

Section III: Prevention and Intervention: Collaborations, Policies, Programs, and Services

Overview

by Bonnie S. Fisher

In *Understanding Violence Against Women* (Crowell and Burgess, 1996), the Panel on Research on Violence Against Women described in detail prevention and intervention policies, programs, and services directed at both victims and perpetrators of violence. These diverse efforts come from many sources, including the criminal justice system, schools, social services and mental health agencies, advocacy organizations, and coordinated community groups.

The panel made two key observations regarding the extent of researchers' and practitioners' knowledge of the workings and results (both positive and negative) of programs to prevent and intervene against violence against women. First, it described several types of preventive interventions (e.g., date-rape prevention programs, public education programs), individual treatment interventions (e.g., individual counseling and peer support groups for women victims of violence and for perpetrators), and community interventions (e.g., rape crisis centers, shelters, criminal justice system reforms). The panel also emphasized the need for studies that describe current services for victims of violence.

Second, two themes developed throughout the panel's descriptions of preventive interventions: the lack of studies of the discretionary process in the criminal justice and civil systems, including prosecutorial decisionmaking; and the lack of scientifically rigorous evaluations of the outcomes or effectiveness of prevention and intervention programs for victims and perpetrators of violence against women. The evaluative gaps include employing basic methodological components of rigorous evaluations, such as employing randomized, controlled studies; using operationally defined outcome measures to evaluate effectiveness and designated timing intervals in measuring outcomes; and assessing both short-term and long-term effects of an intervention.

The contributions in this section provide a much-needed updated description and understanding of the workings of prevention and intervention policies, programs, services, and collaborative efforts in the United States. They show that numerous prevention and intervention strategies have been implemented both within the criminal justice system and between the criminal justice system and other service agencies. Many of these newly developed collaborations have become institutionalized.

Several papers describe changes made in law enforcement agencies as they respond to incidents of violence against women and family violence. Erin Lane, Rosann Greenspan, and David Weisburd describe the Second Responders Program, which handles domestic violence calls to police in Richmond, Virginia. Traditionally, social workers contacted a victim of domestic violence days after police answered the call for service. With the Second Responders Program, social workers "respond

to scenes of domestic violence (and other human services cases) while the police are still on site.” Arlene N. Weisz, David Canales-Portalatin, and Neva Nahan examine the effectiveness of advocacy services offered to battered women by special domestic violence teams in Detroit police precincts.

Law enforcement agencies are not the only organizations in the criminal justice system to change their handling of violence against women and family violence cases. Prosecutors’ offices also have undertaken innovations in policies and procedures. Barbara E. Smith and Robert Davis offer a comparative perspective on the workings and effectiveness of no-drop policies in prosecutors’ offices in four cities. Debra Whitcomb documents new statutory initiatives that nine State legislatures have adopted to aid prosecutors in responding to cases in which children have been exposed to domestic violence. She offers an indepth study of five jurisdictions to gain a better understanding of the issues facing prosecutors when children are victims of or witnesses to domestic violence.

Innovation has occurred at the court level as well. Susan Keilitz presents a comprehensive discussion of specialized State domestic violence courts. In her analysis, she brings much-needed understanding of the structural and operational changes that State courts have implemented to address domestic violence case management. Lisa Newmark, Mike Rempel, Kelly Diffily, and Kamala Mallik Kane document several innovative structures and practices that the Kings County (Brooklyn) Felony Domestic Violence Court has implemented to respond more effectively to domestic violence cases. Among these innovations are a specialized caseload on a single docket, vertical processing, and standard practices in case management.

Victim service programs for women who have experienced violence have grown as a result of Federal funding directed at State programs. Janine M. Zweig and Martha R. Burt describe the STOP (Services, Training, Officers, Prosecutors) Violence Against Women Formula Grants Program as “a major Federal avenue that has further stimulated the growth of programs serving women victims of violence” in the 50 States, the District of Columbia, and the 5 territories. Lisa Newmark, Blaine Liner, Judy Bonderman, and Barbara Smith provide an overview of State victim compensation and assistance programs established by the 1984 Victims of Crime Act. Cris M. Sullivan and Deborah I. Bybee provide evidence that a “community advocacy project that is short term and based on clients’ strengths can set into motion a trajectory of positive change in the lives of women with abusive partners.”

Numerous projects described in this section have responded to the panel’s appeal and the requirements of the Violence Against Women Act (Title IV of the Violent Crime Control and Law Enforcement Act of 1994) to create collaborative partnerships to respond to violence against women. During the 1990s, such collaborative partnerships increased in number, in part because of such federally funded programs as STOP Formula Grants and the Crime Victims Fund.

Multiagency collaborative partnerships are the focus of many of the projects described in this section. Such partnerships are diverse in their makeup, types of collaborative activities, and goals. Andrew L. Giacomazzi and Martha Smithey provide an indepth analysis of the creation of a Southwestern city police department’s Domestic Violence Prevention Commission. The commission is a public-private,

multilevel collaborative partnership that includes representatives from 18 government and social services agencies and whose purpose is to develop an effective approach to reducing family violence. Lane, Greenspan, and Weisburd explain how the coordinated response of the Richmond Police Department and the Department of Social Services works to ensure the immediate safety of domestic violence victims by offering services when the police are still on site. Newmark and her colleagues describe how a network of criminal justice and social services agencies worked together in Kings County to change how community agencies interacted and to hold offenders more accountable and provide better protection and services to victims. As part of their national evaluation of STOP, Zweig and Burt offer insight into the ways in which victim service programs partner with other community agencies that offer services and support to victims.

In addressing the Panel on Research and Violence Against Women's second concern, the section III contributions provide examples of innovative and rigorous process and impact evaluations. They address the fundamental methodological issues that the panel noted warranted attention: randomized, controlled studies; clearly defined outcome measures; designated timing intervals; and measures of both short-term and long-term effects of an intervention. For example, quasi-experimental research designs were used by Lane, Greenspan, and Weisburd to evaluate the effectiveness of the Second Responders Program in police precincts and by Weisz, Canales-Portalatin, and Nahan to compare domestic violence cases originating in precincts with and without special police domestic violence teams that include advocates.

Other contributors employed experimental designs to evaluate effectiveness. Sullivan and Bybee randomly assigned trained advocates to work one on one with women. Among the most rigorous evaluations in this section are two contributions that examine the effects of treatment on batterers. Both studies employed experimental research designs that randomly assigned batterers to a treatment or control group and used multivariate models to estimate the impact of the intervention. Christopher D. Maxwell, Robert C. Davis, and Bruce G. Taylor evaluate the effects on recidivism of batterer participation in the Victim Services' Alternatives to Violence program in Brooklyn. Among the methodological strengths of their study is that they compared two forms of treatment implemented by the program: an 8-week and a 26-week program. They also developed multiple indicators of new violence by the batterer against the victim to assess the frequency and severity of violence. Lynette Feder and Laura Dugan evaluate the Broward County (Florida) Experiment using a classical experimental design "to test whether courts can effect change in men convicted of misdemeanor domestic violence by mandating them into a [batterer program]." Their multiple outcome measures include offender attitudes, beliefs, and self-reported behaviors; victim reports of offender violence; and police measures of rearrests.

Each contribution that reports on an evaluation of an intervention operationally defines the study's outcome measures and, when appropriate, defines its process measures. To illustrate, Maxwell, Davis, and Taylor used multiple outcome measures, including the Conflict Tactics Scales and several other sources, to measure recidivism. The meaning and source of each of their measures has been clearly

defined. Feder and Dugan also used multiple outcome measures, including the Conflict Tactics Scales 2, attitudinal and belief scales, self-reported behaviors, and official arrest data.

Several studies examined both short-term and long-term effects by interviewing the same respondents at designated intervals. Lane, Greenspan, and Weisburd examined the short-term effects 6 months after the initial interview. Feder and Dugan interviewed respondents at the time of adjudication and at least 6 months after adjudication. Maxwell, Davis, and Taylor used both 6- and 12-month interview intervals. Sullivan and Bybee examined the intervention effects over a period of 3 years after intervention; they interviewed women when they entered the shelter, 10 weeks after the intervention, and five times more at 6-month intervals over the next 3 years. It is noteworthy that 6 months appears to be the interview interval most commonly employed in these evaluation studies.

Smith and Davis's study uses an essential principle of the scientific process: replication. Their evaluation of no-drop policies on court outcomes and victim satisfaction at four sites also encompasses both process and impact components. D. Alex Heckert and Edward W. Gondolf sought to improve prediction of further abuse by batterer program participants. They use a longitudinal database of batterers and their female partners that includes demographic characteristics, relationship status, measures of past behavior, mental health assessments, and multiple outcome variables—repeat assault, one-time assault, threatened reassault, emotional abuse, and no abuse.

The contributors to this section write extensively about newly developed programs and policies. The Panel on Research on Violence Against Women reiterated the need to examine continually the established practices and policies of the criminal justice system and how they affect victims. It is a longstanding practice in the criminal justice system for the prosecutor to make the initial decision whether to prosecute a case. Cassia Spohn and David Holleran enhance the understanding of this decisionmaking role in sexual assault cases by focusing on how victim, suspect, and case characteristics influence the likelihood that a prosecutor will charge. Victoria L. Holt examines policies involving protection orders obtained from the court. She identifies characteristics of women who sought protection orders and examines the effectiveness of obtaining a protection order in reducing the risk of subsequent intimate partner violence and injury.

The contributions in section III add to the understanding of the workings of different responses to violence against women and family violence. Several lessons can be learned from these collaborations. First, responding to violence against women and family violence is not the sole domain of any one agency, in particular, any agency of the criminal justice system. Second, as Newmark and her colleagues Rempel, Diffily, and Kane note, partnerships require the three Cs: active collaboration, communication, and coordination among all the partners. Third, Giacomazzi and Smithey emphasize that barriers may hinder collaboration. Based on their experience, they offer advice about building collaborations that effectively address meaningful, long-term solutions to violence against women and family violence.

Additional knowledge about how to evaluate interventions meaningfully can be gleaned from these contributions. The use of rigorous research designs that employ samples and the assessment of both the short-term and long-term effects of an intervention are ways to begin to build knowledge that is valued and used by both the research and practitioner communities to address violence against women and family violence.

Reference

Crowell, N.A., and Burgess, A.W., eds. (1996). *Understanding Violence Against Women*. Washington, DC: National Academy Press.

A Collaborative Effort Toward Resolving Family Violence Against Women

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Traditional attitudes and practices of noninterference toward family violence are changing. Multilevel, public-private, collaborative partnerships among the criminal justice system, the medical community, educational leaders, the religious community, human services, and public and private advocates have emerged in an effort to promote the safety and welfare of the victims of family violence and to prevent further abuse.

The collaborative approach to family violence recognizes that crime problems and their effects on victims are not solely a law enforcement matter. Through the formation of partnerships, typically within the context of community policing, a comprehensive, coproductive approach to family violence is currently viewed as a promising way to reduce the occurrence of family violence. For example, Straus (1993:29) emphasizes that “complex, multiparty conflicts require the design and large-scale collaborative problem solving processes.”

Despite the appearance of interagency collaboration, barriers toward effective problem solving exist. The following discussion examines one such approach to interagency collaboration—a domestic violence prevention commission. It then presents focus group and archival data, which highlight the obstacles that face collaborative problem-solving approaches. The researchers conclude by suggesting that participating agencies should examine their own policies and procedures that obstruct or facilitate collaboration. For a detailed evaluation on which this summary is based, see Giacomazzi and Smithey (2001).

The City and the Collaborative Process

The city that serves as the site of this study is a large metropolitan area located in the southwest United States with an estimated population of approximately 500,000. Its corporate limits encompass approximately 250 square miles. According to the 2000 census, this metropolitan area is a minority-majority city; more than two-thirds of the population are of minority descent.

One of the local police department’s most frequent calls for service is for a reactive response to allegations of family violence, with an average of approximately 2,400 such calls per month (Domestic Violence Prevention Coordination Unit, 1999). According to police department records, 81 percent of family violence arrests between 1996 and 1998 were of males who allegedly either committed or threatened acts of violence against women (Domestic Violence Prevention Coordination Unit, 1999).

With funding from the Office of Community Oriented Policing Services, the local police department established the Domestic Violence Prevention Commission for the primary purpose of developing an effective approach to reduce family violence in the city. This public-private, multilevel collaborative partnership includes members of the police department, the district attorney’s office, the county attorney’s office, the city attorney’s office, probation and juvenile probation, parole, the military, the school district, the Council of Judges, State, county, and municipal legal assistance, the battered women’s shelter, the YMCA, the transitional living center, the clergy, and other volunteer services dealing with the problems of family violence.

In addition to formalizing the Commission, the police department established a Domestic Violence Prevention Coordination Unit (DVPCU) for the primary purpose of implementing a multifaceted approach to combating family violence in the city, based on recommendations from the Commission. For example, in conjunction with the Commission, the DVPCU facilitated family violence training for police officers at one of the city's regional command centers. (For evaluation findings of the Duluth model training in this city, see Smithey, Green, and Giacomazzi [2000]).

Research Questions

This study was a process evaluation of a multiagency collaborative. Rather than examine the outcomes of the process, researchers examined the process itself as implemented in this southwestern city. Therefore, the following questions guided the study:

- ◆ Can individuals from relatively autonomous agencies work together to address the problem of family violence?
- ◆ To what extent was “collaboration” realized?
- ◆ What can be learned from this case study that might aid other collaborative efforts at addressing family violence issues?

Research Design

Focus group interviews and archival research were the primary methods used to assess the interagency effort and the extent to which collaboration existed among members of the Commission. According to Stewart and Shamdasani (1990:16), focus group interviews are an ideal way to collect qualitative data. They allow researchers to interact directly with program recipients, obtain large amounts of data in respondents' own words, and further question responses and build on answers for further discussion.

Four focus group interview sessions were conducted at strategic points in the evaluation process: Two were conducted in early 1998, which corresponds with the end of the Commission's planning efforts (phase 1), and two additional focus groups were conducted in early 1999, approximately 1 year into the Commission's implementation efforts (phase 2). Focus group participants consisted of representatives from Commission agencies. For the phase 1 focus groups, a systematic random sampling procedure was used to select 19 agencies from the Commission membership. Fourteen agency representatives agreed to participate in the focus group discussions, and 11 individuals (7 women and 4 men) participated in the scheduled focus group meetings. Although few in number, focus group participants represented the breadth of membership of the Commission: two probation officers, one police officer, one private security officer, two nonprofit advocates, two human service employees, one educator, one municipal court administrator, one military officer, and one legal aid attorney.

The same procedure was used for phase 2 focus groups. Eighteen agencies were randomly selected, and the designated agency member who had been participating in Commission

activities was contacted. All 18 agency members (15 women and 3 men) agreed to participate. As was the case for phase 1 focus groups, participants were representative of the Commission membership.

Meeting notes and other documentation provided information regarding the number of Commission meetings, average attendance at meetings, and agencies participating in Commission activities.

Findings

A total of 22 collaborative meetings took place during the phase 1 planning stage. The average attendance at the meetings was 36. The meetings included the six joint Commission meetings and meetings of the Commission's subcommittees. Also included in the total were four community forums seeking input from citizens regarding family violence interventions.

The Commission represents 88 distinct organizations (not including concerned citizens who have no organizational affiliation), including the clergy, courts, education, law enforcement, medical, nonprofit agencies, private-sector service providers, and public social service agencies. All Commission members were asked to join one of three subcommittees where they could make the greatest impact: law enforcement, judicial/prosecution, or human services. Subcommittees presented progress reports to the Commission during monthly Commission meetings in 1997. The monthly Commission meetings also afforded members the opportunity to hear topical presentations on a variety of family violence issues.

Phase 1 ended when Commission members developed formal recommendations to carry out their mission. The recommendations were organized within six focused areas:

- ◆ Prevention through public awareness.
- ◆ Specialized domestic violence response team.
- ◆ Enforcing domestic violence cases.
- ◆ Victims' assistance.
- ◆ Programs for offenders.
- ◆ Funding.

By early 1998, the Commission undertook phase 2, the implementation of the recommendations. At the first phase 2 Commission meeting, subcommittees were formed to explore the implementation of the phase 1 recommendations. Through October 1999, approximately 10 subcommittees, including the judicial, speakers' bureau, law enforcement, and education subcommittees, met on various occasions and presented reports to the full membership at 8 Commission meetings. The average attendance at the phase 2 Commission meetings was 30.

Despite the high activity of Commission members during phase 1 (and to a lesser extent during phase 2), and the outward appearance of collaboration, focus group data disclose the practical and philosophical problems that may threaten interagency collaborative efforts during both the planning and the implementation phases.

Self-Interest as a Motivation to Participate: Turfism

Focus group data reveal that agency motivations for participation in the Commission's activities are not directly goal oriented. At the very least, focus group responses raise the question of whether agencies are motivated to participate out of self-interest—to protect their “turf.”

Many apparently collaborative endeavors suffer from “turfism”—partners who consciously or unconsciously strive to remain in control, protecting their own interests. The researchers found that the Domestic Violence Prevention Commission was no different. Turfism emerged during the phase 1 focus groups and continued in the phase 2 focus groups. Focus group participants agreed that turf issues remain a stumbling block for true collaboration because they affect each agency's sense of safety, security, and membership in the wider systems represented in the collaborative process.

Leadership and Dominance

Several phase 1 focus group participants were concerned that because the Commission was established by the police department, the police department might control the Commission's activities, which might run counter to true collaboration.

Perceived dominance by the founding agency appears to undermine the necessary conditions of lateralization of power and intra-ownership. According to Straus (1993:31–32), resistance to a collaborative process results from a growing dissatisfaction and distrust with leadership that is fueled by a fear of loss of power and a need to try to solve all the problems by making all the decisions themselves. Persons who are subordinated must therefore “legitimize” their ownership in the solution to the problem by pointing to flaws or omissions by the dominant agency. Flaws or omissions by the police department were articulated by several non-law-enforcement Commission members.

By phase 2, another leadership problem arose. Focus group participants were concerned about the general lack of leadership in the Commission's undertakings regardless of which agency representative took the lead.

Organizational Ambiguity Resulting in Unclear Expectations

A variety of other barriers to the realization of the Commission's goals also were reported, including perceptions of waning interest in the Commission's activities, lack of organization, scheduling of meetings, and unclear expectations of participants. Although collaborative efforts may offer the best hope for long-term solutions to the problem of family violence, loss of interest due mainly to long time frames for the Commission's activities and organizational problems related to the scheduling of meetings and the failure to frame expectations concisely, pose potential threats to collaboration and the realization of the Commission's goals.

Absence of Key Players in the Implementation Phase

The Commission is cochaired by the director of the battered women's shelter, the chief of police, and the president of the local university. Phase 2 focus group respondents were frustrated by the lack of involvement of these and other key leaders in Commission activities. In addition, the chief of the local police department resigned his position in the fall of 1998. Researchers found

that without the involvement and buy-in of key leaders in the representative agencies, implementation becomes problematic. While the product for phase 1 activities simply was a plan that outlined recommendations for change, the product for phase 2 activities was action. It appears the old adage “easier said than done” applies here.

Marginalization of Commission Members From Non-Law-Enforcement Agencies

If the Commission seems to be taking any direction, it is one primarily focused on law enforcement responses to family violence against women. This was manifested in the provision of law enforcement training for handling domestic violence calls for service, prosecutors’ efforts to bring more cases to court, and more programs for offenders.

As such, this direction appears to be marginalizing agency representatives who are primarily concerned with proactively—rather than reactively—preventing family violence against women. Although the researchers have little data to support this assertion, collectively they sense that marginalization of non-law-enforcement agencies is occurring and is a hindrance to interagency collaboration. For example, much of the frustration concerning the Commission activities in both phases has stemmed from focus group participants who represent non-law-enforcement agencies, such as private citizens with no organizational affiliation, educators, and social service agencies in the public, private, and nonprofit sectors.

Those who support a more preventive approach to reducing family violence appear to have been marginalized, given the more “reactive” approach to family violence supported and undertaken by some Commission members and the disproportionate numbers of participants from the public sector. While it remains to be seen whether marginalization continues, it most certainly is negatively affecting a collaborative approach to remedying the problem.

Implications

The Domestic Violence Prevention Commission—as well as other coordinated, multifaceted efforts—is viewed as a promising problem-solving strategy for reducing family violence against women. However, researchers found that the combination of turfism, leadership and dominance, organizational obstacles, the absence of key leaders, and the marginalization of representatives of non-law-enforcement agencies has hindered collaboration in both the planning and implementation phases and has transformed this process into a negotiative one, rather than a collaborative one.

Implications for Researchers

Future researchers should be forewarned about the difficulties of conducting a long-term process evaluation. While researchers took care to collect objective data over the course of this 3.5-year process evaluation, they acknowledge the possibility of errors. For example, the total number of participants for the focus group interviews was rather small in comparison to the total number of Commission participants. This may lead to problems with generalizability. However, random selection procedures and an analysis of the breadth of representation among participants suggest that all viewpoints were captured.

Researchers also recognize other validity and reliability problems dealing with the focus group method per se. These include reactive effects, dominance by one or more participants, and the possibility of leading questions. Despite these legitimate concerns, the researchers have some confidence in their findings, many of which have been corroborated by non-focus-group participants during informal interviews.

Implications for Practitioners

The results of this research suggest that in an era of multiagency collaboration, the personnel of relatively autonomous organizations—both public and private alike—cannot be presumed to have the organizational capacity and/or the willingness among personnel to truly collaborate. Formidable barriers exist here and elsewhere that hinder collaborative efforts and transform the process to one based on negotiation. Agency policies and procedures that either obstruct or facilitate collaboration should be examined, and effective team-building interventions should be planned in an effort to move closer to collaborative problem solving, the approach that offers the most hope for finding meaningful, long-term solutions to social problems.

Despite the barriers to effective collaboration, there are some encouraging signs for this particular Commission. First, focus group respondents overwhelmingly agreed that the Commission's planning and implementation activities have provided an educational forum for its membership. This is a benefit that enhances collaboration. In addition, some phase I recommendations have, in fact, been implemented. For example, a draft of a police officer "checklist" training was finished, a citywide resource directory has been completed, a specialized police department domestic violence response team has been established, and a better working relationship between the police department and the prosecutor's office has developed.

Regardless of whether this interagency, public-private process is collaborative or negotiatory in nature, some positive outcomes will continue to be realized. Further evaluation is expected to show that a collaborative process ultimately will result in more innovative and comprehensive, longer term solutions to the problem of family violence that have greater chances of becoming institutionalized in the region. Further research in this area is warranted.

References

Domestic Violence Prevention Coordination Unit. (1999). Crime Analysis Unit, Southwestern, Metropolitan Police Department.

Giacomazzi, A.L., and Smithey, M. (2001). "Community Policing and Family Violence Against Women: Lessons Learned From A Multi-Agency Collaborative." *Police Quarterly* 4(1), 99–122.

Smithey, M., Green, S.E., and Giacomazzi, A.L. (2000). "A Collaborative Effort and the Effectiveness of Law Enforcement Training Toward Resolving Domestic Violence." Final report, grant number NIJ 97–WE–VX–0131, submitted to the U.S. Department of Justice, National Institute of Justice, NCJ 191840

Stewart, D.W., and Shamdasani, P.N. (1990). *Focus Groups: Theory and Practice*. Newbury Park, CA: Sage Publications.

Straus, D. (1993). Facilitated Collaborative Problem Solving and Process Management. In L. Hall (ed.), *Negotiation Strategies for Mutual Gain* (pp. 28–42). Newbury Park, CA: Sage Publications.

**The Second Responders Program:
A Coordinated Police and Social Service
Response to Domestic Violence**

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In the past decade, multiagency approaches to problem solving in the criminal justice system have moved into the foreground. Nowhere has an integrative approach been more fully recognized and advanced than in issues relating to violence against women. Scholars and practitioners have stressed that successful approaches against domestic violence should be multidisciplinary and coordinated across agencies (e.g., see Crowell and Burgess, 1996; Hart 1995; Pence, 1983; Pence and Shepard, 1999; Witwer and Crawford, 1995). The Violence Against Women Act (VAWA), Title IV of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) required “the coming together of various professions and perspectives to forge partnerships in responding to violence against women in all its forms” (Travis, 1996).

As interest in coordinated approaches to domestic violence continues to increase, new interagency programs are developing across the United States. It is important to learn how such programs operate and to evaluate their effectiveness in order to develop successful models that may be adapted in multiple jurisdictions.

The Second Responders Program

Richmond, Virginia, responded to the call for coordinated approaches to public safety with the development of the Second Responders Program, a collaborative effort of the Richmond Department of Social Services and the Richmond Police Department. The Second Responders are a unit of social workers from the Department of Social Services who work out of two (of four) police precincts in Richmond between 6 p.m. and 9 a.m. They respond to incidents of domestic violence (and other human service cases) while the police are still onsite. At the scene, they offer immediate services to victims and their families. Second Responders’ first task is to assess and ensure the safety of the victim. In almost all situations Second Responders provide victims with information about services offered through the Department of Social Services and other agencies and assist in developing a plan to access these services. Second Responders can provide the victim with a wide range of information about such matters as protective orders, court, legal aid, battered women’s shelters, and counseling services. They can place victims in hotels for short periods of time, provide them with food and baby supplies, transport them to safe locations, accompany them to the emergency room, or provide them with bus tickets for getting to and from court or the Department of Social Services. Before going off duty the following morning, Second Responders refer the night’s domestic violence cases to the Family Violence Prevention Program (FVPP) in the Department of Social Services. Each case is assigned to an FVPP worker, who is required to contact the victim within 72 hours.

Program Goals

While other programs have involved coordinating efforts of police and social workers (Davis and Taylor, 1997), the Second Responders Program emphasizes the immediacy of the response to the domestic violence event. By offering assistance while the incident is fresh and undeniable, the city of Richmond hoped that victims would be more likely to succeed in obtaining social and other services, in pursuing their rights and legal remedies, and in improving their situations generally. Although other programs emphasized prosecution (Gamache, Edelson, and Schock, 1988; Pence, 1983; Steinman, 1988, 1990; Syers and Edelson 1992), the Second Responders

Program considers criminal prosecution one among many outcomes of interest. Most important, planners hoped that the Second Responders Program would reduce the incidence of domestic violence in Richmond by reducing repeat victimization.

Research Design

The larger study from which this paper is taken involves evaluation of the Second Responders Program as well as a process evaluation of the researcher/practitioner partnership formed between the Police Foundation and the Richmond Police Department and Richmond Department of Social Services. This paper examines the Second Responders Program and considers several process and outcome measures that the authors assessed at the time of the conference on Violence Against Women and Family Violence: Developments in Research, Practice, and Policy. Findings are based on two waves of victim interviews with women who received Second Responder intervention and women who received only police intervention. Field researchers contacted eligible subjects and attempted to interview them within 1 week of the domestic violence incident to which police were called; the second interview took place 6 months later. A complete analysis of the outcome evaluation, including measures of the impact of the Second Responders Program on repeat victimization, will be provided in the full report to the National Institute of Justice (Greenspan et al., 2003).

Because Richmond implemented the Second Responders Program fully in two of its four police precincts, researchers were able to employ a quasi-experimental design: the experimental group was drawn from the First and Second Precincts, where the program was adopted, and the control group from the Third and Fourth Precincts. Control cases received the conventional police response. The experimental cases received intervention from both the Richmond Police and the Second Responders.

During the sampling period, Police Foundation researchers daily reviewed domestic violence reports routinely submitted by police at the end of each shift to identify eligible subjects, defined as age 18 years or older, a resident of Richmond, and a female victim of abuse by a former or current intimate partner. Only cases that occurred during the Second Responders' working hours—6 p.m. to 9 a.m.—were included to ensure experimental and control group comparability.

Readers who have experience conducting interview-based studies with victims of domestic violence know what a challenge it can be to make initial contact and obtain cooperation, as well as to locate subjects for followup interviews 6 months later. Once researchers reached a potential subject, they achieved a 72-percent cooperation rate on the first interview. Including potential subjects they could not contact, the first-wave response rate was 50 percent. For the second wave, the cooperation rate was a remarkable 92 percent. Including subjects who could not be contacted for the second interview, researchers achieved a response rate of 76 percent. (For a detailed description of case selection methodology and process, contact methods, and interview protocols, see Greenspan et al., 2003.) Researchers conducted a total of 158 first-wave interviews and 120 second-wave interviews, on which the findings in this report are based.

Findings

Interview findings are presented in four general areas: services provided by police and Second Responders, attitudes toward police and Second Responders, the likelihood of receiving followup from an FVPP worker, and the likelihood of obtaining an emergency protective order.

Characteristics of the Sample

Because the experimental and control groups are defined by geographic boundaries rather than random assignment, researchers paid special attention to the comparability of experimental and control subjects. They collected a wide range of (self-reported) demographic data, including age, race, marital status, living situation, education, work status, income, and household size (see exhibit 1). The data revealed no significant differences between groups on any measured demographic variable.

Exhibit 1. Selected Demographic Characteristics of Sample

Characteristic	Experimental	Control	Total
Living together at time of incident	70% (54)	71% (56)	71% (110)
Not married	65% (51)	69% (55)	67% (106)
Living with minor children	76% (65)	65% (53)	71% (118)
18–29 years old	49% (38)	33% (26)	41% (64)
African American	87% (65)	80% (62)	83% (127)
Employed	64% (49)	63% (50)	64% (99)
High school graduate or GED	72% (55)	74% (59)	74% (114)

Second Responders' Services

Did the Second Responders Program provide the wide range of services intended? Although the services provided varied greatly, field observations and victim interviews suggest that this variation depended largely on the perceived needs and desires of individual victims. In most cases, Second Responders provided safety assessments and informational services, including referrals to the Department of Social Services and information on a range of available social assistance and legal protections. Much less frequently, they provided direct services such as vouchers for emergency hotel stays, food, childcare supplies, or transportation. Exhibit 2 shows the services experimental subjects reported receiving from Second Responders and the extent to which they were provided.

Exhibit 2. Services Provided by Second Responders

Service Provided	Percent of Experimental Subjects Who Reported Receiving Service From Second Responders
<ul style="list-style-type: none"> • Refer to social services • Assess safety of subject and others 	>75
<ul style="list-style-type: none"> • Discuss services available from social services • Discuss protective orders (with subject) • Talk with subject about legal rights 	60–69
<ul style="list-style-type: none"> • Provide information about court process • Talk with subject about where she can go/stay 	50–59
<ul style="list-style-type: none"> • Provide victim service referral card • Ask if medical attention needed 	40–49
<ul style="list-style-type: none"> • Refer to legal services • Provide crisis counseling 	30–39
<ul style="list-style-type: none"> • Develop a safety plan with subject 	20–29
<ul style="list-style-type: none"> • Help contact places where subject can stay • Discuss alarm systems 	10–19
<ul style="list-style-type: none"> • Transport subject somewhere to stay • Provide bus tickets • Remove a child from the home • Provide food or food vouchers • Provide a cellular phone • Contact a mental health worker 	<10

Very few of the victims in either the experimental or the control group had had contact with an FVPP worker prior to this incident (12 percent and 14 percent, respectively). An important aspect of the program design was assignment of an FVPP worker, who would contact the client within 72 hours of assignment to the case. Findings on this dimension are somewhat mixed (see exhibit 3). Many more experimental subjects were contacted by an FVPP worker shortly after the incident than were control subjects (55 percent compared to 4 percent). On the other hand, 45 percent of experimental subjects said that they were not contacted by an FVPP worker. Through discussions with practitioners, researchers learned that the Second Responders were promptly passing the referral to FVPP, but followup efforts by FVPP often were not successful. Nevertheless, more than half the women in the experimental group were contacted by a FVPP worker; most of them would not have had this followup without the Second Responders' intervention.

Exhibit 3. Contact With Family Violence Prevention Program (FVPP)

FVPP Contact	Experimental (N = 78)	Control (N = 80)	Total (N = 158)
Contact with FVPP prior to incident	12%	14%	13%
Contact with FVPP since incident*	55%	4%	29%

* $p < .01$

Subjects' Assessment of Second Responders

For the program to succeed, it is important that subjects perceive the Second Responders in a positive light. Researchers asked a number of four-point Likert-like scale questions, which respondents answered by expressing their views of the Second Responder(s) who came to the scene on the night of the incident. Exhibit 4 reports on the numbers that rated them in the highest category for six different measures. For most of these questions, far more than half the subjects ranked the Second Responder service in the most positive category.

Exhibit 4. Attitudes Toward Second Responder Service

Measure of Attitude Toward Second Responder	Percent of Responses	Number of Responses
Reported that Second Responders "really wanted to help"	92	70
Reported that Second Responders listened "very carefully"	88	65
Reported that Second Responders took situation "very seriously"	82	61
Would recommend Second Responders "very strongly"	79	60
Reported being "very satisfied" with Second Responders	73	54
Reported that Second Responders were "very useful"	51	38

Attitudes Toward the Police

It is reasonable to expect that domestic violence victims will be less likely to contact the police for assistance if their previous experiences have been negative. Consequently, a positive encounter can enhance victim safety by encouraging the victim to reach out for help.

The data suggest that subjects who received Second Responder assistance had much more positive views of the police encounter than control subjects did (see exhibit 5). This view may reflect the influence of Second Responders on officers to provide better service to victims. A number of officers remarked that the presence of Second Responders in their precincts led to casual conversations about domestic violence and greater awareness of the problem. Positive experiences with Second Responders also may generate a halo effect that elevates victims' opinion about the police response in general. Whether the police in fact do better or are only perceived to do better when accompanied by Second Responders, a victim's improved view of the police may lead to increased victim safety.

Exhibit 5. Attitudes Toward the Police

Attitude Toward Police Encounter	Experimental	Control	Total
Very satisfied with the way police handled the situation***	64% (49)	38% (30)	50% (79)
Police officers took situation very seriously**	71% (55)	55% (42)	63% (97)
Police officers listened very carefully to my side*	75% (58)	57% (45)	66% (103)

*** $p < .01$ (analysis based on all response categories)

** $p < .05$ (analysis based on all response categories)

* $p < .10$ (analysis based on all response categories)

Services Provided by Police

Subjects also describe significant differences in the types and extent of services provided by the police in the experimental and control groups. Again researchers cannot be certain whether the police in fact offered far more assistance when Second Responders were present or whether a halo effect allowed police to receive credit for services provided by Second Responders. Exhibit 6 shows the services subjects reported receiving from the police.

Exhibit 6. Services Provided by Police

Service Provided by Police	Experimental	Control
Assess safety of subject and others***	74% (55)	53% (38)
Ask if medical attention is needed	65% (51)	59% (43)
Discuss protective orders (with subject)***	64% (48)	37% (28)
Talk with subject about legal rights	46% (35)	39% (30)
Provide information about going to court	44% (34)	32% (24)
Refer to social services***	41% (32)	3% (2)
Discuss services available from social services***	30% (23)	4% (3)
Tell about places to go and stay**	27% (21)	13% (9)
Provide referral card	15% (12)	6% (5)
Help contact places to stay*	14% (5)	0% (0)
Refer to legal services**	12% (9)	3% (2)
Take somewhere to stay	7% (4)	4.3% (1)
Transport to medical facility	7% (5)	5% (4)

*** $p < .01$

** $p < .05$

* $p < .10$

Obtaining Emergency Protective Orders

Is the presence of Second Responders instrumental to the victim in obtaining legal protections? In Richmond, emergency protective orders (EPOs), good for 72 hours, must be obtained before a judicial officer either by the victim herself or by a police officer on her behalf. The analysis shows that victims in the experimental group are more likely to have obtained emergency protective orders the night of the incident (see exhibit 7). Forty-seven percent of experimental cases compared to 25 percent of control cases obtained EPOs the night of the incident ($p = .01$). The higher proportion of EPOs reflects a higher proportion of police obtaining the orders rather than more victims themselves. Police obtained EPOs for the victims in 33 percent of the experimental cases, but in only 19 percent of the control cases.

Exhibit 7. Emergency Protective Orders

Did You Get an Emergency Protective Order (EPO) That Night?			
	Experimental ($N = 73$)	Control ($N = 75$)	Total ($N = 148$)
Obtained EPO**	47%	25%	36%
EPO obtained by police*	33%	19%	26%
EPO obtained by victim	9%	5%	7%

** $p < .01$

* $p < .05$

Conclusions

Reported here are some preliminary findings of this study of the Second Responders Program. These results indicate significant promise for the program and for similar interventions that bring social workers and police together to the scene of a domestic violence incident. Subjects expressed very positive views about their experience with Second Responders and reported receiving a range of information and services from them. Perhaps more important, subjects who received intervention from both the police and the Second Responders were significantly more likely to rate the police very highly across several measures. Whether this difference is due to better police service or a more positive opinion of service because of Second Responders' presence, the beneficial effects may be the same—increased willingness to seek assistance.

Experimental subjects express significantly more positive attitudes toward the police, are significantly more likely to be protected with EPOs, and are significantly more likely to have contact with social services. Together, these findings suggest the possibility that victims served by Second Responders *and* police have an increased chance of avoiding future incidents of domestic violence. The final report explores this question in depth, examining the 6-month period after the initial incident on a broad range of dimensions, from the domestic situation to types of services obtained to legal actions and, importantly, to a detailed analysis of repeat victimizations (Greenspan et al., 2003).

Implications for Researchers

The richness of data obtained in interviews with victims of domestic violence cannot be matched by any other method of data collection. Nevertheless, obtaining sufficient cases for analysis is a long and arduous process. The best advice the authors can offer is—patience!

Implications for Practitioners

The researcher/practitioner partnership, which has not been examined in depth in this paper, faced some difficult issues, especially concerning program implementation. For most of this study, the police officer who responded to a domestic violence call for service was solely responsible for calling the Second Responders. Implementation was initially far from complete—a fact that was very important to the researchers, but initially of less concern to the Second Responders and the police. The advice the authors offer is to collaborate.

An immediate combined social service and police response to incidents of domestic violence may be so promising that the authors cannot but urge further experimentation and analysis.

References

- Crowell, N.A., and Burgess, A.W. (eds.). (1996). *Understanding Violence Against Women*. Washington, DC: National Academy Press.
- Davis, R.C., and Taylor, B.G. (1997). “A Proactive Response to Family Violence: The Results of a Randomized Experiment.” *Criminology*, 35, 307–333.
- Gamache, D.J., Edelson, J.L., and Schock, M.D. (1988). “Coordinated Police, Judicial and Social Service Response to Woman Battering: A Multiple Baseline Evaluation Across Three Communities.” In G.T. Hotaling, D. Finkelhor, J.T. Kirkpatrick, and M.A. Straus (eds.), *Coping With Family Violence: Research and Policy Perspectives* (pp. 193–209). Newbury Park, CA: Sage Publications.
- Greenspan, R., Weisburd, D., and Lane, E., with Crossen-Powell, S., and Booth, B. (2003). Final Report on the Richmond/Police Foundation Domestic Violence Partnership, NIJ award number 98–WT–VX–0001. Washington, DC: Police Foundation.
- Hart, B.J. (1995). “Coordinated Community Approaches to Domestic Violence.” Paper presented at the Strategic Planning Workshop on Violence Against Women, National Institute of Justice, Washington, DC, March 31. Available at <http://www.mincava.umn.edu/hart/nij.htm>
- Pence, E.L. (1983). “The Duluth Domestic Abuse Intervention Project.” *Hamline Law Review*, 6, 247–275.
- Pence, E.L., and Shepard, M.F. (1999). *Coordinating Community Responses to Domestic Violence: Lessons from Duluth and Beyond*. Thousand Oaks, CA: Sage Publications, Inc.

Steinman, M. (1988). "Evaluating a System-Wide Response to Domestic Violence: Some Initial Findings." *Journal of Contemporary Criminal Justice*, 4, 172–86.

_____ (1990). "Lowering Recidivism Among Men Who Batter Women." *Journal of Police Science and Administration*, 17, 124–32.

Syers, M., and Edleson, J.L. (1992). "The Combined Effects of Coordinated Criminal Justice Intervention in Woman Abuse." *Journal of Interpersonal Violence*, 7, 490–502.

Travis, J. (1996). "Violence Against Women: Reflections on NIJ's Research Agenda." *National Institute of Justice Journal*, 230, 21–25

Witwer, M.B., and Crawford, C.A. (1995). *A Coordinated Approach to Reducing Family Violence: Conference Highlights*. Washington, DC: U.S. Department of Justice, National Institute of Justice, NCJ 155184.

An Evaluation of Victim Advocacy Within a Team Approach

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In response to the scarcity of published research about advocacy services for battered women (Edleson 1993; Weisz, Tolman, and Bennett 1998) and about services for African-American battered women (Buzawa and Buzawa 1990; Coley and Beckett 1988; Pinn and Chunko 1997; Sullivan and Rumpitz 1994), this study evaluated advocacy services for battered women in Detroit. Although the study focused primarily on advocacy services provided by the police department and the prosecutor's office, other aspects of coordinated community responses to domestic violence were also investigated. Advocacy was defined as services provided to support victims during the legal process or to enhance their safety. The researchers chose to focus on advocacy partly in response to a police department supervisor's question, "How do we know that the advocates are doing any good?"

Description of the Collaboration

Because the lieutenant in charge of Detroit's Domestic Violence Unit initiated the evaluation, the stage was set for collaboration between researchers and practitioners. In addition, the researchers had previous relationships with several of the collaborating organizations. To accommodate advocates' schedules, the researchers also held several meetings in advocates' offices.

Six meetings were held with the researchers and representatives of the Detroit Police Department, the Rape Counseling Center, the Wayne County Prosecutor's Office, and the domestic violence programs that employed the legal advocates. The average attendance was 12 people. These meetings enabled researchers to monitor and improve their collaboration and data gathering process and to clarify the complex procedures for handling domestic violence cases in Detroit. The meetings also enabled researchers to monitor the usefulness of their data for practitioners.

Researchers included the telephone interviewers in one meeting to help advocates feel more comfortable with how the surveys might affect their clients. Practitioners helped researchers to ensure the welfare of the women studied by developing a way for phone interviewers to contact victims safely without revealing the purpose of the call to anyone else. A newsletter was also developed and sent to collaborators before each subsequent meeting.

Research Questions

The evaluation used official records to address questions that were important to criminal justice personnel. It investigated whether advocacy at the precinct and/or prosecutor's level was associated with a higher rate of completed prosecution of batterers, a higher rate of guilty findings against batterers (or guilty pleas), or decreased rates of subsequent violence. The evaluation also addressed victims' assessment of safety, their views of how the criminal justice process met their needs, and help-seeking patterns.

Methods

The project was a quasi-experimental comparison of cases originating in precincts with and without special police domestic violence teams that include advocates. Researchers gathered a

random sample of police incident reports (PCRs) from three precincts with domestic violence teams. They selected two comparison precincts that were not served by domestic violence teams but closely resembled the precincts with teams. They gathered 563 PCRs from precincts with onsite advocates and 494 from precincts without onsite advocates, for a total of 1,057.

The sample differed from many studies of women in shelters or of partners of men charged with domestic violence in that researchers focused on women named as victims in police reports, the vast majority of whom were African-American. Most of the couples had never been married.

Researchers also examined the effectiveness of advocacy associated with the prosecutor's office. Telephone interviews with victims provided data about victims' perceptions of services and their help-seeking patterns. Researchers also conducted process evaluations, which documented who was involved, what processes were established to deliver the intervention, what problems or issues arose during implementation, how problems were resolved or interventions were adjusted, and how implementers assessed the process.

The domestic violence teams participating in the study included specially trained police officers, police department advocates, legal advocates and, in one precinct, an onsite prosecutor. Three types of advocates assisted victims by offering information about the legal system, referrals, and safety planning. Police precinct advocates, employed by the Detroit Police Department, worked with victims who walked into the precincts and contacted by telephone victims named on police reports. The precinct legal advocates, employed by local domestic violence programs, worked in two precincts and focused primarily on helping women obtain protective orders. The advocates did not do telephone outreach. The county prosecutor's office employed advocates to work with victims coming in for warrant interviews with prosecutors and provided support to victims in court during prosecution.

A team of trained, experienced, female African-American interviewers administered three questionnaires developed by the researchers. The team completed 242 initial interviews from the PCR sample, for a response rate of 22.8 percent. Six months later, they completed 63 followup interviews of women who were interviewed initially and 23 interviews of women not reached initially. The survey instruments inquired in detail about the police, advocates, and prosecution services that victims received related to the focal incident; previous incidents of violence between the respondent and the man who abused her during the focal incident; and why victims felt services were or were not helpful.

As a measure of recidivism, researchers continued to collect police incident reports from the five precincts for 6 months after the intake of their last focal PCR. Researchers were unable to gain access to advocates' records about contacts they had with victims, so advocates were given a "contact form" to fill out after contact with a victim. However, the advocates did not consistently fill out these forms. Researchers conducted a computer search about the outcomes of the cases stemming from the focal police incident reports.

Findings

African-American women were by far the largest group of victims (96 percent) named on the 1,057 focal incident police reports. Although 81.2 percent of Detroit's population is African-American (Hill 2001), a disproportionate number of African-American women appeared as victims in these police reports. Only a small proportion of the sample were currently or formerly married (24.8 percent). Researchers coded the majority of initial and subsequent police reports as severe physical or sexual violence (81.6 percent). One hundred and twenty women (11.3 percent of the sample) were involved as victims on one or more subsequent PCRs.

Twenty-three percent of the victims identified in the police report sample (242 women) were interviewed initially. Ninety-seven percent of the respondents were African-American. Fifty-four percent of respondents were employed, but their annual household income was low, with only 14.1 percent having an income of more than \$30,000 per year. Only 24 percent of the respondents were married.

Women who were interviewed were significantly less likely than noninterviewed women to report that they experienced severe physical violence during the focal incident ($\chi^2 = 17.32$ [3, $n = 963$] $p = .001$) or to be living with partners ($\chi^2 = 17.56$ [3, $n = 982$] $p = .001$). Interviewees were significantly more likely to be African-American ($\chi^2 = 4.39$ [1, $n = 1026$] $p = .036$) and to have a child with the perpetrator than noninterviewees were ($\chi^2 = 8.63$ [2, $n = 983$] $p = .013$).

Because advocates substantially underreported their services on the contact sheets, interviewees' and advocates' reports of advocacy services were combined to develop the best proximal count. Twenty-four percent of the 1,057 women received some type of advocacy, and 4 percent had contact with at least two types of advocates. Women who received any advocacy were more likely to have focal police reports that reported severe physical abuse ($\chi^2 = 8.87$ [3, $n = 963$] $p = .031$), and African-American women were more likely to receive advocacy than European-American women were ($\chi^2 = 6.84$ [1, $n = 1026$] $p = .009$). Women who were currently married were significantly less likely to see an advocate ($\chi^2 = 6.88$ [2, $n = 976$] $p = .032$).

All three types of advocates gave women information about protective orders, but followup rates were low. The initial interviews suggest that precinct and prosecutor's advocates did not help all women plan for their safety, even when those women experienced severe physical violence during the focal incident. Advocates made referrals for other services to 29 women, and 8 women (27.5 percent) followed up on those referrals.

According to the police reports, arrests occurred in 313 cases (30 percent of the 1,057 police incident reports), and a warrant was issued in 148 cases (14 percent). The rate of issuance of warrants and the proportion of arrests resulting in warrants did not differ significantly between precincts with and without domestic violence teams. Receiving advocacy services, especially from the prosecutor's office, was associated with issuing a warrant ($\chi^2 = 79.53$ [1, $n = 1056$] $p = .000$).

One hundred and thirty-five of the initial interviewees (64.9 percent) said they thought it was a good idea for the prosecutor to press charges against their partners. The most common reasons

for favoring prosecution were that the partner's behavior was illegal and not acceptable and that abusers should not violate or touch women. The most common reasons for opposing prosecution were that the woman believed the incident was not serious or that this was the first time her partner was violent.

There were 102 perpetrators charged with misdemeanors (9.6 percent of total PCR sample) and 46 charged with felonies (4.4 percent). Forty-six percent of all resolved prosecutions resulted in a guilty plea or a verdict of guilty after a trial. Cases from precincts with domestic violence teams or in which victims received advocacy services were no more likely to result in a guilty verdict or plea than others.

Forty-nine cases (41 percent of the total completed cases) were dismissed. Thirty-five of the dismissed cases (29 percent of the resolved cases) were noted as "witness failed to appear." There was no association between receiving advocacy and the reasons why cases were dismissed. There were no significant associations between guilty pleas or verdicts, reasons for dismissal, and a woman's positive response toward prosecution in the first interview.

Because almost all subsequent incidents involved severe physical violence or sexual assault, researchers used the presence or absence of any subsequent police reports as the outcome variable in analyses of recidivism. There was no relationship between whether victims came from precincts with or without domestic violence teams or received advocacy and whether there was a subsequent police report.

Overall, between 60 and 100 percent of interviewees rated all three types of advocates as very helpful or somewhat helpful. The most common reasons women rated advocates as helpful were that they received information, were emotionally supported, and believed advocates actively did something to help. Women who gave advocates low helpfulness ratings (between 20 and 40 percent) described them as not doing enough, unavailable, unsympathetic, or not giving enough information.

According to the interviewees, police officers from domestic violence team precincts and comparison precincts did not differ significantly in their responses to the focal incidents, and interviewees reported high levels of satisfaction with police from all precincts. The most common reasons for satisfaction were that the police "did their job," stopped the violence, or removed the abuser. Women who were not very satisfied with the police most commonly believed that the officers did not do enough to help them or did not come fast enough.

Interviewees were asked separate questions about whether they received each of several potential forms of help from their contact with the criminal justice system. Using only the first interview because it had the most respondents, 41.7 percent of the 242 interviewees reported that the criminal justice system did not do any of the following: decrease abuse, help them leave their partners, keep the abuser away from them, or give them information or referrals. The most common ways the criminal justice system did help were to decrease abuse (32.6 percent) and help the respondent leave her partner (27.7 percent). Satisfaction with the criminal justice system at the second interview was not associated with whether the victim received advocacy, but it was associated with issuance of a warrant for the focal incident ($\chi^2 = 8.67$ [2, $n = 60$] $p = .013$).

Implications for Researchers

This study's somewhat low interview response rate may have been because many women in Detroit do not have telephones, many move often, and some give police false telephone numbers. Researchers could not pay victims for interviews because the prosecutor was concerned that abusers' attorneys might use those payments to undermine prosecution. However, the sample's demographics suggest that telephone interviews, if carefully and sensitively done, represent a promising method of obtaining the views of battered women who are underrepresented in research.

Because they were based partly on advocates' underreporting, the findings that advocacy did not affect victims' safety or participation in prosecution may be erroneous. Researchers were only able to interview women who could be reached by telephone. Although many interviewees viewed the interview as rewarding in itself, financial incentives are probably necessary to encourage interviewees to keep researchers informed about correct contact information. Researchers were not able to investigate whether advocacy provided by domestic violence programs is more victim centered and effective than advocacy sponsored by police or prosecutors. Another weakness was the lack of knowledge of the prior criminal histories of the offenders, because the criminal justice system, victims, and abusers all respond differently when there is a prior criminal history. Interviewees were not asked directly about the role of culture or about their concerns for their children in their assessment of their situations and of advocacy. Women also were not asked why they did or did not follow up on advocates' referrals.

Implications for Practitioners

A number of women had contact with more than one type of advocate, which might be viewed as an overlap and lack of coordination of services. Alternatively, it may be advantageous for victims to have access to more than one kind of advocate, because some advocates have specialized knowledge, and a woman in crisis might not absorb information the first time she hears it.

Because women who received advocacy services were more likely to experience severe violence during the focal incident than women who did not, advocates might have been effective in their outreach to women who needed their services the most. It also might mean that women who experienced the most severe violence were more eager for help. Advocates suggested that a possible reason African-American women were more likely to receive advocacy services than European-American women is that European-American battered women in Detroit may have more resources and do not have to rely on advocacy for help. However, no data support this explanation. Women who were married were less likely to receive advocacy services than unmarried women, possibly because they were afraid to talk to advocates or had a stronger investment in maintaining the marriage without seeking help.

Safety planning is intended as a large portion of advocates' jobs, but many interviewees who said they needed help with safety planning did not remember that advocates helped them with it. This is a serious gap in services because advocates might have effective safety planning ideas that are new to victims. Interviewees also reported low rates of followup on advocates' referrals. They

might not have believed the referrals would meet their needs, or they might have been afraid to contact the resources provided. Practical burdens, like childcare and financial difficulties, might also lead to a lack of followup on referrals.

The research suggests that further training of officers or increased advocacy for victims is needed if domestic violence units want to increase the number of prosecutions. Officers might be trained to increase their rapport with victims or to discuss more thoroughly the importance of appearing for a warrant interview. If advocates are able to engage victims successfully soon after the incident and provide meaningful safety options, they might encourage victims to appear for warrant interviews.

Interpreting the lack of association between advocacy and recidivism is a complex task. Women who receive advocacy services may call the police more often, because advocacy increases their trust in the legal system. Because there were no associations between arrests, warrants, or protection orders and rates of subsequent PCRs, the social class and usually unmarried status of the abusers might have contributed to a sense that they had little to lose if the legal system intervened.

Victims' high level of satisfaction with advocacy suggests that victims may interpret the provision of advocacy as a sign that the legal system is concerned about them. After a history of being overlooked or mistreated by the criminal justice system, African-American women may be grateful for any legal advocacy that is both accessible and culturally sensitive.

The process evaluation yielded a recommendation to establish a common information system to share records about victims among advocates. Program administrators articulated the need to expand police advocacy services to cover the entire city so that all victims can have access to advocacy at the point of entry into the system. Another approach would be to increase funding to domestic violence programs so that they could hire advocates who would do outreach to victims. Advocates pointed out that their services would benefit from having private counseling space, childcare, and child supplies (e.g., diapers), as well as clerical support.

The research suggests that special domestic violence teams and advocacy as they exist in Detroit are not sufficient to overcome the multiple vulnerabilities of battered women when they lack economic resources and may have had a history of painful interactions with the police and social service agencies. Instituting new programs is not a panacea if the programs do not have the resources to make a difference. First, researchers and practitioners must learn from battered women what would make a difference. Then realistic program planning and coordination must take place. For women with multiple needs, like many women in Detroit, services clearly must be intensive and sensitive to cultural and economic issues. Training should focus on increasing the service providers' awareness of these multiple needs.

References

- Buzawa, E.S., and Buzawa, C.G. (1990). *Domestic Violence: The Criminal Justice Response*. Newbury Park, CA: Sage Publications.
- Coley, S., and Beckett, J. (1988). "Black Battered Women: Practice Issues." *Social Casework*, 69, 483–490.
- Edleson, J.L. (1993). "Advocacy Services for Battered Women." *Violence Update*, 4(4), 1–10.
- Hill, J.G. (2001, March 29). "Detroit Census Drop Attributed to White Flight." *Detroit Free Press*. http://www.freep.com/news/census/cdet29_20010329.htm.
- Pinn, V.W., and Chunko, M.T. (1997). "The Diverse Faces of Violence: Minority Women and Domestic Abuse." *Academic Medicine*, 72(1), 65–70.
- Sullivan, C.M., and Rumptz, M.H. (1994). "Adjustment and Needs of African-American Women Who Utilized a Domestic Violence Shelter." *Violence and Victims*, 9, 275–286.
- Weisz, A.N., Tolman, R.M., and Bennett, L. (1998). "An Ecological Study of Nonresidential Services for Battered Women Within a Comprehensive Community Protocol for Domestic Violence." *Journal of Family Violence*, 13, 395–415.

An Evaluation of Efforts to Implement No-Drop Policies: Two Central Values in Conflict

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During the late 1980s and 1990s, the law enforcement response to domestic violence changed remarkably. Legal impediments were removed for police officers making warrantless arrests for misdemeanors they did not witness. They were replaced by presumptive arrest statutes, under which police were encouraged to make arrests, or statutes making arrest mandatory when probable cause existed. Many victim advocates were pleased with these changes, arguing that taking the decision to arrest away from victims shielded them from possible retaliation by batterers.

The changes in police practices regarding domestic incidents were paralleled by changes in the prosecution of these cases. Many jurisdictions changed their prosecution policies to ensure that *all* legally sufficient domestic cases would be prosecuted whether or not victims were fully cooperative, to drop the requirement that victims sign a complaint, or to forbid victims from dropping charges once they were filed. Other jurisdictions facilitated the process of obtaining restraining orders; established special domestic violence courts staffed with personnel trained to handle domestic cases; or established better coordination between police, prosecution, judicial, and probation agencies.

Some prosecutors adopted a policy that paralleled mandatory arrest policies of the police. So-called no-drop or evidence-based prosecution was pioneered in places such as Duluth, Minnesota, and San Diego, California, in the late 1980s in response to the high dismissal rate of domestic violence cases. Until then, it had been the practice of most prosecutors and judges to dismiss domestic cases in which the victim was unwilling to come to court or to testify against the defendant. Because many victims failed to cooperate for a variety of reasons, domestic violence cases had dismissal rates many times higher than other crimes.

In particular, the San Diego City Attorney received a lot of national press about evidence-based prosecution. The office realized that forms of evidence other than the testimony of victims could be collected in domestic violence cases. Advocates convinced the office to treat domestic violence like any other crime and not rely solely on the victim to determine how to proceed. Statements made on 911 tapes or to responding police officers could be admissible under certain circumstances. Photos of injuries could be taken and the testimony of medical personnel entered. Physical evidence could be collected from the household. The statements of witnesses could be used. San Diego prosecutors fought hard to convince judges to accept these forms of evidence. Over time, with the passage of key statutes on admissibility of evidence, the city attorney's office prevailed and was able to win convictions in a large percentage of cases, even without (or in spite of) the testimony of the victim.

San Diego's success convinced other prosecutors to follow suit. Some advocates argue that no-drop policies are victim-friendly because they take the burden of continuing a prosecution away from the victim and decrease the abuser's power to force the victim to drop charges. By contrast, others have argued that no-drop policies take away power from the victim and assume the State's interests should supersede those of the victim. The present study looked at the impact of no-drop policies on the victim and the criminal justice system.

Purpose of the Research

The researchers wanted to learn if prosecution without the victim's cooperation was feasible with appropriate increases in resources. They identified three sites where the Office of Justice Programs had awarded funds for no-drop prosecution under the Office on Violence Against Women's (OVW) grant program to encourage arrest policies. Included were Everett, Washington, Klamath Falls, Oregon, and Omaha, Nebraska. San Diego was added to the list because of its historic importance, even though it had not applied for funds under the arrest policies grant program. San Diego was the first place to institute a no-drop policy and is widely respected as being the most successful no-drop site. The researchers felt they could not conduct a study of no-drop policies without including the longest-running and strongest program.

The study was designed to examine the effects of no-drop policies on court outcomes and victim satisfaction with the justice system and feelings of safety. Four research questions were addressed:

- ◆ Did implementing a no-drop policy result in increased convictions and fewer dismissals?
- ◆ Did the rate of trials increase in jurisdictions where no-drop was adopted as a result of the prosecutor's demand for a plea in cases in which victims were uncooperative or unavailable?
- ◆ Did prosecutors have to downgrade sentence demands to win the willingness of defense attorneys to negotiate pleas in the new context of a no-drop policy?
- ◆ What was the impact on victims? Did victims who did not want their intimate partners prosecuted eventually come to believe prosecution was a good thing, or did prosecution without the victim's consent result in angry victims who were discouraged from calling the police in the future?

Methods

The study evaluation encompassed process and impact components. During the process component, the researchers collected data on no-drop program implementation through a review of written materials, interviews with local officials, and onsite observations. The impact evaluation assessed the overall effect of the coordinated approach to domestic violence implemented at each site. At the three sites that had recently implemented no-drop policies (Everett, Klamath Falls, and Omaha), researchers attempted to collect samples of 200 domestic violence court cases during the year before implementation of the no-drop policy and 200 cases after its implementation. That was not possible in Omaha because domestic violence cases were prosecuted by the city attorney before the no-drop policy and by the county attorney afterward. Thus, a pre- and post-comparison of office processing was not possible.

In San Diego, which has had a no-drop policy since the mid-1980s (and thus a pre-/post-sample was not feasible), the researchers examined the effects of two State laws favorable to prosecutors. These statutes were designed to make it easier to admit certain types of evidence and thereby increase the prosecutor's chances of succeeding in trials without victim cooperation.

To assess the impact of the statutes on domestic violence cases in San Diego, samples were collected of 200 cases before and 200 cases after the new statutes took effect.

For sampled cases, the researchers collected information on charges, defendants' criminal histories, relationships between victims and defendants, court outcomes, sentence and special conditions of sentence, issuance of protection orders, prosecution of violations of protection orders, contacts with victims by phone or in person, assessments of victim willingness to prosecute, subpoenas or body attachments issued for victims, and victims' attendance in court.

For cases resolved under the no-drop policy, telephone interviews with victims were attempted to ascertain their desires about what should have been done with the case (from dropping charges to sentencing batterers to jail terms), their willingness to cooperate with criminal justice officials, their contact with victim advocates, their belief that their views were heard and considered by criminal justice officials, their satisfaction with officials and with the case outcome, their beliefs about whether the criminal justice outcome had increased or decreased their safety, and the level of violence experienced after the case was resolved in court.

Findings

San Diego

San Diego's no-drop policy is the model others have copied. Because the policy began so long ago, an archival comparison was not possible in San Diego. However, researchers did study the impact of the 1997 changes in legislation regarding admissibility of evidence. Analysis revealed the following:

- ◆ Researchers found differences in case processing between 1996 and 1999. The processing time declined from an average of 91 days in 1996 to 32 days in 1999. The rate of adjudications of guilt was an amazing 96 percent in both years.
- ◆ No differences were found in the proportion of guilty defendants whose sentences included jail time, probation, or batterer treatment. However, a significant difference was found in the proportion of offenders whose sentences included a no-contact provision. In 1999, 61 percent of offenders were ordered to stay away from victims, up from 38 percent in 1996.
- ◆ None of the changes found between 1996 and 1999 was related in an obvious way to the new legislation. Rather, they seem to be the result of changes in implementation of a specialized domestic violence court.
- ◆ If the legislation made a difference in whether important evidence was admitted during the course of trials, then there should have been a difference in conviction rates after passage of the new laws. However, no difference in trial conviction rates was found between the two samples.
- ◆ Both samples were examined for differences in whether judges admitted prosecution evidence in trials. Three categories of evidence were examined: (1) *statements*, which

included statements and admissions made by defendants, statements by victims to the police, and statements to 911 operators; (2) *witnesses*, which included eyewitness testimony, police witness testimony, medical testimony, and expert witness testimony; and (3) *corroborating evidence*, which included physical evidence, photographic evidence, medical records, copies of restraining orders, and prior violence by the abuser. Researchers found that witness testimony and corroborating evidence were almost universally accepted by judges in both samples. In 9 cases out of 10 or better, judges allowed prosecutors to introduce these forms of evidence at trial. Prosecutors were less successful with defendant or victim statements in 1996, when they were admitted in only 72 percent of cases. In 1999, however, statements were admitted in 89 percent of cases in which prosecutors tried to introduce them.

- ◆ Because San Diego had a large trial sample ($N = 90$), the researchers were able to examine the effects of evidence on trial outcomes in ways not possible in the other sites. They found that *none* of the forms of evidence significantly influenced the outcome of trials among the entire sample or among no-drop cases.

Everett

In 1997, the Everett Police Department received a Violence Against Women Act (VAWA) grant that created a domestic violence unit that brought together prosecutor, police, and victim services coordinators under one roof to increase collaboration. An experienced domestic violence prosecutor was hired to introduce a more aggressive style of prosecution and teamed with specialized domestic violence police officers and a victim coordinator.

The researchers examined data from a sample of 156 cases before and 200 cases after the start of the policy. They compared processing time, trial rates, and guilty plea rates. The pre-no-drop case files did not contain data on sentences, so researchers were not able to compare rates of jail terms, no-contact orders, or conditions of probation. Key findings in Everett showed that—

- ◆ Processing time declined from 109 days to 80 days after the formation of the special domestic violence unit.
- ◆ Dismissals declined from 79 percent of dispositions to 26 percent of dispositions. Conversely, adjudications of guilt (by plea or trial) increased from 19 percent to 53 percent and diversion dispositions increased from 2 percent to 22 percent.
- ◆ The implementation of the no-drop policy resulted in a large increase in trials, from 1 percent before formation of the unit to 10 percent after. Prosecutors won four in five of the trials held after the shift in policy.

Klamath Falls

In 1996, Klamath Falls received a grant from OVW's pro-arrest program to implement a no-drop policy. A subsequent grant was received the following year. In the first year, the grant supported a full-time deputy district attorney, two probation and parole officers, two victim advocates, a unit coordinator, and a member of the clergy. In the second year, Klamath Falls added a second full-time deputy district attorney, an attorney to supervise the unit, and an investigator. The

analysis of case outcomes before and after the 1996 no-drop policy revealed findings similar to those in Everett:

- ◆ Dismissals and acquittals dropped from 47 percent before the policy change to 14 percent after.
- ◆ The proportion of diversion dispositions dropped from 6 percent before no-drop to 0 percent after.
- ◆ Adjudications of guilt rose from 47 percent to 86 percent.
- ◆ The proportion of cases resulting in trials jumped from 1 percent before the no-drop policy to 13 percent after. The prosecutor in Klamath won 63 percent of trials after the no-drop policy was put into effect.

Omaha

VAWA grant funds were used to establish a special prosecution unit in the county attorney's office to aggressively prosecute domestic violence cases. Staffed by five persons, the unit adopted a no-drop policy so that cases would be pursued even when victims refused to cooperate with officials. In addition, grant funds were used to create a specialized unit in the police department to conduct followup investigations on domestic violence calls. The unit also uses the police department's victim advocates in domestic violence cases.

In Omaha, the researchers were unable to obtain information on case dispositions before and after implementation of the no-drop policy. A shift in responsibility for prosecuting misdemeanor domestic violence cases from the city attorney to the county attorney coincided with a major improvement in recordkeeping.

A different question, therefore, was asked in Omaha. The researchers had heard from Omaha officials that judges differed widely in their willingness to admit evidence in the absence of victims on the trial date. Some judges were said to be receptive to admitting hearsay evidence while others were described as reluctant. The researchers analyzed dispositions in cases in which victims were absent on the trial date according to the perceived receptivity of judges to a no-drop policy. They expected to find more frequent use of no-drop (i.e., fewer trial date dismissals) when judges sympathetic to no-drop policies presided. Instead, they found little difference in dismissal rates between judges rated as sympathetic and those rated as hostile to no-drop. The major finding was that *roughly four in five cases were dismissed when victims were absent on the trial date* for both groups of judges. No-drop efforts largely failed in Omaha.

From Victim Interviews Across the Four Sites

- ◆ Seventy-nine percent of victims wanted the defendant to be arrested.
- ◆ Seventy percent of victims were satisfied with the police, 4 percent reported feeling somewhat satisfied, and 26 percent were dissatisfied. Satisfaction with the prosecutor was slightly less but still substantial. Sixty-four percent were satisfied, 9 percent were somewhat

satisfied, and 27 percent were dissatisfied. Similar marks were awarded to judges. Sixty-seven percent were satisfied, 8 percent were somewhat satisfied, and 25 percent were dissatisfied. Case outcome satisfaction rates were ranked lower. Fifty-nine percent were satisfied, 13 percent were somewhat satisfied, and 29 percent were dissatisfied.

- ◆ Eighty-three percent of victims reported that they had seen or heard from the defendant since the disposition of the case. With the important exception of verbal abuse, most victims had not been bothered by the defendant.
- ◆ Most victims interviewed had positive things to say about the wisdom of prosecuting. In hindsight, 85 percent of victims said they came to see the prosecution as helpful. Only 10 percent said prosecution was not a good thing, and 5 percent said it was both good and bad.
- ◆ Seventy-nine percent of the victims said they would call the police if reabused in the future. Only 11 percent said they would not call and 10 percent said it would depend on the circumstance.

The victim interview results have to be treated cautiously. Victim response rates were low (21 percent in Omaha, 20 percent in San Diego, 17 percent in Klamath Falls, and 14 percent in Everett). Domestic violence populations are notoriously hard to reach, especially using a retrospective design as was employed in this study. The researchers attempted to reach victims several months after disposition of their case. The design was selected to allow questions to be asked about a victim's satisfaction with the case and officials and about renewed problems with the abuser. But the researchers found that many victims had changed their phone numbers sometime after arrests were made (actual refusal rates were small *if* victims could be reached by phone).

Compared with other studies, the response rate in this study was very low. Because researchers were able to interview less than one-fifth of the sample, it is unlikely that the victim interview results are representative of the population of victims in the four study sites. It is probable that the victims who remained in one place and kept the same phone number are different in fundamental ways from those who relocated or changed their numbers. Those who make themselves hard to find may be hiding from the defendant or from the prosecutor. If that were the case, then these victims would have a quite different perspective from the victims researchers contacted.

Implications for Researchers

The victim interview data suggested that victims may view prosecution as beneficial, even those victims who initially did not want any criminal justice action beyond arrest. However, the researchers stressed that they were unsuccessful in locating most of the victims they sought to interview, making it very unlikely that the interview results are representative of the victim populations in the study sites. Therefore, researchers found it difficult to conclude whether victims benefit when criminal justice professionals assume the exclusive right to decide when to prosecute and what outcome to seek. Further study of the impact of no-drop policy on victims is needed.

Implications for Practitioners

The researchers drew several implications and lessons from the study for practitioners. First, no-drop is more a philosophy than a strict policy of prosecuting domestic violence cases. No prosecutor pursued every case he or she filed. Prosecutors were rational decisionmakers who were most likely to proceed without the victim's cooperation if they had a strong case based on other evidence. Of course, definitions of what constitutes strong evidence varied from site to site, and some prosecutors were more likely to persist in the face of an unwilling victim than others were. None chose to proceed with every case in which the victim was unwilling to cooperate.

Second, adopting a no-drop policy can boost convictions dramatically. In the two sites in which pre- and post-implementation data were available, extraordinarily large increases in conviction rates, declines in processing time, and large increases in the number of trials were found.

Third, implementing no-drop policy requires significant case screening up front. Arrests with weak evidence need to be rejected by prosecutors so that they can credibly claim that they can prosecute the remainder of cases regardless of what the victim wants or does. All the sites engaged in significant screening of domestic violence cases, refusing to file as many as 30 percent.

Fourth, a successful no-drop policy requires judges who are willing to admit hearsay or excited utterances from victims, statements from defendants, or documentation of prior bad acts.

Fifth, no-drop prosecution is expensive. Successful implementation of no-drop policy involves significant training of police in evidence gathering, a realization that more cases will go to resource-intensive trials, and the energy to persuade judges to accept forms of evidence that historically have been considered controversial. Moreover, it is not enough to encourage arresting officers to do a better job gathering evidence; it is also necessary to have specialized officers (working closely with prosecutors) to conduct followup investigations. Intensive training, special units, and thorough investigations require substantial resources.

**Prosecuting Sexual Assault: A Comparison of
Charging Decisions in Sexual Assault Cases
Involving Strangers, Acquaintances, and
Intimate Partners***

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The prosecutor plays a key role in the criminal justice system. She or he decides who will be charged, what charge will be filed, who will be offered a plea bargain, and the type of bargain that will be offered. The prosecutor also may recommend the offender's sentence. Although each of these decisions is important, none is more critical than the initial decision to prosecute or not to prosecute. Prosecutors have broad discretion at this stage in the process. There are no legislative or judicial guidelines about charging, and a decision not to file charges ordinarily is immune from review. According to the Supreme Court, "So long as the prosecutor has probable cause to believe that the accused committed an offense defined by statute, the decision whether or not to prosecute, and what charge to file or bring before a grand jury generally rests entirely in his discretion" (*Bordenkircher v. Hayes*, 434 U.S. 357, 364 [1978]).

The fact that the "prosecutor controls the doors to the courthouse" (Neubauer, 1988, p. 200) may be particularly important in cases in which the credibility of the victim is a potentially important issue, such as sexual assault cases. Studies of the charging process conclude that prosecutors attempt to avoid uncertainty (Albonetti, 1987) by filing charges in cases in which the odds of conviction are good and by rejecting charges in cases for which conviction is unlikely. These studies suggest that although prosecutors' assessments of convictability are based primarily on legal factors such as the seriousness of the offense, the strength of evidence in the case, and the culpability of the defendant, legally irrelevant characteristics of the suspect and victim also come into play. In fact, Stanko (1988, p. 170) concludes that "the character and credibility of the victim is a key factor in determining prosecutorial strategies, one at least as important as 'objective' evidence about the crime or characteristics of the defendant."

In sexual assault cases, the victim's character, behavior, and credibility may play an especially important role in charging decisions. In these types of cases, little physical evidence may be present to connect the suspect to the crime, and typically eyewitnesses who can corroborate the victim's testimony may not be available. The likelihood of conviction depends primarily on the victim's ability to articulate what happened and to convince a judge or jury that a sexual assault occurred. Thus, prosecutors' assessments of convictability and their charging decisions rest on predictions regarding the way the victim's background, character, and behavior may be interpreted and evaluated by other decisionmakers and potential jurors. Frohmann (1997, p. 535) notes that this "downstream orientation" leads prosecutors to rely on stereotypes about "genuine victims" and appropriate behavior. Victims whose backgrounds and behavior conform to these stereotypes will be taken more seriously, and their allegations will be treated more seriously than victims whose backgrounds and behavior differ from these stereotypes.

Although some researchers contend that victim characteristics come into play in all cases of sexual assault, others argue that their effect is conditioned by the nature of the case. For example, Estrich (1987, pp. 28–29) maintains that "all women and all rapes are not treated equally." Instead, criminal justice officials differentiate between the "aggravated, jump-from-the-bushes stranger rapes and the simple cases of unarmed rape by friends, neighbors, and acquaintances." This is consistent with the assertions of Black (1976) and Gottfredson and Gottfredson (1988), who argue that the offender-victim relationship is an important predictor of the outcome of legal proceedings and that crimes between intimates are perceived as less serious than crimes between strangers.

If, as these scholars contend, crimes involving strangers are viewed as more serious than crimes involving nonstrangers, victim characteristics—particularly those relating to victim credibility—should be

better predictors of case outcomes in sexual assault cases in which the victim and the defendant are intimates or acquaintances than in cases in which the victim and defendant are strangers. Previous research has demonstrated that in more serious cases the outcome is determined primarily by legally relevant factors (Kalven and Zeisel, 1966; Spohn and Cederblom, 1991). In these types of cases, criminal justice officials have relatively little discretion and thus few opportunities to consider the victim's background or behavior at the time of the incident. On the other hand, in less serious cases the appropriate outcome is not indicated clearly by the nature of the crime or other legally relevant factors. This may leave criminal justice officials, including prosecutors, more disposed to take extralegal factors into consideration.

This study addressed that issue. The researchers examined the effect of victim, suspect, and case characteristics on prosecutors' charging decisions in three types of sexual assault cases: those involving strangers, acquaintances, and intimate partners. They tested the hypothesis that the effect of victim characteristics is conditioned by the relationship between the victim and the suspect. They hypothesized that the victim's character, reputation, and behavior at the time of the incident would not affect charging decisions in cases involving strangers but would affect charging decisions in cases involving acquaintances and intimate partners.

Research Design

The study analyzed data on sexual assaults that resulted in arrests in Kansas City and Philadelphia. The data file included 259 cases in Kansas City and 267 cases in Philadelphia. In Kansas City, selected cases met the following criteria:

- , The defendant was arrested in 1996, 1997, or 1998 for rape, forcible sodomy, sexual assault, deviate sexual assault, first-degree statutory rape, or first-degree statutory sodomy.
- , The case was referred to the Office of the Prosecuting Attorney for the Sixteenth Judicial Circuit of Missouri by the Kansas City Police Department.
- , The victim was age 12 or older.

In Philadelphia, selected cases met these criteria:

- , All cases of rape, involuntary deviate sexual intercourse, and sexual assault that resulted in an arrest during 1997 were selected.
- , The victim was age 12 or older.
- , Cases that involved male victims and female suspects were eliminated.

Researchers examined the effect of victim characteristics, offender characteristics, and case characteristics on charging decisions in cases involving strangers, acquaintances, and intimates. Victim characteristics were subdivided into background factors (i.e., the victim's gender, race, and age) and "blame and believability" factors, which are characteristics of the victim that might cause criminal justice officials to blame the victim and/or question her credibility. The researchers controlled for whether the victim physically resisted her attacker or made a prompt report to the police, whether the victim's "moral character" was in question, and whether the victim engaged in any type of risk-taking activity at the time of the incident. The moral character variable was coded 1 if the police file contained information about the victim's prior sexual activity with someone other than the suspect, out-of-wedlock pregnancy or birth, pattern of alcohol and/or drug abuse, prior criminal record, work as a prostitute, or work as an exotic dancer or in a massage parlor. The risk-taking variable was coded 1 if the police file indicated that at the time of the assault the victim was walking alone late at night, was hitchhiking, was in a bar alone or was using alcohol or drugs, or if she willingly accompanied the suspect to his residence or invited him to her residence.

The suspect's age, race, and prior criminal record were included in the analysis. The analysis also included several case characteristics that reflect either the seriousness of the offense or the strength of evidence in the case. Measures of offense seriousness include whether the suspect used a gun or knife during the assault and whether the victim suffered collateral injuries, such as bruises, cuts, burns, or internal injuries. The strength of evidence in the case was measured by the existence of a witness to the assault and the presence of physical evidence, such as semen, blood, clothing, bedding, or hair, that could corroborate the victim's testimony.

The study used logistic regression to model the relationship between victim, suspect, and case characteristics and the decision to file charges in sexual assault cases. To test for the effect of type of relationship, the researchers first estimated a model for the entire sample. This stage in the analysis included two dummy variables (acquaintance and intimate partner) that measured the type of relationship between the victim and the offender; the stranger category was omitted. The researchers then estimated separate logistic regression models for each of the three types of relationships to test their hypothesis concerning the contextual effects of victim characteristics.

Findings

Examination of prosecutors' charging decisions for sexual assault cases confirmed that the "prosecutor controls the doors to the courthouse" (Neubauer, 1988, p. 200). Within the two large urban jurisdictions included in this study, approximately half of the sexual assault cases that resulted in an arrest were prosecuted. The decision to charge was found to be based on a combination of victim, suspect, and case characteristics. Prosecutors were more likely to file charges if there was physical evidence to connect the suspect to the crime, if the suspect had a prior criminal record, and if there were no questions about the victim's character or behavior at the time of the incident. This suggests that prosecutors' concerns about convictability lead them to file charges when they believe the evidence is strong, the suspect is culpable, and the victim is blameless.

The results also revealed that the relationship between the victim and the suspect had no effect on the decision to charge. This finding is consistent with the results of a recent study about sexual assault case processing decisions (Kingsnorth, MacIntosh, and Wentworth, 1999), but the results are inconsistent with the assertions of Black (1976) and others who contend that the victim-suspect relationship is an important predictor of case outcomes and that crimes between intimates are perceived as less serious than crimes between strangers.

The fact that prosecutors were equally likely to file charges in all three types of cases does not mean, however, that they used the same criteria to determine the likelihood of conviction for sexual assault cases in each category. As shown in the exhibit, the presence of physical evidence to connect the suspect to the crime had a strong and statistically significant effect on charging in all three types of cases, but it had a more pronounced effect in cases involving strangers than in cases involving acquaintances or relatives. Moreover, the other predictors of charging were not invariant. Consistent with our hypothesis, in cases involving strangers, the decision to charge was determined primarily by legally relevant factors. In these cases, the odds of charging were increased if there was physical evidence and if the suspect used a gun or knife.

The study's findings regarding the influence of victim characteristics also are consistent with its premise. With the exception of the victim's race (which influenced the decision to charge in cases in which the victim and suspect were strangers), victim characteristics affected charging only in cases that involved nonstrangers. In cases that involved friends, acquaintances, and relatives, prosecutors were significantly less likely to file charges if the victim engaged in risk-taking behavior at the time of the incident or if her reputation or character were questioned. If the victim and suspect were or had been intimate partners, prosecutors were less likely to file charges if the victim engaged in risky behavior or physically resisted the suspect but were more likely to file charges if the victim was injured.

Implications for Researchers

Previous research provides contradictory evidence concerning the factors that affect prosecutors' charging decisions in sexual assault cases. Although there is general agreement that prosecutors' attempts to avoid uncertainty (Albonetti, 1986; 1987) and "downstream orientation" to judges and juries (Frohmann, 1997) lead them to file charges only when the odds of conviction at trial are high, less agreement can be found on factors that define or determine convictability. Most empirical studies of charging decisions in sexual assault cases find that legally relevant factors—particularly the strength of evidence in the case—play an important role. Evidence concerning the role of victim characteristics is mixed, however. Some studies conclude that victim characteristics—particularly the relationship between the victim and the suspect and the victim's behavior at the time of the incident—play either a primary or a secondary role, and other studies conclude that victim characteristics are largely irrelevant.

Exhibit. Logistic Regression Results for Prosecutors' Decision to File Charges for Sexual Assault Cases Involving Strangers, Acquaintances, and Intimate Partners

	Stranger			Acquaintance			Intimate Partner		
	B	SE _B	Exp(B)	B	SE _B	Exp(B)	B	SE _B	Exp(B)
Victim Characteristics									
White victim (white = 1)	1.49*	.75	4.47	-.11	.46	.89	.79	1.08	2.20
Victim's age	.02	.02	1.02	.00	.01	.99	.02	.04	1.02
Risk-taking by victim (yes = 1)	-.27	.58	.76	-.66*	.29	.52	-1.93*	.58	.14
Questions about moral character (yes = 1)	-.47	.62	.62	-.71*	.30	.49	.72	.52	1.91
Victim physically resisted (yes = 1)	-.08	.62	1.07	-.40	.30	.67	-1.44*	.66	.24
Incident reported in one hour (yes = 1)	.88	.57	2.41	.11	.33	1.11	.97	.52	2.65
Suspect Characteristics									
White suspect (white = 1)	.24	.82	1.27	.08	.50	1.08	-1.41	1.12	.24
Suspect's age	.02	.03	1.02	.01	.01	1.01	.00	.04	1.00
Any prior felony convictions (yes = 1)	-.17	.56	.84	.59*	.29	1.80	.30	.49	1.34
Case Characteristics									
Gun/knife used (yes = 1)	1.72*	.65	5.62	.24	.47	1.27	-.29	.64	.75
Injury to victim (yes = 1)	.51	.59	1.67	-.10	.41	.90	1.01*	.53	2.76
Physical evidence available (yes = 1)	2.07*	.66	7.90	.62*	.29	1.85	1.33*	.51	3.77
Witnesses to incident (yes = 1)	.22	.54	1.24	.13	.26	1.14	.30	.51	1.35
Philadelphia (Philadelphia = 1)	-.74	.58	.48	-.06	.29	.94	-.80	.53	.45
Constant	-3.57	1.53	----	.02	.51	----	-.64	1.34	.53
Cox and Snell R ²			.34			.11			.32
Nagelkerke R ²		.47		.14			.42		
Chi-square/df		46.73/14*		31.77/14*			43.38/14*		
Number of Cases		109		277			114		

*p < .05

Some commentators contend that these inconsistent study results reflect a failure to differentiate between aggravated and simple rapes or between cases that involve strangers and nonstrangers. They argue that victim characteristics come into play primarily in the “less serious,” simple rapes—that is, cases in which the victim and the suspect are acquainted, the suspect did not use a weapon, and the victim did not suffer collateral injury. Although this proposition is consistent with previous research that explores the effect of legally irrelevant factors on decisionmaking by juries and judges and with anecdotal evidence regarding prosecutorial charging decisions, it is not supported by empirical research designed to test its applicability to charging decisions in sexual assault cases. As noted above, such studies generally conclude that the effect of victim characteristics is not conditioned by the nature of the case or by the relationship between the victim and the suspect.

The current study suggests that these results may reflect the fact that researchers typically classify the relationship between the victim and the suspect in only two categories: strangers and nonstrangers. Doing so ignores the diversity in these relationships and, as Decker (1993, p. 585) asserts, “mask[s] important within-group differences.” The nonstranger category, which includes both close and distant relationships, is particularly problematic; it includes victims and suspects who are intimate partners, relatives, good friends, and casual acquaintances. Although consent is more likely to be the defense in each type of nonstranger case than in cases that involve strangers, it does not necessarily follow that victim characteristics play an identical role in each type of case. This study demonstrates that cases that involve intimate partners are qualitatively different from those that involve friends, relatives, and acquaintances. Therefore, future research should abandon the stranger/nonstranger dichotomy and use more refined measures of the victim-suspect relationship.

Implications for Practitioners

The study’s results have important policy implications. The relationship between the victim and suspect was found to have no effect on the likelihood of charging: Prosecutors were no more likely to file charges whether the victim and suspect were acquaintances, relatives, or intimate partners than if the victim and suspect were strangers. This finding clearly contradicts assertions that sexual assaults that involve acquaintances are not regarded as “real rapes” (Estrich, 1987) and that women victimized by these crimes are not regarded as “genuine victims” (LaFree, 1989).

This result may be attributed to the rape law reforms enacted during the past three decades. Beginning in the mid-1970s, most States adopted reforms designed to shift the focus in a rape case from the victim’s character and behavior to the offender’s behavior (see Spohn and Horney, 1992). The most common reforms included changes in the definition of rape, elimination of the resistance and corroboration requirements, and enactment of rape shield laws, which were designed to preclude testimony concerning the victim’s sexual history. As Spohn and Horney (1992) note, these reforms were designed primarily to increase the odds of successful prosecution in cases in which the victim and the suspect were acquainted and the suspect claimed that the victim consented. Although research evaluating the impact of the rape law reforms generally concludes that the statutory changes did not produce the widespread instrumental changes that reformers anticipated, there is evidence that the

reforms did encourage arrests and prosecutions in borderline cases. This study's finding that prosecutors were no more likely to screen out cases involving acquaintances and intimate partners than cases involving strangers is consistent with other research on this point.

However, this study also found that legally irrelevant victim characteristics did influence the decision to charge in cases in which the victim and the suspect were acquaintances, relatives, or intimate partners. In these types of cases, prosecutors' anticipation of a consent defense and downstream orientation toward judges and juries apparently leads them to scrutinize more carefully the victim's character and behavior. Evidence that challenges the victim's credibility or fosters a belief that she was not entirely blameless increases uncertainty about the outcome of the case and thus reduces the odds of prosecution. Notwithstanding the rape law reforms promulgated during the past three decades, victim characteristics continue to influence charging decisions in at least some sexual assault cases.

Note

* See Spohn, Cassia, and David Holleran. 2001. "Prosecuting Sexual Assault: A Comparison of Charging Decisions in Sexual Assault Cases Involving Strangers, Acquaintances, and Intimate Partners," *Justice Quarterly* 18: 651–688.

References

Albonetti, C. (1986). "Criminality, Prosecutorial Screening, and Uncertainty: Toward a Theory of Discretionary Decision Making in Felony Case Processing." *Criminology*, 24, 623–644.

———. (1987). "Prosecutorial Discretion: The Effects of Uncertainty." *Law & Society Review*, 21, 291–313.

Black, D. (1976). *The Behavior of Law*. New York: Academic Press.

Decker, S.H. (1993). "Exploring Victim-Offender Relationships in Homicide: The Role of Individual and Event Characteristics." *Justice Quarterly*, 10, 585–612.

Estrich, S. (1987). *Real Rape*. Cambridge, MA: Harvard University Press.

Frohmann, L. (1991). "Discrediting Victims' Allegations of Sexual Assault: Prosecutorial Accounts of Case Rejections." *Social Problems*, 38, 213–226.

———. (1997). "Convictability and Discordant Locales: Reproducing Race, Class, and Gender Ideologies in Prosecutorial Decisionmaking." *Law & Society Review*, 31, 531–555.

Gottfredson, M.R., and Gottfredson, D.M. (1988). *Decision-Making in Criminal Justice: Toward the Rational Exercise of Discretion*. 2nd ed. New York: Plenum.

Kalven, H., and Zeisel, H. (1966). *The American Jury*. Boston: Little, Brown and Company.

Kingsnorth, R.F., MacIntosh, R.C., and Wentworth, J. (1999). "Sexual Assault: The Role of Prior Relationship and Victim Characteristics in Case Processing." *Justice Quarterly*, 16, 275–302.

LaFree, G. (1989). *Rape and Criminal Justice: The Social Construction of Sexual Assault*. Belmont, CA: Wadsworth.

Neubauer, D. (1988). *America's Courts and the Criminal Justice System*. Pacific Grove, CA: Brooks/Cole Publishing Company.

Spohn, C., and Cederblom, J. (1991). "Race and Disparities in Sentencing: A Test of the Liberation Hypothesis." *Justice Quarterly*, 8, 305–327.

Spohn, C., and Horney, J. (1992). *Rape Law Reform: A Grassroots Revolution and Its Impact*. New York: Plenum.

Stanko, E. (1988). "The Impact of Victim Assessment on Prosecutor's Screening Decisions: The Case of the New York County District Attorney's Office." In G. Cole (ed.), *Criminal Justice: Law and Politics*. Pacific Grove, CA: Brooks/Cole Publishing Company.

Children and Domestic Violence: The Prosecutor's Response

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Violence against women and violence against children are not isolated phenomena. Rather, such violence often coexists in families. Household telephone surveys reveal that frequency of child abuse doubles among families experiencing intimate partner violence, compared to families with nonviolent partners, and that the rate of child abuse escalates with the severity and frequency of a child's mother's abuse (Straus, Gelles, and Steinmetz, 1980).

Domestic violence is also a known risk factor for recurring child abuse reports (English et al., 1999) and for child fatalities (U.S. Advisory Board on Child Abuse and Neglect, 1995). In addition, domestic violence frequently coexists with substance abuse, so children are concurrently exposed to dangerous substances and their adverse effects and parental neglect due to addiction (U.S. Department of Health and Human Services, 1999). In fact, one large study involving 9,500 HMO members revealed that the 1,010 people who reported that their mothers had been treated violently also reported exposure to the following other adverse childhood experiences (Felitti et al., 1998):

Substance abuse	59%
Mental illness	38%
Sexual abuse	41%
Psychological abuse	34%
Physical abuse	31%

Children who witness domestic violence often manifest behavioral and emotional problems, poor academic performance, and delinquency (Edleson, 1999).

Although it is generally recognized that the well-being of children who witness domestic violence is tied closely to that of their mothers (Osofsky, 1999), the interests of battered women and their children are not always identical or even compatible. Mothers may have realistic and practical concerns about their financial and physical well-being should they separate from violent partners, and believe that they and their children are better off staying despite the violence (Hilton, 1992). They may lack resources or social networks to extricate themselves from dangerous relationships; the community's support system may be inadequate; and help seeking may be thwarted by waiting lists, lack of insurance, or high fees for services.

Meanwhile, children remain in perilous living environments. Child protection agencies may feel compelled to intervene proactively in these cases to forestall the escalating risk of harm to children, applying categories like "threat of harm," "emotional maltreatment," or "failure to protect." Similarly, prosecutors may file child abuse or endangerment charges against mothers who appear unwilling to take steps to protect their children or who decline to support prosecution of the batterers. Unfortunately, these measures tend to fix responsibility for children's safety disproportionately on their mothers and not on the batterers, where it clearly belongs.

New Initiatives to Address Challenges

In efforts to shift the focus from mothers to batterers and to underscore concern for children exposed to domestic violence, some States have enacted new laws. As of 1999, nine relevant statutes were identified:

- ◆ Two States (Alaska and Minnesota) defined exposure to domestic violence as a form of child maltreatment to meet child abuse reporting requirements (although Minnesota's law was repealed in April 2000).
- ◆ Two States (Utah and Georgia) made exposing children to domestic violence a new criminal child abuse offense.
- ◆ Five States (Florida, Hawaii, Idaho, Oregon, and Washington) enhanced criminal penalties for domestic violence offenses when children are present.

Even though these new laws may have been passed with good intentions, there is concern that they may impose new risks. Battered women may be increasingly subject to charges of criminal child abuse or failure to protect their children, and risk losing custody. Children who are exposed to domestic violence may be forced to testify and, therefore, to “choose sides” in domestic violence cases. Child protection agencies may be overwhelmed by the huge influx of new cases: Minnesota has already repealed its short-lived law making domestic violence a “reportable condition” for child abuse.

Research Questions

With support from the National Institute of Justice, an exploratory study was conducted to address the following research questions:

- ◆ What are the challenges facing prosecutors when children are exposed to domestic violence?
- ◆ How are new laws, now effective in a small number of States, affecting practice?
- ◆ What can prosecutors do to help battered women and their children?

Research Method

The study relied on two sources of data: a national telephone survey of prosecutors and field research in five jurisdictions. Each component is described briefly below.

National Telephone Survey

A national telephone survey of prosecutors was undertaken to describe current practice and to identify promising practices in the response to cases involving domestic violence and child victims or witnesses. Surveys were completed with 128 prosecutors, representing 93 jurisdictions in 49 States. Nearly half (48 percent) of these jurisdictions had units or prosecutors responsible for all family violence cases, about one-third (38 percent) had separate domestic violence and child abuse prosecutors or units, and the rest represented the single perspectives of domestic violence (10 percent) or child abuse (4 percent).

Survey Findings

Most jurisdictions lack a systematic way for prosecutors and investigators to identify co-occurring cases of domestic violence and child maltreatment.

- ◆ Of the 35 responding offices with separate domestic violence and child abuse units, *none* had protocols directing prosecutors in these units to inquire about co-occurrence or to communicate with one another when relevant cases arise.
- ◆ About half of the responding offices were aware of protocols directing law enforcement officers to ask about child victims or witnesses when investigating domestic violence reports.
- ◆ About one-fourth knew of protocols directing investigators to inquire about domestic violence when responding to child abuse reports.

Most respondents (78 percent) agreed that the presence of children provides added incentive to prosecute domestic violence cases. A few individuals pointed to the children's capacity to testify as an important factor in their decisions.

A majority of prosecutors' offices (58.5 percent) aggressively pursue enhanced sanctions for domestic violence offenders when incidents involve children as victims or witnesses. Most commonly, prosecutors argue for harsher sentencing or file separate charges of child endangerment. Those offices where prosecutors had received at least some training about the co-occurrence of domestic violence and child maltreatment (65 percent) were significantly more likely to employ these avenues in applicable cases.

Survey respondents were given three different scenarios involving children and domestic violence:

- ◆ A battered mother is alleged to have abused her children.
- ◆ Both mother and children are abused by the same male perpetrator.
- ◆ Children are exposed to domestic violence but are not abused themselves.

For each scenario, respondents were asked (a) Would your office *report* the mother to the child protection agency? and (b) Would your office *prosecute* the mother?—in the first scenario, for the abuse of her children; and in the latter two scenarios, for failure to protect her children either from abuse by the male perpetrator or from exposure to domestic violence.

The results suggest that these three scenarios represent decreasing degrees of culpability on the part of mothers for the danger to their children (see exhibit 1). Many respondents noted the lack of statutory authority in their States to prosecute mothers for failure to protect their children, especially from exposure to domestic violence. Some explained that they consider the mothers' experience of victimization before reporting or prosecuting them. Factors in these decisions commonly include the severity of injury to the child, chronicity of the domestic violence, the degree to which the mother actively participated in the abuse of her child, and history of failure to comply with services or treatment plans.

Exhibit 1. Prosecutors' Responses to Issue of Children and Domestic Violence

	Would Report At Least Sometimes			Would Prosecute At Least Sometimes		
	n	Percent- age	Total Respondents	n	Percent- age	Total Respondents
Mom Abuses Children	85	94%	90	82	100%	82
Mom Fails to Protect From Abuse	55	63%	87	62	78%	80
Mom Fails to Protect From Exposure to Abuse	34	40%	86	18	25%	73

Prosecutors who indicated that their States had laws either creating or enhancing penalties for domestic violence in the presence of children were significantly more likely to report battered mothers for failure to protect their children from abuse or from exposure to domestic violence, but there was no significant difference in the likelihood of prosecution.

Field Research

To gain a better understanding of the issues facing prosecutors when domestic violence cases involve children as victims or witnesses, five jurisdictions were selected for indepth site visits. Three jurisdictions (Salt Lake County, Utah; Houston County, Georgia; and Multnomah County, Oregon) were in States with legislation explicitly addressing the issue of children who witness domestic violence; the others (Dallas County, Texas, and San Diego County, California) lacked specific laws yet apply creative strategies. The observed impact of new laws in Utah, Georgia, and Oregon is described below, followed by a brief discussion of pertinent activities in Dallas and San Diego.

Utah

Utah was the first State to enact legislation specifically addressing the issue of children who witness domestic violence. Utah's statute (U.C.A. § 76-5-109.1) took effect May 1997 and—

- ◆ Created a crime of child abuse, not domestic violence.
- ◆ Did *not* require the physical presence of a child during the incident of domestic violence.
- ◆ Required at least one previous violation or act of domestic violence in the presence of a child, unless the precipitating domestic violence incident is quite severe.

Although criminal justice agencies in Salt Lake County were not able to provide statistical data, anecdotal evidence suggests that—

- ◆ The law is applied to mothers only if they are arrested in the underlying incident of domestic violence.
- ◆ The law adds minimal time to the offender's sentence (perhaps 6 months) if the sentences for the domestic violence and child abuse charges run consecutively.

- ◆ The crime is relatively easy to prove, requiring either testimony from the responding officer, testimony or excited utterances from the victim parent, or a 911 tape that records children's voices.

Concurrent with the enactment of the new criminal statute, Utah's Department of Child and Family Services (DCFS) created a new category of child abuse and neglect: domestic violence-related child abuse, defined as "violent physical or verbal interaction between cohabitants in a household in the presence of a child." DCFS also hired domestic violence advocates and developed a protocol to guide child protection workers in their determinations.

During a 1-year period (October 1997 through September 1998) shortly after the new law and policy became effective, DCFS received 1,873 referrals for domestic violence-related child abuse, representing 11 percent of the total referrals statewide. Forty-one percent (773) of the reports of domestic violence-related child abuse were substantiated, constituting 18 percent of the total number of substantiated reports.

Domestic violence-related child abuse was the second largest category of substantiated cases, surpassed only by physical neglect cases. In the following year (October 1998 through September 1999), it represented an even larger proportion of the DCFS caseload: 15 percent of referrals and 21 percent of substantiated cases. Two-thirds of the children involved in substantiated cases remained in their homes with no DCFS supervision. Fewer than 6 percent were placed in foster care or group homes; the rest were placed with neighbors, friends, or relatives.

Georgia

Prosecutors in Houston County, Georgia, used new provisions of Georgia's "cruelty to children" statute that pertain to domestic violence committed in the presence of children. These provisions state that any person commits the offense of cruelty to children in the second degree when that individual, as the primary aggressor, either "intentionally allows a child under the age of 18 to witness the commission of a forcible felony, battery, or family violence battery," or has knowledge that a child "is present and sees or hears the act" (O.C.G.A. § 16-5-70).

Conviction for cruelty to children makes little difference to the penalties imposed on a batterer because the sentence typically runs concurrent with the underlying domestic violence charge. However, the law does give prosecutors a stronger argument for no contact as a condition of bond. Violations of no-contact orders are charged as aggravated stalking, a felony offense in Georgia. Prosecutors perceive the severe consequences of violating no-contact orders as perhaps the most effective response to domestic violence among the sanctions available to them.

By identifying children as victims of family violence, the new law—

- ◆ Helps to counter batterers' threats to gain custody of a child.
- ◆ Makes the child eligible for crime victims' compensation.
- ◆ Enables the court to impose no-contact orders on the child's behalf.

Oregon

Unlike Utah and Georgia, which included exposure to domestic violence within their criminal child abuse statutes, Oregon enacted legislation upgrading certain assault offenses from misdemeanors to felonies when a child witnesses the crime (O.R.S. 163-160). The felony upgrade applies only to assault in the fourth degree, a misdemeanor offense that applies to many incidents of domestic violence.

As shown in exhibit 2, the felony upgrade law has had a noteworthy impact on the district attorney's office. The number of felonies reviewed more than tripled in 1998 (the year in which the law became effective), while the number of misdemeanors reviewed remained nearly constant. Also, the number of felony charges issued exceeded the number of misdemeanors for the first time.

Exhibit 2. Domestic Violence Caseload Statistics—Oregon

	1996	1997	1998*
Total Domestic Violence Cases Reviewed	3,791	3,244	4,214
Felonies reviewed	382 (10%)	437 (13%)	1,371 (33%)
Misdemeanors reviewed	3,409 (90%)	2,807 (87%)	2,843 (67%)
Total Domestic Violence Cases Issued	1,268	1,065	1,175
Felonies issued	274 (22%)	265 (25%)	653 (56%)
Misdemeanors issued	994 (78%)	800 (75%)	522 (44%)

*In 1998 Oregon enacted a law upgrading certain assaults from misdemeanors to felonies when a child witnesses the crime.

In that same year, the proportion of domestic violence cases that prosecutors initiated declined. This pattern was true for misdemeanors as well as felonies. Prosecutors may have imposed higher standards as they began to interpret and apply the new law. Case outcome data were not available at the time of this study.

Dallas and San Diego

Prosecutors in Dallas try to coordinate cases with concurrent charges of domestic violence and child abuse to optimize both the sanctions against the offender and the safety of the mother and children. For example, the family violence prosecutor can use child abuse cases to support the domestic violence charge. Even if the child abuse is a felony and the domestic violence is a misdemeanor, prosecutors may accept a plea to jail time on the domestic violence charge and a 10-year deferred adjudication on the child abuse charge, which typically carries with it numerous conditions (e.g., no contact, participation in substance abuse treatment). This avenue ensures a domestic violence conviction while imposing strict court oversight on the child abuse charge.

Prosecutors in San Diego aggressively and creatively seek ways to enhance sanctions for perpetrators of domestic violence and child abuse. For example, domestic violence offenders can be charged with child endangerment when a child—

- ◆ Calls 911 to report domestic violence.
- ◆ Appears fearful, upset, or hysterical at the scene.
- ◆ Is an eyewitness to the incident.
- ◆ Is present in a room where objects are being thrown.
- ◆ Is in a car during a domestic violence incident.
- ◆ Is in the arms of the victim or suspect during an incident (Gwinn, 1998).

Anyone convicted of child endangerment and sentenced to probation is required to complete a yearlong child abuser's treatment program.

Through a collaboration with the San Diego Police Department and Children's Hospital Center for Child Protection, the San Diego City Attorney's Office reviews reported incidents of abuse, neglect, exploitation, or domestic violence with an eye toward any angle that might support a misdemeanor prosecution and with the goal of creating an avenue for service delivery. Most defendants plead guilty and receive informal probation with referrals to parenting and counseling programs.

Discussion and Implications

How Are New Laws Affecting Practice?

In 1998, when the felony upgrade law took effect, the Multnomah County, Oregon, District Attorney's Office issued nearly 150 percent more felony domestic violence cases than in the previous year (see exhibit 2). In both Salt Lake County, Utah, and Houston County, Georgia, prosecutors tend to use new child abuse charges as bargaining chips to exert leverage to win guilty pleas on domestic violence charges. In all three States, the new laws remind law enforcement investigators to document children as witnesses and to take statements from them wherever possible. Such evidence may strengthen prosecutors' domestic violence cases even if the children cannot testify.

The more tangible benefits of the new laws, particularly those in Utah and Georgia, may accrue to the children. By identifying children as victims, these statutes—

- ◆ Allow children access to crime victims' compensation funds.
- ◆ Enable the courts to issue protective orders on a child's behalf, potentially affording prosecutors another tool for monitoring offenders' behavior.
- ◆ Signal a need to file a report with the child protection agency, even in the absence of laws naming domestic violence as a condition of mandatory reporting.

Unfortunately, many child protection agencies are not equipped to respond to the sheer volume of reports they receive when exposure to domestic violence is defined as a form of child maltreatment by law or policy. Elsewhere, critics charge, protective services workers are too quick to remove children from violent homes, inappropriately blaming women for the actions of their abusive partners.

Implications for Researchers

Additional research is needed to understand the impact of criminal justice and social service interventions for domestic violence offenders, victims, and their children. For example—

What happens when domestic violence comes to light during an investigation of child abuse allegations? Are these children more likely to be removed from their homes? What kinds of services are offered to mothers? Are the domestic violence allegations brought to the attention of the criminal justice system? What is the impact of new legislation?

What happens when the domestic violence perpetrator is also charged with child maltreatment? Again, are these children more likely to be removed from their homes? What kinds of services are offered to mothers? What is the impact of new legislation?

What other adverse conditions (e.g., substance abuse, other criminal behavior, or mental illness) co-occur with domestic violence and child maltreatment? How do these conditions affect criminal justice and social service interventions?

How does the criminal justice and social service response differ when a battered mother is criminally charged with abusing, neglecting, or failing to protect her children? How do the consequences for accused mothers compare with those for accused partners? Again, what is the impact of new legislation?

What are the long-term consequences for children who remain in a violent home compared with children who are placed in alternative settings?

Close examination of the existing response and delivery system is essential to identify problems and propose appropriate solutions.

Implications for Practitioners

This exploratory research suggests that prosecutors can find ways to help battered women and their children even in the absence of specific legislation. For example, prosecutors can—

- ◆ *Seek training on domestic violence, child abuse, and the impact of domestic violence on children for all prosecutors, victim advocates, and other court personnel whose job responsibilities include responding to allegations of family violence.*
- ◆ *Institute protocols to encourage information sharing among prosecutors with responsibility for domestic violence and child abuse caseloads.*
- ◆ *Identify avenues for earlier intervention (e.g., by placing greater emphasis on misdemeanor prosecution).*
- ◆ *Train law enforcement investigators to note the presence of children in domestic violence incidents and to take statements from them whenever appropriate to do so. Develop policies*

or protocols to ensure that children receive needed services and to guide law enforcement officers' reports to child protection agencies.

- ◆ *Prosecute domestic violence offenders, wherever possible, on concurrent charges of child endangerment, emotional abuse, or another available charge that reflects the danger to children who witness violence. These additional charges can be used to argue for stricter conditions of pretrial release or probation or perhaps for upward deviation from sentencing guidelines.*
- ◆ *Employ every available avenue to enforce the terms of no-contact orders and probationary sentences.* Field research suggests that these measures may offer the most powerful means of holding domestic violence offenders accountable for their behavior.
- ◆ *Promote increased attention to services for battered women.* Particular attention should be paid to substance abuse treatment. One recent study suggests that substance abuse predicts noncooperation with prosecution among battered women (Goodman, Bennett, and Dutton, 1999).
- ◆ *Ensure that social service agencies will connect with families that have been reported for domestic violence, both to offer referrals for needed services and to monitor future incidents.*
- ◆ *Advocate for needed change, whether legislative, fiscal, or programmatic in nature.* As political leaders in their communities, prosecutors can bring together people with disparate views and direct their energy toward a common goal: protecting battered women and their children.

Given what we now know about risks to children from exposure to domestic violence, prosecutors can no longer ignore or minimize this danger. With creativity, sensitivity, and courage, prosecutors can apply the full force of available sanctions against domestic violence offenders while leading battered mothers and their children toward the safety they so desperately need.

References

- Edleson, J. (1999). "Children's Witnessing of Adult Domestic Violence." *Journal of Interpersonal Violence*, 14(8), 839–70.
- English, D.J., Marshall, D.B., Brummel, S., and Orme, M. (1999). "Characteristics of Repeated Referrals to Child Protective Services in Washington State," *Child Maltreatment*, 4, 297–307.
- Felitti, V.J., Anda, R.F., Nordenberg, D., Williamson, D.F., Spitz, A.M., Edwards, V., Koss, M.P., and Marks, J.S. (1998). "Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults." *American Journal of Preventive Medicine*, 14(4), 250.

Goodman, L., Bennett, L., and Dutton, M.A. (1999). "Obstacles to Victims' Cooperation With the Criminal Prosecution of Their Abusers: The Role of Social Support." *Violence and Victims*, 14, 427–444.

Gwinn, C. (1998). "Domestic Violence and Children: Difficult Issues." Presentation for the National College of District Attorneys.

Hilton, N.Z. (1992). "Battered Women's Concerns About Their Children Witnessing Wife Assault." *Journal of Interpersonal Violence*, 7, 77–86.

Osofsky, J.D. (1999). "The Impact of Violence on Children." In *The Future of Children: Domestic Violence and Children*, 9(3), 33–49.

Strauss, M., Gelles, R.J., and Steinmetz, S. (1980). *Behind Closed Doors: Violence in the American Family*. New York: Doubleday/Anchor.

U.S. Advisory Board on Child Abuse and Neglect (1995). *A Nation's Shame: Fatal Child Abuse and Neglect in the United States*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families.

U.S. Department of Health and Human Services (1999). *Blending Perspectives and Building Common Ground: A Report to Congress on Substance Abuse and Child Protection*. Washington, DC: Administration for Children and Families (ACF), Substance Abuse and Mental Health Services Administration, Office of the Assistant Secretary for Planning and Evaluation (ASPE).

Civil Protection Orders and Subsequent Intimate Partner Violence and Injury

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Every year, more than 1.5 million women in the United States experience intimate partner violence. The use of civil protection orders, which prohibit individuals who have committed acts of intimate partner violence from further contact with a victim is one approach to preventing subsequent violence against women (Finn and Colson 1990). Although several studies have described subsequent intimate partner violence against women who had obtained protection orders, these studies have generally been limited by lack of comparison to victims who did not seek such orders, as well as by methodological issues of small sample size and limited assessment of exposure and further abuse (Harrell and Smith 1996; Chaudhuri and Daly 1992; Keilitz et al. 1998; Horton, Simonidis, and Simonidis 1987; Klein 1996; Grau, Fagan, and Wexler 1985; Isaac et al. 1994; Carlson, Harris, and Holden 1999). Consequently, the effectiveness of protection orders in preventing future violence is unclear.

Availability and Characteristics of Civil Protection Orders

All States have enacted statutes authorizing civil protection orders to provide victims immediate relief from abusive partners as an alternative or adjunct to criminal prosecution (Finn and Colson 1990; Harrell and Smith 1996; Keilitz 1994; Finn 1989). Many statutes have been revised to be more specific and provide comprehensive enforcement procedures for courts and police to follow (Finn and Colson 1990; Keilitz 1994; Finn 1989). Provisions of an order may specify the following: no further abuse, no contact whatsoever, eviction or exclusion from the shared residence, requirements that costs for alternate housing be borne by abuser, assignment of temporary custody of minor children to victim, allowance or denial of visitation of minor children by abuser, temporary child or spousal support, use of specified property, monetary compensation, no disposition of property, and counseling. Most States allow granting a temporary (ex parte) order without the named abuser being present. These temporary orders usually last 2 weeks and allow time for the abuser to be served with the order before the hearing for a permanent order. Approximately 60 percent of women who file a temporary order eventually file a permanent order (Harrell, Smith, and Newmark 1993). If an order is violated, the petitioner must call the police to initiate the enforcement process. The responding officer identifies the appropriate action based on his or her understanding of the law and the violation. The penalties for the violation may be civil or criminal contempt or misdemeanor or felony charges.

Study Hypothesis

The purpose of this cohort study, “Protection of Women: Health and Justice Outcomes,” was twofold: to compare victims of intimate partner violence who obtained protection orders with those who did not to determine characteristics that might alert clinicians and others to a woman’s readiness to obtain such an order and to assess the association between obtaining a protection order and the risk of subsequent intimate partner violence and injury. The study was funded by a grant from the National Institutes of Health and the National Institute of Justice as part of the Interagency Consortium on Violence Against Women and Family Violence Research. Study findings have been published in the *American Journal of Preventive Medicine* (Holt et al. 2003).

Research Design and Rationale

The study population consisted of women residents of Seattle ages 18 years and older who were abused or threatened by male intimate partners. Researchers selected women from two groups: women who reported the incident to the Seattle Police Department and women who obtained intimate partner violence-related civil protection orders in King County, Washington, Superior Court from October 15, 1997, through December 31, 1998 (Wolf et al. 2000). The protection-order group ($n = 477$) included the 214 women who obtained temporary or permanent protection orders during the study period (but who did not have prior permanent protection orders during the previous year) and who had a previous police-reported intimate partner violence incident and 263 women randomly selected from the 583 women who obtained protection orders but did not have a previous police-reported incident. The non-protection-order group ($n = 506$) was a random sample of the 2,590 women who contacted the police because of intimate partner violence during the 15-month study period but who had not had a protection order related to the index incident or in the previous year. The index incident for the study was the incident that led to filing a protection order (protection-order group) or the incident that was reported to the Seattle Police Department (non-protection-order group).

Of the 983 women referred for recruitment to the study, 241 were found to be ineligible, leaving 742 eligible subjects. Structured telephone interviews were conducted with consenting women at baseline (about 1 month after the index incident) and at 4.8 months and at 9.4 months after the index incident. The instruments used included a modified Conflict Tactics Scale, the Center for Epidemiologic Studies of Depression scale, the Short Form Health Survey, the Normal-Eyeopener-Tolerance (NET) alcohol screen (adapted for relevance to women), substance abuse screening questions, and subscales of the Social Adjustment Scale.

Chi-square and t-tests were used to assess the significance of demographic and other differences between the protection-order and non-protection-order groups. Logistic regression was used in multivariate modeling to determine independent significant variables associated with obtaining a protection order. Logistic regression also was used to calculate odds ratios that estimated the self-reported risk of being contacted by the abuser (unwelcome calls, unwelcome visits, verbal threats, or weapon threats); experiencing psychological, sexual, or physical abuse or injury; and receiving medical care after abuse. Women who obtained protection orders after the index incident were compared with those who did not. These risk estimates were calculated separately for the time between baseline and the first followup interview and the time between the first and second followup interviews. In one subanalysis, estimates of risk were calculated separately for those women who had protection orders at both followup interviews and those who had never had protection orders.

Findings

Of the 742 women eligible for the study, 448 (60.4 percent) were enrolled; 124 (16.7 percent) refused to participate, 62 (8.4 percent) agreed to participate but did not complete interviews, and 108 (14.6 percent) could not be contacted (Wolf et al. 2000). Participants and nonparticipants were found to be similar in age, marital status, proportion having a child with the abuser, type of offense reported to the police, and proportion injured in the intimate partner violence incident

that led to the filing of a protection order or a police report (index incident). Participants were more likely than nonparticipants to have obtained protection orders (56.5 percent versus 41.8 percent) and less likely to be living with the abuser at the time of the index incident (26.7 percent versus 36.4 percent) (Wolf et al. 2000).

In multivariate analyses of interview data, the abusers of the women who sought protection orders were found to be significantly older than the abusers of the non-protection-order group. Additionally, women who sought protection orders were significantly more likely than those who did not to be employed, married, pregnant, and severely depressed. They also were more likely to report that they or their families had been threatened with violence by the abuser, that family members or friends were abused on the index date, or that they had been forced to have sexual intercourse with the abuser in the previous year (Wolf et al. 2000). Living with the abuser and being injured during the index incident were associated with a decreased likelihood of seeking a protection order.

Researchers found that women who had protection orders at baseline were significantly less likely than those who did not to be contacted by the abuser, to experience injury or weapons threats, and to receive abuse-related medical care between the first and second followup interviews. Stronger decreases in intimate partner violence risk were seen among women with protection orders at baseline and both followup interviews; these were significant for contact by the abuser, weapon threats, psychological abuse, sexual abuse, physical abuse, injury, and abuse-related medical care between the first and second followup interviews.

Implications for Researchers

Identifying a representative cohort of women who were exposed to intimate partner violence can be a challenge. To improve the generalizability of the study, a population-based approach was used to identify all women in Seattle with police- or court-reported intimate partner violence. Because all the cohort members were identified through the criminal justice system, however, it is not known how they would compare with women who, although victims of intimate partner violence, never report incidents to the police or the courts. Future studies of the relationship between protection orders and intimate partner violence could include cases with unreported violence, but the difficulties in identifying those women in an unbiased manner are considerable and may involve extensive telephone screening of the general population.

Another methodological challenge in interview-based studies of intimate partner violence is difficulty in locating the identified potential participants, who may have moved or changed telephone numbers to increase their safety and, to a lesser extent, difficulty in maintaining contact with participants over time. In this population-based study, only 60.4 percent of the intended cohort were interviewed, which may have introduced bias in the results if the women interviewed differed substantially from those who did not participate. The similarities between participants and nonparticipants in demographic and violence-related characteristics are reassuring, but low participation rates remain an issue in the research community.

When possible, future research on intimate partner violence should attempt to quantify the extent of bias introduced by this level of nonparticipation, using objective outcome assessments (such

as police reports) in addition to self-reported information from participant interviews. Participants' self-reports of intimate partner violence recurrence were included in the study because most criminal justice authorities believe that self-reported data on victimization are at least as valid as data from official reports (Greenfeld et al. 1998; Bachman and Taylor 1994; Bachman and Saltzman 1995). Supplementing these data with criminal justice data, however, may allay concerns about nonresponse bias.

A final challenge in any observational study of protection orders and subsequent intimate partner violence is the interpretation of study results. Women who obtained protection orders, especially those who maintained the orders over time, were found to have substantially reduced risks of future violence perpetrated by the initial abuser. Although the study adjusted for all variables associated with both the likelihood of obtaining an order and risk of intimate partner violence, it is possible that unmeasured characteristics of women who obtain protection orders were responsible for the observed effect, rather than the orders themselves. This concern may be addressed in future research by collecting more extensive information about participants' attitudes and beliefs.

Implications for Practitioners

This study provides a more complete picture of how intimate partner violence victims who seek protection orders differ from those who do not, and this information may be used to help practitioners in contact with abused women to determine a woman's readiness to obtain such an order. Additionally, results indicate that protection orders are associated with a decreased risk of subsequent intimate partner violence, and practitioners may be reassured that recommending this intervention to abused women who are considering it is likely to be beneficial.

References

- Bachman, R., and Taylor, B.M. (1994). "The Measurement of Family Violence and Rape by the Redesigned National Crime Victimization Survey." *Justice Quarterly*, 11, 499–512.
- Bachman, R., and Saltzman, L.E. (1995). *Violence Against Women: Estimates From the Redesigned Survey*. Special Report. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, NCJ 154348.
- Carlson, M.J., Harris, S.D., and Holden, G.W. (1999). "Protective Orders and Domestic Violence: Risk Factors for Re-abuse." *Journal of Family Violence*, 14(2), 205–226.
- Chaudhuri, M., and Daly, K. (1992). "Do Restraining Orders Help? Battered Women's Experience With Male Violence and Legal Process." In Buzawa, E.S., and Buzawa, C.G., eds., *Domestic Violence: The Changing Criminal Justice Response*. Westport, CT: Auburn House, 227–252.
- Finn, P. (1989). "Statutory Authority in the Use and Enforcement of Civil Protection Orders Against Domestic Abuse." *Family Law Quarterly*, 23(1), 43–73.

- Finn, P., and Colson, S. (1990). *Civil Protection Orders: Legislation, Current Court Practice, and Enforcement*. Washington, DC: U.S. Department of Justice, National Institute of Justice, NCJ 123263.
- Grau, J., Fagan, J., and Wexler, S. (1985). "Restraining Orders for Battered Women: Issues of Access and Efficacy." In Schweber, C., and Feinman, C., eds., *Criminal Justice Politics and Women: The Aftermath of Legally Mandated Change*. New York: Haworth Press, 13–28.
- Greenfeld, L.A., Rand, M.R., Craven, D., Klaus, P.A., Perkins, C.A., Ringel, C., Warchol, G., Mason, C., and Fox, J.A. (1998). *Violence by Intimates: Analysis of Data on Crimes by Current or Former Spouses, Boyfriends, and Girlfriends*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, NCJ 167237.
- Harrell, A., Smith, B., and Newmark, L. (1993). *Court Processing and the Effects of Restraining Orders for Domestic Violence Victims*. Washington, DC: Urban Institute.
- Harrell, A., and Smith, B.E. (1996). "Effects of Restraining Orders on Domestic Violence Victims." In Buzawa, E.S., and Buzawa, C.G., eds., *Do Arrests and Restraining Orders Work?* Thousand Oaks, CA: Sage Publications, 214–242.
- Holt, V.L., Kernic, M.A., Wolf, M.E., and Rivara, F.P. (2003). "Do Protection Orders Affect the Likelihood of Future Partner Violence and Injury?" *American Journal of Preventive Medicine*, 24(1), 16–21.
- Horton, A.L., Simonidis, K.M., and Simonidis, L.L. (1987). "Legal Remedies for Spousal Abuse: Victim Characteristics, Expectations, and Satisfaction." *Journal of Family Violence* 2(3), 265–279.
- Isaac, N.E., Cochran, D., Brown, M.E., and Adams, S.L. (1994). "Men Who Batter: Profile From a Restraining Order Database." *Archives of Family Medicine*, 3, 50–54.
- Keilitz, S.L. (1994). "Civil Protection Orders: A Viable Justice System Tool for Detering Domestic Violence." *Violence and Victims*, 9(1), 79–84.
- Keilitz, S.L., Davis, C., Efke, H.S., Flango, C., and Hannaford, P.L. (1998). *Civil Protection Orders: Victims' Views on Effectiveness*. Washington, DC: U.S. Department of Justice, National Institute of Justice, FS 000191.
- Klein, A.R. (1996). "Re-Abuse in a Population of Court-Restrained Male Batterers After Two Years: Development of a Predictive Model." In Buzawa, E.S., and Buzawa, C.G., eds., *Do Arrests and Restraining Orders Work?* Thousand Oaks, CA: Sage Publications, 192–213.
- Wolf, M.E., Holt, V.L., Kernic, M.A., and Rivara, F.P. (2000). "Who Gets Protection Orders for Intimate Partner Violence?" *American Journal of Preventive Medicine*, 19(4), 286–291.

Specialized Felony Domestic Violence Courts: Lessons on Implementation and Impacts From the Kings County Experience

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The National Institute of Justice (NIJ) funded a study by the Center for Court Innovation in New York and the Urban Institute in Washington, D.C., that used process and outcome evaluations to document and evaluate the effectiveness of the implementation of the Kings County (Brooklyn, New York) Felony Domestic Violence Court (FDVC). This paper analyzes some of the goals and strategies of the model under which FDVC and its partner agencies operate. It also gives an overview of the major influences on FDVC's development during its first 4 years of operation, details implementation issues that have arisen and how they have been addressed, and discusses outstanding operational issues.

The study uses qualitative research methods that include interviews with several key court and partner-agency personnel, observations of courtroom proceedings, and attendance at coordination meetings. It also draws on statistical analyses of data provided by the Office of Court Administration on FDVC cases and documents prepared by the Center for Court Innovation and others.

The evaluation of the effectiveness of the FDVC model uses statistical analyses to compare case characteristics, processing, and outcomes for a sample of cases adjudicated in the Kings County Supreme Court before FDVC was established with a sample of cases adjudicated by the specialized court during the early months of its operation.

Key Elements of FDVC

FDVC has been in operation since June 1996. Its goal is to create an effective and coordinated response to felony domestic violence crimes by bringing together criminal justice and social service agencies. The FDVC model operates at both a systemic level (by seeking to change how community agencies work together) and at an individual case level (through efforts to hold offenders more accountable and provide better protection and services to victims). The model features several innovative structures and practices:

- ◆ *A network of criminal justice and social service partner agencies that work together.* The core partner agencies coordinate at a systemic level through regular networking meetings and multidisciplinary trainings. The key agencies consist of FDVC; the Center for Court Innovation (a public/private partnership that develops and implements innovative court programs); the Domestic Violence Bureau and Counseling Services Unit of the Kings County District Attorney's Office; Safe Horizon (a private, nonprofit organization, formerly called Victim Services), which sponsors both the Brooklyn Felony Domestic Violence Unit and the Alternatives to Violence Program (a batterer intervention program); the New York City Department of Probation; the New York Center for Neuropsychology and Forensic Behavioral Science (New York Forensics); and Treatment Alternatives to Street Crime.
- ◆ *A specialized caseload that consists only of indicted domestic violence felonies.* Concentrating all these cases on a single docket has the advantages of efficiently bringing resources together and making it easier to identify and address gaps in the system of services.
- ◆ *Trained and dedicated personnel from court, prosecution, offender intervention and treatment, probation, and victim service agencies.* Most of the personnel involved specialize

in domestic violence cases and have received extensive and ongoing training in domestic violence issues. Judges take a key leadership role in implementing the FDVC model.

- ◆ *Vertical processing and standard practices to ensure consistency in case handling.* Each case is handled by the same judge, prosecutor, and advocate team from the point of post-indictment arraignment in the Kings County Supreme Court (with occasional exceptions for cases that go to trial). Standard practices, such as the routine use of protection orders and FDVC mandates to batterer intervention and treatment programs as needed during the predisposition phase, are employed.
- ◆ *Enhanced case information flow among partner agencies to improve judicial decisionmaking and partner agency operations.* Each judge has a resource coordinator, and the batterer intervention, treatment, probation, and victim service agencies have court liaisons or other dedicated staff to enhance the exchange of information about cases. A grant-funded technology application project has developed an automated system to make communication links faster and more efficient and information more readily available.
- ◆ *An emphasis on defendant monitoring and accountability.* Defendants are routinely ordered to batterer intervention programs during the predisposition period. Those who are sentenced to probation following conviction also must continue to attend these programs. FDVC uses these programs almost exclusively as a means of surveillance; the court tracks attendance at the programs between court appearances to ensure compliance with the terms imposed by the court and provide a mechanism for accountability. Defendants and probationers must also appear regularly in court for monitoring so FDVC can review their compliance with court orders and sanction noncompliance. Both detained and released defendants are monitored throughout the predisposition period. Defendants sentenced to probation and, recently, those released on parole, continue to be monitored following disposition of the case.
- ◆ *Enhanced protection for and services to victims.* Advocates from Safe Horizon and the District Attorney's Office's Counseling Services Unit work with the victims in domestic violence cases from just before grand jury presentation (or earlier for major crimes that receive on-scene intervention) through case disposition and sometimes beyond, particularly if the offender is sentenced to probation. Advocates offer a broad range of assessment, referral, and information services to victims and, with the victims' consent, inform the court of victims' reports of additional threats, intimidation, or abuse by the batterer. The court also offers protection to victims through the routine use of protection orders throughout the adjudication process. In addition, protection orders are generally imposed on the defendant as part of the case disposition.

Development and Implementation of the FDVC Model

Many factors influenced the development of the FDVC model. The partners in the development of the model became increasingly aware of the need for an intensive and coordinated approach to difficult and complicated cases. In addition, pioneering efforts in other jurisdictions nationwide had employed specialized dockets and other critical elements of the model (e.g., coordinated partnerships, specialized prosecution units, and enhanced services for victims and batterers).

Innovative approaches to case handling, such as the District Attorney's Office's evidence-based prosecution policy, vertical prosecution model, and expanded definition of domestic violence, were already being used before FDVC started operation. The Kings County court system had used treatment referrals, monitoring, and resource coordinators in specialized drug courts. The court received the support of the administrative judges, the district attorney, and other influential personnel. A domestic violence homicide was the catalyst for moving up the FDVC starting date.

In its first years of operation, FDVC's caseload grew substantially for several reasons. In the context of the specialized court, the District Attorney's Office became more likely to indict and prosecute cases. Additionally, legislation enacted shortly after the court started operations mandated arrest for domestic violence cases under certain circumstances and upgraded most violations of protection orders from misdemeanors to felonies. Prior to these legislative changes, many domestic violence cases would have been adjudicated solely in lower courts. The court system responded to the increased caseload by recruiting judges from other felony courts to preside over trials and by opening a second felony domestic violence court in April 1998.

FDVC's caseload has diminished since early 1999. This may be due to a drop in the number of arrests, which may reflect decreases in felony domestic violence crimes, lower rates of reporting these crimes, and/or lower arrest rates. Unfortunately, data are not available to test these hypotheses. Whatever the cause(s), the effect has been to relieve some of the pressures on the partner agencies and allow a more faithful implementation of the model (e.g., true vertical adjudication and scheduling monitoring appearances more frequently).

The FDVC model has been expanded in several ways. More agencies have become involved, including mental health service providers and additional batterer intervention programs. The original batterer intervention program stopped receiving clients because of problems in reporting and the court's concerns about how services were delivered. Services have been expanded to Rikers Island to enable detained defendants and offenders serving jail time to receive services as well. The New York City Department of Probation formed a dedicated domestic violence unit that offers intensive supervision, including electronic surveillance for high-risk cases. Links have been established with the State Department of Corrections and Division of Parole to better enforce postdisposition protection orders and allow court monitoring of parolees. Links have also been formed with the Kings County–Brooklyn Family Court and the Administration for Children's Services to improve coordination for families with cases in multiple courts or with child abuse and neglect matters. The technology application noted previously improves communication links among court and partner agencies and streamlines the process of issuing and registering protection orders.

Findings: Impact of the FDVC Model on Early Cases

Quantitative data were analyzed to examine the effects of the FDVC model on case processing, case outcomes, and recidivism. A total of 136 cases adjudicated by FDVC in the first half of 1997 (including 27 cases in which a felony protection order violation was the only felony indictment) were compared with a sample of 93 cases handled by general felony courts in the 18 months before the specialized court was established. These 136 FDVC cases were processed during the early days of the court, which has now disposed of more than 1,100 cases. The data

therefore do not reflect changes in the court and partner agencies from 1998 to 2000. However, the study findings indicate that the use of this court model has made a difference in several key areas:

- ◆ The District Attorney's Office is more likely to indict less serious cases to make use of enhanced defendant monitoring and victim services. Dismissal rates, at 5 to 10 percent of indicted cases, are low. In addition, as noted earlier, a new State law implemented shortly after FDVC began resulted in the prosecution as felonies of many protection order violations that would previously have been misdemeanors. These changes in law and practice meant that cases adjudicated by FDVC varied more in the severity of the criminal incident than did the cases processed by the general felony courts (even when the protection order violations were considered separately). This may in turn have influenced patterns in case processing, disposition, and sentencing (discussed below).
- ◆ Victim services are expanded under the specialized court; all victims are assigned an advocate and receive a protection order during case processing (and often afterward as well). Unfortunately, data describing the nature or impact of advocacy services received were not available.
- ◆ Judicial monitoring of defendant compliance could not be documented because information that distinguished status appearances from other types of court appearances was not available from either predisposition or postdisposition file reviews. Predisposition release was used somewhat more often in FDVC cases than in general felony court, and released FDVC defendants were more likely to be ordered to batterer intervention programs while on release. Many defendants were returned to jail for infractions of release conditions, no matter which court handled their case.
- ◆ On average, FDVC spent slightly more time processing each case from felony arraignment to disposition. However, this increased processing time seems to be related to the greater range in the severity of the crimes charged in FDVC indictments and to an increase in the number of defendants who were released and remanded for infractions. It is difficult but important to strike a balance between the need to give these complex and intractable cases the time and attention they require, the need to provide speedy justice, and the various pros and cons of predisposition release.
- ◆ Conviction rates did not change under FDVC, but methods of reaching disposition did. Convictions by guilty pleas were more common and trials were less common in FDVC cases. Even accounting for other relevant factors, such as those related to evidence, plea bargaining is more likely to result from use of the FDVC model. This represents a cost saving to the court system. Conviction charges were, on the whole, less severe for FDVC cases than cases processed by general felony courts. This may be a product of the greater use of plea bargaining or that less serious cases (based on arrest charges) are more likely to enter FDVC than would have entered felony courts.
- ◆ On the whole, sentencing practices under the FDVC model were neither more punitive (in terms of incarceration) nor more treatment oriented (with treatment mandates as a condition

of the sentence) than before FDVC began. It seems likely that the reasons that sentencing did not become more punitive were related to the referral of less severe cases to FDVC than to general felony courts and to the greater use of plea bargaining. Although FDVC did not order more convicted defendants into batterer intervention programs than the general felony courts did, this may have been because FDVC used those programs much more widely in the predisposition period.

- ◆ Data on probation violations and arrests for additional incidents were analyzed. Because of limitations imposed by the reliability of these indicators as measures of compliance and recidivism (the researchers were limited to official records of reported allegations, which may underestimate actual behaviors and could not differentiate domestic violence from other crimes) and because of the pre- and post-research design, the study findings are open to different interpretations. But the results tentatively suggest that probation violations were reported for about one-third of all probationers under both the old and new court models. Additional arrests for defendants released prior to disposition were even higher under both models, accounting for nearly half of all released defendants. Rates of predisposition repeat arrests did not vary by type of court, but postdisposition arrest rates were double those for cases processed in the general felony court (about one-half versus one-quarter). Limited data were available on the nature of the additional arrest charges, and the researchers could not distinguish domestic violence incidents from other criminal incidents. However, defendants in the presample were most often rearrested for nonviolent felonies, defendants in the FDVC sample were most often rearrested for misdemeanors, and criminal contempt (protection order violation) defendants were most often arrested again for criminal contempt.
- ◆ Criminal history, especially prior convictions for criminal contempt, emerged as one of the most consistent indicators of how well defendants performed in both the predisposition and in postdisposition followup periods. Those with prior criminal convictions, especially for contempt, were less likely to be granted predisposition release, more likely to be jailed for violations after they were released, more likely to be convicted in the current case, and more likely to be arrested on new charges in the predisposition and postdisposition followup periods. These findings suggest that those with prior convictions, especially for criminal contempt, may need the closest monitoring and supervision by the system.

Conclusions: Policy and Operational Challenges

Although the model has thrived and grown, FDVC and its partners still face numerous challenges. FDVC is extremely resource intensive, and it is difficult to provide the breadth and intensity of services specified under the model and demanded by the complexity of the cases while still meeting the Office of Court Administration's standards for speedy case processing. The project director's role is critical in ensuring the success of the model and needs to be sustained over time.

Prosecutors and victim service providers face several operational challenges, including the need to prioritize cases to comply with legal requirements for timely indictments and to provide immediate, comprehensive, and frequent services to all victims. Several initiatives have been

developed to address these concerns. Because of the limited availability of needed community services, victim service providers have restricted options for referring victims.

Community resources that serve batterers are also extremely limited, especially for batterers for whom violence has reached the felony level or is exacerbated by substance abuse or mental health treatment needs.

Finally, defense attorneys have expressed concerns about fundamental issues concerning the court. These include the wisdom of having a specialized docket; the legality of efforts to prevent future offenses, especially predisposition batterer intervention or other treatment orders that seem to imply guilt and impose punishment before a conviction has been reached (a recent ruling upholding this practice, however, has not been challenged by the defense bar); routine use of full rather than limited protection orders (full orders prohibit any contact while limited orders allow some contact); and definitions and procedures that identify cases as domestic violence. The defense bar has also raised other concerns that, although they have little to do with the court model itself, are highlighted in the context of a specialized domestic violence docket. These include the fairness of legislative changes passed shortly before the opening of FDVC that made protection order violations felonies and mandated arrest; exceptions that have been made to evidence exclusion rules in domestic violence cases; and the District Attorney's Office's no-drop evidence-based prosecution policy (the office will proceed with prosecution even without the victim's testimony if it has other evidence with which to go forward).

Implications for Researchers

As the popularity of specialized domestic violence courts grows, additional research should be conducted to document how the approach evolves and evaluate its impact. Further research could benefit from several lessons learned in this study:

- ◆ This study began several years after FDVC started. An evaluation component should be created at the same time a new court is being planned so the evaluation can occur proactively rather than retroactively. This will allow evaluators to develop research materials with which to evaluate the model more thoroughly. In this study, for example, it was not possible to document fully the implementation of defendant monitoring techniques because sufficiently detailed information was not contained in case files and the samples consisted of cases already processed and closed.
- ◆ Because domestic violence is such a notoriously chronic crime and victim safety is a critical concern, evaluators need to address the question of recidivism. It is important to use the most reliable measures of recidivism, going beyond incidents that were reported to and acted on by the authorities. Interviews with victims are the best way to measure both reported and unreported repeat domestic violence (at least against that victim) for which arrests were and were not made. Resources for this critical step were not available for this study, but they should be prioritized for future research efforts.

Implications for Practitioners

Those in other jurisdictions who may be interested in implementing such an approach should consider several key findings from this research. First, it is critical that the leaders and staff of all the community agencies who work with domestic violence cases support the initiative and actively participate in its development and sustenance. Regular meetings and training sessions were critical in coordinating the FDVC model in Kings County.

The exchange of information on a case-level basis is also critical. To hold offenders accountable and protect victims, it is essential that partner agencies provide, obtain, and act on relevant information in a timely fashion. The Kings County initiative created a specialized court position to compile and distribute case information and later developed a secured Internet-based database to enhance the flow of case information among partner agencies.

It would be useful for another jurisdiction seeking to replicate this approach to consider what contextual factors might change along with the new approach to adjudication. For example, in Kings County the District Attorney's Office began indicting a broader range of cases, including less serious cases that would probably have been prosecuted as misdemeanors before FDVC started operation. This affected the number and types of cases the court handled. It would also be important to recognize that felony domestic violence cases are complex and not likely to respond to a "quick fix." Practitioners should anticipate the effects that this resource-intensive approach is likely to have on community resources and case processing time and plan how to balance competing needs for speedy resolution and thorough responses to the issues presented.

The impact evaluation findings suggest that practitioners should not necessarily expect a decrease in the number of probation violations and rearrests for cases adjudicated through a specialized court. As part of preparing for the increased supervision and sanctions specified in the FDVC model, practitioners may want to consider a triage system in which those with prior convictions, especially for violating protection orders, are subject to closer scrutiny than those without prior convictions.

Specialization of Domestic Violence Case Management in the Courts: A National Survey

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Despite the far-reaching roles and responsibilities of courts and judges in domestic violence cases, courts have been the last of the justice system components to engage in institutional reform to improve the system's impact on domestic violence (Buzawa and Buzawa, 1996; Epstein, 1999). Law enforcement and prosecution have made dramatic advances and systemic changes since the early 1970s (Epstein, 1999; Little et al., 1998), but, with a few exceptions, courts did not begin focusing attention on domestic violence cases until the early 1990s. Domestic violence cases now account for a significant and growing portion of State court caseloads. Ten-year trend data from the Court Statistics Project of the National Center for State Courts (NCSC) indicate that from 1989 to 1998 domestic violence filings in State courts increased 178 percent (Ostrom and Kauder, 1999). This rise in court filings contrasts sharply with trend data from the Bureau of Justice Statistics (Rennison and Welchans, 2000), which reported in May 2000 that the rate of intimate partner violence fell by 21 percent from 1993 to 1998.

Specialized Court Processes and Services for Domestic Violence Cases

Since the late 1990s, a key development in State courts has been the institution of specialized structures, processes, and practices to address not only rising domestic violence caseloads but also the distinct nature of these cases and the need to give them special attention. These specialized approaches have collectively come to be called domestic violence courts. There is, however, great variation among these courts and in the specialized processes they use. NCSC designed this study to determine what those variations are and to develop a greater understanding of the structural and operational changes that courts are implementing to address domestic violence. Information from the study is expected to be useful to judges and court managers who plan to institute specialized processes or to change existing ones, to other system practitioners and domestic violence advocates who seek to improve justice system responses, and to researchers and evaluators who need greater clarity about types of court processes and services to develop more appropriate study designs and methodologies.

Benefits of Domestic Violence Courts

Justice system practitioners, victim advocates, and researchers (Fritzler and Simon, 2000; Karan, Keilitz, and Denaro, 1999; Keilitz, Jones, and Rubio, 2000; Tsai, 2000; Winick, 2000) have cited the following major benefits of domestic violence courts:

- ◆ Enhanced coordination of cases and consistent orders in different cases involving the same parties.
- ◆ More comprehensive relief for victims at an earlier stage of the judicial process.
- ◆ Advocacy services that encourage victims to establish abuse-free lives.
- ◆ Greater understanding by judges of how domestic violence affects victims and their children.
- ◆ More consistent procedures, treatment of litigants, rulings, and orders.

- ◆ Greater availability of mechanisms to hold batterers accountable for the abuse.
- ◆ Improved batterer compliance with orders.
- ◆ Greater confidence on the part of the community that the justice system is responding effectively to domestic violence.
- ◆ Greater system accountability.

The specialized processes and services that courts have implemented to achieve these benefits include intake units for protection order cases; service referral processes; case coordination mechanisms to identify, link, and track cases involving the same parties or their children; specialized calendars for protection orders and/or criminal cases; specialized judges to hear domestic violence cases; judicial review calendars or other mechanisms to monitor compliance with court orders; and data systems for improved case coordination, decisionmaking, and compliance monitoring.

Concerns

Although specialization of domestic violence case management holds great potential to address domestic violence effectively and create greater safety for victims, practitioners and advocates have expressed concerns that specialization may, in practice, compromise victim safety, access to justice, fairness, or batterer accountability for the sake of innovation (Epstein, 1999). For example, providing specialized judges to hear domestic violence cases may increase judicial expertise in the dynamics of domestic violence. It may lead, however, to loss of judicial neutrality, to the assignment of judges who are not motivated to acquire the knowledge and skills required to be effective in these cases, or to loss of judicial effectiveness from the stress of fast-paced decisionmaking in difficult and emotionally charged cases every day.

Another concern about specialized court calendars and judges is that prosecution units also may specialize to achieve maximum efficiency in the court at the expense of the domestic violence victims' interests. The pursuit of efficiency can lead to assembly-line justice that ignores the special needs of victims and the nature of the violence perpetrated against them. Batterers can escape appropriate sanctions through plea bargains or diversion to ineffective and unproven treatment programs (Hanna, 1998). Victims can be coerced to participate in defendants' prosecution through threats of sanctions against them (Hanna, 1996). Prosecutors can ignore or act in opposition to victims' concerns about safety or status in the community (Crenshaw, 1991; Epstein, 1999; Richie, 1996).

Perhaps the most detrimental effect of specialized domestic violence case management for victims with children is the information-sharing function designed to promote more consistent and complete relief for them. Violence against women can be enmeshed with child abuse and neglect issues, often because batterers also are abusing children in the home or children are suffering from the secondary effects of the violence committed against their mothers. In systems that screen cases and share information among government agencies, mothers who seek relief from the court risk becoming the target of dependency proceedings that can lead to their losing

custody of their children (Epstein, 1999; Miccio, 1999; Schechter and Edleson, 1999). Word of restrictive and punitive policies to address child abuse and neglect passes through the community, and the fear of losing their children may deter victims from accessing the system for the relief that is their right and that the system intends to offer.

Expected Outcomes

For several reasons, the NCSC study was expected to identify a wide variation in court structures, processes, services, and levels of integration of court processes. Numerous other studies of State courts have revealed significant differences in court size, organization, and jurisdiction. Courts vary greatly in their case management approaches. The level of automation is high in many courts but rudimentary in others. Many courts have judges and court managers who are highly innovative and community oriented; others do not. Laws related to domestic violence vary greatly across the States, and implementation of laws varies within States. Finally, reports from court practitioners and the domestic violence advocacy community indicated that court responses to domestic violence were far from uniform.

Design and Methodology

The implementation of specific court responses to domestic violence is relatively new. Until recently, little was known about the scope and nature of that implementation. The study therefore was designed to identify and describe as many courts with specialized processes as possible rather than to establish and study a representative sample of all courts in the Nation. Courts with specialized processes and services were identified through three primary sources: an initial mail survey of the State court administrator and the State coalitions against domestic violence in each State, an online survey of members of an NCSC court listserv, and NCSC project staff contacts with experts in the field.

This process produced a pool of approximately 200 courts from which project staff identified 160 courts with at least one specialized unit, process, or service for domestic violence cases.

The information reported in the study findings derives from three sources: responses of 106 of the 160 courts to a written questionnaire developed with the assistance of the project's advisory committee and pretested in several courts; followup telephone interviews with representatives of 82 of the 106 courts that responded to the mail survey; and a modified Delphi study (two rounds of questionnaires) with a panel of 27 professionals, including judges and court managers in courts that use specialized processes to manage and adjudicate domestic violence cases as well as other noted domestic violence experts and practitioners.

Findings

Delphi Study

The Delphi study findings indicate considerable consensus on several issues related to court management of domestic violence cases. The areas of accord demonstrate an understanding among those who have experience with domestic violence cases that victim safety, batterer

accountability, and system integrity are essential to an effective system response to domestic violence. The areas in which the study participants' views diverge reflect an uncertainty about the appropriate role of courts in providing services to domestic violence victims, limitations imposed by court jurisdiction and organization, and the issues associated with adapting established systems to address new and different issues. The key areas of consensus that follow indicate that specialization of processing and services for domestic violence cases is essential to managing them effectively (at least 70 percent of the study participants either agree very strongly or agree with the items related to these issues).

- ◆ Effective management of domestic violence cases requires coordination of all cases that involve the parties to the domestic violence case, integration of information in court data systems, and availability of information from all related cases to judges adjudicating the case.
- ◆ Effective management of domestic violence cases requires specialization, including intake for domestic violence cases, court staff, judges, prosecutors, and probation.
- ◆ Victims' access to justice is a primary goal of effective domestic violence case processing. Achieving this goal is facilitated by expedited proceedings, user-friendly directions and forms, assistance to victims by court staff or other personnel, accompaniment of victims by advocates in court proceedings.
- ◆ Court processes should ensure victim safety, both through court orders and service referrals and in the courthouse through such means as metal detectors, separate waiting areas for victims and defendants/respondents, and security officers in courtrooms.
- ◆ Court and judicial resources should be brought to bear on monitoring batterers' compliance with court orders and enforcing those orders to the fullest extent.
- ◆ Courts must address the interests of children involved in domestic violence cases, either as witnesses to or victims of the violence or through custody and visitation disputes between the victim and the offender (guardians ad litem and custody evaluators must have training in domestic violence issues).
- ◆ Domestic violence training for judges should be mandatory and ongoing; judges should be sensitive to the needs of domestic violence victims and understand the dynamics of domestic violence.

National Survey of Courts

The 106 courts that responded to the mailed questionnaire reported having numerous specialized processes and structural components to manage domestic violence cases, including specialized calendars, intake units, case screening, specialized judicial assignment, and court-ordered and -monitored batterer intervention programs. Most of the courts have some of these processes and components, but few of the courts have all of them. Moreover, the combinations and configurations of these processes and structures vary substantially across the courts, and no clear patterns are evident. Although many of these 106 courts have instituted some changes in organization, procedures, or judicial assignment to manage domestic violence cases more effectively,

relatively few appear to have implemented a more comprehensive system for their domestic violence caseloads.

Specialized calendars. Of the 82 courts contacted in the telephone survey, 67 reported having a specialized calendar for at least one type of case within its jurisdiction. Twenty-seven of those courts have specialized calendars for both protection orders and domestic violence misdemeanors, which is the most prevalent pattern of overlap among the three types of cases. Nine of the twenty-seven courts also have specialized calendars for the third case type, domestic violence felonies. The 10 courts that specialize their calendars for domestic violence felonies also handle protection orders on a specialized calendar.

Intake management and services. Among the 106 courts, only 66 have an intake unit or process for domestic violence cases, and practice varies greatly among those courts. Courts most often provide intake for protection orders, followed in frequency by misdemeanors, felonies, custody, child support, and divorce. The types of case processing services provided by intake units also vary. The most prevalent type of service is assistance with protection order petitions (85 percent), followed by screening for other pending cases (50 percent). Few courts assist litigants with other legal or economic matters, such as petitions for divorce/dissolution, child support, or paternity. Management designs also vary across the courts with specialized intake for domestic violence cases. The most common model is court management by court employees only (67 percent). Other management models include multiagency teams with the court as a partner, multiagency teams without the court, and outside agencies.

Case screening and coordination. Among the 106 courts, 68 screen domestic violence cases for related cases. In 48 of those courts, one purpose of screening is to link and coordinate cases for case processing. Fewer courts regularly apply the information obtained from case screening to guide judicial decisionmaking in key areas of victim safety. Forty courts use case screening information to inform bail and sentencing decisions, and 37 draw on this information to develop civil protection orders and safety plans. Only 19 courts use their screening capability for all three of these important purposes.

Judicial assignment and training. Less than one-quarter (22 percent) of the 106 courts assign judges exclusively to domestic violence cases, while in almost half (47 percent), judges have a mixed caseload that includes assignment to cases heard on a dedicated domestic violence calendar. Judicial training in domestic violence issues apparently is given little attention in courts with specialized processes for domestic violence cases. Most of the courts surveyed by telephone reported some type of judicial training on domestic violence, but in half of those courts the training is voluntary. Twenty-two courts require specific domestic violence training for judges. Only six of the courts require judges who have exclusive assignments to domestic violence to participate in any domestic violence training.

Batterer compliance monitoring. Of 82 courts surveyed by telephone, 71 reported that they regularly order batterers to participate in treatment programs, and all but one of the courts have some type of monitoring mechanism. Of the 70 courts that monitor batterer compliance, 43 percent reported having some type of hearings to review batterer compliance. The more common model is to set compliance hearings for individual defendants on mixed calendars that include

other matters. In fewer courts, batterer hearings and status checks are held periodically (e.g., weekly or monthly) on a calendar dedicated to batterer compliance review. Thirty-seven percent of the 70 courts do not regularly hold hearings, but monitoring reports are submitted to the court on a regular basis. In another 20 percent of the courts, batterer compliance is monitored more passively; other agencies are responsible for notifying the court only when the batterer does not participate in the ordered treatment.

Conclusions. Although all of the courts surveyed in this study have instituted some changes in organization, procedures, or judicial assignment to manage domestic violence cases, relatively few appear to have implemented a more comprehensive system for their domestic violence caseloads. Furthermore, the following overall conclusions indicate that courts have not taken the more holistic approach to domestic violence case management needed to fully address the complexities of domestic violence cases or the needs and interests of the victims who seek remedies through the courts.

- ◆ In many courts, screening and case coordination are not standard operations.
- ◆ Many courts do not use available information systems for case screening and tracking.
- ◆ Many courts do not use available information to inform decisions critical to victim safety, such as protection order provisions, safety planning, and bail arrangements.
- ◆ Most courts do not have systematic mechanisms to monitor batterer compliance.
- ◆ Judicial training is severely lacking, even in courts in which judges have exclusive assignments to domestic violence calendars.
- ◆ Few courts provide the full array of services needed to assist victims.
- ◆ Few courts provide access to legal assistance for civil matters and economic support.

Implications for Researchers

Study findings suggest that the implementation of specialized processes for domestic violence cases is proceeding without a common understanding of what components and resources are needed to achieve an effective and safe case management system. In designing future studies, researchers should take into account the great variation in specialized court processes or specialized courts. Understanding the particular process or court characteristics is critical to developing a coherent body of research and evaluation on the effectiveness, efficiency, and safety of specialized domestic violence processes. Researchers also need to account for variations in the context in which specialized court programs operate. (For example, is the court part of a coordinated justice system and community approach? Do one or more components of the system pose significant barriers to success? What type of data system infrastructure supports the program?)

Implications for Practitioners

Judges and court managers should ensure that they have a common understanding of the goals of any court reforms they seek to implement to improve domestic violence case management. The development of goals and of the components, processes, and services to meet those goals should be a collaborative process that involves law enforcement, prosecution, the defense, probation, community and government service providers, and the victim advocacy community. Addressing problems and gaps in the court process only, without consideration for operational, resource, or mission issues in other parts of the system, will frustrate the courts' efforts and limit their effectiveness. Court planners and policymakers also should become informed by the experiences of other courts that have implemented systems to increase victim safety, batterer accountability, and public trust and confidence that the judicial process will benefit domestic violence survivors who seek the remedies it offers. Practitioners in the domestic violence service community and in other parts of the justice system should work cooperatively with judges and court managers to ensure that they understand the needs, limitations, and resources that their potential collaborators bring to the effort.

References

- Buzawa, E., and Buzawa, C. (1996). *Domestic Violence: The Criminal Justice Response* (2d ed.). Thousand Oaks, CA: Sage Publications.
- Crenshaw, K. (1991). "Mapping in the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color." *Stanford Law Review*, 43, 1241–1257.
- Epstein, D. (1999). "Effective Intervention in Domestic Violence Cases: Rethinking the Roles of Prosecutors, Judges, and the Court System." *Yale Journal of Law and Feminism*, 11, 3–50.
- Fritzler, R.B., and Simon, L.M.J. (2000). "Creating a Domestic Violence Court: Combat in the Trenches." *Court Review*, 37, 28–39.
- Hanna, C. (1996). "No Right to Choose: Mandated Victim Participation in Domestic Violence Prosecutions." *Harvard Law Review*, 109, 1850–1910.
- Hanna, C. (1998). "The Paradox of Hope: The Crime and Punishment of Domestic Violence." *William and Mary Law Review*, 39, 1505–1584.
- Karan, A., Keilitz, S., and Denaro, S. (1999). "Domestic Violence Courts: What Are They and How Should We Manage Them?" *Juvenile and Family Court Journal*, 50, 75–86.
- Keilitz, S., Jones, A., and Rubio, D. (2000). *Specialization of Domestic Violence Case Management in the Courts: Findings From a National Survey*. Williamsburg, VA: National Center for State Courts.
- Little, K., Malefyt, M.B., Walker, A., Tucker, D.D., and Buel, S.M. (1998). *Assessing Justice System Response to Violence Against Women: A Tool for Law Enforcement, Prosecution and the*

Courts to Use in Developing Effective Responses. Washington, DC: U.S. Department of Justice, Violence Against Women Grants Office.

Miccio, G.K. (1999). "A Reasonable Battered Mother? Redefining, Reconstructing, and Recreating the Battered Mother in Child Protective Proceedings." *Harvard Women's Law Journal*, 22, 89–122.

Ostrom, B.J., and Kauder, N.B. (Eds.) (1999). *Examining the Work of State Courts, 1998: A National Perspective From the Court Statistics Project*. Williamsburg, VA: National Center for State Courts.

Rennison, C.M., and Welchans, S. (2000). *Intimate Partner Violence*. Special Report. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics. NCJ 178247.

Richie, B. (1996). *Compelled to Crime: The Gender Entrapment of Battered Black Women*. New York: Routledge.

Schechter, S., and Edleson, J.L. (1999). "Effective Intervention in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice." Reno, NV: National Council for Juvenile and Family Court Judges.

Tsai, B. (2000). "The Trend Toward Specialized Domestic Violence Courts: Improvements on an Effective Innovation." *Fordham Law Review*, 68, 1285–1327.

Winick, B. (2000). "Applying the Law Therapeutically in Domestic Violence Cases." *University of Missouri–Kansas City Law Review*, 69, 1–63.

Victim Service Programs for Violence Against Women: Links With Other Community Agencies

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This report is based on a full report, *Victim Service Programs in the STOP Formula Grants Program: Services Offered and Interactions with Other Community Agencies*, by M.R. Burt, J.M. Zweig, K.S. Schlichter, and C. Andrews. Washington, DC: Urban Institute, 2000. The full report can be accessed at www.urban.org.

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Public attention to the needs of victims of domestic violence increased dramatically during the 1980s. Estimates show that in the late 1990s, there were about 1,800 programs for women who had experienced domestic violence, of which 1,200 were shelters (Garner and Fagan, 1997). A study by Gornick, Burt, and Pittman (1985) concluded that about 600 victim service programs existed for sexual assault—reduced from a high of about 1,000—after the first 10 years of rape crisis center development. No more recent estimate is readily available.

Despite the large number of victim service programs, little evaluation research addresses the impact of these programs on women (Garner and Fagan, 1997; Koss, 1993). A major goal of such programs is the development of coordinated community approaches to addressing the problem of violence against women (Clark et al., 1996). Victim services expanded before research was conducted on what works best, say Garner and Fagan (1997), who contend that evaluating the impact of victim service programs is crucial if we are to learn how best to serve these women and whether any current practices have unintended negative consequences.

The STOP (Services, Training, Officers, Prosecutors) Violence Against Women Formula Grants Program is a major Federal initiative that has further stimulated the growth of programs that serve women who are victims of violence. Its long-term goal is to promote institutional change so that women will encounter a supportive and effective response from the criminal and civil justice systems and from community service agencies. STOP is authorized by Chapter 2 of the Safe Streets Act, which, in turn, is part of the Violence Against Women Act (VAWA–I), Title IV of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322).

In 1999, the National Institute of Justice (NIJ) funded a study by the Urban Institute that would assess whether STOP's financial support for direct victim services offered through private nonprofit victim service agencies improved the well-being of women victims of violence. This project is the only full-scale evaluation funded by NIJ to focus on the impact of STOP-funded victim services. This paper, part of the Urban Institute project, describes how victim service programs interact with other agencies in their community.

Methods

Samples and Procedures

STOP funds are distributed through grants to the 50 States, the District of Columbia, and the 5 territories. States then distribute funds to subgrantees to administer projects. The subgrantees are required to submit a Subgrant Award and Performance Report (SAPR) to the States, which, in turn, submit the report to the Department of Justice's Office on Violence Against Women. At the time of this study, the States had reported on awards made through approximately 6,500 subgrants. Many STOP programs received additional STOP subgrants in the years following their initial funding, so the 6,500 subgrants translated into significantly fewer discrete projects (Burt et al., 2000).

Victim service programs were sampled from the SAPR database according to a number of criteria:

- ◆ Victim service programs, rather than individual subgrant reports, were sampled because many victim service programs are refunded over a number of years.
- ◆ Only private nonprofit victim service agencies were included.
- ◆ Victim service programs must have had STOP funding to provide direct victim services for at least 2 years and have or had STOP subgrants of at least \$10,000.
- ◆ A subset of victim service programs was sampled so that at least 10 interviews were completed in 8 States (Colorado, Illinois, Massachusetts, Pennsylvania, Texas, Vermont, Washington, and West Virginia).

Representatives from 200 victim service programs with STOP grants participated in an indepth telephone interview and completed a faxed questionnaire. Eighty-six percent of the agencies interviewed focus their services primarily on domestic violence and 13 percent focus primarily on sexual assault. The agencies provide different types of direct services to women victims of violence, such as legal/court advocacy, comprehensive safety planning, counseling, individual advocacy, and medical advocacy.

Measures

Data from the programs in the sample were collected using a telephone interview and a faxed questionnaire. The questionnaire covered such topics as budgets, funding, employees, and number of victims served. The interview covered such topics as the nature of the agency's STOP-funded program, respondents' experiences with State STOP agencies, and changes in the justice system since STOP funding became available. In addition, outreach strategies, the ability of the community to meet the needs of women victims of violence, and the extent to which the STOP-funded victim service program works with other agencies in its community were addressed.

After interviews were completed, two trained interviewers rated each community based on victim service program reports on how well agencies communicate, coordinate, and collaborate in the community and whether or not the agencies in the community work together to provide a coordinated community response.

Findings

Service Networks and Interactions

For this study, respondents were asked to describe the service network in their communities. To do so, they listed all the types of agencies that provide services to women victims of violence, as follows:

- ◆ Law enforcement agencies were mentioned by every respondent.

- ◆ Prosecution agencies were mentioned by 99 percent of respondents.
- ◆ Other public and private nonprofit victim service agencies, such as health care facilities, governmental social services, mental health and substance abuse agencies, or legal aid programs were mentioned by 70 to 90 percent of respondents.
- ◆ Courts, probation/parole offices, or agencies that had a special focus on serving racial/ethnic, language, or other minority populations were mentioned by 30 to 55 percent of respondents.
- ◆ Governmental victim service agencies or arrangements with judges were mentioned by 15 to 25 percent of respondents.

The vast majority of program respondents also reported interacting with key service network players to provide services to women victims of violence: all of them reported interacting with at least one law enforcement agency, 97 percent with at least one prosecution agency, and 95 percent with at least one other victim service agency in the community.

Despite the array of services available to women victims and the interaction of victim service programs with other agencies in the community, not all agencies were involved in close coordination. Respondents were asked to identify two primary partner agencies in their community with which they had the most or most meaningful contact to address violence against women. Law enforcement (named by 65 percent of respondents) and prosecution (named by 42 percent) were identified most frequently. In fact, 26 percent of program respondents named both law enforcement and prosecution agencies as those agencies they partnered with most to help women victims of violence. Other agencies that partnered with victim service programs in the sample included governmental social services (25 percent); other nonprofit, nongovernmental victim service agencies (22 percent); courts or judges (16 percent); legal aid (11 percent); health care agencies (8 percent); and mental health agencies, substance abuse agencies, probation/parole agencies, governmental victim service agencies, and community service agencies (less than 4 percent each).

Respondents were asked about the extent to which they work with law enforcement, prosecution, other victim service programs, and their partner agencies. They described the levels of staff who were involved in the joint work, whether or not the work involved formal procedures, and whether types of interaction with agencies had changed since the introduction of STOP funding. Victim service programs reported that employees at every level (frontline staff, middle management, and agency leaders) interacted with primary partner agencies. Formal policies and procedures were followed most often with law enforcement (51 percent), followed by prosecution (31 percent); somewhat fewer victim service programs had formal arrangements with other victim service agencies (27 percent).

To understand how STOP funding has influenced the interaction between agencies, programs reported on five specific types of interaction: (1) contact of any type, (2) helping women deal with the other agency, (3) referrals of women to the victim service program by the other agency, (4) coordination of work between the two agencies, and (5) joint planning or funding between the two agencies or an institutionalized commitment to work together. Most agencies reported

positive changes in these types of interactions since the institution of STOP funding. Victim service programs reported increased interaction with law enforcement (between 81 to 89 percent reported increases for each of the five types), with prosecution (83 to 90 percent), with other victim service agencies (81 to 85 percent), and with other types of agencies (60 to 95 percent). More than half the reported changes were attributed to the victim service agency's STOP-funded program. Between 11 and 31 percent of the reported changes were attributed to other STOP-funded programs in the community.

Communication, Coordination, Collaboration, and Coordinated Community Responses

Participants were asked to describe the activities they performed with their two identified primary partner agencies to serve women victims of violence. Researchers asked behaviorally focused questions to help narrow and define what activities were included in each level of interaction (communication, coordination, collaboration, and coordinated community response). The terms “communication,” “coordination,” “collaboration,” and “coordinated community response” are often used in the domestic violence and sexual assault field, yet it is often unknown what exactly people mean when they say they “coordinate” activities with another agency.

Almost all respondents *communicated* with their primary partner agencies, regardless of the type of partner agency. They shared general information about violence against women, had frequent phone contact, held informal meetings, and referred clients to one another (86 to 100 percent reported these four measures). After the interview was completed, two members of the research team rated the overall community on how and to what extent victim service programs communicated with other agencies in the community, taking into account answers from both the interview and faxed questionnaire. The communities were rated on a scale of 1 (no communication) to 4 (positive communication existed with most or all other agencies in the community). Sixty-three percent of communities were rated at the highest level of communication, and none was rated at the lowest level.

Victim service programs often *coordinated* their activities with their primary partner agencies. Ninety-four to 99 percent of agencies reported helping primary partners on an as-needed basis with specific cases and facilitating referrals between agencies. Training was also common between agencies. Victim service programs were more likely to *provide* cross-training to law enforcement (95 percent) than to prosecution (73 percent) or other types of agencies (72 percent). But they were more likely to *receive* cross-training from other victim service agencies (78 percent) than from law enforcement (61 percent) or prosecution (56 percent). After the interview was completed, two members of the research team rated the overall community on how and to what extent agencies coordinated with each other in the community, taking into account answers from both the interview and faxed questionnaire. The communities were rated on a scale of 1 (no coordination) to 3 (victim service programs were coordinating with most or all other agencies in the community). Fifty-one percent of communities were rated at the highest level of coordination and 6 percent were rated at the lowest level.

Victim service programs also *collaborated* with primary partner agencies. The majority participated in task forces with their primary partners (80 to 83 percent with law enforcement and prosecution agencies and 91 percent with other victim service agencies) and strategized about how to reach women victims of violence (68 to 83 percent). Fewer victim service programs—although still more than half—influenced one another’s agency protocols, provided integrated services to victims, or employed a regular feedback mechanism to assess their collaborative work that helped them resolve problems and shape new developments. Of those respondents who named law enforcement as a primary partner, 36 percent participated on a first-response team with them. Of those who named prosecution as a primary partner, 26 percent reported interacting with them on a first-response team. Communities also were rated for their success at collaborating on a scale of 1 (no collaboration) to 3 (victim service programs collaborated with most or all other agencies in the community). Only 18 percent of communities were rated at the highest level of collaboration and 36 percent were rated at the lowest level.

Finally, communities were rated as to whether or not they achieved *coordinated community responses*. To be rated as having a coordinated community response for domestic violence—the highest level of interaction—a community’s law enforcement, prosecution, and the victim service program *all* had to be interacting at the level of collaboration. For sexual assault the same criterion applied, but also included the medical community. Only 15 percent of communities were rated as having a coordinated community response.

Role of Task Forces

Researchers examined the relationship between a community’s ratings on “communication,” “coordination,” “collaboration,” and “coordinated community response,” and the extent to which it participated in collaborative activities. Participation in collaborative activities was assessed based on task force participation. Task forces are a common way to promote joint work and activities. Most victim service agencies (72 percent) participated with both primary agencies in some form of a task force that focused on violence against women in their community. Every type of collaborative activity or arrangement (e.g., influencing one another’s agency policies, participating on a first-response team or multiagency team, having joint funding, having joint mission statements, providing integrated services, strategizing about approaches to violence against women, and providing feedback to one another about the functioning of the joint work) was more likely to occur when all three agencies participated on a task force together. Communities rated as having a “coordinated community response” were more likely to cite the presence of each activity or arrangement than were agencies that did not have a coordinated community response or that did not participate on a task force with both primary agencies.

However, more than half of the victim service programs that did *not* serve on a task force with either of their primary agencies still received the highest rating on communication, and about 14 percent received the highest rating on coordination. In addition, between 21 and 25 percent of them engaged in collaborative activities with their two primary agencies, including strategizing about addressing violence against women in the community, influencing one another’s protocols, providing integrated services to women, and providing feedback to one another on their joint work. These accomplishments are not trivial and can be achieved in communities that lack a task force.

Implications for Researchers

The findings demonstrate the advantages in clarity when researchers use behaviorally focused questions in their attempts to understand how communities interact and conduct joint work. By asking about specific activities such as training or facilitating referrals, researchers are able to define coordination, as well as other levels of interaction, specifically.

Implications for Practitioners

Many victim service programs that receive STOP funds work with other agencies in their community to serve women victims of violence, and many work closely with law enforcement and prosecution. Most victim service programs attributed increases in interaction to their STOP-funded program or another STOP-funded program in their community.

Task forces can be useful forums for agencies to work together, particularly in those communities rated as having a “coordinated community response.” However, the existence of a task force does not guarantee joint work or collaborative activities in communities. Likewise, many communities without task forces still participate in collaborative activities.

References

- Burt, M.R., Zweig, J.M., Schlichter, K., Kanya, S., Katz, B.L., Miller, N., Keilitz, S., and Harrell, A.V. (2000). *2000 Report: Evaluation of the STOP Formula Grants to Combat Violence Against Women*. Prepared for the National Institute of Justice, forwarded to Congress. Washington, DC: Urban Institute.
- Clark, S.J., Burt, M.R., Schulte, M.M., and Maguire, K. (1996). *Coordinated Community Responses to Domestic Violence in Six Communities: Beyond the Justice System*. Prepared for the U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. Washington, DC: Urban Institute.
- Garner, J. and Fagan, J. (1997). “Victims of Domestic Violence.” In Davis, R.C., Lurigio, A.J., and Skogan, W.G. (eds.), *Victims of Crime*, 2d ed. (pp. 53–85). Thousand Oaks, CA: Sage Publications.
- Gornick, J., Burt, M.R., and Pittman, K. (1985). “The Structure and Activities of Rape Crisis Centers in the Early 1980s.” *Crime and Delinquency*, 31(2), 247–268.
- Koss, M.P. (1993). “Rape: Scope, Impact, Interventions, and Public Policy Responses.” *American Psychologist*, 48(10), 1062–1069.

**The National Evaluation of State Victims of
Crime Act Compensation and Assistance
Programs: Findings and Recommendations
From a National Survey of State
Administrators**

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The Office for Victims of Crime (OVC), which administers the Crime Victims' Fund established by the 1984 Victims of Crime Act (VOCA), has disbursed more than \$3.2 billion in formula grants to State victims' compensation and assistance programs since 1986. These funds have supported direct payments to victims for crime-related expenses, as well as thousands of local service providers across the Nation who assist victims of a broad range of crimes. OVC provided funding to the National Institute of Justice, which commissioned the Urban Institute, a nonprofit policy analysis group in Washington, D.C., and the San Diego Association of Governments to conduct a national evaluation of State victims' compensation and assistance programs supported in part with VOCA funds.

The evaluation has several phases and will gather information from State administrators, advocates, members of advisory bodies, local service providers, and victims. This paper, drawing on the first of several longer reports from this multiyear study, summarizes important grant administration policy and practice information obtained from a phone survey of State administrators and publicly available data and offers recommendations for improvements to State and Federal policies and operations.¹

Implications for Future Researchers

This ongoing project will examine policy and administration issues in more detail through site visits to selected State and local programs and through phone surveys and focus groups with victims served by compensation and assistance programs. Forthcoming reports will analyze key issues in grant program policy and administration in more detail, examine local service provision issues and practices, and assess how well compensation and assistance services meet victims' needs and how services could be improved. Future research projects should build on the findings from this research to deepen our knowledge of how best to use resources to address crime victims' needs.

Implications for Practitioners

Because State compensation and assistance programs are two distinct types of programs and have unique policy and administration issues, findings and recommendations are presented for each program in turn.

Findings

State Compensation Programs

The findings from program performance data and this survey of administrators indicate that compensation programs are generally financially sound and are functioning in accordance with identified goals and standards (National Association of Crime Victim Compensation Boards, 1996; OVC, 1998). In general, States seem to be performing the most essential activities to implement good financial planning, outreach, claims processing and decisionmaking, coordination with victim assistance programs, program administration, and training. More advanced activities could, however, be implemented in each of these areas to further enhance program functioning and services to victims, in accordance with recommendations from the

National Association of Crime Victim Compensation Board's and OVC's expert panels. Advanced activities include—

Financial planning. State legislatures and advocacy groups should support efforts to expand benefits in States with revenues that exceed payout needs and raise additional funds to better meet victims' needs in States with a funding shortfall.

Outreach to victims. States should consider making greater use of technology and other innovative means to reach out to victims. Efforts should also focus on reaching victim groups (defined by type of crime and victims' characteristics) who have not been well represented in claimant rolls. Working closely with groups who represent or serve these victims may be very useful in identifying and overcoming barriers to accessing compensation. Issues that may arise when one type of provider (e.g., victim/witness staff in prosecutors' offices) is the primary source of help in accessing compensation should be examined and addressed.

Claims processing and decisionmaking. Processing time could be improved by streamlining and resolving delays in verification procedures. Efforts to increase payment caps, where needed, such as for funeral expenses, should be supported. Special efforts may be needed to enhance the general understanding and improve how programs apply the concept of contributory misconduct.

Coordination. Coordination with victim assistance programs should move beyond communication toward active collaboration to further the goal of building a seamless web of support for victims.

Program administration. As State programs expand, additional efforts should be focused on strategic planning, needs assessments, and the promotion of innovative approaches to serving victims. Technical assistance from OVC and others with expertise in these areas may be needed to help administrators explore new areas in productive ways.

Training. Training efforts should continue to include members of the justice system and other professionals who work with victims, such as health and mental health care providers, funeral directors, school personnel, and representatives of Indian tribes and other ethnic or racial minorities. Informing a broader range of professionals about compensation should help reach victims who have not been well represented previously.

These activities could be supported under the VOCA administrative allowance. Increases in this allowance would facilitate States' efforts to undertake these expansions. Success in these activities would certainly produce more demand on funds for awarding claims, suggesting the need to increase overall allocations in conjunction with additional funding to enhance program operations. Better functioning programs would need more funds for awards because they would meet victims' needs more completely.

State Assistance Programs

Findings from the current research, in conjunction with input from State administrators (OVC, 1997), OVC priorities and guidelines, and recommendations from the field (OVC, 1998), indicate that State VOCA assistance programs are generally functioning well in a number of

areas. Although this is commendable, particularly in light of the difficult funding situations under which programs operate, a number of issues related to VOCA assistance program operations and management remain.

Funding allocations. The most pressing problem facing State administrators is the difficulty of long-range planning, given extreme fluctuations in funding levels from year to year. The 4-year obligation period certainly helps to relieve pressures on State administrators to distribute a variable amount of funds. The Federal caps of the past 2 years, although controlling fluctuations, have led to a large amount (more than \$724 million) being set aside for crime victim purposes, although it is not available for allocation. It is critical that policies be developed for putting these funds to work for victims in a timely way and in accordance with the legislative intent of VOCA. These policies should consider the possibility that Congress will continue imposing annual caps, as well as the possibility that the entire pool of funds may become available for allocation. Mechanisms for smoothing allocation fluctuations should be developed as needed. Involving State administrators and other critical stakeholders in policy development efforts might prove useful.

Strategic planning. Many States reported doing needs assessments, coordinating funding sources, working to increase revenues, and other planning-related activities. But only about half the States reported a strategic plan for victim services funding at the time of this survey. Such a plan can assist administrators in managing a complex grant program with a 4-year distribution period for each year's allocation and changing funding levels from year to year. Because strategic planning is clearly a priority for OVC, this seems to be an area in which it could provide critical support. Efforts to encourage those States with plans to share information on the content of their plans, how they were developed, and how they are implemented could be useful to those States without such plans.

Needs assessments. Although most States reported conducting needs assessments, their methods varied widely. Knowing what victims' needs are, and which victims and needs are underserved, is critical for funding decisions. A closer look at how needs assessments are being done, which methods seem more useful than others, and how the results are used could also be helpful to State administrators.

Outreach to service providers and underserved populations. As States' abilities to do long-range planning improve, additional efforts should be made to reach qualified service providers and victim populations not currently served by VOCA funding. Needs assessments should provide useful input on these efforts, and partnerships between State administrators and groups that represent underserved populations should be helpful in identifying barriers to service utilization and finding ways to overcome them.

Coordination. Coordination of the many funding sources available to assist victims of crime is important to eliminate gaps or duplication of services. While coordination mechanisms vary, more than three-quarters of the States make efforts to co-track at least some of the major Federal victim assistance funding streams and find these efforts useful. Coordination with the State compensation program is also common but is mostly limited to training efforts and distributing program materials. Ways in which VOCA and other assistance administrators, compensation

administrators, and Federal victim/witness personnel might work together more closely should be identified and supported.

Support for administration and training. The administrative allowance can and has been used to support many activities that OVC and leaders in the field have identified as crucial (such as strategic planning, needs assessments, coordination, and various outreach activities). Use of this allowance seems to be on the rise, and State administrators have stressed the need for greater support for administrative activities. Many administrators would also like to broaden the use of administrative funds to include prevention activities (which would require a legislative change), among others. Training funds are also being put to use, although some administrators would like them to be made more accessible by reducing or eliminating the 20 percent match requirement. Given the current funding environment and the gaps remaining between recommended and actual practices, OVC should consider the feasibility of increasing these allowances and expanding their uses.

Notes

¹ A copy of the full report is available at www.urban.org/crime/Nat_eval_VOCA.html.

References

National Association of Crime Victim Compensation Boards. 1996. *Program Standards*. Washington, DC: U.S. Department of Justice, Office for Victims of Crime.

Office for Victims of Crime. 1998. *New Directions From the Field: Victims' Rights and Services for the 21st Century*. Washington, DC: U.S. Department of Justice, Office for Victims of Crime, NCJ 170600.

Office for Victims of Crime. 1997. *VOCA State Administrators' Regional Meetings. Responses to Issues and Concerns: A Summary Report*. Washington, DC: U.S. Department of Justice, Office for Victims of Crime.

Using Longitudinal Data to Understand the Trajectory of Intimate Violence Over Time

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Although a great deal of research has been conducted since the early 1980s on intimate male violence against women, we still know very little about the process women go through as they work to free themselves from the violence of partners and ex-partners. We do know woman abuse is pervasive in our society (Browne and Williams, 1993; Straus and Gelles, 1986), and that domestic violence often increases in intensity and frequency over time (Hilbert and Hilbert, 1984; Okun, 1986). Many barriers prevent women from living free of their assailants' violence (Barnett and LaViolette, 1993; Gondolf, 1990; Horton, Simonidis, and Simonidis, 1987; Jones, 1994), and our communities must become more active in preventing intimate male violence against women (Crowell and Burgess, 1996; Gamache, Edleson, and Schock, 1988; Sullivan, 1997).

The National Research Council's Panel on Research on Violence Against Women made several recommendations to increase our understanding of the antecedents of intimate male violence against women (Crowell and Burgess, 1996). The current research responded to a number of these recommendations, including—

- , All research on violence against women should take into account the context in which women live their lives and in which the violence occurs (p. 47).
- , Longitudinal research, with particular attention to developmental and life-span perspectives, should be undertaken to study the developmental trajectory of violence against women (p. 90).
- , Studies that describe current services for victims of violence and evaluate their effectiveness are needed. Studies to investigate the factors associated with victims' service-seeking behavior . . . are also needed (p. 139).

Theoretical Base for the Research

Many individuals believe the myth that battered women can simply leave if they want to. This assumption ignores the structural obstacles that prevent women from leaving abusive partners, as well as the fact that many women do leave their assailants—sometimes only to be beaten even more severely or killed (Jones, 1994; Mahoney, 1991; Stark and Flitcraft, 1988). This myth also presumes that the only option for all women with abusive partners is to leave the relationship—a view that ignores both the agency of battered women themselves in deciding what is best for them and the religious and/or cultural proscriptions many women face when making relationship decisions. The process of becoming violence-free—whether or not by leaving an abusive partner—is complex and is something about which we still know very little. Prior research has found that social isolation and an ineffective community response to domestic violence each contributes to a woman's increased risk of abuse by partners and ex-partners (Aguirre, 1985; Barnett and LaViolette, 1993; Crowell and Burgess, 1996; Greaves, Heapy, and Wylie, 1988).

An effective means of controlling women and assaulting them with less fear of detection is to first socially isolate them (Browne, 1993; Hoff, 1990). Women with abusive partners often report that their contact with family and friends had been cut off or severely curtailed and that they had no one to turn to for help. Conversely, women who have reported receiving help and support from family or friends have rated it as being very helpful in their ability to leave their assailants (Bowker, 1984; Donato and Bowker, 1984).

In addition to social support, many women need a variety of community resources. For example, when describing reasons for remaining with or returning to abusive men, many women have mentioned lack of employment (Hofeller, 1982; Strube and Barbour, 1983) or economic dependence on the abuser (Aguirre, 1985; Johnson, 1988; Rumptz and Sullivan, 1996). Other resources needed by some women with abusive partners include proper medical attention (Dobash, Dobash, and Cavanagh, 1985; McFarlane, Parker, and Soeken, 1995), childcare (Gondolf and Fisher, 1988), affordable and safe housing (Sullivan et al., 1992), and help from social service agencies (Dobash, Dobash, and Cavanagh, 1985).

Although some communities have improved their response to domestic violence, many women still do not receive the services they need to end the violence. Arrest for domestic assault continues to be a rare event (Hirschel et al., 1992), and prosecution is even more infrequent (Buzawa and Buzawa, 1990). Restraining orders are not always enforced (Buzawa and Buzawa, 1990; Youngstrom, 1992), and many women have reported fearing for their lives and the lives of their children if they were to try to escape their assailants (Barnett and LaViolette, 1993; Browne, 1987; Jones, 1994). Although communities with coordinated responses to domestic violence have reported some successes (Gamache, Edleson, and Schock, 1988; Steinman, 1990), a collaborative, structured response continues to be absent in most communities.

Contrary to one view of battered women as dependent victims, ample empirical evidence shows that many women with abusive partners are active helpseekers, fighting for their survival in the face of numerous obstacles. One study of more than 6,000 women from 50 shelters found that the women had made an average of six prior helpseeking efforts (Gondolf and Fisher, 1988). Wauchope's (1988) nationally representative sample of 3,665 women found that two-thirds of those battered had sought help at least once from friends, relatives, and/or agencies in their communities. Three factors appear to influence a woman's decision to seek outside help to end the violence: the severity of the abuse, the number of resources a woman possesses, and the belief that such efforts will succeed (Sullivan, 1991).

The Community Advocacy Project

The current analyses build on the findings from a study of the Community Advocacy Project, a community-based advocacy intervention designed to increase battered women's access to community resources and support. Participants were recruited from a Midwest shelter program for women with abusive partners. Advocates were female undergraduate students from a nearby university who were enrolled in a two-semester course in community psychology. A randomized field trial revealed that

women who worked with advocates experienced less violence over time, reported higher quality of life and social support, and had less difficulty obtaining community resources even 2 years after receiving the intervention (Sullivan, 2000; Sullivan and Bybee, 1999). More than twice as many women in the advocacy group than in the control group experienced no violence across the 2 years. Moreover, on several outcome measures (difficulty accessing resources, perceived efficacy, intimate violence, and quality of life) advocacy/control differences increased over the 2-year followup, suggesting that the advocacy intervention may have instigated a process of persistent change. These encouraging findings raised a number of additional research questions that exceeded the scope of the original National Institute of Mental Health (NIMH) funding. Funding from the National Institute of Justice (NIJ) allowed for additional analyses to be conducted to answer the following research questions:

- , What are the mediational processes by which the advocacy intervention affected reduction in victimization?
- , Do the promising intervention effects continue to the 36-month timepoint?
- , What antecedents explain differences in victimization over time?
- , What antecedents explain differences in the context of victimization specifically by ex-partners?

The Research Data

Data were gathered from 1989 through 1996, with funding from NIMH. Data were available for 278 women who had been residents of a domestic violence shelter program. Women were interviewed when they left the shelter, 10 weeks later (post-experimental intervention), and at 6, 12, 18, 24, and 36 months later.

The 10-week post-shelter intervention involved randomly assigning trained advocates to work one-on-one with women to help them generate and mobilize the community resources they needed. Such resources included but were not limited to legal assistance, employment, education, housing, and medical care.

Results

Mediational Process Through Which Change Occurred

Overall, the analyses supported the contention that a community advocacy project that is short term and based on clients' strengths can set into motion a trajectory of positive change in the lives of women with abusive partners. The advocacy intervention resulted in immediate positive change in women's lives, as they successfully obtained needed resources from their communities. Increased access to resources and increased social support resulted in women reporting a better quality of life that included self-determination, psychological well-being, life satisfaction, physical and material well-being, and

personal fulfillment (Hughes et al., 1995; Powell et al., 1997). Over time, women who reported having more control over and satisfaction with their lives also reported a decrease in violence. Structural equation modeling determined that quality of life predicted risk of reabuse, as opposed to risk of reabuse predicting quality of life (Bybee and Sullivan, 2002). This finding speaks to the importance of viewing intimate male violence against women as a societal problem and for increasing women's opportunities for self-determination and autonomy to decrease their risk of intimate partner violence.

Effects of Intervention Over Time

Analyses examining women's risk of abuse across 3 years also supported the contention that society's treatment of women influences their risk of intimate partner violence. Women without financial resources and social support had a greater risk of abuse between 2 and 3 years post-intervention compared with women who were economically better off and who had stronger support systems (Sullivan and Bybee, 2000).

Revictimization Over Time

Women who received the intervention and/or who intended to leave the relationship decreased their risk of revictimization over time. The women most likely to experience abuse across any timepoint were those who intended to stay in the relationship and who did not work with advocates. Women working with advocates reduced the risk of reabuse after the 6-month followup timepoint even if they remained in relationships with their abusers (Sullivan and Bybee, 2000).

Predictors of Abuse by an Ex-Partner

While remaining in the relationship increased women's risk of being reabused over time, leaving the relationship did not guarantee safety. More than one-third of the women who ended their relationships also experienced abuse over time. Predictors of abuse by an ex-partner include—

- , Length of the relationship before breakup.
- , His prior threats.
- , His sexual jealousy.
- , His geographical proximity to the woman.
- , Her involvement in a new relationship (Fleury, Sullivan, and Bybee, 2000).

These findings support the argument that domestic abuse is a means of gaining power and control over one's partner. The men who expressed greater threats and sexual jealousy and who remained in the same area as the woman after their breakup were more likely to continue harassing, threatening, and abusing their former partners. When women started new relationships, their risk of violence decreased. Many assailants likely viewed the new partners as protectors of the women, making it more difficult to continue abusing them.

Implications for Researchers

All of the participants in this study had been residents of a shelter program for women with abusive partners. Most were African-American or non-Hispanic white women, and none lived in a rural community. Future studies need to evaluate this type of program with a more diverse sample of participants and a more diverse type of advocate. Although the provision of advocates reduced the risk of further violence by a partner or ex-partner, many women (76 percent in the experimental group, 89 percent in the control group) were abused at least once over the 2-year timespan. No single intervention is a panacea for this immense and complex social problem. Future research efforts must build on the successes of this program to examine its effectiveness with a more diverse population of survivors, and to evaluate additional innovative programs to end intimate male violence against women.

Implications for Practitioners

The Community Advocacy Project can be adapted to meet a variety of community needs. Although it originated in a mid-sized city close to a university campus, it could be modified for larger cities as well as more rural communities.

An important next step is to investigate whether volunteers would advocate for women as effectively as university students did. One reason college students may be preferable to volunteers is that they pay for the experience (through tuition) and earn a grade and potential letter of recommendation for their efforts. This maximizes the likelihood that students will work the required hours and make the intervention a priority. On the other hand, volunteers can become excellent advocates and, with appropriate training and supervision (ideally from a paid staff member), could do as well if not better than university students. The advantage of using volunteers is that they may come from more diverse backgrounds than typical university students. Domestic violence service programs might consider joining forces with church groups, community organizations, or other volunteer programs to obtain a paraprofessional advocacy workforce.

No one solution will end intimate violence against women. This intervention is one response that has helped a number of women. It will not always be successful and it is not necessarily needed by all women with abusive partners and ex-partners. Community-based advocacy interventions should be one component of a larger, coordinated community response to holding perpetrators accountable and ensuring continued safety for survivors and their children.

Note

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References

- Aguirre, B.E. (1985). "Why Do They Return?: Abused Wives in Shelters." *Social Work*, 30(4), 35–354.
- Barnett, O.W., and LaViolette, A.D. (1993). *It Could Happen to Anyone: Why Battered Women Stay*. CA: Sage.
- Bowker, L.H. (1984). "Coping With Wife Abuse: Personal and Social Networks." In A.R. Roberts (ed.), *Battered Women and Their Families: Intervention Strategies and Treatment Programs* (pp. 168–191). NY: Springer.
- Browne, A. (1993). "Violence Against Women by Male Partners: Prevalence, Outcomes, and Policy Implications." *American Psychologist*, 48(10), 1077–1087.
- Browne, A., and Williams, K.R. (1993). "Gender, Intimacy, and Lethal Violence: Trends From 1976 to 1987." *Gender and Society*, 7(1), 78–98.
- Browne, A. (1987). *When Battered Women Kill*. NY: MacMillan/Free Press.
- Buzawa, E.S., and Buzawa, C.G. (1990). *Domestic Violence: The Criminal Justice Response*. CA: Sage.
- Bybee, D.I., and Sullivan, C.M. (2002). "The Process Through Which a Strengths-Based Intervention Resulted in Positive Change for Battered Women Over Time." *American Journal of Community Psychology*, 30(1), 103–132.
- Crowell, N.A., and Burgess, A.W. (eds.) (1996). *Understanding Violence Against Women*. Washington, DC: National Academy Press.
- Dobash, R.E., Dobash, R.P., and Cavanagh, K. (1985). "The Contact Between Battered Women and Social and Medical Agencies." In J. Pahl (ed.), *Private Violence and Public Policy: The Needs of Battered Women and the Response of the Public Services* (pp. 142–165). London: Routledge and Kegan Paul.
- Donato, K.M., and Bowker, L.H. (1984). "Understanding the Helpseeking Behavior of Battered Women: A Comparison of Traditional Service Agencies and Women's Groups." *International Journal of Women's Studies*, 7, 99–109.
- Fleury, R.E., Sullivan, C.M., and Bybee, D.I. (2000). "When Ending the Relationship Doesn't End the Violence: Women's Experiences of Violence by Former Partners." *Violence Against Women*, 6(12), 1363–1383.

- Gamache, D.J., Edleson, J.L., and Schock, M.D. (1988). "Coordinated Police, Judicial and Social Service Response to Woman Battering: A Multi-Baseline Evaluation Across Communities." In G.T. Hotaling, D. Finkelhor, J.T. Kirkpatrick, and M.A. Straus (eds.), *Coping With Family Violence: Research and Policy Perspectives* (pp. 193–209). CA: Sage.
- Gondolf, E.W. (1990). "The Human Rights of Women Survivors." *Response*, 13(2), 6–8.
- Gondolf, E.W., and Fisher, E.R. (1988). *Battered Women as Survivors: An Alternative to Treating Learned Helplessness*. Lexington, MA: Lexington Books.
- Greaves, L., Heapy, N., and Wylie, A. (1988). "Advocacy Services: Reassessing the Profile and Needs of Battered Women." *Canadian Journal of Community Mental Health*, 7(2), 39–51.
- Hilbert, J., and Hilbert, H. (1984). "Battered Women Leaving Shelter: Which Way Do They Go?" *Journal of Applied Social Sciences*, 8(2), 292–297.
- Hirschel, J.D., Hutchison, I.W., Dean, C.W., and Mills, A.M. (1992). "Review Essay on the Law Enforcement Response to Spouse Abuse: Past, Present, and Future." *Justice Quarterly*, 9(2), 247–283.
- Hofeller, K.H. (1982). *Social, Psychological and Situational Factors in Wife Abuse*. CA: R and E Research Associates, Inc.
- Hoff, L.A. (1990). *Battered Women as Survivors*. NY: Routledge.
- Horton, A.L., Simonidis, K.M., and Simonidis, L.L. (1987). "Legal Remedies for Spouse Abuse: Victim Characteristics, Expectations, and Satisfaction." *Journal of Family Violence*, 2(3), 265–276.
- Hughes, C., Hwang, B., Kim, J., Eisenman, L.T., and Killiam, D.J. (1995). "Quality of Life in Applied Research: A Review and Analysis of Empirical Measures." *American Journal of Mental Retardation*, 99, 623–641.
- Johnson, I.M. (1988). "Wife Abuse: Factors Predictive of the Decision-Making Process of Battered Women." *Dissertation Abstracts International*, 48, 3202A. (UMI No. 8803369).
- Jones, A. (1994). *Next Time She'll Be dead: Battering and How to Stop It*. Boston: Beacon Press.
- Mahoney, M.R. (1991). "Legal Images of Battered Women: Redefining the Issue of Separation." *Michigan Law Review*, 90, 2–94.
- McFarlane, J., Parker, B., and Soeken, K. (1995). "Abuse During Pregnancy: Frequency, Severity, Perpetrator and Risk Factors of Homicide." *Public Health Nursing*, 12(5), 284–289.

Okun, L. (1986). *Woman Abuse: Facts Replacing Myths*. CA: Sage.

Powell, D.S., Batsche, C.J., Ferro, J., Fox, L., and Dunlap, G. (1997). "A Strengths-Based Approach in Support of Multi-Risk Families: Principles and Issues." *Topics in Early Childhood Special Education*, 17(1), 1–26.

Rumptz, M.H., and Sullivan, C.M. (March 1996). "The Impact of Economic Dependence on Female Survivors of Intimate Male Violence." Poster session presented at the 21st Annual Conference of the Association for Women in Psychology. Portland, OR.

Stark, E.A., and Flitcraft, A. (1988). "Violence Among Intimates: An Epidemiological Review." In V.B. Van Hasselt, R.L. Morrison, A.S. Bellack, and M. Hersen, (eds.), *Handbook of Family Violence*, pp. 293–317. NY: Plenum Press.

Steinman, M. (1990). "Lowering Recidivism Among Men Who Batter Women." *Journal of Police Science and Administration*, 17, 124–132.

Straus, M.A., and Gelles, R. (1986). "Societal Change and Change in Family Violence From 1975 to 1985 as Revealed by Two National Surveys." *Journal of Marriage and the Family*, 48, 465–479.

Strube, M., and Barbour, L. (1983). "The Decision to Leave an Abusive Relationship: Economic Dependence and Psychological Commitment." *Journal of Marriage and the Family*, 45, 785–793.

Sullivan, C.M. (1991). "Battered Women as Active Helpseekers." *Violence Update*, 1(12), 8, 10–11.

——— (1997). "Societal Collusion and Culpability in Intimate Male Violence: The Impact of Community Response Toward Women With Abusive Partners." In A.P. Cardarelli (ed.), *Violence Between Intimate Partners: Patterns, Causes, and Effects* (pp. 154–164). Boston: Allyn and Bacon.

——— (2000). "A Model for Effectively Advocating for Women With Abusive Partners." In J.P. Vincent and E.N. Jouriles (eds.), *Domestic Violence: Guidelines for Research-Informed Practice*, pp. 126–143. London: Jessica Kingsley Publishers.

Sullivan, C.M., Basta, J., Tan, C., and Davidson, W.S. (1992). "After the Crisis: A Needs Assessment of Women Leaving a Domestic Violence Shelter." *Violence and Victims*, 7(3), 267–275.

Sullivan, C.M., and Bybee, D.I. (1999). "Reducing Violence Using Community-Based Advocacy for Women With Abusive Partners." *Journal of Consulting and Clinical Psychology*, 67(1), 43–53.

——— (2000). “Using a Longitudinal Data Set to Further Our Understanding of the Trajectory of Intimate Violence Over Time.” Final report (grant 98–WT–VX–0013) submitted to National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. Washington, DC.

Wauchope, B. (1988). “Help-Seeking Decisions of Battered Women: A Test of Learned Helplessness and Two Stress Theories.” Paper presented at the Eastern Sociological Society, Durham, NH.

Youngstrom, N. (1992). “Laws to Aid Battered Women Backfire.” *APA Monitor*, 23(2), 45.

Results From the Brooklyn Domestic Violence Treatment Experiment

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Over the past two decades, society has relied increasingly on criminal justice sanctions to control intimate partner violence. Police departments across the country instituted proarrest policies that were strongly promoted by advocates and were consistent with results from the Minneapolis Domestic Violence Experiment (Buzawa and Buzawa 1996). More recently, prosecutors have also pursued conviction regardless of the victim's desires or willingness to cooperate (Rebovich 1996; Hanna 1996). These policies have led to an expanded pool of batterers that the criminal courts have had to meaningfully sanction. As a result, the courts have become increasingly dependent on batterers' group treatment programs as the sanction of choice (Davis, Smith, and Nichols, 1998).

Group treatment programs for batterers are a popular criminal court sanction for several reasons. First, even in cases involving serious felony assaults, many victims choose to stay with their abusive partners for a variety of personal, family, and economic reasons. These victims are interested in sanctions that offer them long-term safety from violence rather than punishments that jeopardize their partner's ability to earn a living or that may lead to more violence. Second, alternative sanctions commonly used to punish other crimes lack validity in rehabilitating those convicted of intimate partner violence. There is little reason to believe, for example, that fines, community service, or traditional probation will help batterers stop abusing their intimate partners. Therefore, batterer treatment programs theoretically provide both safety for victims who want to stay with their partners and realistic help for batterers who want to address their violent behaviors. However, the limited research conducted during the 1980s that assessed batterer treatment programs could not provide satisfactory answers to those who question whether batterers' programs really provide either victim safety or therapeutic help for the batterers (Davis and Taylor 1999).

Purposes of the Brooklyn Study

Because of the lack of rigorous experimental evaluations of batterer treatment programs, the authors sought and received funding from the National Institute of Justice in 1994 to conduct an experimental evaluation of the Victim Services' Alternatives to Violence (ATV) batterer treatment program in Brooklyn, New York. Until the mid-1990s, only one completed experimental evaluation of a batterers' treatment group was published in the literature. This experiment was conducted by Palmer, Brown, and Barrera in 1992. They randomly assigned batterers to either a 10-session psychoeducational group (combining group discussion with information) or a no-treatment control group. The researchers in that study examined police reports 6 months after treatment and found significantly lower recidivism rates for the treatment group compared with the control group. They also attempted to measure violence through surveys of victims and batterers, but because of low response rates and a small sample size ($n = 59$) the analysis of recidivism based on interview data was not completed.

Beyond the Palmer, Brown, and Barrera (1992) experiment, two other experiments were ongoing while the authors conducted the Brooklyn study. One study by Dunford (2000) randomly assigned Navy personnel who committed domestic violence to one of four groups: group treatment for batterers, couples counseling, a rigorous monitoring program (periodic calls to victims and record checks), or a safety planning program for the victim that was intended to

approximate a no-treatment control group. The second study was implemented by Feder and Forde (2000) in Broward County, Florida. In this study, Feder and Forde had domestic court judges randomly assign male offenders who had been convicted of misdemeanor domestic violence to either a 1-year probation and a Duluth-like batterer treatment group (described below) or a control group that received only 1 year of probation. At this time, neither Dunford nor Feder and Forde have reported comparisons between their groups that have produced a statistically significant difference.

Brooklyn Treatment Group

The authors experimentally evaluated the ATV batterer treatment program, which was based on the Duluth model. The Duluth model mandated 26 weeks of attendance at a weekly 1-hour group meeting. The course was rooted in a feminist perspective that assumes domestic violence is a by-product of conventional male and female sex roles. The curriculum included defining domestic violence, understanding the historical and cultural aspects of domestic abuse, and reviewing criminal/legal issues. Through a combination of instruction and discussion, participants were encouraged to take responsibility for their anger, actions, and reactions. Sessions were conducted in either English or Spanish by two leaders, one male and one female.

At the time the evaluation began accepting clients, the ATV program expanded the number of required treatment hours from 1.5 hours once a week for 12 weeks to 1.5 hours once a week for 26 weeks. The change was made to conform with New York State's guidelines and was in line with national trends. This length, however, was problematic for the Legal Aid attorneys who represented the majority of defendants judged to be indigent in the Brooklyn criminal courts. A meeting with Legal Aid attorneys revealed that their objections to ATV stemmed from the increased time their clients were under court control and the increased session fees their clients had to pay for 26 sessions. To remedy this problem, the authors designed a new, 8-week format with the help of ATV administrators. Clients in this new program would complete 40 hours of group treatment through biweekly 2.5 hour sessions with lower fees per session. This condensed format began after the first 129 participants were already assigned to the 26-week groups. The final 61 ATV clients were assigned to the 8-week group, which allowed the authors to compare length of treatment while holding the dosage (e.g., 40 hours) constant across treatment groups.

With regard to the comparison group, an experimental control group is conceived in several ways. The most common procedure is to compare those assigned to the treatment group (such as batterer treatment) with a group receiving no treatment or intervention (such as probation). This option was not available to the study because probation for those convicted of misdemeanor spouse abuse is rare in New York City. Judges are the ones who mandate batterers to treatment, and completion of the program is normally the only condition in plea arrangements. Therefore, an alternative sanction for the control group was needed that was irrelevant to the offenders' battering problem. The authors believed community service was such a sanction because it required only that offenders work at such tasks as renovating housing units, clearing vacant lots to make way for community gardens, painting senior citizen centers, and cleaning up playgrounds. Criminal justice officials also agreed to use this sanction as an alternative to ATV for men assigned to the control group. Therefore, all participants in the experiment were assigned

either to receive 40 hours of group batterers' treatment or to complete 40 hours of community service.

Design of the Brooklyn Experiment

The study randomly assigned male criminal court defendants who were charged with assaulting their intimate female partners to either 40 hours of batterers' treatment or to 40 hours of community service. The design called for treatment assignments to be made during sentencing, after the judge, the prosecutor, the ATV program, and the defendant all agreed to accept batterers' treatment as a sanction if it was available based on random assignment. This sample framework is somewhat different from other experiments that included all or most batterers sentenced to probation, regardless of a batterer's willingness or unwillingness to enter treatment. These results are not as easy to generalize, therefore, as the results from the other three experiments on batterer treatment programs. Because everyone in the sample agreed to treatment, however, the current study presumably included only batterers who were motivated to stop battering. This is a key point, because it has been argued that treatment cannot work for individuals who are in treatment against their will.

To measure recidivism, data from several sources were collected to develop multiple indicators of new violence by the batterer against the victim. These included arrest reports, crime incident complaints (which may or may not result in an arrest), victim reports of violence by the batterer, and batterer reports of assaulting the victim. Batterer and victim reports were gathered from interviews that occurred at the time of sentencing, 6 months after sentencing, and 12 months after sentencing. To assess the frequency and severity of violence through the interviews, the study employed Harrell's (1991) revision of the Conflict Tactics Scale. Harrell's scale measures the frequency of 11 violent acts: (1) Forced you to have sex; (2) choked or strangled you; (3) threatened to kill you; (4) beat you up; (5) threatened you with a knife, gun, or other weapon; (6) used a knife, gun, or other weapon against you; (7) threw something at you; (8) pushed, grabbed, or shoved you; (9) slapped or spanked you with an open hand; (10) kicked, bit, or hit you with a fist; and (11) hit or tried to hit you with something.

In the outcome models, the authors examined the combined frequency of all 11 violent acts reported by the victim at the 6- and 12-month intervals. The reference period for the scale was the previous 2 months because it was believed that treatment would take some time to have an effect. Asking victims to report at the 6-month interval about the entire period could include reports of violent incidents committed shortly after batterers were assigned to treatment. The 2-month reference period would increase the likelihood that reported incidents occurred after the batterers completed approximately 40 hours of treatment. Unfortunately, as in other studies, only the females identified as the victim in the triggering court case were interviewed and not new female intimate partners.

In addition to interviews, the authors also gathered data from the computerized records of the New York City Criminal Justice Agency and the New York City Police Department for incidents that occurred during the study period or arrest reports filed against the batterer during the study period. When new incidents were found, the arrest date and charge were recorded. In addition,

the district attorney’s computer database was searched using the docket number to determine whether the victim in the new incident was also the victim in the original incident. To reduce measurement error and double counting, the arrest reports and the police complaint data were merged into one measure that captured the number of documented criminal justice incidents (e.g., arrests or crime complaints) involving both the defendant and victim after treatment was assigned.

Findings

The study sample contained 376 adult males, which was approximately 3.4 percent of the estimated 11,000 domestic violence defendants adjudicated in the Brooklyn Criminal Courts within the study’s intake period (February 19, 1995 to March 1, 1996). Nearly two-thirds (64 percent) of defendants in the sample were charged with third-degree assault (a Class A misdemeanor), while the remaining third were charged with felonious assault (19 percent), violating restraining orders, menacing, harassment, or other charges. Conditional discharge was the most common disposition for individuals in the sample (76 percent), followed by cases adjourned in contemplation of dismissal (22 percent) and probation (2 percent). A typical subject in this sample was a 30-year-old African-American male (40 percent) who had no prior criminal history (63 percent), no education beyond a high school diploma (7 percent), some but not consistent employment (63 percent), and a personal income of about \$16,000 per year, who was married to (41 percent) or living with his victim (20 percent) at the time of arrest.

Table 1 sets forth the results from both the 6- and 12-month victim interviews and the 12-month followup using police records. The primary outcome measure from the two victim interviews was the frequency of reported aggressive incidents by the suspect against the victim. The study’s analysis finds that at both 6 and 12 months, the average frequency of incidents reported by victims in both the 8- and 26-week treatment groups was substantially reduced compared with victims in the control group. At the 6-month interviews, the frequency of victim-reported incidents dropped by 33 percent for the 8-week group and 36 percent for the 26-week group. At 12 months, the reductions were 46 percent for the 8-week group and 21 percent for the 26-week group.

Table 1. Percent Reductions in the Rate of Incidents, by Assigned Treatment Group

	Victim Interviews (Frequency)		Police Reports and Arrest	
	6 months	12 months	12-month frequency	Time to first incident
Control group compared with 8-week group	67.4%	54.4%	20.9%	14.2%
26-week group	64.0%	79.3%	43.4% *	52.2% *

Note: Estimated differences in the rates of incidents are based on multivariate models that also control for the batterer’s age, marital status, ethnicity, employment, and criminal history record.

* $p < .01$.

Generalizing these results beyond this sample, the authors stress, requires caution for two reasons. First, none of the sizable reductions in aggression reached the generally acceptable levels of statistical significance ($p < .05$). In large part, this was due to the second reason: not all victims were interviewed at either the 6- or 12-month followup periods. The completion rate for the victim surveys was 48 percent for the first followup interview and 50 percent for the second followup interview. Overall, the authors were unable to contact 131 victims (35 percent of the total sample of 376 victims) during the entire followup period. In many cases, they found out from other sources that the victims had moved. Fortunately, the interview completion rates were not significantly different by assigned treatment groups at either the 6- or 12-month followups. Furthermore, no significant differences in interview completion rates were seen across several demographic measures, except for the victim's ethnicity. The authors had better success interviewing Hispanic victims than African-American victims for the 6-month interviews, but they had a higher completion rate for African-American victims than victims from one of the "other" racial groups (mostly whites and Asians) at both the 6- and 12-month intervals. It is not clear how these differences may have affected the results.

With regard to the outcomes based on official police reports, both the 8- and 26-week groups had substantially lower rates of failure than the control group. Over a 12-month period, the 8-week group had 20 percent fewer total incidents than the control group and the 26-week group had 43 percent fewer total incidents. Similar results were also found by examining the time to the first new incident recorded by the police. Compared with the control group, those in the 8-week group were 14 percent less likely to have a new incident any day after treatment was assigned, and the 26-week group was 52 percent less likely. Again, the authors urge caution in generalizing these positive results because only those reductions reported for the 26-week group were statistically different from the control group.

Discussion

The findings from the experimental evaluations of the ATV batterers' treatment program provide useful information and hypotheses for future researchers and practitioners. First, regardless of the source of outcome data, the authors found consistent reductions in the rate of violence by the batterers against their victim who were assigned to the ATV treatment program. Second, in seven of the eight comparisons, the largest reductions were found among batterers who attended the 26-week treatment program. The authors are guarded, however, about claiming unequivocally that treatment worked better than community service at reducing violence or that longer treatment is better than shorter treatment. Only two of the eight comparisons reached statistical significance, and the authors were only able to interview about 65 percent of the victims after treatment. Furthermore, they are not sure whether longer treatment necessarily led to greater reductions in violence or whether violence was reduced only because longer treatment provided greater supervision of the clients in the community. More research is necessary to replicate these positive findings and to explore whether treatment or supervision was the mechanism behind the apparent additional positive effect from the longer treatment.

Implications for Researchers

Future research projects should consider several important lessons from this study. First, as recognized by Fagan (1996) and others, randomized experiments should be the design of choice when asking questions about which alternative batterer sanction is more effective at increasing victim safety. Random assignment of offenders when applied by the judiciary is difficult to implement; however, the study's research as well as Feder and Forde's (2000) shows that an experimental design is still a realistic choice in jurisdictions where treatment is not yet mandated by legislation. Unfortunately, the opportunity to conduct further experimentation is becoming less available as more government organizations institute standards and mandates that reduce treatment options (see Minnesota Center Against Violence and Abuse 2001). An example of this policy change is the Michigan Governor's Task Force on Batterer Interventions Standards' 1998 recommendation that batterers attend 52 or more treatment sessions, while also acknowledging that "research does not necessarily point to a particular length."

Second, the research community should work toward measures and followup intervals that are standardized so that data and results can be compared across studies. For instance, researchers ought to include both victim and batterer interviews and collect documentation to measure complaints made to the courts by the victim as well as police incident and arrest reports involving the batterer, as was done in the National Institute of Justice's Spouse Abuse Replication Project (SARP) studies. In addition, batterers ought to be tracked for at least 18 months, but preferably 2 years, with interview intervals no longer than 6 months. The short-term measures are needed to assess immediate treatment effects and the longer-term followups are needed to determine whether treatment leads to permanent change or is transitory. The use of both short-term and long-term measures is especially important in light of some results from SARP that showed that arrest may have large positive effects early, but these effects are minimal 1 year after arrest (Parmley and Maxwell 2000).

Implications for Practitioners

Practitioners can also ask questions about the effectiveness of their local programs and not just assume that something they may have called treatment is helpful. They should ask the research community for explicit evidence about the extent to which research findings like those reported in this and other papers in this series can be generalized to their locality. When asking for evidence, practitioners should also pay particular attention to the nature of the sample of batterers who participated in a research study. Are the batterers under court supervision? Do they have extensive prior criminal histories? Do defendants have a chance to volunteer for treatment or are they sent to treatment regardless of their willingness to participate? Another important issue is the criminal justice context in which treatment studies are set. Unfortunately, because of the small number of studies little is known about how treatment program effectiveness varies with local court practices, linkages between agencies, sanctions for noncompliance, and so forth.

There are parallels between batterer treatment literature today and the literature on the rehabilitation of criminal offenders 20 years ago. In each literature, the problem is not too few studies, but a paucity of sophisticated research. Recommendations made years ago by the National Academy of Sciences (Martin, Sechrest, and Redner, 1981) for agreement on outcome measures and randomized experiments in rehabilitation are just as relevant today for batterer treatment programs. The evolution in sophistication of batterer treatment studies is encouraging. Using randomized experiments and other designs that have a high degree of internal validity, researchers should soon be able to estimate the extent to which batterer treatment reduces aggression and violence and to specify which program models are relatively more effective.

References

- Buzawa, E.S., and Buzawa, C.G. (1996). *Domestic Violence: The Criminal Justice Response*, 2d ed. Newbury Park, CA: Sage Publications.
- Davis, R.C., Smith, B.E., and Nickles, L.B. (1998). "The Deterrent Effect of Prosecuting Domestic Violence Misdemeanors." *Crime and Delinquency*, 3(44), July: 434–442.
- Davis, R.C., and Taylor, B.G. (1999). "Does Batterer Treatment Reduce Violence? A Synthesis of the Literature." *Women and Criminal Justice*, 10(2): 61–91.
- Dunford, F.W. (2000). "San Diego Navy Experiment: An Assessment of Interventions for Men Who Assault Their Wives." *Journal of Consulting and Clinical Psychology*, 68(3), June: 468–476.
- Fagan, J.A. (1996). *The Criminalization of Domestic Violence: Promises and Limits*. Presentation at the Conference on Criminal Justice Research and Evaluation. Washington, DC: U.S. Department of Justice, National Institute of Justice, NCJ 157641.
- Feder, L., and Forde, D.R. (2000). Test of the Efficacy of Court-Mandated Counseling for Domestic Violence Offenders: The Broward Experiment. Final report submitted to the U.S. Department of Justice, National Institute of Justice, NCJ 184752.
- Hanna, C. (1996). "No Right to Choose: Mandated Victim Participation in Domestic Violence Prosecutions." *Harvard Law Review*, 109(8), 1849–1910.
- Harrell, A. (1991). *Evaluation of Court-Ordered Treatment of Domestic Violence Offenders*. Supported by the State Justice Institute (#90–121–E–089), under subcontract from the Institute for Social Analysis. Washington, DC: The Urban Institute.
- Martin, S.E., Sechrest, L.B., and Redner, R., eds. (1981). *New Directions in the Rehabilitation of Criminal Offenders*. Panel on Research on Rehabilitative Techniques, 498. Washington, DC: National Academy Press.

- Michigan Governor's Task Force on Batterer Intervention Standards. (1998). "Batterer Intervention Standards for the State of Michigan." (<http://www.biscmi.org/>)
- Minnesota Center Against Violence and Abuse. (2001, 9 September). "A Review of Standards for Batterer Intervention Programs." In Violence Against Women Online Resources. (<http://www.vaw.umn.edu/Vawnet/standard.htm> Minneapolis, MN.) Accessed 09/10/02.
- Palmer, S., R. Brown, and M. Barrera. (1992). "Group Treatment Program for Abusive Husbands: Long-Term Evaluation." *American Orthopsychiatric Association, Inc.*, 62(2), 276–283.
- Parmley, A.M., and C. Maxwell. (2000). "Use of Multiple Outcome Measures to Assess the Impact of Arrest on Violence Against Female Intimate Partners: The Milwaukee Domestic Violence Experiment Revisited." Paper presented at the National Institute of Justice Research Presentation Brown Bag Series, Washington, DC.
- Rebovich, D.J. (1996). "Prosecution Response to Domestic Violence: Results of a Survey of Large Jurisdictions." In E.S. Buzawa and C.G. Buzawa, eds., *Do Arrest and Restraining Orders Work?* Thousand Oaks, CA: Sage Publications: 176–191.

**Testing a Court-Mandated Treatment Program for
Domestic Violence Offenders:
The Broward Experiment**

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Over the past 20 years there has been an explosive growth in policies, procedures, and programs aimed at reducing or curtailing domestic violence in the United States. With the rapid increase in proarrest policies, pressure has been placed on the courts to deal with domestic violence offenders (Feder, 1997). The result has been a rise in the use of court-mandated counseling for batterers. These programs, known as spouse abuse abatement programs (SAAPs) or batterer intervention programs (BIPs), now exist in every State (Harrell, 1991).

Soon after SAAPs first appeared, studies evaluating their effectiveness began to be conducted. The first wave of evaluation research on SAAPs indicated high rates of success in reducing the frequency and/or severity of subsequent violence (Deschner and McNeil, 1986; Neidig, Friedman, and Collins, 1985; Rosenfeld, 1992). Several researchers were quick to note that these findings may have more closely reflected the methodological shortcomings inherent in the evaluations rather than the programs' actual effectiveness in reducing violence (Chen et al., 1989; Ford and Regoli, 1993).

As more communities are called on to develop effective responses to domestic violence, jurisdictions will likely see a continued increase in the number of court-mandated treatment programs. Evaluation of these programs therefore becomes increasingly important. In addition, researchers have become increasingly aware that even the best intended programs can have unintended harmful effects (McCord, 2003; Petrosino, Turpin-Petrosino, and Finckenauer, 2000). For this reason, we must be open to the possibility that these interventions may not only be ineffective in reducing violence but may also provide a disservice to victims. To continue to mandate counseling for convicted abusers necessarily means that limited resources will be diverted from programs for battered women and their children (Tolman and Bennett, 1990). Even more problematic is the possibility that ineffective batterer treatment may be more dangerous for the victim than no treatment at all. Research indicates that the most influential predictor of an abused spouse's return to her husband is his participation in counseling (Gondolf, 1987). Yet, if treatment is essentially ineffective in decreasing recidivism, these victims may feel a false sense of security that, in the end, may lead to a higher likelihood of future injury (Harrell, 1991; Hamberger and Hastings, 1993).

The Intervention

The study took place in Broward County, an area encompassing Fort Lauderdale, Florida, in the two courts exclusively charged with handling domestic violence cases. Judges in both courts, on convicting a man of misdemeanor domestic violence, placed him on probation for 1 year and assigned him to one of five local SAAPs. All programs used the Duluth Model, perhaps the most widely used SAAP in the country¹ (Davis and Taylor, 1999). Each of the five SAAPs provided 26 weeks of group sessions and all were county certified prior to the judges' assignment. The county's probation office was charged with monitoring an individual's progress in complying with conditions of the judge's sentence, including attendance at the SAAPs.

Research Design

The study used a classical experimental design to test whether courts can effect change in men convicted of misdemeanor domestic violence by mandating them to participate in an SAAP. All

men ($n = 447$) convicted of misdemeanor domestic violence in Broward County during a 5-month period in 1997 were randomly assigned to either the experimental or control group. The only exceptions were for those couples in which either defendant or victim did not speak English or Spanish; either defendant or victim was under 18 years of age; the defendant was severely mentally ill; or the judge, at the time of sentencing, allowed the defendant to move to another jurisdiction and serve his probation through mail contact. All other defendants ($n = 404$) were included in the study and randomly assigned to one of the two groups. Men in the control group were sentenced to 1 year's probation. Men in the experimental group were sentenced to 1 year's probation and mandated into one of the five local SAAPs.

In an effort to determine the true amount of change in individuals undergoing court-mandated counseling, the researchers included various measures from several sources. Each batterer was interviewed at time of adjudication and again 6 months after adjudication. The victim was also interviewed at adjudication and 6 and 12 months after adjudication. Standardized measures with known reliability were used when possible. Scales included an abbreviated version of the Inventory of Beliefs About Wife Beating and Attitude Towards Women. Additionally, researchers asked whether the batterer believed that the offense should be considered criminal, whether he thought he was responsible for the offense, and how likely he was to engage in physical abuse again. The revised Conflict Tactics Scale (CTS2) (Straus et al., 1996) was also used in the defendant and victim surveys to assess the use of verbal, physical, or sexual abuse in the previous 6 months. Finally, probation records and computer checks with the local police for all new arrests were used to track the defendants for 1 year after adjudication.

The ultimate purpose of the study was to test whether court-mandated counseling reduced the likelihood of repeat violence by men convicted of misdemeanor domestic violence. However, researchers also tested the underlying theory arising from the reanalyses of the Minneapolis experiment and Spouse Assault Replication Programs (SARPs). This theory proposes that having a stake in conformity predicts when an intervention (whether an arrest or court-mandated treatment) will be effective in reducing the likelihood of subsequent violence (Berk et al., 1992; Sherman, 1992). The researchers therefore began with two hypotheses. First, men who are mandated into counseling will demonstrate a lower likelihood of repeat violence compared with men assigned to the control (no treatment) group. Second, men who have a high stake in conformity will have a lower likelihood of recidivism than those with a low stake in conformity.

Results

Experimental Integrity

Random assignment. Given the many problems inherent in running an experiment, it becomes imperative to separately address the question of the integrity of the experiment as implemented. The misassignment rate, or rate of error when an individual was placed in a group that he was not randomly assigned to, was quite low (4 percent). Additionally, a comparison of the men in the control and experimental groups on all variables that probation and the courts had access to at the time of adjudication indicates that the groups were comparable prior to the intervention. There were no significant differences between the two groups in offender demographics, stake in conformity, criminal record, and instant incident, with one exception. The average age of the control group was 2 years younger than that of the experimental group. Because research

consistently shows that younger men are more likely to abuse their partners and recidivate, the difference between these two groups would lead to a positive bias in favor of finding treatment effects. That is, it might lead to a finding of differences between the groups even if the individual intervention had no actual effect on recidivism.

Integrity of experimental and control conditions. The judges had the opportunity to order additional non-SAAP programs that would increase monitoring and/or supervision (and in that way compensate for what those in the control group did not receive). The researchers compared judicial orders for men in the experimental and control groups. They found no differences between groups; that is, the judges assigned evaluations, supervision, and non-SAAP programs equally to men in both groups. Similarly, probation could have increased the monitoring and supervision of the men in the control group in an effort to compensate for the fact that they were not participating in the batterers' treatment programs. Results again suggest that there were no differences in probation monitoring. Therefore, there is no reason to conclude that probation officers treated the two groups differently. An alternative possibility is that probation may not have sufficiently monitored and sanctioned failure to attend the SAAP, thereby nullifying this as a true test of the effectiveness of court-mandated counseling. However, examination of the data indicates that probation adequately monitored and sanctioned men when they failed to comply with the SAAP.

Survey response rates. Although a large percentage of victim nonresponse was due to problems in tracking the victims, a high percentage of defendant nonresponse was due instead to their refusal to be interviewed. The study's low response rate to a large extent reflects the charged environment in which researchers conducted the experiment. Response rates for defendants were 80 percent ($n = 321$) for first surveys and 50 percent ($n = 203$) for interviews 6 months after adjudication. Survey completion rates for victims were even lower, 49 percent ($n = 199$) for first, 30 percent ($n = 122$) for second, and 22 percent ($n = 87$) for third interviews. Sample attrition analyses of defendant and victim surveys indicated equivalent response rates for individuals in the experimental and control conditions. Although such low response rates are common when working with victims of domestic violence (Hirschel and Hutchinson, 1992; Palmer, Brown, and Berrera, 1992; Steinman, 1991; Tolman and Weisz, 1995), the authors believe that the low victim response rates limited the study. To counter this limitation, the study collected information on outcomes from other sources. Specifically, official reports of all arrests during the 1-year postadjudication followup period were collected for all men in both groups.

Outcomes

Offender attitudes, beliefs, and self-reported behaviors. Surveys of offenders were used to compare men in the experimental and control groups. Differences between the groups at time of adjudication (Time 1), at least 6-months postadjudication (Time 2), and changes between Time 1 and Time 2 were examined. At the time of their second interview, the experimental sample had completed an average of 22 of the 26 mandated counseling sessions, or approximately 85 percent of the intended "dosage" of batterers' intervention.

The results from the analyses indicate that men's beliefs about the legitimacy of wife beating, their sense of responsibility for these incidents, and their attitudes regarding the proper roles for women had not changed significantly for those court mandated into the BIPs compared with the no-treatment control group. Furthermore, using the revised Conflict Tactics Scale (CTS2), 30 percent of the men self-reported what Straus and colleagues (1996) would consider a minor abusive action against their partner (e.g., grabbing or slapping one's partner), and 8 percent of the men self-reported severe physical abuse (e.g., choking, beating up, or using a knife or gun on one's partner) within 6 months after adjudication. Again, the researchers found no differences between groups or within groups over time in men's self-reported likelihood to engage in any of the five subscales listed in the CTS2 (negotiation, psychological coercion, physical abuse, sexual coercion, and injury). The researchers used regression analysis to determine the effects of treatment assignment, treatment received (number of domestic violence classes attended), and stake-in-conformity variables (marital status, residential stability, employment, and age) on men's self-reported use of severe physical violence. Consistent with the results from the study's analysis of attitudes and beliefs, these results indicated that neither assignment to an SAAP nor attending the classes significantly explained any differences in individual men's likelihood to self-report engaging in further severe physical violence. Instead, stake in conformity was important in accounting for this variation. Specifically, younger men with no stable residence were significantly more likely to self-report acts of severe physical violence against their partners.

Victim reports on partner violence. The study found no difference between groups or within groups over time in women's reports of their partners' likelihood to engage in any of the five subscales listed in the CTS2. Fourteen percent of the women reported an act of severe physical violence occurring during the followup period. Using regression analysis to determine the effects of treatment group assigned, treatment received, and stake-in-conformity variables on the dependent variable, the researchers once again saw the primacy of stake-in-conformity variables in predicting recidivism among batterers. Specifically, the offender's age and marital status achieved statistical significance, while his employment status, although not statistically significant, demonstrated a strong relationship to the victim's reports of his use of severe physical violence. That is, women involved with younger, unemployed men who were not married to them were more likely to report one or more incidents of severe physical violence.

Official measures—rearrests. Twenty-four percent of men in both the experimental and control groups were rearrested on one or more occasions during their 1 year's probation. Five men from the control group who voluntarily chose to attend one or more counseling sessions were eliminated to clearly distinguish the control from the experimental group. Because a man could be mandated to attend counseling but not attend some or all of his sessions, researchers examined two measures related to the treatment intervention. The first measured assignment to the experimental group without accounting for the number of court-mandated SAAP sessions attended. The second is a more dynamic measure that accounted for the number of classes attended. Exhibit 1, model 1 shows no significant difference in rearrest between the experimental and control groups. However, if members of the experimental group are allowed to vary by the number of sessions attended, there is a significant association (model 2).² This would seem to suggest that each additional SAAP session attended reduced the likelihood that the offender would be rearrested.

Continuing from the findings of the reanalyses from the Minneapolis experiment and the Spouse Assault Replication Programs, researchers next investigated the impact of the experimental intervention while controlling for the batterers' stake in conformity (employment status, residential stability, marital status, and age). Because prior criminality is also a predictor of future arrest (Farrington, 1991), the number of jail terms the batterer served prior to his involvement with this study was added as a control variable.

Therefore, models 3 and 4 in exhibit 1 include control variables that measure stake in conformity and past criminality. Results indicate that stake in conformity, as measured by age and employment, are significantly related to rearrest, while marital status and residential stability are not. In addition, the proportion of months employed was significantly and negatively related to the likelihood of a rearrest. Importantly, the nullification of SAAP sessions attended suggests that stake in conformity and/or prior criminality may explain why some men attended more classes than others.

To explore this issue further, the study divided the experimental group into two categories: those who attended all court-mandated SAAP sessions (compliers) and those who failed to attend all their assigned sessions (noncompliers). Given the sanctions that applied to noncompliers, their failure to be deterred from violating their conditions of probation (attending the court-mandated SAAP) may also predict their failure to be deterred from reoffending. Exhibit 2 reports the coefficient estimates comparing the effect of compliers and noncompliers with that for the control group. When control variables were omitted, the men in the experimental group who attended all classes were significantly less likely to be rearrested. By taking the exponent of this estimate (0.503), the odds that compliers would be rearrested are about half that of the control group. In contrast, the odds of rearrest for men who attended fewer sessions than assigned were 2.53 times higher than the control group (exponent (0.930)).

This finding strongly implies that men who are unlikely to be deterred by the consequences of missing their court-mandated SAAP sessions are also less likely to be deterred by the consequences of reoffending. But what is it that distinguishes these men? After controlling for stake in conformity and prior criminality, the differences between the compliers, noncompliers, and control group disappear (see exhibit 2, column 2). This powerfully suggests that those men who attended all of their SAAP sessions would have successfully avoided rearrest even had they not been mandated into the batterer treatment program. Results from a third logistic regression (exhibit 2, column 3), using only men from the experimental group ($n = 229$) to estimate the effects of stake in conformity and prior criminality on noncompliance show that the same characteristics that predict rearrest also predicted missing at least one court-mandated SAAP session.

Exhibit 1. Logistic Regression Models Predicting Rearrest

Variable	Coefficient Estimate (Standard Error)			
	Model 1	Model 2	Model 3	Model 4
<i>Batterers' counseling</i>				
Group assigned	0.056		0.051	
	0.240		0.272	
Sessions attended		-0.033**		-0.007
		0.010		0.012
<i>Stake in conformity</i>				
Age			-0.038*	-0.037*
			0.015	0.016
Married			0.094	0.130
			0.312	0.316
Divorced or separated			0.188	0.182
			0.439	0.440
Number of moves			0.148	0.149
			0.110	0.111
% Months employed			-2.230**	-2.181**
			0.423	0.434
<i>Prior criminality</i>				
Past jail terms			0.220**	0.237**
			0.071	0.073
<i>Controls for missing data^a</i>				
Marital status			0.850	0.149
			0.756	0.111
Probation folder			0.142	0.086
			0.479	0.508
Past jail terms			0.492	0.434
			0.494	0.514
Pseudo R ²	0.0001	0.026	0.162	0.168

* $p \leq .05$, ** $p \leq .01$; all tests are two tailed.

^a Missing values were set at zero and the control variables in this group are dummy variables for the missing values.

Exhibit 2. Logistic Models Predicting Rearrest and Compliance

Variable	Coefficient Estimate (Standard Error)		
	Rearrest (n = 395)	Rearrest (n = 393)	Noncompliance in experimental group (n = 229)
<i>Batterers' counseling</i>			
Compliers	-0.688*	-0.217	
	0.307	0.338	
Noncompliers	0.930**	0.318	
	0.288	0.331	
<i>Stake in conformity</i>			
Age		-0.035*	-0.052**
		0.016	0.019
Married		0.106	-0.149
		0.313	0.392
Divorced or separated		0.215	-0.390
		0.441	0.607
Number of moves		0.139	0.164
		0.111	0.148
% Months employed		-2.030**	-3.238**
		0.446	0.549
<i>Past criminality</i>			
Prior jail terms		0.212**	0.194
		0.071	0.107
<i>Controls for missing data^a</i>			
Marital status		0.805	1.264
		0.757	1.201
Probation folder		0.092	0.044
		0.480	0.635
Prior jail terms		0.460	0.688
		0.495	0.794
Pseudo R ²	0.059	0.167	0.2774

* $p \leq .05$, ** $p \leq .01$; all tests are two tailed.

^a Missing values were set at zero and the control variables in this group are dummy variables for the missing values.

These comparisons indicate two primary findings. First, where courts mandate attendance in an SAAP, men who do not comply (i.e., do not attend all their sessions) are the same men who are likely to be rearrested on a new offense; 30 percent of the noncompliers were rearrested compared with 13 percent of the compliers. However, the findings show that failure to attend all sessions of the SAAP does not have a harmful effect in and of itself. Rather, it seems to be a signal identifying the men who are more inclined to reoffend. The second finding indicates the primacy of employment and youth (both viewed as stake-in-conformity variables), not SAAP attendance, in predicting rearrest among the batterers in this study.

Implications for Researchers

There was strong pressure against implementing an experiment to test the efficacy of court-mandated batterer treatment in Broward County (see Feder, Jolin, and Feyerherm, 2000). Many in the community thought the research placed victims at greater danger by not mandating their partners into one of the SAAP programs. Such an assumption, though, was what the study sought to test. The attitude that well-intentioned programs may not help everyone but cannot possibly be detrimental is risky. A number of rigorous studies have recently reported on treatments that have, in fact, caused participants harm (Dishion, McCord, and Poulin, 1999; Oakley, 2000; Petrosino Turpin-Petrosino, and Finckenauer, 2000).

The results presented here show no clear and demonstrable effects of counseling on offenders' attitudes, beliefs, and behaviors. Analysis of self-reported and victim-reported psychological and physical abuse using the revised Conflict Tactics Scales suggests that the behavior of batterers in the treatment programs did not change over time. Of note, evidence of severe physical abuse remained at 6 and 12 months after sentencing. Although bivariate analysis of official reports indicated that the number of SAAP sessions attended decreased the likelihood of future arrest, further analyses suggest that this decrease was driven by variables related to the batterer's stake in conformity. In fact, stake in conformity predicted both an offender's likelihood of complying with the court mandate by attending the SAAP sessions and his ability to avoid reoffending during the followup period.

It needs to be reiterated that the experiment in South Florida was implemented with strong integrity. When a man failed to attend an SAAP, probation officials sought to revoke his probation. In addition, in terms of the study itself, the misassignment rate was low, ensuring that the experimental and control groups were equivalent before treatment (as indicated by baseline comparisons). In addition, evidence suggests that the two groups continued to receive the same amounts and kinds of monitoring, supervision, and treatment (save for the SAAP) throughout the test period. Finally, although the controversy surrounding the Broward experiment led to high attrition in the followup of the victims, it in no way impeded delivery of the treatment program to the convicted batterers. (Those who were opposed to the experiment were arguing for *more* batterers to be mandated into treatment, not fewer!) In all, the authors believe that this experiment provided a valid and rigorous test of the effectiveness of court-mandated counseling, as currently conducted in Broward County, in reducing future reassault among a representative sample of convicted batterers.

Although the study was strong, admittedly it had its limitations. The largest of these was its inability to achieve high victim survey response rates. Victims are widely viewed as the best source of information on the batterers' continued abuse (Feder and Wilson, forthcoming). Thus, retaining them in an experiment testing the effectiveness of any specific batterer intervention program is critical. Additionally, this study provided a test of court-mandated batterer intervention in only one jurisdiction. Although it is thought that this community provided a good and rigorous test of the program as implemented in its jurisdiction, replication in other communities is still needed to put this important issue to the test.

Evidence from rigorous research could provide a strong foundation on which to make beneficial policy decisions (Feder and Boruch, 2000). The argument for evidence-based decisionmaking would seem to be especially compelling during times of limited budgets. However, although batterer intervention programs have been mandated by courts in jurisdictions around the country since the late 1980s (Feder, 1997), researchers still cannot definitively answer whether these programs actually make things better for the victims of domestic violence.

Implications for Practitioners

Results from the Broward experiment clearly show that assuming answers to questions without first exposing them to rigorous research is dangerous. There is no doubt, as one researcher put it, about the “tremendous sense of urgency and alarm in the treatment of domestic violence—and rightly so. After all, protecting the physical and emotional safety of women and their children is the first priority. Consequently, clinicians feel a primary obligation to ‘do something’ immediately and decisively to halt and prevent violence” (Jennings, 1987: 204). But, as the results from this experiment indicate, just “doing something” may not achieve the desired results. Researchers need to be guided by rigorous research. As Saunders (1988) has so eloquently written, “One source of tension seems to arise from the simple fact that social action usually means immediate action, whereas the knowledge gained from science takes a long time to acquire. Yet action that is not well informed can be less than optimal, ineffective, or, worse, counterproductive. Movements for social justice, then, need to use the scientific search for truth as a guide” (Saunders, 1988: 92).

In conclusion, practitioners must continue to try new and innovative methods for reducing domestic violence so as to help its victims. Just as important, though, these interventions need to be rigorously tested for their ability to deliver what is being promised. This is nothing more than making these programs accountable to the taxpayers who are funding them and the victims who are depending on them.

Notes

1. The Duluth Model program uses a feminist, cognitive psychoeducational curriculum provided in a group session. Its intent is to help domestic violence offenders develop an understanding of how battering is part of a range of male behaviors that seek to control women.
2. An additional 0.5 was added to the value of this measure for men in the experimental group to distinguish those who were court mandated to attend sessions but failed to go from those who

were never court mandated to the SAAP sessions. Model 2's finding of treatment efficacy is not driven by the age difference found between the control and experimental groups.

References

- Berk, R., Campbell, A., Klap, R., and Western, B. (1992). "The Deterrent Effect of Arrest in Incidents of Domestic Violence: A Bayesian Analysis of Four Field Experiments." *American Sociological Review*, 57, 698–708.
- Chen, H., Bersani, C., Myers, S., and Denton, R. (1989). "Evaluating the Effectiveness of a Court Sponsored Treatment Program." *Journal of Family Violence*, 4(4), 309–322.
- Davis, R., and Taylor, B. (1999). "Does Batterer Treatment Reduce Violence? A Synthesis of the Literature." *Women and Criminal Justice*, 10(2), 69–93.
- Deschner, J., and McNeil, J. (1986). "Results of Anger Control Training for Battering Couples." *Journal of Family Violence*, 1(2), 111–120.
- Dishion, T., McCord, J., and Poulin, F. (1999). "When Interventions Harm: Peer Groups and Problem Behavior." *American Psychologist*, 54(9), 755–764.
- Farrington, D. (1991). "Childhood Aggression and Adult Violence: Early Precursors and Later-Life Outcomes." In D. Pepler and K. Rubin (eds.), *The Development and Treatment of Childhood Aggression* (pp. 5–29). Hillsdale, NJ: Lawrence Erlbaum.
- Feder, L. (1997). "Domestic Violence and Police Response in a Pro-Arrest Jurisdiction." *Women and Criminal Justice*, 8(4), 79–98.
- Feder, L., and Boruch, R. (2000). "The Need for Randomized Experimental Designs in Criminal Justice Settings." *Crime and Delinquency*, 46(3), 291–294.
- Feder, L., and Forde, D. (2000). "A Test of the Efficacy of Court-Mandated Counseling for Domestic Violence Offenders: The Broward Experiment." Final report to the U.S. Department of Justice, National Institute of Justice, NCJ 184752.
- Feder, L., Jolin, A., and Feyerherm, W. (2000). "Lessons Learned From Two Randomized Experiments in Criminal Justice Settings." *Crime and Delinquency*, 46(3), 380–400.
- Feder, L., and Wilson, D. (Forthcoming). "A Systematic Review of Experimental Studies Testing the Effectiveness of Mandated Batterer Intervention Programs." In B. Welsh and D. Farrington (eds.), *Preventing Crime: What Works for Children, Offenders, Victims and Places*. CA: Wadsworth Publishers.
- Ford, D., and Regoli, M.J. (1993). "The Criminal Prosecution of Wife Assaulters." In Z. Hilton (ed.), *Legal Responses to Wife Assault: Current Trends and Evaluation* (pp. 127–164). Newbury Park, CA: Sage Publications.

- Gondolf, E. (1987). "Seeing Through Smoke and Mirrors: A Guide to Batterer Program Evaluations." *Response*, 10(3), 16–19.
- Hamberger, L.K., and Hastings, J. (1993). "Court-Mandated Treatment of Men Who Assault Their Partner." In Z. Hilton (ed.), *Legal Responses to Wife Assault: Current Trends and Evaluation* (pp. 188–229). Newbury Park, CA: Sage Publications.
- Harrell, A. (1991). *Evaluation of Court-Ordered Treatment for Domestic Violence Offenders: Final Report*. Washington, DC: Institute for Social Analysis.
- Hirschel, J.D., and Hutchinson, I. (1992). "Female Spouse Abuse and the Police Response: The Charlotte, North Carolina Experiment." *Journal of Criminal Law and Criminology*, 83, 73–119.
- Jennings, J. (1987). "History and Issues in the Treatment of Battering Men: A Case for Unstructured Group Therapy." *Journal of Family Violence*, 2(3), 193–213.
- McCord, J. (2003). "Cures That Harm: Unanticipated Outcomes of Crime Prevention Programs." *Annals of the American Academy of Political and Social Science*, 587, 16–30.
- Neidig, P., Friedman, D., and Collins, B. (1985). "Domestic Conflict Containment: A Spouse Abuse Treatment Program." *Social Casework: The Journal of Contemporary Social Work*, 66(4), 195–204.
- Oakley, A. (2000). "A Historical Perspective on the Use of Randomized Trials in Social Science Settings." *Crime and Delinquency*, 46(3), 315–329.
- Palmer, S., Brown, R., and Barrera, M. (1992). "Group Treatment Program for Abusive Husbands: Long-Term Evaluation." *American Journal of Orthopsychiatric Association*, 62, 276–283.
- Petrosino, A., Turpin-Petrosino, C., and Finckenauer, J. (2000). "Well-Meaning Programs Can Have Harmful Effects! Lessons From Experiments of Programs Such as Scared Straight." *Crime and Delinquency*, 46(3), 354–379.
- Rosenfeld, B. (1992). "Court-Ordered Treatment of Spouse Abuse." *Clinical Psychology Review*, 12, 205–226.
- Saunders, D. (1988). "Wife Abuse, Husband Abuse or Mutual Combat? A Feminist Perspective on the Empirical Findings." In K. Yllo and M. Bograd (eds.), *Feminist Perspectives on Wife Abuse* (pp. 90–113), Newbury Park, CA: Sage Publications.
- Sherman, L. (1992). "The Influence of Criminology on Criminal Law: Evaluating Arrests for Misdemeanor Domestic Violence." *Journal of Criminal Law and Criminology*, 83, 1–45.

Steinman, M. (1991). "Coordinated Criminal Justice Interventions and Recidivism Among Batterers." In M. Steinman (ed.), *Woman Battering: Policy Responses* (pp. 221–236). Cincinnati, OH: Anderson Publishing.

Straus, M., Hamby, S., Boney-McCoy, S., and Sugarman, D. (1996). "The Revised Conflict Tactics Scale (CTS2): Development and Preliminary Psychometric Data." *Journal of Family Issues*, 17, 283–316.

Tolman, R., and Bennett, L. (1990). "A Review of Quantitative Research on Men Who Batter." *Journal of Interpersonal Violence*, 5, 87–118.

Tolman, R., and Weisz, A. (1995). "Coordinated Community Intervention for Domestic Violence: The Effects of Arrest and Prosecution on Recidivism of Woman Abuse Perpetrators." *Crime and Delinquency*, 41(4), 481–495.

Predicting Abuse and Reassault Among Batterer Program Participants

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Previous Research

Many practitioners and researchers are intensifying efforts to predict reassault among men referred to batterer programs. These efforts include developing lists of predictive factors (Saunders, 1995; Dutton and Kropp, 2000), batterer profiles and types (Holtzworth-Munroe and Stuart, 1994), and risk assessment scales or indexes (Dutton and Kropp, 2000; Roehl and Guertin, 2000). Some risk markers have been identified, such as alcohol or drug abuse, previous criminality, severe personality disorders, and program dropout (Dutton et al., 1997; Gondolf, 1997; Saunders, 1995; Tolman and Bennett, 1990). However, overall prediction is weak, with limited ability to correctly classify reassault on a better than chance basis (Limandri and Sheridan, 1995; Saunders, 1995).

The emphasis in practice and research is shifting to identifying specific types of batterers (e.g., through batterer typologies), especially high-risk offenders, and developing specialized interventions to accommodate these different types of offenders (Healey, Smith, and O'Sullivan, 1998; Saunders, 1996). Current typologies are based either on psychological characteristics (Holtzworth-Munroe and Stuart, 1994) or criminal justice factors such as demographic information, criminal histories, and substance abuse data (Goldkamp, 1996; Gondolf, 1988). With the exception of Goldkamp's criminal justice-based typology, which was predictive of rearrest for domestic violence, these typologies have not yet been confirmed as predictive.

A concurrent development in the domestic violence field is the use of risk assessment inventories, such as the Spousal Assault Risk Assessment (SARA) (Kropp et al., 1995) and the Kingston Screening Instrument for Domestic Violence Offenders (K-SID) (Gelles and Tolman, 1998). These instruments have expanded on the long-standing efforts of practitioners to develop lethality checklists (Hart, 1994). To date, risk assessment inventories offer, at best, marginal prediction (Dutton and Kropp, 2000; Roehl and Guertin, 2000). These inventories do offer an improvement over clinical judgment, but they do not appear to correctly classify men at a clinically acceptable level. More development of the inventories or more sophisticated prediction research may show otherwise.

In general, the prediction research has been limited by several factors. It has relied on simplistic dichotomous outcomes of "success" and "failure," it has not considered mediating or "conditional" variables, and the databases used have been too small or limited to address these problems (Monahan, 1996; Mulvey and Lidz, 1993). This study reexamines the prediction of abuse and reassault among batterer program participants by addressing these methodological shortcomings. It attempts to improve prediction of reassault with multiple outcomes, conditional variables, and a comprehensive multisite database.

Objectives of Current Research

An extensive, multisite, longitudinal database of batterers and their female partners was used to test several possibilities for prediction: the utility of risk markers, conditional variables, risk instruments, and batterer types. The database also allowed for the exploration of the dynamics of reassault and other alternative conceptions of violence. The database included intake interviews

with 840 batterers and their partners and followup interviews every 3 months over 15 months. The followup response rate was 70 percent.

The primary objective of the proposed research was to test a conditional prediction model of multiple outcomes of batterer intervention using multinomial (polytomous) logistic regression (see Heckert and Gondolf, 2002, for details). The main contribution of the model is that it considers multiple outcomes rather than simply a dichotomous success or failure. Partner self-reports about the batterer's physical assault, verbal abuse, and controlling and threatening behaviors were used to identify five distinct outcomes for batterer program participants: nonabusive behaviors during followup (22 percent of the sample), controlling behavior/verbal abuse only (26 percent), threatening assault with no physical reassault (19 percent), one-time reassault (12 percent), and repeat reassault (21 percent). The authors hypothesized that this more sensitive measurement of the abuse outcome would improve prediction.

The second contribution of the model is that it considers the influence of conditional or situational variables that occur after program intake. Intervening factors assessed at 3 months following program intake were entered into the regression equations after program intake risk markers, batterer types, and program participation variables. These variables included batterer or victim employment, partner contact and new partners, batterer's perceptions of sanctions for program dropout and reassault, alcohol and drug use, batterer alcohol or psychological treatment, the woman's use of victim services and other help sources, and additional criminal justice intervention. The authors hypothesized that prediction of multiple outcomes would be improved by including these conditional factors in the multivariate models.

A third contribution is that it permits examining the predictive abilities of risk assessment inventories using the prediction model of multiple outcomes. Several popular risk assessment instruments were simulated using variables measured at intake. The authors hypothesized that risk assessment instruments would provide modest, but not substantial, prediction of the multiple outcomes.

A fourth contribution of the model is that it permits conducting case reviews of batterers to further clarify and substantiate the conditional prediction model. Personality profiles were elaborated for batterers using the Millon Multiaxial Clinical Inventory, Version III (MCMI-III; Millon, 1994) data. Batterer and victim narratives of reassault were also analyzed to describe the dynamics of the abuse and the extent and influence of various risk markers. The authors hypothesized that the men who repeatedly reassault are more likely to be psychopathic based on MCMI-III profiles; to commit excessive, unrelenting, escalating violent incidents; and to come from discussion-oriented as opposed to instructional programs.

Methods

Database

To address the research hypotheses, a multisite database of batterers and their female partners was used that included 840 men who were admitted to batterer programs in four cities—Pittsburgh, Dallas, Houston, and Denver. The database offered a large representative sample of batterers across four sites and diverse regions. The vast majority of the men (82 percent) were

mandated to the programs by the courts, while the rest (18 percent) voluntarily entered the program. (See Gondolf, 1999, for a detailed description of the study design, sample recruitment, and sample demographics.) Interviews were conducted at program intake with batterers and their female partners, and with batterers, initial victims, and new female partners every 3 months for 15 months. The modalities of the four batterer programs conform to the parameters of the prevailing State standards, which endorse cognitive-behavioral techniques taught in a group setting. However, the selected programs represent a range of services and duration (see Gondolf, 1997, 1999, 2000).

At program intake, a background questionnaire was administered to the men that included questions about the incident that led to referral to a batterer program. The men were asked a series of open-ended questions, followed by the Conflict Tactics Scale (CTS) items for “physical aggression” (Straus, 1979). The background questionnaire also asked about the men’s demographic profile, living situation, mental health problems, alcohol use, prior treatment and counseling, emotionally abusive behavior, previous arrests, partner’s response, and partner’s help-seeking. An alcohol screening test and personality inventory were also administered.

Variables

The predictor variables were derived from background questionnaires administered to the men and their partners at program intake. They included demographics, relationship status, past behavior (including previous violence, arrests, substance use, and Michigan Alcohol Screening Test results), and mental health (including MCMI–III results, psychiatric symptoms, and psychological treatment). The men’s and women’s reports of past help-seeking and service contact were also used. The women’s perceptions of their safety were obtained through interviews conducted with them at the time of program intake. The women were asked, “How safe do you feel?” and “How likely will your partner use violence again within the next 3 months?” using a Likert scale response. Conditional variables were identified from the 3-month followup interval with the women. They included living arrangements, contact between partners, employment status, substance use, further arrests, and use of additional services and treatment. The multiple outcome variable was based on reports by the women regarding the men’s abusive behavior. Men were classified in the following five categories based on their partners’ reports of abuse during the 15-month followup:

- ◆ Repeat reassault: more than one incident that included one of the tactics on the physical aggression subscale of the Conflict Tactics Scale (Straus, 1979).
- ◆ One-time reassault: only one incident of physical aggression.
- ◆ Threatening reassault: no physical tactics but any threats (i.e., to hit, attack, or harm; to kill; to take away children or harm them, to kill or seriously harm other people; to kill or hurt himself).
- ◆ Emotional abuse: no threats or physical tactics, but any controlling behaviors or verbal abuse (i.e., kept from talking on phone; kept from friends; stopped from going some place; followed partner; kept from using family income; took or stole money from partner; swore or

screamed; accused partner of being with another man; insulted or put down; threw, smashed, hit, or kicked something; destroyed property; or hurt a pet or pets).

- ◆ No abuse: no reports of physical assault, threats, or emotional abuse over 15 months.

A second multiple outcome variable was also constructed using interviews starting at the 6-month followup (that collected information from 3 to 6 months after intake) through the 15-month followup. This outcome excluded the first 3 months after intake and allowed testing of the conditional variables encountered from intake to 3 months.

To explore the last hypothesis, qualitative coding was used. The psychological characteristics of repeat reassaulters were investigated by interpreting the men's MCMI-III profiles (Gondolf and White, 2001). The interpretations recommended in the instrument manuals were followed, with one revision. The authors identified psychopathic tendencies according to profile configurations recommended by experts on psychopathy and the MCMI (Blackburn, 1998; Millon and Davis, 1998). Any evidence of psychopathic tendencies was given priority over other possible interpretations to ensure the maximum inclusion of such tendencies. The broader and more liberal conception of psychopathy is likely to identify more men than narrower conceptions previously used in the field.

Qualitative Analysis

To assess the violent behavior of the men, the research team coded the women's descriptions of the violent incidents using a sequential, situational conception of violence (Monahan, 1996; Mulvey and Lidz, 1993). First, research assistants coded the issues, circumstances, precipitants, alcohol use, man's emotional state, couple interaction, pattern of tactics, and woman's and man's response to the violence. The codes for the various components were then cross-tabulated with the categories for reassault (no, once, repeat) to identify differences across the outcomes. The assistants also wrote their overall impressions and observations of the violence in each case, and other researchers summarized this information and used it to confirm and elaborate the cross-tabulations.

Results

Risk Markers

To address the study's hypothesis about risk markers, logistic regression models were estimated using a dichotomous outcome of any reassault versus no reassault. The results confirmed previous research; significant predictors of reassault included younger age, race, living with partner, no children, heavy drinking, emotional abuse or threats, high likelihood of hitting, low help-seeking by the woman, and the woman's shelter use. The dichotomous model was significant but had modest ability to predict reassault cases (overall accuracy = 75 percent; sensitivity = 44 percent).

The research team conducted a multinomial logistic regression analysis using only variables collected at program intake. The analysis was based on 499 cases for which the multiple outcome variables could be constructed and data on predictors were available. Two multinomial logistic

regression equations were estimated using the same predictors described above: an ordered multinomial logistic regression (cumulative log model or proportional odds model) and an unordered multinomial logistic regression for comparison. Based on a likelihood ratio test and tests of the assumptions of parallel lines, the results demonstrated that the unordered multinomial model was significantly better than the ordered model. Thus, the multiple outcomes variable should be treated as a nominal outcome variable, rather than an ordinal outcome variable. The multiple outcome categories do not necessarily represent a progression of least to most severe abuse.

The logistic equations were further examined to assess which outcome categories were best predicted or distinguished. First, the sets of predictors that distinguished repeat reassaulters from no abuse and repeat reassaulters from verbal abuse/controlling categories are very similar. Thus, “no abuse” and “verbally abusive/controlling” batterers are essentially indistinguishable based on variables available at program intake. Second, the best discrimination by variables available at program intake is between the repeat reassault and the no abuse categories. There are fewer variables that discriminate between the repeat reassault and use of threats categories. Third, there are few factors that discriminate between the repeat reassault and the one-time reassault categories (age, race, occupation, use of controlling behaviors within 3 months of intake, women’s perceptions of risk, and use of shelter prior to intake). However, the odds ratios suggest they are reasonably strong predictors. Fourth, the overall model does a reasonably good job of predicting repeat reassault (sensitivity for repeat reassault = 70 percent); however, it does have a high enough rate of false negatives (batterers who are predicted to not be repeat reassaulters who are = 30 percent) to cause concern about using risk markers for decisionmaking in the criminal justice system.

In sum, the first hypothesis was only partially supported. Prediction is improved with a multiple outcome but is still relatively weak.

Conditional Prediction and Risk Assessment Instruments

The second hypothesis about a conditional model of prediction was tested by entering conditional variables, measured at the 3-month followup, into the logistic regression equations, using the multiple outcome based on the 6- through 15-month followups. These logistic regressions did not improve prediction over the initial risk marker models (sensitivity for repeat reassault = 57 percent), although a number of conditional variables (e.g., relationship troubles and woman filed for a protection order) were significant predictors. The second hypothesis was not supported.

To address the third hypothesis about the risk inventories, three popular risk assessment instruments were simulated with the authors’ data—K–SID, SARA, and Campbell’s Danger Assessment Scale (DAS). The K–SID scores by themselves gave weak prediction of multiple outcomes (sensitivity for repeat reassault = 11 percent). The SARA total scores (sensitivity = 43 percent) and DAS (sensitivity = 66 percent) total scores worked substantially better than the K–SID scores but still offered modest prediction of multiple outcomes and high rates of false positives (predicting men to repeatedly reassault who do not do so; 27 percent for SARA and 33 percent for DAS). Interestingly, women’s perceptions (assessed at intake) of safety (sensitivity = 63 percent; false positives = 40 percent) and how likely the man is to use violence (sensitivity =

52 percent; false positives = 26 percent) were also modest predictors of multiple outcomes by themselves and were slightly better predictors than SARA. The best prediction was achieved by DAS (sensitivity rate = 66 percent).

Women's perceptions of risk (at intake) had a higher rate of correct classification of repeat reassaulters than did two of the risk assessment instruments (K-SID and SARA). However, there were more false positives with the women's perceptions as predictors. The combination of women's perceptions and either the SARA total score or DAS were the best models in this set of analyses. Nonetheless, together they still offered only modest predictive ability and were not quite as predictive as the initial equations with individual risk factors, and they had a higher rate of false positives. Hypothesis three was, therefore, supported, but the prediction was still not at clinically acceptable levels.

Additional Predictors

A comparative analysis of the MCMI profiles of men in this study was conducted to explore for other differentiation that might help improve prediction (Gondolf and White, 2001). Previous batterer typology and personality research suggests that the men most likely to repeatedly reassault their partners tend to be antisocial and psychopathic. However, only about 11 percent of the 122 repeat reassaulters in the sample had personality profiles that suggested conventional or "primary" psychopathic disorder. The percentage of batterers who were categorized as having primary psychopathic disorder was similar across three groups of men: those who did not reassault their partner (8 percent; 33 of 394), those who reassaulted their partners once (9 percent; 6 of 68), and those who repeatedly reassaulted their partners (11 percent; 13 of 122) during a 15-month followup. The broadest possible conception of psychopathy, including "secondary" psychopathy and both psychopathic "disorder" and "style," applies to 54 percent of the repeat reassaulters, 39 percent of nonassaulters, and 35 percent of one-time reassaulters ($p < .05$). Although a significantly greater portion of men in the repeat reassault category show some psychopathic tendencies, there were no significant differences across the three types of batterers with regard to personality dysfunction, psychopathic disorder, and personality type. In sum, a diversity of personality profiles seems to best characterize all three groups of men.

The analysis of the violence incidents also did not substantiate the researchers' expectations (Gondolf and Beeman, 2003). A distinguishing mode of violence was not found, but a few circumstances did stand out. First, men in the repeat reassault category were more likely to be described as drunk, but alcohol use was not consistently indicated in the women's descriptions. There were few differences in the other issues, precipitants, circumstances, or emotions. Second, men in the repeat reassault category were slightly more likely to use a chain of tactics, or multiple tactics, in their violent incidents. That is, their violence was more likely to be excessive and unrelenting. Third, the only substantial difference was in the women's interaction during, and response after, the violence. The partners of men who repeatedly reassaulted were less likely to resist the violence during an attack and less likely to seek help in response to the violence. Fourth, when action was taken against the men who repeatedly reassaulted, they were less likely than the one-time reassaulters to be sanctioned or contained. Police did not arrest them, courts did not jail them, and social services did not refer them. In short, these men continued to get away with being violent.

Quantitative analysis showed that men in the repeat reassault category were not more likely to come from discussion-oriented programs rather than instructional programs. Overall, then, hypothesis four received minimal support.

Discussion

Prediction Improvements

This study's attempt to improve prediction of further abuse by batterer program participants produced some instructive findings. Using multiple outcomes does appear to improve prediction using intake risk markers, while the addition of conditional variables does not improve the prediction but identifies important predictors. The items from the risk assessment instruments also modestly predicted the outcomes, but only the DAS was more predictive than the women's perceptions by themselves. The strongest prediction occurs by entering risk markers as individual items (and including women's perceptions), rather than combining them into a composite index. As one might expect, the more sophisticated the prediction model, the better the prediction. There remains, however, a subjective decision about the utility of the improved prediction. The sophisticated models still only modestly predict the outcomes and do not appear to be sufficient for clinical decisions by themselves. The study's qualitative exploration for other possible predictors or categorizations using the MCMI profiles and violent incidents did not produce other worthwhile considerations. Neither the profiles nor the incidents appeared to distinguish the outcome categories.

Implications for Researchers

This study demonstrates the importance of considering multiple outcomes in batterer research. Multiple outcomes not only modestly improve prediction, but they also expose different sets of predictors than do dichotomous outcomes. The findings suggest why causal research has produced inconsistent results (see Aldarondo and Sugarman, 1996). ("Causal research" refers to studies identifying factors that help to explain future reassault, as opposed to simply identifying who is most likely to reabuse.) Different predictors for repeat reassault compared with one-time reassault could cancel themselves out in an equation with a dichotomous outcome. Moreover, samples with fewer men in the repeat reassault category are likely to produce different predictors than samples with more men in the repeat reassault category. Excellent prediction can be derived with small samples, but such prediction is generally not replicable across samples because of variations in the influential subcategories of reabuse and reassault.

The findings raise some question for future research with multiple outcomes. It appears that additional variables modestly improve the prediction of multiple outcomes. However, it is uncertain how to substantially improve prediction or, indeed, whether it can be improved much further. Better measurement of the existing variables and the identification of additional influential variables (such as motivation) might improve prediction. The increased complexity, however, makes it more difficult to translate prediction into clinical practice. Further verification of risk instruments that use this approach is needed because the authors were able to simulate only instruments with limited items (either the same or similar items for 10 of 11 items for K-SID, 16 of 20 items for SARA, and 12 of 15 items for DAS).

Implications for Practitioners

The findings raise a few implications for clinical assessment of batterers, particularly the effort to identify and contain the most dangerous men. First, the results indicate the importance of distinguishing between one-time reassault and repeat reassault when attempting to identify high-risk batterers. The two groupings have different risk markers and may not be as readily identified if combined into one group. Second, the emphasis on personality traits and personality types failed to improve prediction of repeat reassault. Therefore, using psychological assessments to identify the extent of intervention or level of constraint may not be that useful.

Third, risk assessment instruments appear to offer only modest prediction in this study and should be used with caution by batterer programs and the criminal justice system, as previous research has recommended (see Roehl and Guertin, 2000). Results are improved somewhat by including additional items and women's perceptions, reinforcing the importance of using instrument results in combination with a variety of other sources of information. Fourth, the predictive power of women's perceptions suggests the importance of obtaining and heeding women's appraisal of their situation, as advocates have long argued. Batterer program staff and the courts may have to work more closely with women's advocates to obtain such information and incorporate it into their assessments.

The quantitative and qualitative findings, however, contradict overgeneralizations about high-risk batterers. These batterers are not readily or easily identifiable or "typed." According to their personality profiles, many of the repeat reassaulters appear to be appropriate candidates for conventional batterer counseling. The findings also imply that conditional variables enhance prediction beyond personality factors. Shifting attention from intake assessment to ongoing risk management would likely improve identification and containment of the most dangerous men. Furthermore, this analysis, particularly of violent incidents, suggests that women's characteristics (i.e., levels of assertiveness, help-seeking, satisfaction with services) warrant further consideration. Prevention efforts need to consider support and safety planning with the women, as much as containment and restraint of the men.

In sum, improvement of identification and containment of the most dangerous men requires not only further differentiation of batterers, but also consideration of a wide range of information, sources, and timeframes. Conventional intake assessment or risk instruments have limited predictive power, and even the more extensive and sophisticated predictions are not particularly strong.

References

- Aldarondo, E., and Sugarman, D. (1996). "Risk Marker Analysis of the Cessation and Persistence of Wife Assault." *Journal of Consulting & Clinical Psychology*, 64, 1010–1020.
- Blackburn, R. (1998). "Psychopathy and the Contribution of Personality to Violence." In T. Millon, E. Simonsen, M. Birket-Smith, and R. Davis (eds.), *Psychopathy: Antisocial, Criminal, and Violent Behavior* (pp. 50–68). New York: Guilford Press.

- Dutton, D., and Kropp, R.P. (2000). "A Review of Domestic Violence Risk Instruments." *Trauma, Violence & Abuse*, 1, 171–181.
- Dutton, D., Bodnarchuk, M., Kropp, P., Hart, S., and Ogloff, J. (1997). "Wife Assault Treatment and Criminal Recidivism: An 11-Year Follow-Up." *International Journal of Offender Therapy and Comparative Criminology*, 41, 9–23.
- Gelles, R., and Tolman, R. (1998). *The Kingston Screening Instrument for Domestic Violence (K-SID)*. Providence, RI: University of Rhode Island.
- Goldkamp, J. (1996). *The Role of Drug and Alcohol Abuse in Domestic Violence and Its Treatment: Dade County's Domestic Violence Court Experiment*. Washington, DC: U.S. Department of Justice, National Institute of Justice. NCJ 163410.
- Gondolf, E. (1988). "Who Are These Guys? Toward a Behavioral Typology of Batterers." *Violence and Victims*, 3, 187–203.
- Gondolf, E. (1997). "Patterns of Reassault in Batterer Programs." *Violence and Victims*, 12, 373–387.
- Gondolf, E. (1999). "A Comparison of Reassault Rates in Four Batterer Programs: Do Court Referral, Program Length and Services Matter?" *Journal of Interpersonal Violence*, 14, 41–61.
- Gondolf, E. (2000). "Reassault at 30 Months After Batterer Program Intake." *International Journal of Offender Therapy and Comparative Criminology*, 44, 111–128.
- Gondolf, E., and Beeman, A. (2003). "Women's Accounts of Domestic Violence Versus Tactics-Based Outcome Categories." *Violence Against Women*, 9, 278–301.
- Gondolf, E., and White, R. (2001). "Batterer Program Participants Who Repeatedly Reassault: Psychopathic Tendencies and Other Disorders." *Journal of Interpersonal Violence*, 16, 361–380.
- Hart, B. (1994). "Lethality and Dangerousness Assessments." *Violence Updates*, 4(10), 7–10.
- Healey, K., Smith, C., and O'Sullivan, C. (1998). *Batterer Intervention: Program Approaches and Criminal Justice Strategies*. Issues and Practices in Criminal Justice. Washington, DC: U.S. Department of Justice, National Institute of Justice. NCJ 168638.
- Heckert, A., and Gondolf, E. (2002). *Predicting Levels of Abuse and Reassault Among Batterer Program Participants*. Final Report. Washington, DC: U.S. Department of Justice, National Institute of Justice. NCJ 195176.
- Holtzworth-Munroe, A., and Stuart, G.L. (1994). "Typologies of Male Batterers: Three Subtypes and the Differences Among Them." *Psychological Bulletin*, 116, 476–497.

Kropp, P., Hart, S., Webster, C., and Eaves, D. (1995). *Manual for the Spousal Assault Risk Assessment Guide* (2nd ed.). Vancouver, Canada: British Columbia Institute on Family Violence.

Limandri, B., and Sheridan, D. (1995). "Prediction of Intentional Interpersonal Violence." In J. Campbell (ed.), *Assessing the Risk of Dangerousness: Potential for Further Violence of Sexual Offenders, Batterers, and Child Abusers* (pp. 1–19). Thousand Oaks, CA: Sage Publications.

Millon, T. (1994). *Millon Clinical Multiaxial Inventory–III Manual*. Minneapolis, MN: National Computer Systems.

Millon, T., and Davis, R. (1998). "Ten Subtypes of Psychopathy." In T. Millon, E. Simonsen, M. Birket-Smith, and R. Davis (eds.), *Psychopathy: Antisocial, Criminal, and Violent Behavior* (pp. 161–187). New York: Guilford Press.

Monahan, J. (1996). "Violence Prediction: The Past Twenty and the Next Twenty Years." *Criminal Justice and Behavior*, 23, 107–119.

Mulvey, E., and Lidz, C. (1993). "Measuring Patient Violence in Dangerousness Research." *Law and Human Behavior*, 17, 277–278.

Roehl, J., and Guertin, K. (2000). "Intimate Partner Violence: The Current Use of Risk Assessments in Sentencing Offenders." *Justice System Journal*, 21, 171–197.

Saunders, D. (1995). "Prediction of Wife Assault." In J. Campbell (ed.), *Assessing Dangerousness: Violence by Sexual Offenders, Batterers, and Child Abusers* (pp. 68–95). Thousand Oaks, CA: Sage Publications.

Saunders, D. (1996). "Feminist-Cognitive-Behavioral and Process-Psychodynamic Treatments for Men Who Batter: Interaction of Abuser Traits and Treatment Models." *Violence and Victims*, 11, 393–414.

Straus, M. (1979). "Measuring Intrafamily Conflict and Violence: The Conflict Tactics (CT) Scales." *Journal of Marriage and the Family*, 41, 75–88.

Tolman, R., and Bennett, L. (1990). "A Review of Quantitative Research on Men Who Batter." *Journal of Interpersonal Violence*, 5, 87–118.