

How we are Influenced by Theories and Concepts

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What Should be done with Keith?

1. Have him start the program over
2. Report to probation officer; recommend jail
3. Report to probation officer; recommend partial jail time and start the program over
4. Continue in program
5. Follow partner's recommendation
6. Let men in program decide
7. Recommend counseling for victim
8. Pursue marriage counseling in addition to men's program
9. Do nothing
10. Do something else?

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He's out of Control!

...She needs to change too

How we understand domestic violence guides us in our decision making and frames how we will respond to the situation

Why doesn't she just leave?

Using violence is a choice he's making

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What Causes the Violence?

1. Pathology and Disorder Theories
2. Relationship Theories
3. Anger—Cycle of Violence Theory
4. Theory of Dominance Control)

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Individual Pathology

- The batterer has some kind of illness
- Batterer is a problem – not society
- Individual problem

Response: Individual psychiatric care, treatment for addiction, or therapy

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Relationship Dysfunction

- “It takes two to tango”
- Couples playing off each other
- Either could stop the violence
- Both parties are responsible

Response: Couples counseling, or relationship counseling separately

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The Cycle of Violence

- Theory developed by Lenore Walker
 - Tension-building phase
 - Explosion of violence
 - Honeymoon phase or respite
- Men socialized to use violence
- Increases in frequency and severity
- Popular theory, not backed by research

Response: Anger management classes

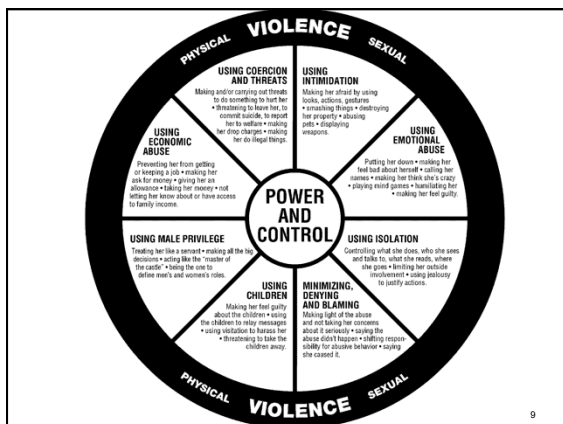
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Theory of Dominance

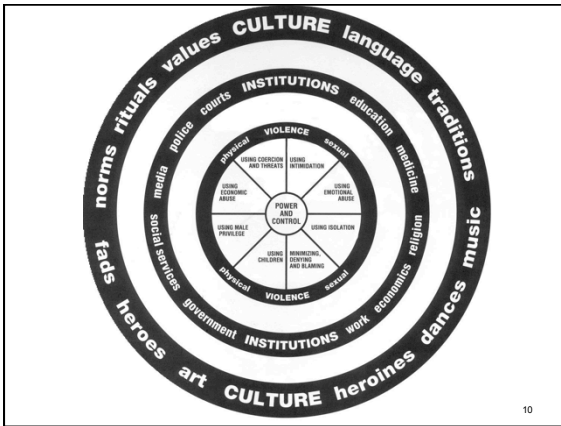
- System of power and control tactics
 - Physical violence
 - Sexual violence
 - Other abusive behaviors
- Reinforced by the culture
- Need to balance the power differential by using the power of the state

Response: Programs that focus on changing beliefs with tight sanctions by the criminal justice system

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Theory Summary

- **The Theory of Dominance is an over-arching framework for criminal justice-based intervention**
- **It focuses on safety, accountability, and addressing power imbalance**
- **Other theories can inform practice within a safety and accountability framework**

Hierarchy

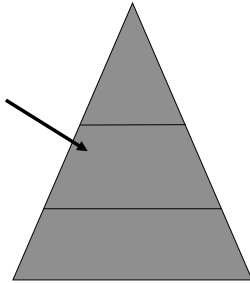
Top has power to:

- Reward and Punish
- Make and Enforce Rules
- Control Systems and Institutions
- Time and Mobility of others
- Resources and economy

Hierarchy

The Middle:

- Has illusion of power
- Gains privilege for enforcing rules
- Institutions are used to maintain system

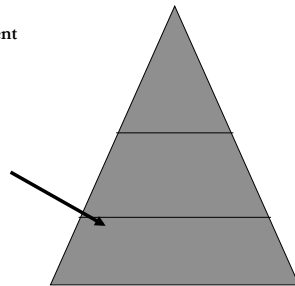


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Hierarchy

The Bottom:

- Economically dependent
- Defined as defective
- No say over resources
- Time and mobility controlled
- Opposition harshly punished



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Women Resist Men's Control

I'm right, I'm the man

I'm smarter

I'll decide what's best

She doesn't listen to me

Women are manipulative

I deserve this

Oppression

My way!

Fights back



Leaves him

Submits

Resistance

Covert resistance/
get needs met

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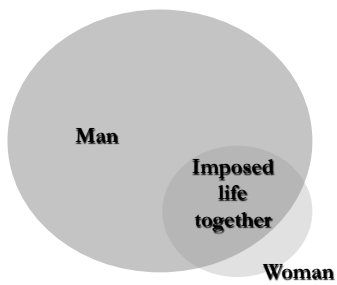
Women Resist Men's Control

Oppression and Resistance

- It is part of the human condition that we resist someone else controlling our lives
- Those at the top of the hierarchy see resistance as a character flaw
- When you see the intersection between your imposed demands, and her resisting being told what to do, it changes your understanding of her.

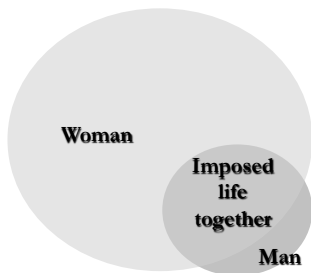
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Relationship defined by the Man Imposed on the Woman

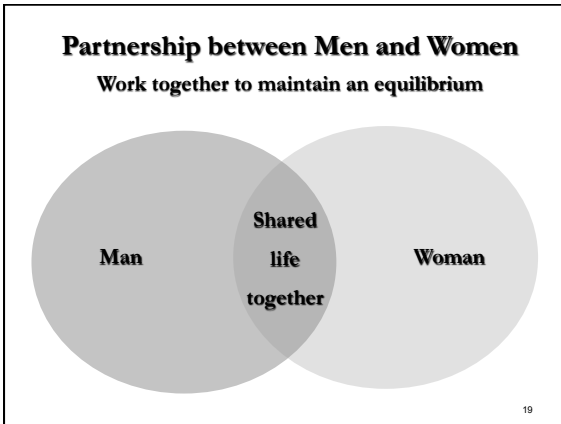


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Some Men are Scared that Women want to 'Flip the Script'



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**Refining our Practices through
Shared Understanding of the
Least Powerful**

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Dangerous Cases

What 'red flags' have led you to believe that a victim was in danger of being killed by an abusive partner?

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Overlapping Concerns



For each woman and her children, what risks are generated by...

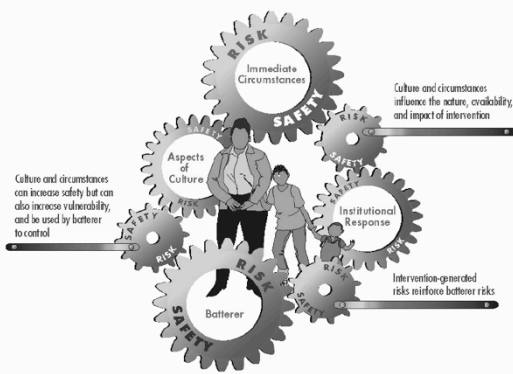


Figure 9: The Complexity of Risk and Safety¹

Collaborate with victims in ways that address domestic violence as a patterned offense

- Wherever possible, minimize the victim's need to confront the offender.
- Protect the victim from retaliation when using information that she or he has provided.

- Treat each interaction with the victim as an opportunity to build collaboration over multiple interventions (even when a victim starts out hostile to those interventions)

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- Stay mindful of the complex and often dangerous implications of a victim's collaboration with interveners.
- Be aware that the fundamental purpose of battering, which characterizes the majority of domestic violence criminal cases, is to control what the victim says, thinks, feels, and does.

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- Engage in a dialogue with the victim rather than treating her as a data point.
- Avoid unintentionally reinforcing the abuser's actions: offer a clear alternative to messages that the victim is crazy, at fault, unbelievable, and unable to make decisions, and that the abuser is unstoppable.

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- Our ability to work with a victim of battering hinges on her belief that:
- our intervention will counteract that power,
 - we understand the reality of living with battering,
 - we have a collaborative approach to working with her or him,
 - we are here to help, however long it takes.

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■ Excerpt from **The Blueprint for Safety: An Interagency Response to Domestic Violence Crimes**, Praxis International, Inc., 2009. Used with permission

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Context is Critical

Failing to distinguish one kind of domestic violence from another can:

- Endanger victims of ongoing violence
- Result in inappropriate responses by law enforcement, prosecutors and the court, advocates, and counselors
- Embolden perpetrators

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“Context” Means

- **INTENT** in offender’s use of violence
- **MEANING** of the violence to the victim
- **EFFECT** of acts on the victim
- How this incident fits with previous patterns of behavior

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What type of violence?

1. **Pattern of violence with coercive control**
2. **Responding to or resisting a pattern of ongoing violence**
 - Self defense (legal)
 - Retaliation (illegal)
3. **Violence without coercive control**

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What type of violence is this ?

- A man has been beating his partner for three or four years
- He comes home really drunk, she goes after him, yells at him, punches him, pushes him out the door, she’s had enough!
- She doesn’t want him home drunk, because he always beats her up when he’s drunk
- He pushes her aside, and goes to bed, tells her to leave him alone.

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- She doesn't want him home drunk, because he always beats her up when he's drunk
- He punches her several times, knocks her to the floor, and goes to bed.

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What type of violence is this ?

- A man has never beaten his partner before
- He comes home really drunk, she goes after him, yells at him, punches him, pushes him out the door, she's had enough!
- She doesn't want him home drunk
- He pushes her aside, and goes to bed, tells her to leave him alone

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Risk is higher when violence is accompanied by:

- An increase in frequency, severity, or type of violence over recent months
- Almost daily impairment by alcohol or drugs
- The victim attempting a permanent break
- Estrangements, separations, and reunions
- Failure of prior interventions to affect the offender

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Higher Risk *continued*

- A victim who expresses fear of threats to kill
- A victim making no attempt to leave despite severe abuse
- Prior arrests, law enforcement calls, and/or protection order(s)

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Higher Risk *continued*

- Isolation of victim (physical or social)
- A victim seeking outside help in the past year
- A victim has a child who is not the offender's
- An abuser leaves before law enforcement arrive; eludes warrants

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An abuser with these traits:

- Lack of remorse
- Mental health issues
- Financial difficulty; unstable housing
- Generalized aggression or violent acts
- Ongoing efforts to take children from their mother
- History of violence in multiple relationships
- First act of violence is life-threatening or brutal

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An abuser with these traits:

- Obsessive control of victim's daily activities
- Obsessive jealousy
- Significant and harmful use of a child
- Drawing others into the abuse (e.g., children, family, friends)
- Non-compliance with probation or pre-trial release conditions

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Using Danger Assessments with Victims

- Information is gathered in a dialogue format, talking about the abuse that has happened to her.
- Risk/danger tools provide another 'lens' through which victims may view themselves, their batterers and their situation.
- Risk scores can be an addition to the information gained by listening to battered women more carefully.

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Jacqueline Campbell's Dangerousness Assessment

- Used only with the victim
- 20 yes/no questions
- Predictive of short term repeat abuse
- Use of calendar to chart incidents increases accuracy

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Keeping Women Alive: Assessing the Danger



- Alberta Council of Women's Shelters began a collaborative action based research project with Dr. Jacquelyn Campbell, and nine member sheltering agencies to:
 - Inform women's shelter practice in keeping women and children safe;
 - Provide accurate evidenced-based research for use by community stakeholders in keeping women and children safe; *and*
 - Pilot a train the trainer model using Canadian/Alberta data.

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Methodology

The study used four measures:

- Danger Assessment Calendar
- Danger Assessment Questionnaire
- Demographics Form
- Outcomes Questionnaire asking women to rate their perceived level of risk before and after completing the Danger Assessment.

Data collected from 509 women (November 1, 2007 to January 31, 2009).

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Outcomes

- 74% of women accessing shelters scored in the severe or extreme danger levels on the Danger Assessment
- Significantly impacted women's understanding of their level of danger
- Women reported they were much more likely to ask for assistance from the police and from child welfare.
- Women recognized shelters can help.

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What Women Said:

- Knew they had made the right decision to leave;
- Better understood abuse and need for safety planning;
- More aware of the need to change;
- Saw the abuser as the source of the problem;
- Were more aware of the importance of children's safety;
- Were more aware of and intended to use community resources (e.g., police and legal assistance);

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What Women Said:

- Key barriers to change for some women were mistrust of authority, and feelings of powerlessness to change their situation.

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Implications

- Predictive power of women's perceptions needs to be included in risk assessments
- Women at greatest risk are those who feel 'somewhat safe,' feeling uncertain but not enough to take pro-active action
- Battered women should be encouraged to trust their intuition

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Broadening our concept of risk assessment and definitions of safety

- What are the consequences and implications for any course of action?
- How constricted has the victim's life become?

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Points to use Risk Assessment in Intervention

- Law enforcement initial investigation
- Advocate interviews and case planning
- Health professional medical history and release plan
- Child protection and other social services intake and case planning
- Protection order conditions and restrictions
- Bail and conditions of release
- Sentencing, probation supervision
- Batterers' intervention program orientation and partner contact

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Law Enforcement Risk Questions

1. Do you think he/she will seriously injure or kill you or your children? What makes you think so? What makes you think not?
2. How frequently and seriously does he/she intimidate, threaten, or assault you?
3. Describe most frightening event/worst incidence of violence involving him/her
4. Has he/she ever forced you to perform sexual acts under the threat of violence?

Dade County Police Department

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Duluth's Coordinated Community Response

- Police reports and protective orders to community advocates from DPD
- Domestic Violence Response Team
 - DVRT File by arraignment
 - Risk assessment
 - Engage with victim
- Track and monitor all civil and criminal cases including domestic disturbances
- Work with victims, prosecutors and probation on high risk cases
- Put batterers into men's nonviolence program

Domestic Abuse Intervention Project

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Domestic Violence Response Team

- System Advocate, Administrator (DAIP)
- Victim advocate (Safehaven Shelter)
- Two Investigators (Duluth PD)
- Two Probation Officers (Arrowhead Regional Corrections)

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Domestic Violence Response Team

- Create DVRT Files every morning prior to arraignment
- Each file contains all past police reports, current or past Orders for Protection, any information available from the Domestic Abuse Information Network (DAIN) on batterer intervention programming, and finally a summary of the violence the offender used in the current and past incidences
- Each file follows the offender to every hearing from arraignment through sentencing
- A 'pink sheet' summarizing offending and incident outcomes is used as the front page

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Who is on your Most Dangerous List?



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Concerns

- **Risk to victim of sharing information with the criminal justice system**
 - How is confidentiality addressed with victim prior to asking risk questions?
 - Who has access to the information?
 - How might that information work against the victim?

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Concerns

- Information from 'tools' must be used with other sources of information
- Use of categories; low, medium, high risk is preferred to cut-off scores
- Incomplete data gathering can lead to false assessment of risk
- Inattention to 'low-risk' cases

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How to Predict Risk Accurately

“The research consistently finds that the basic information usually available on most defendants provides as accurate a prediction of abuser risk to the victim as more extensive and time consuming investigations involving more sources, including clinical assessments.”

Practical Implications of Current Domestic Violence Research, Andrew Klein 2008 -
Hickert, D. & Goodall, E. (June 2004) *Battered Women's Perceptions of Risk Versus Risk Factors and Instruments in Predicting Repeat
Rape: Journal of Interpersonal Violence, 19.*

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Predictors for Re-offense

- Gender
- Time - within first six months after arrest
- Younger defendants
- A prior record for any crime makes him seven times more likely to commit another domestic assault
- Being “gone on arrival” makes him twice as likely to commit another domestic assault
- On warrant for a prior domestic assault

Practical Implications of Current Domestic Violence Research, Andrew Klein 2008

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Predictors for Re-offense

- Alcohol/drug abuse
- Victim's perception of risk
- Unemployed, economically disadvantaged
- Live in a house with firearms
- Abuser is not the father of children in home

Practical Implications of Current Domestic Violence Research, Andrew Klein 2008

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Predictors of Domestic Homicide

1. Firearms increase lethal violence six times over non-lethal violence
2. Men who threatened to use firearms were 20 times more likely to kill than men who didn't
3. Two thirds of men who killed their partners had illegal firearms due to prior domestic assault convictions or an active protective order

Practical Implications of Current Domestic Violence Research, Andrew Klein 2008

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Predictors of Domestic Homicide

Risk factors that increase lethality risk five times over nonlethal violence

- Threats to kill
- Prior attempts to strangle
- Forced sex
- Escalating physical violence over time
- Partner control over victim's daily activities

Assessing Risk Factors for Intimate Partner Homicide, National Institute of Justice Journal 250

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Impact of Arrest on Re-offense

- Arrest has consistently shown to deter re-abuse regardless of reporting party or level of charge
- Alternatively, the highest re-abuse rates occurred when law enforcement left the arrest up to the victim

Practical Implications of Current Domestic Violence Research, Andrew Klein 2008

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Impact of Prosecution on Re-offence

- Prosecution alone without regard to an offenders risk does not deter criminal behavior
- Prosecution that involves attention to risk and intrusive sanctions like jail and probation and batterer treatment deter domestic assault

Practical Implications of Current Domestic Violence Research, Andrew Klein 2008

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What is a Judge to Do?

- Judges who review risk factors from police reports or protective orders will improve bail/pre-trial release decisions and sanctions at sentencing
- Judges should look for past criminal records when making a determination of sanctions on protective orders
- Judges should not weigh victim preferences at sentencing as a predictor of risk

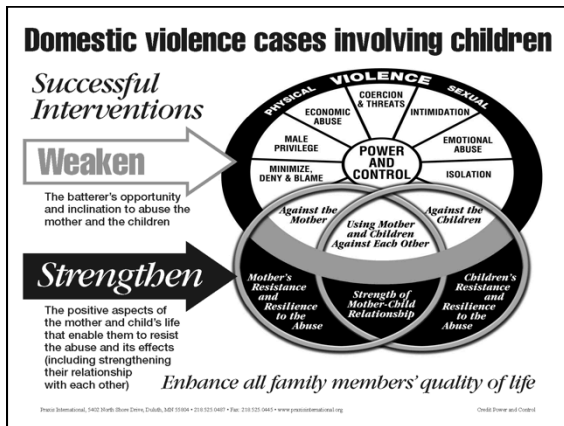
Practical Implications of Current Domestic Violence Research, Andrew Klein 2008

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What is a Judge to Do?

- Judges who give deferrals to 'first time' offenders will see 25% back with another assault
- Judicial demeanor makes a difference in protective order retention and cooperation with prosecution

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- ### Goals for Protecting Mothers and Children
- Focus on batterer accountability
 - Link safety of children with mother
 - Understand the impact of his abuse on the children and maternal bond
 - Understand how he uses the system to control her
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- ### The Work of a CCR
- Identify what's working and not working in the collective response of the agencies to safety for victims
 - Build changes into the infrastructure of case processing
 - Evaluate and monitor the systemic changes that have been put in place
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