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Civil Protection Orders: The Benefits and Limitations for Victims of Domestic Violence

Executive Summary

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*This research was supported by grant number 93-IJ-CX-0035 from the
National Institute of Justice. Points of view are those of the authors and do not necessarily represent
the position of the U.S. Department of Justice.*

CIVIL PROTECTION ORDERS: THE BENEFITS AND LIMITATIONS FOR VICTIMS OF DOMESTIC VIOLENCE

Executive Summary

In 1994, the National Center for State Courts initiated a study of the effectiveness of civil protection orders under a grant from the National Institute of Justice.¹ At that time, civil protection orders had become available in all fifty states, but many states still placed significant restrictions on their availability and the scope of relief provided in them.² The National Center's study was designed to build on the prior research of others who had explored the reasons why civil protection orders might be more or less effective in providing safer environments for victims and in enhancing their opportunities for escaping violent relationships.³ These earlier studies had concluded that the effectiveness of protection orders depends on the comprehensiveness of relief provided in protection orders, the specificity of the protection order terms, and how well and consistently the orders are enforced. The National Center's study looked at other factors that might influence the effectiveness of protection orders, including accessibility to the court process, linkages to public and private services and sources of support, and the criminal record of the victim's abuser.

¹ This research was supported by grant number 93-IJ-CX-0035 from the National Institute of Justice. Points of view are those of the authors and do not necessarily represent the position of the U.S. Department of Justice. A copy of the full report is available for the cost of copying, postage, and handling. The authors of this summary and the full report are Susan Keilitz, Hillery Efke, and Paula Hannaford.

² "Developments in the Law: Legal Responses to Domestic Violence." (May 1993). *Harvard Law Review* 106(7).

³ The Urban Institute. (1996). *The Violence Against Women Act of 1994*. Washington, DC; M. Chaudhuri and K. Daly (1991). "Do Restraining Orders Help? Battered Women's Experience with Male Violence and Legal Process." In E. Buzawa and C. Buzawa (Eds.). *Domestic Violence: The Changing Criminal Justice Response*. Westport, CT: Greenwood Press; P. Finn and S. Colson. (March 1990). "Civil Protection Orders: Legislation, Practice and Enforcement." *National Institute of Justice Issues and Practice*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

Examining Protection Orders in Three Jurisdictions

The National Center's study examined the civil protection order process and the environments in which the process takes place in three jurisdictions with different processes and service models.⁴ These jurisdictions are the Family Court in Wilmington, Delaware, the County Court in Denver, Colorado, and the District of Columbia Superior Court.⁵ The expectation in examining these three jurisdictions was that the different models they use would produce various results and that these variations might hold implications for improving practices in other jurisdictions. The key structural differences among the study sites relevant to the court's role in ensuring that protection orders serve their intended function are the court intake process, the level of assistance petitioners for orders receive, and access to court hearings.

The process for obtaining a protection order is more centralized in Delaware and Denver than it is in the District of Columbia. In Delaware and Denver, petitioners also are provided direct assistance when they file petitions. In Delaware, specially educated and trained court staff in a Domestic Violence Unit assist petitioners, while in Denver, help is provided by volunteers and staff of a private victim service agency (Project Safeguard). At the time of the study, petitioners in the District of Columbia received no assistance other than the attention of a court clerk in completing petition forms.

The docketing for protection order hearings varies considerably among the three courts. Denver has a consolidated docket, with a single judge who hears petitions for temporary orders and presides at hearings for permanent orders exclusively. Temporary orders are available on an *ex parte* calendar every afternoon and hearings for permanent orders are set every morning.

⁴ On some factors that also might affect the effectiveness of civil protection orders the three jurisdictions are more alike than different. In each of the three jurisdictions, petitioners can obtain an *ex parte* order of protection during business hours Monday through Friday, but there is no weekend or after hours access to an emergency civil protection order. (In all three sites, criminal no-contact orders can be issued in cases where the perpetrator has been released from custody after an arrest.) In each site, police may arrest respondents without a warrant based on probable cause that the respondent violated the protection order. Violations can be prosecuted as a misdemeanor offense. Orders are also enforceable through contempt proceedings in the court.

⁵ The District of Columbia has undergone significant change in the manner in which the court, law enforcement, and prosecution address domestic violence. The descriptions in this report reflect how the court and system operated at the time the study commenced, however. The system is still in the beginning stages of implementing an ambitious reform plan that includes a domestic violence court.

The Family Court in Delaware holds ex parte hearings twice daily--once in the morning and again in the afternoon, but hearings for permanent orders are set only on Fridays. Three commissioners preside over ex parte and permanent order hearings. In the District of Columbia, petitioners seeking an ex parte order must wait for the judge assigned to hear emergency matters, including warrants. Hearings for permanent orders are held daily and assigned to a judge in the Family Division who sits in a monthly rotation on the protection order calendar.

Evaluating Benefits in the Context of Victims' Experiences

The study findings are based on four sources of data: (1) initial telephone interviews conducted with 285 women petitioners for protection orders in the three project sites approximately one month after they received a protection order (temporary or permanent); (2) follow-up interviews with 177 of the same group of petitioners about six months later; (3) civil case records of petitioners who participated in the study; (4) criminal history records of men named in the protection orders the study participants obtained.⁶ The analysis of the data was informed by on-site interviews with judges, court managers and staff, victim services representatives, members of police domestic violence units, and prosecutors and by observations of hearings for temporary and permanent orders.

Across the three project sites, 554 women agreed to participate in the study and signed a consent form (Delaware, 151; Denver, 194; District of Columbia, 209).⁷

⁶ The method of selecting participants for the study places some limitations on the strength of the conclusions that can be drawn from the study findings. First, the participants were not randomly selected, which limits the extent to which we can say they are representative of other women who seek protection orders in the study sites. We also do not know what proportion of the women who were asked to participate declined. However, this proportion is likely not of any appreciable size because the recruiters reported that few women did not agree to participate. The participants' self-selection for the study poses a second threat to the validity of the findings, which is that those women who were willing to participate may have some characteristics that distinguish them from the other victims who might seek a protection order. Third, all of the participants had a telephone or access to one. This sets them apart from women with fewer resources and those who do not have a place where it is safe to have a telephone conversation, including most women who were staying in a shelter or other temporary residence. (Interviewers were able to speak with some women who were in transient situations.)

⁷ In each of three sites, women who filed petitions for protection orders were recruited in person for the study. Recruitment for the study began in July 1994 at staggered times across the sites as project staff visited each site and trained individuals to recruit women. The recruiters explained the purpose of the

Project staff were able to complete an initial interview with 285 of the women (51 percent) who were recruited (Delaware, 90; Denver, 90; District of Columbia, 105). These women formed the study groups in each site.⁸ Approximately 60 percent (177) of these women participated in the follow-up interviews.

Measuring the Effectiveness of Protection Orders

The National Center's study applied two primary measures of effectiveness: (1) improvement in the quality of the women's lives (women's reports that their lives have improved since getting the order, that they feel better about themselves, and that they feel safer), and (2) extent of problems related to the protection order (women's reports of repeated occurrences of physical or psychological abuse, calling at home or work, coming to the home, stalking, and other problems related to the order).

To quantify these measures of effectiveness, we developed an index of the variables that comprise each measure. The indexes allow more meaningful analyses of relationships among the dependent (or outcome) variables that make up the indices and the many independent variables that could be associated with the effectiveness of protection orders. Each of the variables in the indexes has a score of 1. For the Well-being Index the possible range of scores is 0 (the lowest level of effectiveness) to 3 (the highest level). For the Problems Index the possible range of the values is from 0 (indicating the highest level of effectiveness) to 7 (the lowest level of effectiveness). The values of the Problems Index are the inverse of those for the Well-being Index: the greater the number of types of problems the participant experienced, the higher her score on the Problems Index.

study and what participation in it would entail. If the woman agreed to participate, the recruiters asked her to sign a consent form.

⁸Reasons for attrition among the women recruited for the study are numerous and varied, but difficulty in contacting the women by phone was a major factor. About one fifth of the women did not participate because they did not respond to phone messages asking them to return the call using a toll free number. Other communication obstacles included disconnected telephones (16 percent), inability to leave a message or get an answer at the number provided (10 percent), wrong phone numbers (4 percent), and no phone (3 percent). Other reasons why staff were unable to complete interviews included women changing their mind about participating (9 percent), repeatedly broken or postponed appointments (7 percent), not having obtained an order (6 percent), moving (4 percent), and having petitioned for an order against a family member who was not an intimate partner (5 percent).

Summary of Key Findings and Implications for Practice

- Civil protection orders are valuable for assisting victims regain a sense of well-being.

Table 1: Effectiveness Measured by Quality of Life	Initial Interview (n=285)	Follow-up Interview (n=177)
Life Improved	%	%
All Sites	72.3	85.3
Delaware	82.2	87.5
Denver	74.4	89.7
District of Columbia	61.9	79.4
Feel Better		
All Sites	72.3	92.7
Delaware	82.2	92.9
Denver	74.4	93.1
District of Columbia	61.9	92.1
Feel Safer		
All Sites	73.7	80.5*
Delaware	77.8	83.7
Denver	83.3	82.9
District of Columbia	61.9	71.4

For nearly three-quarters of the study participants, the short term effects of the protection order on the participants' well-being were positive (see Table 1). These positive effects improved over time, so that by the time of the six-month follow-up interview, the proportion of participants reporting life improvement increased to 85 percent. Over 90 percent reported feeling better about themselves, and 80 percent of those with a protection order in effect felt safer. Furthermore, in both the initial and follow-up interviews, 95 percent of the participants stated that they would seek a protection order again.

- In the vast majority of cases, civil protection orders deter repeated incidents of physical and psychological abuse.

Table 2: Effectiveness Measured by Problems with Orders: All Sites	Initial Interview (n=268)		Follow-up Interview (n=167)	
	#	%	#	%
No problems experienced	194	72.4	109	65.3
Respondent called home/work	43	16.1	29	17.4
Respondent came to home	24	9.0	14	8.4
Respondent stalked victim	11	4.1	12	7.2
Respondent physically re-abused victim	7	2.6	14	8.4
Respondent psychologically re-abused victim	12	4.4	21	12.6
Respondent caused other problems	3	1.1	1	0.6

A majority of the participants in both the initial and follow-up interviews reported having no problems (72.4 percent and 65.3 percent, respectively)(see Table 2). Repeat occurrences of physical abuse were reportedly rare, but varied greatly across the study sites, particularly in the follow-up interviews. In the initial interviews, 4.1 percent of the participants reported repeated physical abuse. At the six month follow-up, that proportion doubled to 8.4 percent. The incidence of repeated physical abuse was much higher, however, in Delaware (10.9 percent) and the District of Columbia (11.9 percent) than in Denver, where only about 2 percent of the participants reported being re-abused physically.

Psychological abuse was reported by 4.4 percent of the study participants initially, but after six months the reported incidence rose to 12.6 percent. As occurred in the reports of repeated physical abuse, there was a high level of variance across the sites on this measure. Psychological abuse was highest in Delaware (23.6 percent) and lowest in the District of Columbia (1.7 percent), with Denver falling in the middle (13.3 percent).

The most frequently reported problem in both the initial and follow-up interviews was calling the victim at home or work (16.1 percent and 17.4 percent, respectively). In both the initial and follow-up interviews about 9 percent of the participants reported that the respondent came to the victim's home. Stalking was relatively infrequently reported. In the initial interviews about 4 percent of the participants reported being stalked by the respondent; this figure rose to about 7 percent in the follow-up interviews.⁹

- The study participants experienced severe abuse.

Table 3: Nature of Abuse Before Protection Order					
All Sites (n=285)	#	%	By Site	#	%
Threatened or Injured with a Weapon	105	36.8	Delaware	29	32.2
			Denver	33	36.7
			District of Columbia	43	41.0
Severe Physical Abuse: Beaten or Choked	155	54.4	Delaware	55	61.1
			Denver	48	53.3
			District of Columbia	52	49.5
Mild Physical Abuse: Slapping, Grabbing, Shoving, Kicking	239	83.9	Delaware	80	88.9
			Denver	79	87.8
			District of Columbia	80	76.2
Intimidation through Threats, Stalking, Harassment	282	98.9	Delaware	90	100
			Denver	90	100
			District of Columbia	102	97.1

Over one-third of the study participants had been threatened or injured with a weapon; over half the participants had been beaten or choked, and 84 percent had

⁹ The majority of participants with children reported that they did not experience any problems related to the children. However, in contrast to the whole group of participants, the proportion of participants with children who reported having any problems rose from 31 percent in the initial interviews to 42 percent in the follow-up interviews. This difference makes sense intuitively, because participants with children are more likely to be in situations where problems could occur, such as seeing the respondent upon the exchange of children for visitation. In the initial and follow-up interviews, the two most frequently reported types of problems related to children were problems at exchange of children for visitation (initial 3.9 percent, follow-up 2.1 percent) and threatening to keep the children (initial 2.1 percent, follow-up 3.5 percent). No one reported that the respondent actually kept the children. Four participants in the first interview and one in the follow-up interview reported that the respondent did not return the children at the appointed time.

suffered milder physical abuse, such as slapping, kicking, and shoving.¹⁰ While the use of weapons to threaten or injure the participants occurred for most women only once or twice, over 40 percent of the participants experienced severe physical abuse at least every few months, and 10 percent experienced such abuse weekly. About 10 percent of the participants sought a protection order after only a week, but 15 percent of the women experienced abuse for one to two years, and nearly one quarter had endured the respondent's abusive behavior for over five years.

Most significantly, the longer the women experienced abuse, the more intense the abusive behavior became; consequently, the longer a victim stays in a relationship the more likely it is that she will be severely injured by the abuser.¹¹ This finding indicates that victims should be counseled at the earliest moment they come in contact with a public or private service that the likelihood of the abusive behavior abating without a specific intervention is low. Victims should receive assistance in developing a safety plan and understanding the importance of enlisting neighbors, friends, and co-workers in following the plan.

¹⁰ To assess the nature of the abusive behavior experienced by the study participants, the project applied the categories of abusive behaviors used by the Urban Institute and the Association of Family and Conciliation Courts in an evaluation of the use of mediation in family mediation when domestic violence might be occurring between the parties. See, L. Newmark, A. Harrell, and P. Salem. (April 1994). *Domestic Violence and Empowerment in Custody and Visitation Cases: An Empirical Study on the Impact of Domestic Abuse*. Madison, WI: Association of Family and Conciliation Courts. These categories were distilled from the specific acts included in the Conflict Tactics Scale developed by Straus (M. Straus. (1979). "Measuring Family Conflict and Violence: The Conflict Tactics Scales." *Journal of Marriage and the Family*, XLI: 75-88.)

¹¹ To examine relationships between the intensity of the abuse the participants experienced and other variables, an index of abuse intensity was created through factor analysis. The duration of abuse was highly correlated with more severe abuse and more frequent abuse. The score for the rotated factor matrix for the duration of abuse variable was 0.598, resulting in a factor score coefficient of .231.

- The majority of abusive partners have a criminal record.

Table 4: Number of Respondents with a Criminal Arrest History					
All Sites (n=244)	#	%	By Site	#	%
All Crime Types	158	64.8	Delaware (n=90)	62	68.9
			Denver (n=60)	46	67.6
			District of Columbia (n=86)	50	58.1
Violent Crime	129	52.9	Delaware	56	62.2
			Denver	40	58.8
			District of Columbia	33	38.4
Drug and Alcohol Related Crimes	72	29.5	Delaware	25	27.8
			Denver	22	32.4
			District of Columbia	25	29.1
Other Crimes	121	49.6	Delaware	49	54.4
			Denver	31	45.6
			District of Columbia	41	47.7

Sixty-five percent of the respondents had a prior criminal arrest history.¹² These charges consisted of a variety of offenses including violent crime (domestic violence, simple assault, other violence, and weapons charges), drug and alcohol-related crimes (drug and DUI offenses) and other categories of crimes (property, traffic and miscellaneous offenses). Of the 131 respondents with any history of violent crime, 109 had prior arrests for violent crimes other than domestic violence. These findings are generally consistent with a study conducted in Quincy, Massachusetts that found that

¹² The sources of the criminal history records and their inclusiveness in regard to the sample of participants varied across the project sites. In Delaware, the Family Court provided statewide data on the respondents to all the orders issued to participants in the study. The Family Court could achieve this level of inclusiveness because the Family Court records include the names of the respondents. In Denver and the District of Columbia, project staff had to obtain the names of the respondents from the participants' case files. At each of these sites, project and court staff could not locate the files of all the participants and consequently also could not obtain the names of all the respondents. In Denver, the Colorado Division of Criminal Justice provides statewide criminal histories. In the District of Columbia, project staff obtained criminal records from the automated system of the Superior Court. The criminal history records are not likely to be comprehensive. Because of the close proximity that the District of Columbia and Delaware have to neighboring jurisdictions (Northern Virginia and Maryland for the District of Columbia, and Maryland, Pennsylvania and New Jersey for Delaware), the criminal records in these sites may significantly underrepresent the total amount of prior criminal activity for the respondents. In Denver, the arrest histories for respondents may be more representative of their actual prior arrest record because Denver is centrally located within a comparatively large state-wide reporting jurisdiction.

"80 percent of abusers have prior criminal histories . . . and half have prior violence records."¹³

If the woman's abuser had an arrest record for violent crime, she was significantly less likely to have been available for a second interview.¹⁴ Furthermore, respondents with arrest histories for drug and alcohol related crimes and for violent crime tended to engage in more intense abuse of their partners than did other respondents. These findings strongly support the need for greater attention to safety planning for victims whose abusers have a record of violent crime, as well as the need for protection orders to require both substance abuse and batterer treatment for respondents with arrest records for drug and alcohol related offenses. Concomitantly, judges need to have the criminal arrest histories available for review when they are crafting protection orders. Judges and victim service providers should stress to victims the need for vigilance in taking safety precautions and using law enforcement and the court to enforce their protection orders.

- **The criminal record of the respondent is associated with improvements in well-being and in curbing abusive conduct.**

For the Well-being Index, participants are more likely to report positive outcomes when the respondent has a record of violent crime. Protection orders therefore can be particularly helpful for improving the well-being of women when their abuser has been sufficiently (and probably publicly) violent in the past to be arrested for the behavior. For the Problems Index, in the initial interviews, the participants whose abuser had a

¹³ M. Schachere. (December 1995). "STOP Grants Training Conferences Highlight Successful Strategies." *National Bulletin on Domestic Violence Prevention* 1(6). The Quincy study focused in part on the effectiveness of a highly coordinated and accurate reporting system between the civil and criminal court systems. The comparatively high criminal arrest rates reported in the Quincy study may reflect the accuracy of that jurisdiction's reporting system rather than an abnormally higher violent crime rate relative to the sites included in this study.

¹⁴ These findings related to the respondents criminal history suggest that the women not interviewed a second time may have had less positive feelings about themselves than did the women who were interviewed a second time. On the other hand, participants who obtained orders against respondents with an arrest record for violent crime tended to have higher scores on an index of subjective measures of effectiveness of protection orders. They also may have suffered repeated physical abuse, psychological abuse, or other violations of the protection order to a greater degree than the women participating in the follow-up interviews.

higher number of arrests tended to report a greater number of problems with the protection order.¹⁵ In the follow-up interviews, the participants whose abuser had at least one arrest for a violent crime other than domestic violence were more likely to experience a greater number of problems with the protection order.¹⁶

These findings indicate that protection orders obtained against respondents with a criminal history are less likely to be effective in deterring future violence or avoiding other problems than those obtained against respondents without such a history. Because protection orders provide petitioners with less protection against respondents with a high number of arrests, and more specifically with a history of violent crime, the need for aggressive criminal prosecution policies becomes more critical. Criminal prosecution of such individuals may be required to curb their abusive behavior. Reliance on a protection as the sole intervention in these cases may not be the most effective deterrence against further abuse.

The relationships between the respondents' criminal histories and both the improved quality of life and reported problems with protection orders indicate that the dual interventions of criminal and civil process are likely to be most helpful to women whose abusers have been arrested in the past. Criminal prosecution may address the violence more effectively, while the civil protection order bolsters the victim's self-esteem and gives greater feelings of security.

- **Temporary protection orders can be useful even if the victim does not follow through to obtain a permanent order.**

The most commonly cited reason for not returning for a permanent order was that the respondent had stopped bothering the petitioner (35.5 percent), which suggests that being the subject of the court's attention can influence the abuser's behavior. Also, one-fourth of the study participants who obtained only a temporary protection order engaged in safety planning at that time. The court process thus offered an opportunity for educating victims about the actions they could take to protect

¹⁵ Analysis of Variance, $F = 1.6271$, $p = .0439$.

¹⁶ Analysis of Variance, $F = 4.8820$, $p = .0285$.

themselves. This finding indicates that courts and victim service providers should capitalize on this opportunity by spending more time in safety planning and assessing victims' needs when they petition for temporary orders.

- **The court process can influence the victim's active participation in deterring further violence in her life.**

A more centralized process and direct assistance to petitioners for protection orders may encourage women with a temporary order to return to court for a permanent order. The proportion of women who returned to court for a permanent order following a temporary order was significantly higher in Denver (60 percent) than in the District of Columbia (44 percent).¹⁷ In addition, a higher proportion of women developed a safety plan in Denver, where each petitioner is assisted by an advocate from Project Safeguard, in comparison to Delaware and the District of Columbia. Study participants in Denver also reported far fewer repeated occurrences of physical violence compared to the participants in Delaware and Denver.

- **The full potential for comprehensive relief in protection orders has not been achieved.**

Exclusive use of the family residence is an available remedy in each of the project sites and can be critical for the both the safety and psychological stability of the victim, but the court in Denver is much more disposed than the other courts to order the respondent to vacate a common residence in both temporary and permanent orders. Also, although considerable proportions of the respondents had histories of violent crime and drug or alcohol related offenses, few of the protection orders required the respondent to participate in batterer or substance abuse. Courts should revise protection order petitions and uniform orders to include all possible forms of relief available to victims. Making the forms more user friendly and instructive as to the relief

¹⁷ The return rate for participants in Delaware differs considerably from Denver and the District of Columbia, primarily because the majority of participants in Delaware were recruited for the study when they appeared for the hearing on the permanent order.

available will allow petitioners greater opportunity to consider what types of relief are likely to be helpful to them.

- **Victims do not use the contempt process to enforce orders.**

Few of the study participants filed contempt motions for violations of the protection order. In 130 cases (89.7 percent), no contempt motions were filed. Thirteen cases (9.0 percent) had one contempt motion and only two cases (1.4 percent) had more than one contempt motion. Of the cases in which contempt motions were filed, the court held a hearing on the matter in nine cases and granted the motion in five of these cases. The low use by participants of the civil contempt process to enforce protection orders indicates that the court should do more to inform victims about the availability of and the process for filing contempt motions.¹⁸ Judges should advise victims during hearings about the avenues of enforcement, including law enforcement, the court, and courts in other states. Furthermore, the protection order should include a statement regarding the order's enforceability locally, throughout the state, and in other states. This need to provide easily accessible and understandable information about the enforcement process has become more acute in the wake of the Violence Against Women Act's full faith and credit provisions for protection orders.¹⁹

- **The potential for linking victims to services through the court process has not been achieved.**

Overall, more than three-fourths (77.5 percent) of the study participants received some type of service or assistance, either before or after they obtained a protection order. However, the participants' private circle of friends and relatives accounted for a large proportion of the assistance victims received. Although an array services is

¹⁸ Participants in Denver also reported little use of the contempt process to enforce orders, but this is most likely because the policy of the City Attorney is to vigorously prosecute violations of protection orders. The City Attorney's domestic violence unit works closely with the police department to coordinate arrests, arraignments, and prosecution. They reportedly obtain a high proportion of guilty pleas because the prosecution efforts have been successful.

¹⁹ *The Violence Against Women Act of 1994*, Pub.L. No. 103-322, Title IV, 108 Stat. 1902-55 §40221 (2265-2266).

available to victims from both governmental sources, such as police and prosecutor victim assistance units, and the community, such as victim counseling, shelters for battered women and their children, pro bono legal services, and employment and education counseling, a relatively low proportion of victims appears to be making a connection to these services. The court should ensure that petitioners for protection orders receive not only information about the services available to them but also assistance in accessing the services.

- **Law enforcement agencies can do more to assist prosecutors in developing cases for prosecution, to arrest perpetrators, and to help victims access the civil protection order process.**

Table 5: Police Procedures	Delaware		Denver		District of Columbia	
	#	%	#	%	#	%
Petitioner Called Police Following CPO Incident	58	96.7	56	93.3	80	89.9
Police Came to the Scene	46	79.3	50	89.3	75	93.8
Police Interviewed Witnesses at the Scene	25	59.5	27	55.1	27	37.5
Police Took Notes at Scene	31	72.1	28	60.9	46	64.8
Police Arrested Respondent	9	55.0	27	87.1	14	41.2
Police Informed Petitioner About CPO Availability	35	60.3	37	60.7	69	77.5
Police Informed Petitioner About CPO Procedures	33	56.9	32	53.6	63	70.8
Petitioner Believes Police Were Helpful	31	52.5	27	45.0	39	43.8

The reported use of police services varied across the sites, as did the responses of the police (see Table 5). In Delaware, for example, a higher proportion of the participants had called the police following the incident that spurred them to seek a protection order (Delaware, 97 percent, Denver, 93 percent, District of Columbia, 90 percent), but the police came to the scene of the incident in a lower proportion of the cases (Delaware, 79 percent, Denver, 89 percent, District of Columbia, 94 percent).

Once at the scene, however, the police in Delaware (Wilmington Police and New Castle County Police) were more likely to take notes and interview witnesses. The police arrested the respondent in Denver in a considerably higher proportion of the cases, particularly in comparison to the District of Columbia (87 percent compared with 41 percent). In each of the sites, however, the proportion of participants who reported that the police had told them how to obtain a civil protection order was too low for good practice (Delaware, 57 percent; Denver, 54 percent; District of Columbia, 71 percent).

Because law enforcement officers are on the front lines of the fight against domestic violence, they should be more aggressive in ascertaining probable cause to arrest abusers, as well as in informing victims about the civil protection order process. The role of law enforcement officers in enforcing protection orders has become even more critical since the enactment of the Violence Against Women Act. The full faith and credit provision of VAWA places greater responsibility on law enforcement officers to respond effectively to victims' calls for enforcement of protection orders issued by jurisdictions outside the local or state jurisdiction. Law enforcement training in domestic violence, arrest policies, and enforcement procedures should be an integral and mandatory component of officer preparation and continuing education, not just an isolated topic at the academy and a low priority activity for veterans.

Continued Research on Current and Future Initiatives

A significant movement has developed to implement new approaches to redressing family violence and addressing the needs of its victims.²⁰ Over the course of the past few years, a wave of legislative reforms in the states and at the federal level has accelerated this movement. Chief among these is the Violence Against Women Act (VAWA), enacted by Congress in 1994.

The VAWA presents a pivotal opportunity to increase the effectiveness of protection orders through several changes in current practice that will affect access to protection orders and enhance enforcement remedies. The VAWA provisions include

²⁰ See National Council of Juvenile and Family Court Judges. (1992). *Family Violence: State-of-the-Art Court Programs*. Reno, NV: National Council of Juvenile and Family Court Judges.

full faith and credit for protection orders, sanctions for interstate violation of protection orders, and substantial grant opportunities that are building the capacities of state and local jurisdictions to coordinate the efforts of law enforcement, prosecutors, courts, corrections, and providers of victim services, batterer treatment, and medical, mental health, and social services.

Many of the initiatives funded by VAWA include the implementation of data collection and communication systems and enhancement of coordinated community interventions. These initiatives are likely to encourage improved processes for obtaining and enforcing protection orders and for incorporating protection orders as a key component in the web of responses to domestic violence. Future research should capitalize on the data collection and community coordination systems that are evolving with VAWA and other funding. The most effective interventions can only be determined by examining the interactive dynamics of domestic violence, including the nature of abuse experienced by victims, the criminal histories of the abusers, the use of criminal history information in crafting orders and counseling victims, the actions of police and prosecutors, the enforcement and effects of specific terms (including supervised visitation and batterer and substance abuse treatment), and the application of full faith and credit for protection orders. The National Center's study demonstrates that the effectiveness of civil protection orders is inextricably linked to the quality of the system of government and community services in which protection orders operate. Issuing a protection order is only one part of the remedy.