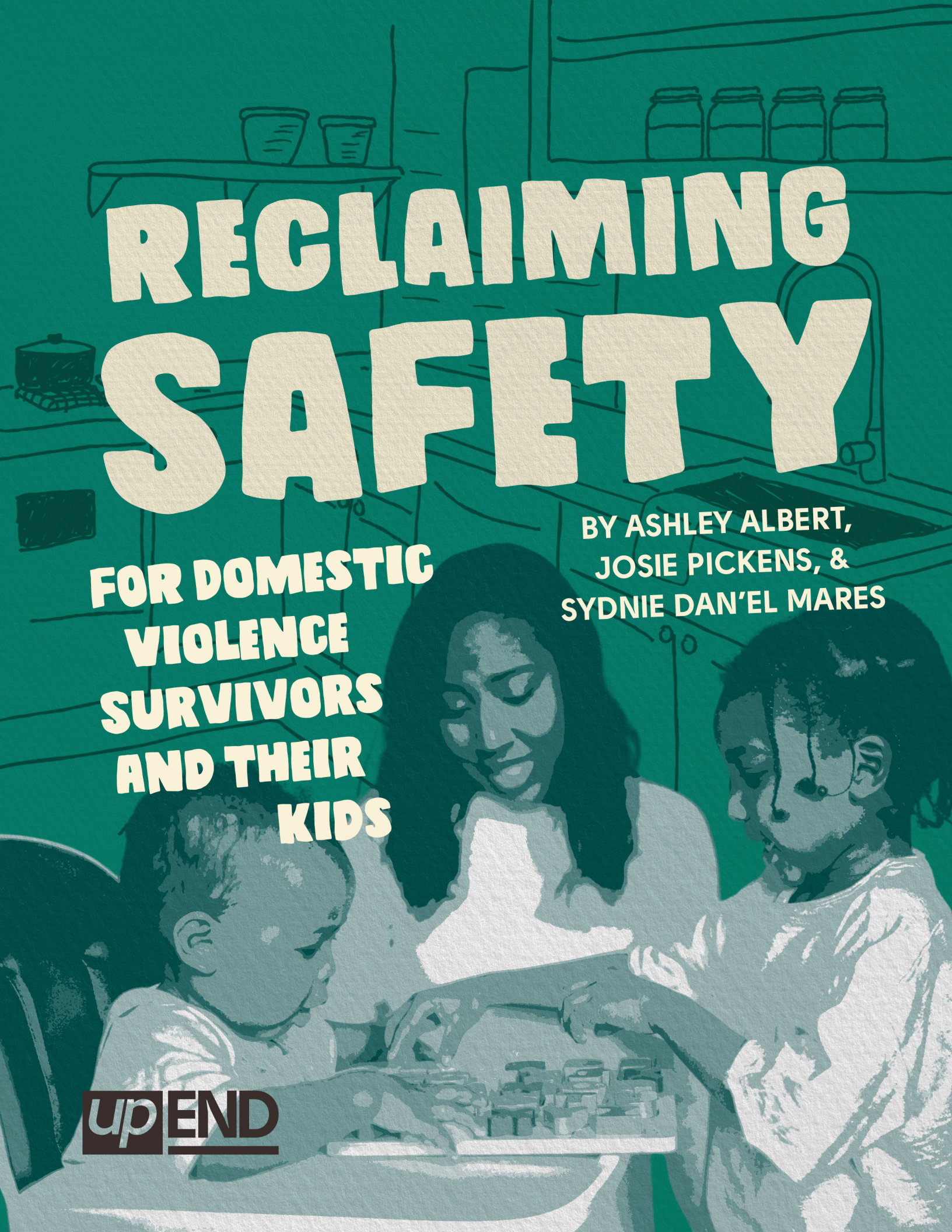
RECLAIMING SAFETY

FOR DOMESTIC VIOLENCE SURVIVORS AND THEIR KIDS

BY ASHLEY ALBERT, JOSIE PICKENS, & SYDNIE DAN'EL MARES



upEND

INTRODUCTION

by Angela Burton

The way we address domestic violence when children are involved doesn't help survivors or protect their kids.

Right now, the prevailing child protective services (CPS) system approach is to accuse survivors of harming their children, citing "failure to protect" laws, even when the children haven't been harmed directly. Many have their kids stolen by the foster system, and many may never be reunited.

What's called "child protection" or "child welfare" is really a system of family policing - surveillance, prosecution, and punishment that especially targets Black, Brown, Indigenous, immigrant, poor, and disabled families. This state violence has become so normalized that most people assume it has to be this way. It doesn't.

This essay in the Reclaiming Safety series was informed by Ashley Albert, based on conversations between her and the upEND Team. Ashley's lived experience as a survivor of the family policing system, a survivor of domestic violence, and a mother whose children were stolen by the family policing system deeply informed the strategies for prevention, intervention, and healing listed at the end of this essay. We are grateful for Ashley's leadership in the family policing abolition movement, her radical compassion, and, above all, her friendship.

Abolition invites us to interrogate prevailing premises about the meaning of safety, and to imagine new paths forward. In the dismantling of the carceral web that polices families, there is hope for new approaches that prevent and respond to harm and create safety for both parents and their kids.

RECLAIMING SAFETY FOR DOMESTIC VIOLENCE SURVIVORS AND THEIR KIDS

by Ashley Albert, Josie Pickens, and Sydnie Dan'el Mares

Sharwline Nicholson made a decision that many survivors of intimate partner violence eventually face. She ended her relationship with the father of her infant daughter, a man who traveled from South Carolina to New York each month to visit her and their child. When Nicholson told him the relationship was over, he responded with violence. She did what survivors are told to do in moments like this. She called 911. She went to the hospital to seek treatment. She arranged for a friend to take care of her two children overnight so she could stay safe.

The next day, instead of the support she desperately needed, she got a call from New York's Administration for Children's Services (ACS) informing her that both of her children had been removed from her care. Their reasoning was not that she had harmed her children, but that they had witnessed harm done to her. The agency said she had "failed to protect" them.[1] Although some survivors of IPV who face family separation may never see their children return home, Nicholson was eventually able to regain custody. She even helped establish a major court ruling declaring that witnessing abuse cannot, by itself, justify removing a child.[2] But the damage, for her and for so many other parents like her, was already done. Her story shows how quickly the state can turn a survivor's attempt to seek safety into yet another experience of harm.

INTIMATE PARTNER VIOLENCE (IPV)

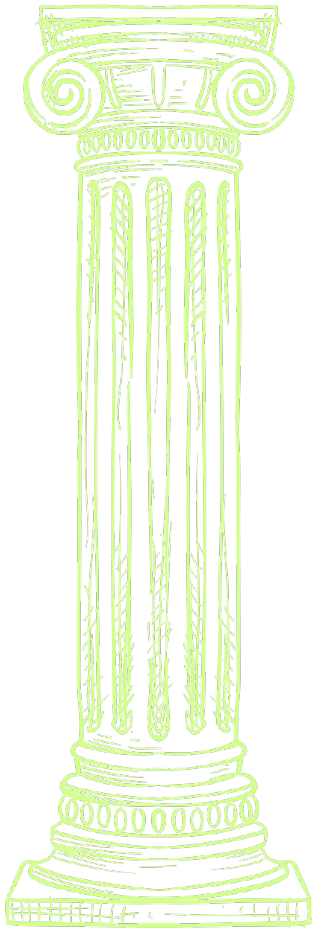
a pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship, also known as domestic violence

To explain how this happens, we have to understand the different kinds of violence families navigate. Intimate partner violence (IPV)—also called domestic violence—is commonly defined as "a pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship."[3] It is one form of intrafamilial violence, sitting within a broader category that includes both harm between partners and harm that occurs between parents and children, siblings, or other relatives.[4] These experiences are particularly overlapping and complex, shaped by relationships, resources, culture, and structural inequities.

THE FAMILY POLICING SYSTEM (FPS)

the network of agencies often called the "child welfare system," includes the foster system and "child protective services" (CPS)

But survivors are not only navigating interpersonal violence. They are also navigating the violence of state systems. The network of agencies often called the "child welfare system" is more accurately described as the family policing system (FPS).[5] The term reflects what families actually experience: surveillance, investigations, monitoring, and punishment rather than care or safety. Black, Brown, Indigenous, immigrant, poor, and disabled survivors are disproportionately targeted, creating a landscape where calling for help can put entire families at risk.[6]



This essay, part of upEND's Reclaiming Safety series, takes up an essential question: How do we support survivors of intrafamilial violence—including children—without relying on the harmful family policing system?

Gender-Based Violence as a Bigger Structural Issue

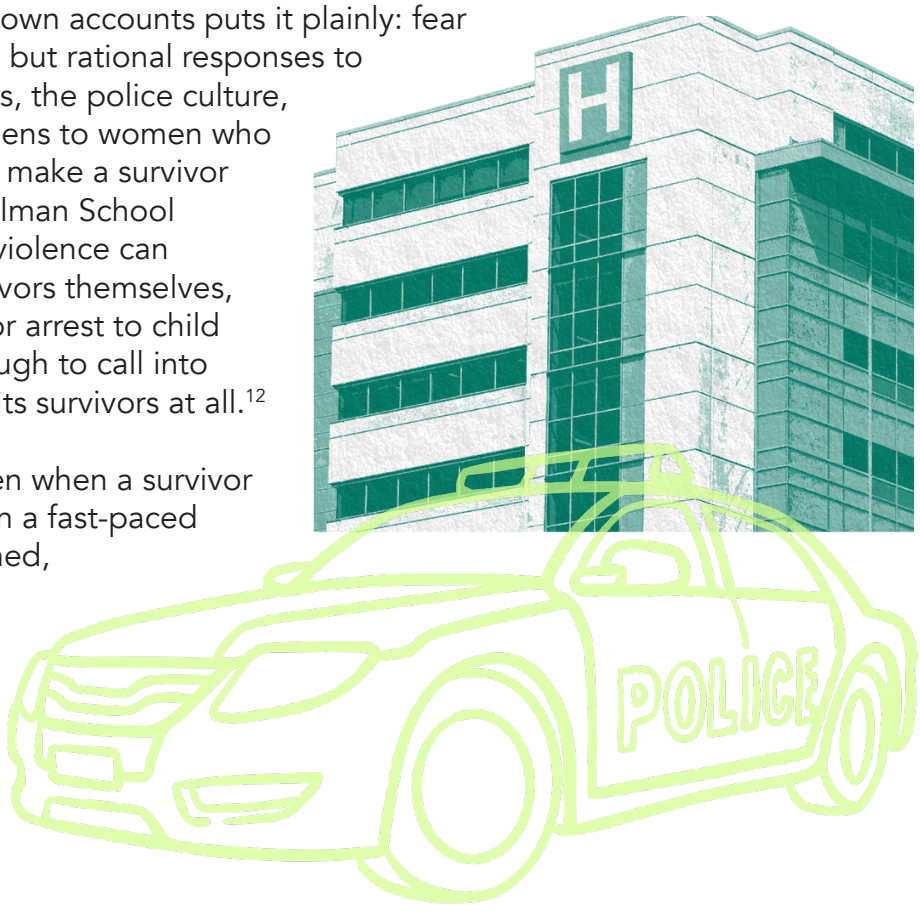
Gender-based violence is often described as something that happens between two people, tucked away in private spaces. But survivors know that this violence is shaped long before any single incident occurs. It festers in a society where patriarchy, racism, and economic inequality decide who is valued and who is dismissed.

Patriarchy is not a matter of individual men behaving badly. It is a system, a web of beliefs and arrangements lodged inside our politics, our economy, our homes, one that prizes what we've learned to call masculine and discards what we've learned to call feminine. Feminist scholars name this plainly: race, class, and gender are not separate burdens stacked on top of each other but

are interlocking systems, a single matrix of domination that operates through our institutions, our governing bureaucracies, our ruling ideas, and our most ordinary daily exchanges.[7]

Gender-based violence is not just an interpersonal problem. It is a cultural and structural one that lives in our laws, our institutions, and our assumptions about whose lives matter. This violence also does not fall on everyone in the same way. Black, Brown, Indigenous, queer, immigrant, poor, and disabled survivors face higher rates of harm because they live at the intersections of multiple inequities.[8] Their access to safety is shaped by barriers that have nothing to do with personal choices and everything to do with systems built to limit their freedom. When these survivors seek help, they often encounter suspicion instead of support.[9] They encounter service systems that monitor rather than care, systems that question their credibility, punish them for lacking resources, or treat their families as inherently deficient. The result is a landscape where the people most vulnerable to violence are the least protected by the institutions that claim to keep families safe.[10]

These barriers prevent survivors from seeking help. When a survivor hesitates to dial 911, it is not because of confusion or weakness. A recent systematic review of women's own accounts puts it plainly: fear and mistrust are not personal deficits but rational responses to the institutional and structural barriers, the police culture, and the racism that shape what happens to women who report.[11] And calling does not always make a survivor safer. A review out of Columbia's Mailman School found that policing intimate partner violence can carry adverse consequences for survivors themselves, from reduced help-seeking to survivor arrest to child protective services involvement, enough to call into question whether this policing benefits survivors at all.[12]



Hospitals carry their own failures. Even when a survivor reaches care, that care often arrives in a fast-paced setting that is short on trauma-informed, survivor-centered practice, and the person who came in during a crisis frequently slips away before any real support reaches her.[13]

Capitalism holds this violence in place. A woman with no savings,

no credit, nowhere of her own to go is bound more tightly to a dangerous partner than a woman with means, and the research says so without flinching: economic dependence is one of the most common barriers keeping survivors from leaving for good, and many who do leave lose their housing in the leaving.[14]

These systemic forces become especially visible when intimate partner violence meets the family policing system. Survivors often report that abusive partners use the threat of Child Protective Services (CPS) involvement as a tool of control. This is a known tactic, not an aberration. Advocates have long documented that abusers threaten to take the children if a survivor tries to leave or tells anyone, and weaponize the legal system to keep harassing and stalking her long after she is gone.[15] A single hotline call can trigger an intrusive investigation, home searches, interrogations, and sometimes removal.[16] For many families, the state becomes another source of danger. The dynamic is painfully familiar: a person seeking safety is met with punishment, blame, or disbelief. In this way, the family policing system mirrors the same patterns of control at the heart of intimate partner violence, turning children into leverage and survival into evidence of "neglect."

THE FAMILY POLICING SYSTEM RECREATES THE VERY DYNAMICS THAT SURVIVORS OF GENDER-BASED HARM ARE TRYING TO ESCAPE.

The family policing system recreates the very dynamics that survivors of gender-based harm are trying to escape. Asking for help can lead to losing your children. Staying silent can feel like the only way to keep them. The family policing system becomes another source of fear, another barrier to safety, and another reminder that survival is never treated as enough.

When we understand gender-based violence as a structural and cultural issue, it becomes clear that ending it will require transforming the systems that continue to reproduce it.

When Violence Against Women Becomes State Violence

The prevailing, mainstream solution for domestic violence has been ever-increasing criminalization and punishment. White feminists of the late 1800s organized to end the right to "wife abuse," and physical punishment was put forth as the solution to patriarchal violence. Unsurprisingly, new state laws that created punishments such as whippings for violence against women targeted Black families. One sample from Charleston, South Carolina between 1889 and 1894 illustrates this disproportionality: fifty-eight of sixty men prosecuted for physical violence against their wives were Black.[17]

The modern iteration of this pattern is just as gruesome and ineffective, wielding the prison industrial complex as a weapon. The Violence Against Women Act (VAWA) of 1994 solidified prosecution and incarceration as the primary response to domestic violence. The law's intention is clear in its funding priorities: in 2013, approximately 85% of the VAWA's funding went to the criminal legal system.[18]

Of course, demands for increased criminalization go hand in hand with increased surveillance, particularly for Black families. In 1974, the Child Abuse Prevention and Treatment Act (CAPTA) required states to create mandatory reporting hotlines and established minimum definitions of abuse. Since then, racial disproportionalities in the family policing system have grown, with Black families and caregivers more likely to be reported for alleged maltreatment than white families.[19]

MANDATORY REPORTING LAWS REQUIRE PROFESSIONALS TO REPORT INFORMATION THAT SURVIVORS SHARE TO THE POLICE OR CHILD PROTECTIVE SERVICES (CPS).

People seeking help from a domestic violence hotline said that being reported made their situation worse.

50% much worse
12% a little worse
20% no different
15% a little better
3% much better

Some people seeking help were warned that the person they were reaching out to would legally have to report them. They said this changed their reactions.

One participant simply said, "I didn't want my kids taken away, so I didn't talk."

National LGBTQ Domestic Violence Capacity Building Learning Center[20]

The System's Failure to Protect

"Failure to protect" laws and practices are some of the most damning evidence that the family policing system is not created for the protection of children or their caregivers.

The first "failure to protect" laws arose in the 1960's, prosecuting a caregiver as a child abuser if they knew a child was being abused by someone else and did not report it. Then, a landmark decision in 1998 broadened the scope of what could be considered child abuse. In *re Lonnell J.*, the court decided that because exposing children to domestic violence was itself harmful, a mother that stayed with their partner had "failed to exercise a minimum degree of care."[21]

When victims of IPV are considered complicit in abusing their children, states can terminate their parental rights (severing all legal ties between parent and child) and even pursue criminal charges. Punishments can lead to life sentences for victims, such as in Texas where the maximum penalty for a "failure to protect" charge is 99 years.[23]

Of course, witnessing violence can negatively impact a child and should be addressed, but the solutions should not beget more harm to the whole family. Children and parents who are forcibly separated by the family policing system or the criminal legal system experience life-long psychological trauma.[24] As long as the state's default response to IPV is to blame victims for their own abuse, children will bear the brunt of its failure to protect.

FAILURE TO PROTECT POLICIES ALLEGE THAT A SURVIVOR WHO STAYS WITH THEIR PARTNER HAS HARMED THEIR CHILDREN BY "FAILING TO EXERCISE A MINIMUM DEGREE OF CARE"

Intimate Partner and Domestic Violence

The patterns of intimate partner violence (IPV) extend far beyond physical bruises. This violence thrives on coercion—a slow, calculated erosion of a person's autonomy through the control of their movements, finances, and social interactions.[25] Abusers build this environment through isolation, systematically severing a survivor's ties to family, friends, and support systems to create total dependency.[26] Shame acts as a silent anchor, convincing the person being harmed that the violence is their fault or a secret they must protect. These tools of power mirror broader societal hierarchies and rely on the survivor's fear that no one will believe them, or that the cost of leaving—including poverty or state intervention—is higher than the cost of staying.[27]

STATE INTERVENTION OFTEN FORCES SURVIVORS INTO IMPOSSIBLE CHOICES: REMAIN IN A HARMFUL SITUATION TO KEEP THEIR CHILDREN OR ENGAGE WITH A LEGAL SYSTEM THAT MIGHT USE THEIR TRAUMA AS EVIDENCE OF AN UNSTABLE HOME.

Family policing system involvement is also isolating and shame-inducing by design, mirroring what abusers attempt to do. Ashley Albert, an organizer and survivor who lost her parental rights, describes the stigma she experienced: "People would say, 'CPS doesn't just take your kids. You must have done something.'" Survivors feel that they cannot tell their neighbors about abuse in their relationships or about investigations by the family policing system, which compounds the two overlapping harms.

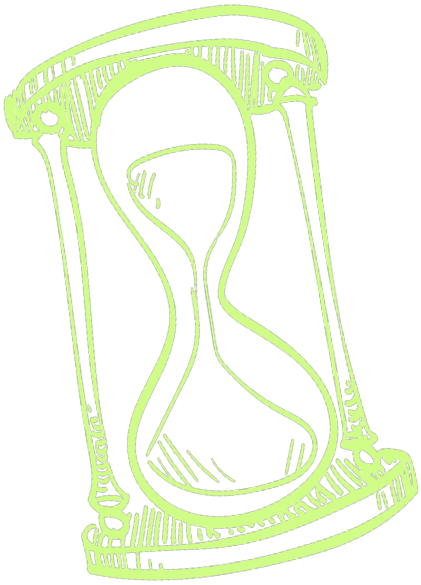
A profound gap exists between how communities understand IPV and how the state defines it. To a community, domestic violence is a rupture of safety and trust that requires long-term care, economic support, and deep accountability.[28] Many communities recognize that survival requires a "both/and" approach, where a survivor may need to leave their partner while still needing their community's financial or emotional resources to endure. The state, however, defines domestic violence through a narrow, criminal legal lens, looking for a specific incident, a visible injury, or a broken law to justify intervention.[29] This rigid definition fails to account for the daily reality of coercion. It demands a "perfect victim" who is willing to cooperate with police and move into a shelter system that can feel as restrictive as the home they left.[30]

State responses are almost always punitive rather than restorative. While a community might see a mother struggling to manage an abuser's outbursts as someone in need of a village, the state often views her through a lens of individual responsibility. This mismatch in understanding can turn "help" into a trap. For many, calling the police or reaching out to a formal agency brings a new set of monitors rather than safety.[31] State intervention often forces survivors into impossible choices: remain in a harmful situation to keep their children or engage with a legal system that might use their trauma as evidence of an unstable home.[32] Reclaiming safety means bridging this gap, moving away from state definitions that focus on punishment and toward community responses that center the survivor's intuition and material needs.

"What usually makes a greater impact than proposing immediate solutions is the slow, delicate work of growing trust through kindness, patience, and non-judgmental listening"

— Survived & Punished

Alternative, community-centered approaches can make room for the messy reality of domestic violence without relying on coercion and punishment. Sometimes victims love their partners and aren't ready to leave, sometimes they don't want to see their partners criminalized, and sometimes they fight back and are at risk of criminalization themselves. One-size-fits-all solutions won't meet every family's needs. Survived & Punished, a national coalition founded by formerly incarcerated survivors, offers a nuanced and compassionate framework for community members addressing gender-based violence. They write, "What usually makes a greater impact than proposing immediate solutions is the slow, delicate work of growing trust through kindness, patience, and non-judgmental listening."[33]



"They Can Just Call the Police" and Other Myths About Domestic Violence

Jackie contacted the child welfare system in Los Angeles to escape an abusive partner, hoping for a safe path for herself and her four sons. Instead, a caseworker told Jackie she had thirty days to leave her partner's house or the state would remove her children.[34] Sadly, many survivors like Jackie are misled to believe that the family policing system is a helping system and then end up entangled in it. Real safety for families begins with naming these kinds of myths for what they are.

One common myth that much of the public believes is that the "family policing" system is a helpful resource for protection. Survivors frequently find that this system acts as a second source of harm.[35] In facilitating conversations with parents who lost their kids to CPS, Ashley Albert heard it all. "They would start to talk about how their caseworkers targeted them sexually, what was said to them, and how they felt silenced." In her own case, Ashley describes the system's lack of accountability for the lifelong trauma it perpetrated. "When the system makes errors, there are no reparations. There is no repair or reconciliation. We are left to put our families back together. Nobody is apologizing for the error in their ways."[36]

Another myth is that survivors can leave abusive relationships whenever they choose. This idea ignores how dangerous separation actually is. Research shows that 75% of domestic violence homicides happen during or right after a person tries to leave.[37] Survivors stay because they are performing a daily analysis of how to keep their children alive. Abusers also use financial abuse to control bank accounts and ruin credit scores. A ruined credit score makes it nearly impossible to secure housing because many landlords will not approve a rental application with a poor credit history.[38] Capitalism also presents a systemic barrier. Survivors navigating poverty must calculate how to provide for themselves and their children with little resources and high expenses.

Public narratives routinely suggest that courts and police are the best ways to handle violence. However, police and courts only intervene after there is documented evidence of harm which is too late and

misunderstands the complexities of intimate partner violence. For example, emotional abuse doesn't leave a paper trail, nor do threats and other coercive behavior. Some survivors also don't want to see their abuser punished or imprisoned, even though they want the abuse to stop.

Many police officers are abusers themselves,[39] with intimate knowledge of the mechanisms for reporting abuse and systems of support like domestic violence shelters. And, horrifyingly, police officers have access to weapons which means that violence can escalate quickly.[40] When a woman was murdered by her police officer spouse, a loved one told reporters, "Who was she supposed to call for help? When things go sideways, you call 911. He was 911."[41]

> "In the situations that I was involved in, these were people that I grew up with. These were not just intimate partners, but they were also young people who were also being harmed by systems. It's the idea that hurt people hurt people."
>
> — Ashley Albert

Furthermore, the police frequently facilitate violence against survivors even when they are not in the relationship in question.[42] After the enactment of the VAWA, twenty-three states enacted mandatory arrest laws requiring an officer to arrest a person involved in domestic violence if it meets certain criteria.[43] Mandatory arrests and "dual arrests" can lead to the arrest of the survivor along with the person who harmed them.[44] An example of this can be found in the case of Cat Brooks, who was arrested at 19 after her husband beat her. Because she was Black and visibly traumatized, and her white husband remained calm, the police took her to jail while he stayed in their home.[45]

Imagining Abolitionist Futures

Abolition asks us to do what carceral systems cannot, to see everyone's humanity. Survivors, like Ashley Albert, can speak to this nuance. "In the situations that I was involved in, these were people that I grew up with. These were not just intimate partners, but they were also young people who were also being harmed by systems. It's the idea that hurt people hurt people."

Restorative justice models acknowledge trauma and validate the experiences of those who have been harmed. They create a space where communities can practice and participate in solutions that keep families intact. Thankfully, models like this already exist.

STRATEGIES FOR ADDRESSING DOMESTIC VIOLENCE WITHOUT POLICING FAMILIES

1 PREVENTION

Family policing, like traditional policing, cannot prevent harm, it can only react after harm occurs. True prevention strategies require ending the systemic violence that creates an environment for interpersonal harm to occur.

- **Create financial stability** to give parents autonomy and alleviate power imbalances in relationships. Implement universal basic income, guaranteed housing, healthcare, and childcare.
- **Repeal CAPTA and mandatory reporting** that turns supportive services into surveillance mechanisms that threaten to steal victims' children.
- **Eliminate the threats of deportation, incarceration, and family separation** that prevent victims from leaving their partners.

2 INTERVENTION

When violence occurs, communities should be equipped to respond quickly for both the children and adults involved. That can look like a community member willing to intervene by creating safety plans, facilitating accountability, and upholding everyone's worth.

- **Promote solutions for survivors outside of carceral systems.** The Survived & Punished safety planning toolkit offers a compassionate, realistic framework and reminds us that, "Safety planning is for everyone, not just *the professionals*."[46]
- **Implement holistic responses that involve the survivors, the person doing harm, their children, and community allies.** The Creative Interventions toolkit outlines harm reduction practices, goal setting, survivor support, and accountability for those who caused harm.[47]
- **Stay flexible and creative to meet survivors' unique needs.** For example, the "It Takes a Village, People!" Toolkit focuses on LGTBQ survivors of abuse and reminds supporters that there are no "one size fits all" answers.[48]

3 HEALING

Healing and reparations for survivors and their families after experiencing the overlapping harms of IPV and family policing can disrupt generational and systemic cycles of violence. Ashley underscores the hope in these frameworks: "There's a possibility for redemption."

- **Help parents rebuild trust in themselves and in their community.** As a healing circle practitioner, Ashley Albert explains, "Through storytelling and framing the family policing involvement as a systemic issue rather than an individual failing, parents were able to be heard and feel a sense of community with others who were also right there in the muck."
- **Listen to survivors' stories.** The guidebook "Owning Your Story, Claiming Your Power: Talking About Domestic Violence and Child Protective Services," outlines how survivors can safely talk about their experience with loved ones and practice advocacy in their community.[49]
- **Implement reparations** for the harm that the family policing system has caused children at the center of intimate partner violence.

CONCLUSION

Undoubtedly, intimate partner violence needs to be addressed. It harms everyone: the survivor, the harmdoer, and the children witnessing the abuse. But what we are doing now—threatening families with separation and incarceration—isn't creating safety for anyone.

Safety is a material reality that depends on access to housing, financial resources, and community care. True safety comes from creating communities where no one is considered disposable. This path focuses on supporting families and repairing harm so every child can grow up in peace.

We look to One Million Experiments, an abolitionist project documenting the ways organizers are bringing this vision to life. As the project's originator Mariame Kaba says, there won't be *one new thing* to replace carceral systems, there may be one million experiments.[50] We need to be dynamic, willing to fail and try again. And we must be resolute, refusing to simply replace an abusive partner with a violent state institution.

THROUGH THE ABOLITION OF THE FAMILY POLICING SYSTEM, THERE IS HOPE FOR THE CHILDREN AT THE CENTER OF THESE CRISES.

Of course, not every community member will be up to the task of addressing domestic violence. The systemic and cultural misogyny, racism, and homophobia that underlies such gender-based violence is deeply rooted indeed. Still, this is a project worth working toward. And through the abolition of the family policing system, there is hope for the children at the center of these crises.

Just as children are impacted by witnessing violence, they can be benefited by participating in the transformative justice process. Abolition offers us a radical vision. Imagine a world where children see their neighbors provide safe harbor, warm meals, and a listening ear. They see their loved ones protected from harm and held accountable for harmdoing, without the looming threat of child welfare investigations and incarceration that can sever their familial bonds.

Survivors have been clear about what they need to build safety for themselves and their kids: housing, childcare, mental health care, financial stability, community support, and people who will listen without judgment. Real safety comes from care, not coercion. From connection, not punishment. And from the belief that no family is disposable.

Authors

Ashley De Anna Albert is a national advocate, writer, and peer support specialist dedicated to transforming the child welfare system. A mother, survivor of foster care, and formerly incarcerated woman, Ashley draws from her lived experience to fight against family policing and the "civil family death penalty." She is the founder of Intuned Consulting and the creator of healing circles for parents impacted by child removal, blending restorative justice with community care. Her work includes developing toolkits such as The Black Mama's Guide to Surviving Family Policing and leading initiatives like Stolen Children's Month, a national effort to honor families torn apart by the system. Ashley's testimony, writing, and trainings uplift the voices of parents while challenging systemic racism and injustice.

Josie Pickens is a Houston-based writer, narrative strategist, culturalist, and community organizer whose work bridges storytelling, public engagement, and social change. A longtime journalist and commentator, her writing has appeared in outlets including Essence, Ebony, The Root, Mic, NewsOne, and The Guardian. She specializes in narrative strategy and public storytelling, helping organizations, institutions, and movements communicate their impact, values, and vision. Josie serves as an Advisor to the upEND Movement and has led advocacy, research, and community engagement initiatives focused on social justice, public health, and systemic change.

Sydnie Dan'el Mares is an artist and communicator committed to supporting and uplifting marginalized communities. Sydnie is the director of the short documentary "A Vision of Grace" and serves as upEND Movement's Communications Manager. She uses her creative work to build a future free of carceral systems where Black, LGBTQ, and immigrant communities can thrive.

Reclaiming Safety is an anthology from upEND Movement answering critical questions about family policing abolition. Learn more at upendmovement.org/safety

Citation

Albert, A., Pickens, J., Mares, S. (2026). *Reclaiming Safety for Domestic Violence Survivors and Their Kids*. upEND Movement. upendmovement.org/safety

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