

The author(s) shown below used Federal funds provided by the U.S. Department of Justice and prepared the following final report:

Document Title: Effects of Victims' Experiences with Prosecutors on Victim Empowerment and Re-Occurrence of Intimate Partner Violence, Final Report

Author(s): Mary A. Finn Ph.D.

Document No.: 202983

Date Received: February 2004

Award Number: 99-WT-VX-0008

This report has not been published by the U.S. Department of Justice. To provide better customer service, NCJRS has made this Federally-funded grant final report available electronically in addition to traditional paper copies.

<p>Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.</p>

**THE EFFECTS OF VICTIMS' EXPERIENCES WITH PROSECUTORS
ON VICTIM EMPOWERMENT
AND RE-OCCURRENCE OF INTIMATE PARTNER VIOLENCE**

FINAL REPORT

August 2003

Submitted by:

**Mary A. Finn, Ph.D.
Department of Criminal Justice
One University Plaza
Georgia State University
Atlanta, GA 30302-4018**

Submitted to:

National Institute of Justice

FINAL REPORT

Approved By: M Battle

Date: 10/3/03

AUTHOR'S NOTE: This project was funded under Grant Number 1999-WT-VX-0008 from the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. The opinions expressed in this report are those of the author and do not necessarily reflect the official positions of the National Institute of Justice.

ACKNOWLEDGEMENTS

This research would not have been possible without the commitment of the DeKalb County Solicitor, Gwendolyn Keyes, Gwinnett County Solicitor, Gerald Blaney, their assistant solicitors, victim/witness advocates, and criminal investigators. I am grateful to their willingness to provide us access to their records to educate me and my research team about the misdemeanor court process. Their commitment and efforts to ensure the safety of victims of family violence is commendable.

The success of this project would not have been possible without the contributions of graduate and undergraduate students from Georgia State University: Laura Salazar and Laura Jacobus who served as Project Managers, Jessica Beatty and Becky Watson who served as interviewers for Gwinnett County, and Dana Leshley, Michelle Emerson, Sharon Smith, and Charlene Baker who served as interviewers for DeKalb County. Additional thanks go to various students who assisted in data entry, data management, and data analysis: Tracie Kimble, Raquel Terrell-Lovette, Brooke Oakley, Katie Corriher, Torie Love, and Krista Dimmerling.

I am grateful for the insightful comments of anonymous reviewers that improved the quality of this report.

Lastly, and most importantly, I extend immense gratitude to the victims who were interviewed for this project for their willingness to share with us their painful experiences. Their courage is truly admirable and I hope that this report gives voice to their stories. My life and the lives of my students have been enriched by their openness and sharing.

Executive Summary

Recent results of the national victimization survey indicate that about 85% victims of intimate partner violence are women. Such victims are often reluctant to participate fully in the prosecution of their abuser. In response to this reluctance, prosecutors across the nation have adopted “no-drop” or evidence-based policies. These policies, in theory, call for the prosecution of all cases of family violence if there is legal evidence to support such prosecution, regardless of the wishes or desires of the victim. The goals of the victim in invoking the criminal justice system, often by calling the police to end the immediate threat of violence, may not be compatible with the goals of the prosecution. Thus, the effects of such policies on victims’ empowerment are in question.

This study identified the types of actions taken by prosecutors in two separate court jurisdictions, one of which had a “no-drop” policy operating. Prosecutors’ actions were classified into five distinct types that varied on the degree to which they allowed victims to exercise choice and coerced victims into participating in court processes. The five types of actions taken by prosecutors were minimal, supportive, persuasive, choice, and coercive. Minimal actions occurred when prosecutors’ offices only contact with the victim was a single phone call and/or a form letter informing her of the status of the case. Supportive strategies describe the actions of prosecutors’ offices to provide education and information about domestic violence, and social support to victims to cope with the violence. This often included providing informational literature (videos, pamphlets), referrals to community resources, individual

counseling, and information on the risk of future victimization. A third type, persuasive actions describe prosecutors' offices that persuaded the victim to actively cooperate with their office. This sometimes included persuading the victim to testify willingly against her partner. A fourth type of action taken by prosecutors was to allow victims to withdraw their complaint, sometimes with the promise that prosecution would cease, but most oftentimes not. Victims often had to provide the prosecution with verbal or written reasons why the victim wanted the complaint withdrawn, as well as assurances that they were not being pressured by abusive partners to do so. Lastly, coercive strategies describe actions by prosecutors' offices to coerce victims to participate in court proceedings by threatening them with arrest if they attempt to withdraw their complaints or they fail to appear when summoned to court. Also, prosecutors may threaten to charge victims with offenses such as giving a false statement or filing a false report.

Our primary data was collected from interviews conducted at three time points with 170 adult female victims of family violence committed by their intimate partners in Gwinnett County and DeKalb County, Georgia. The initial interview occurred shortly after the case entered the solicitor's office. The disposition interview occurred following the initial disposition of the case by the court. The final interview occurred six months following the initial disposition of the case. In addition, information on the current family violence incident, including police reports and affidavits for arrest warrants, and information on the defendant's criminal history were obtained from the solicitor's offices in both counties. Finally, initial dispositions of all criminal incidents were tracked using each court's computerized database.

Findings indicate that the presence of a no-drop policy did not result in more coercive

strategies being used. Unexpectedly, coercive strategies, such as threatening arrest or using subpoenas to acquire victim's testimony, were just as likely to occur regardless of whether the solicitor's office had a no-drop policy or not. Giving the victim the choice to withdraw her complaint, whether it affected the prosecution's decision to continue to criminally prosecute the defendant or not, was more prevalent in the solicitor's office that did not have a no-drop policy (DeKalb county). Overall, victims reported that prosecutors used coercive actions in a relatively small number of cases. About 12% of the women reported that they were subpoenaed to testify because they would not do so willingly and about 11% reported that they were threatened with arrest if they refused to testify or withdrew the criminal complaint filed against their abusive partner. The most common action taken by prosecutors in both offices was to keep the victim informed about what was happening with the current criminal case. About one third of the victims indicated that they were informed of domestic violence services in their community. About one third indicated that they were persuaded to cooperate with prosecution because of the level of support and encouragement they received from that office.

A victim's levels of personal empowerment, the willingness and competence a victim has in settling differences with her partner, and levels of self efficacy, the degree of mastery a victim feels over her life, are highly related concepts and appear to be influenced by the same factors. Women who experienced longer periods of abuse and more psychological aggression reported lower levels of both self-efficacy and personal empowerment. Court empowerment, the expectations a victim has that she will be afforded fair and equitable treatment by the court, is distinctly different from personal empowerment or self-efficacy. Further, the factors that

enhance court empowerment, do not appear to enhance personal empowerment. With the exception of victims' ratings of the helpfulness of police, the factors positively related to personal empowerment and court empowerment differed. Actions taken by prosecutors did not affect victims' level of self-efficacy or personal empowerment, but did influence victims' level of court empowerment. Levels of court empowerment declined for all victims from the initial interview to initial disposition of the case, with the exception of those who were permitted to withdraw their complaint. Further, the greatest declines in court empowerment were experienced by victims who had only minimal contact with the prosecutors' office or who were coerced into participating in the court process. Whether the goals of the prosecution and the victim were compatible were not found to be related to changes in court empowerment or personal empowerment, but victims' ratings of the helpfulness of the prosecutor were positively related to their levels of court empowerment. Severity of punishment was not related to court empowerment.

Lastly, the relationship between victims' levels of empowerment and the re-occurrence of abuse and violence during the six months following the initial disposition of the case was examined and none of the effects reached statistical significance at the .05 level. However, a few variables approached significance ($p < .10$). Neither personal empowerment nor court empowerment affected the likelihood that victims would again experience abuse (psychological aggression, physical assault, sexual coercion, physical assault or injury) during the six months following initial disposition of their case. Victims whose partners were violent towards them during the period between arrest and initial disposition and who continued to live with their

abusive partners were more likely to experience abuse. Victims who reported higher levels of personal empowerment at initial case disposition were less likely (although not significantly) to report a re-occurrence of physical violence in the subsequent six months. In addition, if victims continued to live with their abusive partner they were more likely to experience physical violence. Not surprisingly, abusive partners with more arrests were more likely to physically assault their partners during the six months following case disposition. Severity of the court imposed punishment had no effect on the likelihood that violence would re-occur.

Our research findings suggest that prosecutors should re-assess whether coercing victims to assist in the prosecution of their abusive partners is worth the costs. Use of coercive actions has the effect of lowering victims' empowerment, and this should not be an acceptable outcome for prosecutors. Given that disposition and severity of punishment were unrelated to the re-occurrence of violence in victims' lives, such policies appear to not directly enhance the safety of victims' lives. Rather, whenever possible, victims should be empowered through their interactions with the courts as increasing victims' personal empowerment was weakly associated with decreasing the risk of experiencing physical assaults.

Table of Contents

	Page Number
Chapter 1 Literature Review	9
Chapter 2 Scope and Methodology.....	29
Research Sites	29
Data Sources	33
Measures	37
Analytical Strategy	50
Chapter 3 Findings.....	52
Assessing Threats to Validity	52
Description of Sample	65
Prosecutorial Actions by Presence of No-Drop Policies	80
Examination of Victim Empowerment and Re-occurrence of Violence.....	82
Chapter 4 Discussion and Conclusion.....	95
References	100
Endnotes.....	108

Chapter 1 Literature Review

Evidence-based (No-drop) Prosecutorial Policies

During the past fifteen years many innovative policies have been adopted by the criminal justice system to address the issue of domestic violence. Most of these policy developments have occurred at the police stage¹ and several randomized clinical trials on the use of arrest for misdemeanor domestic violence have enhanced our knowledge of police handling of these crimes (Berk, Campbell, Klap & Western, 1992; Dunford, 1992; Dunford, Huizinga, & Elliott, 1990; Fagan, 1988; Fagan, 1996; Hirschel & Hutchison, 1992; Pate & Hamilton, 1992; Sherman & Berk, 1984a, 1984b). Comparatively, our knowledge of the prosecutorial stage of domestic violence case processing is largely unexplored (Rebovich, 1996). Recognizing that prosecutors for many reasons were often reluctant to prosecute domestic violence cases and that battered victims were non-cooperative because of fear that their abuser might retaliate (Cannavale & Falcon, 1976; Belknap, Fleury, Melton, Sullivan, & Leisenring, 2001; Quarm & Schwartz, 1985) or their distrust of the legal system (Buzawa & Austin, 1993) (see Corsilles, 1994 for expanded discussion), controversial policies referred to as "no-drop" policies have been enacted often at the request of advocates and women's organizations (Kahan, 2000). No-drop policies exist in the states of Florida, Minnesota, Utah and Wisconsin and in 66 percent of prosecutorial offices serving populations over 250,000 (Corsilles, 1994; Rebovich, 1996). Jurisdictions employing no-drop policies include Dallas, Texas, San Diego, California, Quincy, Massachusetts, Washington,

DC, and Miami, Florida (Epstein, 1999; Rebovich, 1996, Whitcomb, 2002). Generally speaking, no-drop policies deny victims of domestic violence the option of withdrawing a complaint once formal charges have been filed with the prosecutor and likewise, prevent the prosecution from dropping cases because the victim is non-cooperative (Corsilles, 1994; Epstein, 1999).

No-drop policies have been applauded because they clarify that domestic violence is a crime against the society and not just the battered victim (McCord, 1992; Wills, 1997). As such, the state, and not the victim is the aggrieved party, and the prosecutor, not the victim, controls the direction of the prosecution (Corsilles, 1994; Wills, 1997). Some prosecutors and advocates report that when batterers realize that the victim is not in control of the process, they stop attempts to intimidate her (Wills, 1997). Further, once batterers realize the charges will not be dropped, they are more likely to plead guilty (Goolkasian, 1986). Such policies also convey an institutional commitment to treat domestic violence as a serious crime, and thus may be a powerful specific deterrent to batterers (Ferraro & Pope, 1993) and a general deterrent to potential domestic violence perpetrators (Goolkasian, 1986; Hanna, 1996; Lerman, 1981). As such policies prevent prosecutors from dropping domestic violence cases as long as sufficient evidence exists to prove a crime has occurred (Epstein, 1999), case attrition rates are lower. In areas where no-drop policies are operating, case attrition rates are significantly lower (ten to thirty five percent) when compared to case attrition rates in areas where such policies are not operating (fifty to eighty percent) (Corsilles, 1994). Lastly, child advocates argue that the justice system often overlooks the detrimental affects that exposure to family violence has on children and that a justice system that holds batterers accountable provides the best protection for children

exposed to family violence (Whitcomb, 2002).

However, some critics charge that no-drop policies waste resources by forcing the prosecution to proceed with cases that without victim cooperation have little chance of resulting in a conviction (Corsilles, 1994) and contribute to overcrowded courts (Davis, Smith & Nickles, 1998). Other critics believe that such policies undercut efforts at empowering victims of abuse, further eroding the victims' self esteem and sense of control (Epstein, 1999; Ford, 1991; Goolkasian, 1986). Further, it has been suggested that such policies may even further victimize women if enforcement of no drop policies leads to punitive actions against them (see Epstein, 1999; Waites, 1985), increases the risk of batterer retaliation, and perhaps most importantly, discourages victims from calling the police (Mills, 1998). There is also concern that in their quest to hold the batterer accountable, battered women may be increasingly threatened with or actually charged with child abuse or failure to protect their children if they do not support or assist in the prosecution of their batterers. Children may be increasingly forced to testify against their mother's abusive partner (Whitcomb, 2002). Lastly, advocates have expressed concern that no-drop policies will have a disparate impact on low income and minority offenders as such populations may be targeted by police for greater social control (Zorza & Woods, 1994).

Despite their appearance, no-drop policies do not entirely eliminate prosecutorial discretion in the handling of domestic violence cases. A recent survey of prosecutors reported that 90 percent of offices with no-drop policies reported some flexibility in these policies (Rebovich, 1996). The circumstances under which prosecutors may drop a case may be formally written or remain unwritten. Corsilles (1994) identified different approaches taken in five

jurisdictions to guide decisions on withdrawing domestic violence charges. Policies range from simple statements that recommend prosecutors not dismiss charges based upon a victim's unwillingness to proceed to addressing the issue of compelling victims to testify through the use of subpoenas (consideration of compellability are fully described in Cretney & Davis, 1997). Such policies differ in their degree of coercion. The least coercive actions occur where prosecutors and victim/witness advocates simply provide victims with resources to educate her about the risk of future victimization, counsel her, and refer her to community resources. Somewhat more coercive are prosecutors' attempts to persuade the victim to assist prosecution in its actions, perhaps even having the victim provide testimony. More coercive still are prosecutors who insist that the victim sign a drop form or provide a statement as to why she wants to withdraw her complaint and whether she was pressured to do so by her batterer. The most coercive strategy that prosecutors may use is to force a victim to participate in court proceedings by issuing a subpoena, which if ignored, could result in an arrest warrant being issued for the victim, or to threaten the victim with arrest outright should she fail to appear.

Research to date has not addressed how these no-drop prosecutorial strategies affect subsequent court outcomes (convictions and types of dispositions), or whether or not they serve as specific deterrents to the batterers prosecuted. In addition, the influence that these differing strategies have on the victim's sense of empowerment has not been examined. Finally, it is important to assess the degree to which these policies might lead to acts of batterer retaliation; punitive acts by the court towards the non-cooperative victim; and ultimately reduced rates of reporting domestic violence victimizations to the police by victims of domestic violence.

Prosecutorial Decisions to Charge in Domestic Violence Cases

Only a handful of studies have examined prosecutorial handling of domestic violence cases (Buzawa, Hotaling, Klein, & Byrne, 1999; Davis, et al., 1998; Ford & Regoli, 1993a,b; Rauma, 1984; Schmidt and Steury, 1989; Thistlethwaite, Wooldredge, & Gibbs, 1998; Tolman and Weisz, 1995). Early research on prosecutorial handling of domestic violence cases by Rauma (1984) and Schmidt and Steury (1989) is important for identifying that the strength of evidence was not the only factor affecting case processing decisions. Rauma (1984) described that prosecutors classify cases into those which are “good” (have sufficient evidence, serious charges, credible victims, and offenders with prior violence or who are likely to engage in future violence) or “bad” (lack one or more of attributes described in good cases). Good cases were pursued fully, whereas bad cases were screened out very early in the process. Similarly, Schmidt and Steury (1989) comparing charged cases and non-charged cases found that defendant’s arrest record and severity of victim injury had a stronger influence on prosecutorial charging decisions than the strength of the legal evidence. Additionally, other extra-legal factors, such as whether the defendant was using drugs or alcohol at the time of the incident, if the defendant was supported by public or private charities, if the couple had a prior incident of domestic abuse, and if the case was initiated through police arrest versus citizen complaint increased the likelihood that charges would be filed.

More recently, Dawson and Dinovitzer (2001) examined the factors related to whether or not a case would proceed to prosecution, and the role that victim cooperation played in that decision, within a specialized domestic violence court designed to proceed *without* victim

cooperation. Using notes contained in prosecutor's files and Victim/Witness Assistance Program office files, victim cooperation was categorized as cooperated fully, reluctantly cooperated, or did not cooperate. Their findings indicated that, after controlling for other relevant factors, victim cooperation had an independent, positive effect on the likelihood that prosecution would occur. They also sought to identify the demographic and situational characteristics associated with victim cooperation and found that victims were more likely to cooperate with prosecution if they met with victim/witness advocates assigned to the specialized court and if their statements to police had been videotaped. Goodman, Bennett and Dutton (1999) identified the importance of victims having tangible social support in order to actively participate in prosecution. They also found that women who had children in common with their abusive partner and who had experienced less severe violence were less likely to follow through with prosecution. Conversely, Bui (2001) noted that after controlling for race, employment status, and whether or not mutual charges were filed, women who had minor children were more likely to desire prosecution, and women who co-habitated with their abusive partners were less likely to desire prosecution. Lastly, Belknap, et al. (2001) based on interviews with 107 battered women who recently completed a court case in one of three jurisdictions in Colorado or Michigan reported that the reasons women participated or not in their court cases were complicated. Fear of the batterer served as both the most common incentive to participate and the most common deterrent to participate. They noted that most women went to court *not* because they wanted charges against their batterer dropped, but because they wanted to get their batterer to stop being violent towards them.

Prosecutorial Charging Decisions and the Re-occurrence of Violence

Because of its experimental design, Ford and Regoli's (1993a, 1993b) Indianapolis Domestic Violence Prosecution Experiment is among the most important study to date on the effects of prosecutorial charging and tracking decisions on the re-occurrence of domestic violence. In two experimental designs the effects of three randomly assigned prosecutorial tracks (pre-trial diversion to a counseling program for wife assaulters; prosecution to conviction with receipt of counseling as a condition of probation; or prosecution to conviction with traditional punishments - jail incarceration, probation, fine, or some combination thereof) on acts of domestic violence during, and six months after, case settlement were examined. Findings from the first experiment, which included only cases in which the police made on the scene arrests for misdemeanor assaults, indicated that across the three prosecutorial tracks, there was little difference in the percentage of batterers who engaged in violence during the six months following settlement of the case, with nearly 30 percent of all defendants battering their victims again within the six months following case settlement. Interviews with victims indicated that few attributed the new violence to retaliation for the arrest.

In the second experiment, which included only cases originating from victim-initiated complaints, in addition to the random assignment of prosecutorial tracks described previously, case entry (either warrant or summons) and victim empowerment (drop-permitted or no-drop permitted) were randomly assigned. The effects of various combinations of entry and prosecutorial tracks (i.e., warrant/diversion, warrant/probation, warrant/traditional, summons/diversion, summons/probation, summons/traditional) on acts of domestic violence

during and six months after case settlement were compared. Results based upon both victim reports and official records of batterers indicate that the warrant/drop-permitted cases had the lowest rates and severity of new violence and longer onset in the six months following case settlement. Their findings also indicated that if the victim and batterer shared residence after the arrest, if violence occurred prior to case settlement, the longer the case took to be settled, and the greater the number of court appearances, the greater the likelihood that violence would re-occur within six months.

Perhaps Ford and Regoli's most controversial finding was that victim empowerment, operationalized as giving victims a choice to proceed with prosecution or not, affected the re-occurrence of violence. Specifically, their findings indicated that women who were permitted to drop charges, but chose to pursue them, reported lower rates of violence in the six months following case settlement. In contrast, victims who were permitted to drop the charges and did not have the highest rates of violence during the six months following case settlement. However, why choice leads some women to escape re-victimization and some women not, remains unanswered. Recognizing the important role that prosecutorial intervention can play in preventing domestic violence, Ford & Regoli note:

“an even greater impact can be realized when victims are empowered to control the course of prosecution, including control over the decision on whether or not to proceed. Victims need the backing of a powerful and steadfast ally to support their decision. The criminal justice system stands as such an ally when it acts on policies signifying that domestic violence is a serious concern. Prosecutors can help a victim in securing arrangements to minimize the chance of violence, by affirming the legitimacy of her criminal complaints and by respecting her decisions on what is best for her unique circumstances, even if contrary to the prosecutor's administrative wishes” (Ford and Regoli, 1993a, p. 74.)

However, Ford and Regoli importantly note that this recommendation applies only to cases entering the system via victim-initiated complaints and not on the scene arrests by police. Indeed, they caution against allowing victims a choice in cases of domestic violence that originate from an on the scene arrest of a batterer. Indeed, such a policy could result in even greater reluctance for police to arrest in cases of family violence. Instead, they recommend that victims be given voice in determining the appropriate sanctions for their abusers.

Case Outcomes and the Re-occurrence of Violence

Since the completion of Ford and Regoli's work, several works have examined the effects of prosecutorial and judicial outcomes on the re-occurrence of violence. Tolman and Weisz (1995) examined the effect of arrest and prosecution on recidivism among women abuse perpetrators and found that subsequent police contacts and arrests were similar regardless of whether the case ended in a conviction, dismissal, or acquittal. More recently, Davis et. al. (1998) using a relatively large number of cases ($n = 1,133$) drawn from Milwaukee, Wisconsin between mid-1994 and mid-1995, examined the effects of court disposition on recidivism in domestic violence cases. After controlling for the effects of the nature of the charge, victim injury, defendant's gender, defendant's criminal history, and relationship between the victim and defendant, the likelihood of re-arrest within six months after disposition was not affected by the type of disposition (dismissal, nolle prosequere, probation or jail incarceration) used. Thistlethwaite et al. (1998) examined all misdemeanants arrested for domestic violence in Hamilton county, Ohio ($n = 683$) between August 1, 1993 and October 31, 1993. They reported that the type of

sanction imposed, and not its length, was negatively related to the likelihood of re-arrest within one year after the case closed. Mears, Carlson, Holden & Harris (2001) examined the effects of individual and contextual factors and type of legal intervention (arrest only, protective order only, or arrest and protective order) on re-victimization among 336 domestic violence cases drawn from police and court files. After controlling for the effects of victim's age, prior victimization, prior drug use, race, and median family income, the findings suggest type of intervention had no effect on the prevalence of, or time to, re-victimization. Noting the shortcomings of relying upon official police reports to determine if violence has re-occurred, McFarlane, Willson, Lemmey, and Malecha (2000) instead relied upon victim self reports of violence following a domestic violence incident. They found that among 90 women whom filed assault charges against an intimate partner in a large urban police department, the type of criminal justice intervention did not affect the level of violence reported by the women three or six months following the initial incident. Thus, with the exception of Thistlethwaite et al. (1998), research suggests that the type of sanction imposed by the court does not affect the re-occurrence of violence.

None of the above studies directly examined victims' degree of involvement and experiences with the courts as important factors that might directly or indirectly affect court outcomes or the re-occurrence of violence. Buzawa et al. (1999) did such an examination in their study of 353 domestic violence cases arraigned during a seven month period in the Quincy District Court in Massachusetts. This jurisdiction was identified as a model jurisdiction in which police, prosecutors, courts, and correctional agencies engaged in deterrence-based responses to domestic violence. Based upon surveys completed by 118 adult female victims, they determined

that less than half (47.5%) of the victims wanted to talk to the prosecutor and slightly more than one third (34.7%) wanted charges dropped against their abusive partner. When asked about their experiences with the prosecutor, over half (57.0%) reported that the prosecutor did not give them a sense of control over their lives. An even larger percentage (69.1%) reported that the prosecutor did not motivate them to end the abuse. In addition, 59.8% reported that the prosecutor did not make them feel safer and only 55.7% reported that the prosecutor somewhat or greatly increased their *actual* personal safety. Victims who reported that the prosecutor did not affect their personal safety, or decreased their personal safety, were victimized by men who had more extensive criminal histories, had more prior protective orders against them, or had a greater number of prior probation terms.

They also examined re-occurrence of violence by assessing whether or not the defendant was charged with any new offenses or had any new protective orders taken out against them in one year after disposition of the original domestic violence charge. Close to half of the defendants (47.9%) re-offended and in almost two thirds of the cases it involved the same victim. Close to half of the victims reported a re-victimization by the same defendant had occurred. However, many of these women did not report this new criminal act to a justice system official. They deduced that the quality of the victims' previous dealings with the justice system was related to non-reporting. Specifically, they state:

“a latent outcome of aggressive law enforcement and court response that includes the dismissal of victim preferences may be to discourage the future utilization of the system by both victims who wanted the system to do more (those who wanted

more severe criminal charges brought against the offender) as well as those who wanted it to do less (those who felt taking the case forward would decrease their safety)” (p. 152-153).

Shortcomings of Prior Research

Research to date on the deterrent effect of prosecutorial charging and judicial outcomes on domestic violence suffers from several methodological flaws including small cell sizes and small sample sizes drawn from single jurisdictions (Davis et al. 1998). Buzawa et al.’s research was drawn from a single pro-active setting, and thus lacked a control group or comparison group. Additionally, with the exception of Ford and Regoli’s and Buzawa et al.’s works that included victim reports of violence, all studies have relied upon official data (re-arrests) to measure the re-occurrence of violence. This is likely to under-report the true level of violence committed by batterers and experienced by domestic violence victims.

While Ford and Regoli’s research employed an experimental design, there are several weaknesses in their research that limit the generalizability of their findings. Specifically, as noted by Mills (1998) in her critical review: (a) their research excluded defendants with prior records of domestic violence or felony violence and defendants who posed imminent danger; (b) their research did not fully test victim empowerment because it only permitted victims a choice to proceed in cases initiated by them, and not those originating from a police arrest; and lastly, (c) their research looked at prosecutorial tracking of outcomes, not the actual case outcomes. As often occurs in court processing, what prosecutors predict the outcome of a case to be, may not

be the actual outcome in the case.

Ford and Regoli (1993a) operationalized victim empowerment as giving victims control over whether to drop charges against their alleged batterers in domestic violence cases originating from victim-initiated complaints. They reported inconsistent effects for victim empowerment on the re-occurrence of violence, as evidenced by their finding that women who were permitted to drop charges and did not pursue prosecution had the greatest likelihood of being victimized in the six months following case settlement, whereas those who were permitted to drop and did pursue charges had the smallest likelihood of being victimized in the six months following case settlement. This finding suggests that simply giving women victims a choice is not enough to ensure that they will not become victims of domestic violence again. This inconsistency in effect may be due to how empowerment was operationalized, or in their inability to control for other relevant variables that differed across victims within the prosecutorial tracks examined. Input into decision-making may be a necessary component of empowerment, but as a psychological concept, it encompasses more than that. Indeed, Mills (1998) suggested the creation of specific measures designed to assess victim empowerment and argues for the inclusion of these measures in future research. In the following section, victim empowerment as a concept is defined and how it has been measured is discussed. An expanded definition of this concept and better measurement is needed to enhance our understanding of its role in violence prevention. This expanded definition of empowerment is then discussed in context of court research.

Defining and Measuring Victim Empowerment

Wallerstein (1992) defined the term "empowerment" as "a multi-level construct that involves people assuming control and mastery over their lives in the context of their social and political environment" (p. 198). Others have defined empowerment as developing skills, knowledge, and influence that makes it possible for them to gain access to money or resources (Pinderhughes, 1983; Smith & Siegel, 1985). As a term, it has been used to describe the attributes of, and change processes within, individuals, groups, organizations, and communities. It is argued that at the individual level of change, "psychological empowerment" merges with the construct of "self-efficacy" (Zimmerman, 1990).

No research to date has directly measured domestic violence victims' levels of empowerment or how their levels of empowerment change over the course of interaction with the justice system. In related research on child custody and visitation, Newmark, Harrell, and Salem (1995) measured court system empowerment and personal empowerment using a ten-item questionnaire - four items captured the concept of court empowerment and six items captured the concept of personal empowerment. Court empowerment was defined as the "respondents' expectations that the court will give equal consideration to their rights and wishes, listen to them and treat them fairly, and allow them to reach an acceptable settlement" (p. 39). Personal empowerment was defined as "how willing and competent respondents feel in working with their partners to resolve the dispute" (p. 39). However, no attempt to assess the validity or reliability of the measure was undertaken by the researchers.

Because self-efficacy and individual empowerment are considered synonymous terms by some (Zimmerman, 1990), measures of self-efficacy have been used to a greater extent with

battered women (Mancoske, Standifer, & Cauley, 1994). Traditional measures of self-efficacy include Pearlin and Schooler's (1978) Self-Mastery Scale, Rosenberg's (1965) Self-Esteem Scale Dupuy's (1984) Psychological General Well-Being Index. Because of their broader use, such measures also enjoy greater tests of their construct validity and reliability. Recently, Varvaro & Palmer (1993) developed the Self-Efficacy Scale for Battered Women (SESBW) using women who came into an emergency room for medical treatment. This scale consists of twelve items, and a preliminary comparison with traditional measures of self-efficacy suggests it has construct validity. This scale has not been used in research with battered women involved with the courts, but with slight modification, it could be appropriate and useful. The key difference between self-efficacy and personal empowerment as employed here are that self-efficacy is focused on the competency of the victim in functioning in daily life, whereas personal empowerment relates to her ability to work out differences with her abusive partner.

Empowerment and the Court Process

Empowerment is best viewed as a process that promotes participation of individuals toward the goals of increased individual control, efficacy, improved quality of life, and social justice (Wallerstein, 1992). In adopting such a view of empowerment, it is important to recognize that there are multiple goals, not a single goal by which empowerment is realized. Further, when viewing empowerment in this manner and applying it to our understanding of victims in the justice process, it seems important to identify first, what the victim hopes to achieve by invoking prosecution and second, what actions prosecutors can take that will enhance victim's individual control, efficacy, quality of life, and social justice.

From the outset, it is important to acknowledge that in invoking the legal process, the ultimate goals of the victim and the goals of the police and prosecutors may differ (Cretney & Davis, 1997). Whereas the police and prosecutors are committed to the importance of arresting and convicting batterers and thus, ultimately protecting women from violent men, the individual victims may not have that same goal or same level of commitment to that goal. Indeed, Ford (1991) based upon interviews with 25 battered women in Marion County, Indiana, identified women's motives as instrumental and relevant to their power strategies in bargaining for protection. The women in his study wanted to get their partners help, get support payments, or recover property from a residence. The actual prosecution of the batterer was less important to such victims than the power they gained through bargaining with significant threats of prosecution and punishment.

However, as Ford's (1991) research suggests, many of the outcomes that victims sought by invoking the prosecutorial process were not entirely incompatible with those sought by the prosecution. Indeed, quite the contrary might actually be the case. Therefore, it is quite possible that by prosecutors asking victims what they want to gain from prosecution of their spouse and incorporating these goals into case outcomes and dispositions, goals of victims and prosecutors can both be achieved. When this occurs, it is likely that the victims will regard the justice system as an ally in their empowerment. Victims who enter supporting the prosecution of their spouse, and view the actions of the justice system as helpful and responsive to her, are more likely to be empowered by their involvement with the justice system. Likewise, these victims would be more likely to call upon the justice system again in the future if needed.

However, the scenario just described of a victim supportive of the prosecution, and a prosecutorial system responsive to victim needs and concerns, is probably not the typical one played out in many overloaded and overcrowded justice systems. Instead, victims enter the justice process reluctant, and in many cases adamantly opposed, to prosecution of their batterers. Thus, at the outset, the goals of the prosecutor and the goals of the victim are not compatible. Such victims are less likely to view the actions of the justice system as helpful to them, and therefore, they are less likely to see the justice system as an ally in their empowerment. Prior to the adoption of no-drop policies and stricter enforcement of domestic violence laws, such cases were likely dismissed. However, with the development of no-drop policies, prosecutors are hesitant to accommodate the desires of victims who want charges dropped, and such cases often proceed without victim support if sufficient evidence is available to do so.

With or without sufficient evidence to proceed forward with a prosecutorial charge, prosecutors do often try to gain victim support for prosecution. Such strategies, as discussed earlier, vary on a continuum in the degree to which they coerce the victim to participate. At one end are supportive strategies that involve attempts to educate and/or counsel women about domestic violence, which are the least coercive actions that prosecutors may take and, in some instances, may have the desired effect of women victims becoming supportive of the prosecutorial process. Towards the middle of the continuum, persuasive strategies involve efforts of the prosecution to persuade the victim to cooperate in the prosecution by having her testify or file a formal complaint against her partner. Even farther along the continuum are choice strategies that permit victims to drop charges, but make the process more difficult by

requiring that the victim sign a drop form or provide a written statement as to why she wishes to withdraw her complaint and whether she was pressured by her batterer to do so. Lastly, coercive strategies in which prosecutors force victim participation in the process by requiring her to give testimony against her batterer and threaten arrest if she refuses are the most coercive strategy prosecutors use. It is suspected that these strategies are employed in a sequential fashion, in other words, if victim cooperation cannot be gained through supportive actions or persuasive actions, then more coercive strategies will be used. The final strategy in which victims are threatened with criminal penalty if they fail to participate is probably used very little. However, we currently do not know the extent of use of these strategies.

The actions taken by prosecutors to persuade the victim to support prosecution, depending on its degree of coerciveness, may serve to further empower or dis-empower the victim. It is believed that the actions taken by prosecutors to encourage victim support and participation in the court process will affect the victim's sense of empowerment, either positively or negatively. The more coercive the strategy used to gain victim support, the more likely the victim's sense of empowerment will decrease. Likewise, the less coercive the strategy used to gain victim support, the more likely the victim's sense of empowerment will increase. This project will examine the effects of both the degree of compatibility of victim and prosecutorial goals and the strategies for gaining victim support on victim empowerment, case outcomes, and the re-occurrence of violence.

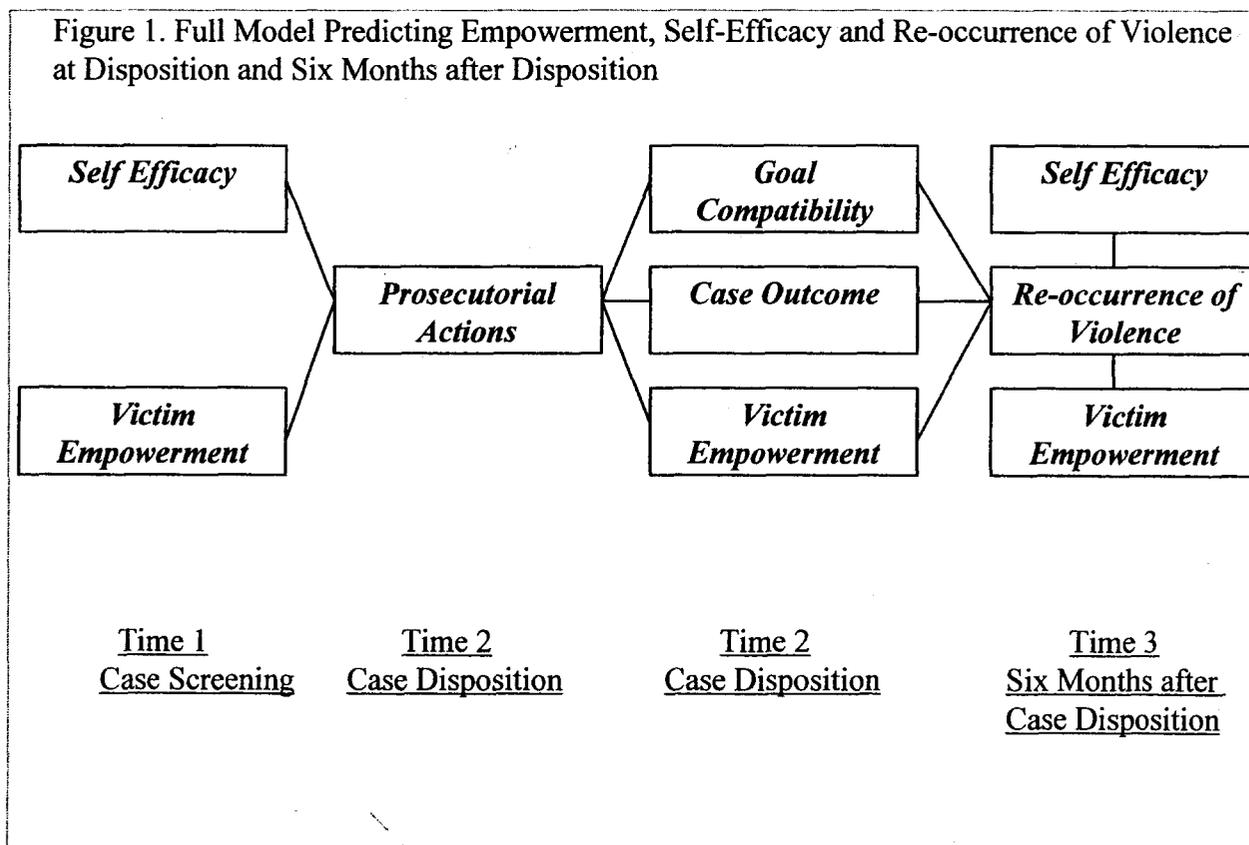
Changes in the levels of victim empowerment are conditional on her satisfaction with the final outcome of the case and her prior experiences with the justice system. According to many

advocates, women who initially invoke the justice process have high hopes that the system can help her deal with the abusive situation. At times the system does help her; however, there are times when the system may not have been helpful. Victim's initial empowerment is likely to be affected by her prior experiences with the justice system, and how helpful the prior actions of the justice system were. Thus, prior experiences with the justice system, and the victim's perceptions of how helpful prior actions of justice officials were, will be important variables to measure and control.

Current Research Project

The primary aim of this research is to better understand the influence that prosecutors' actions have on levels of victim empowerment and self-efficacy, and whether enhancement of these ultimately reduces the re-occurrence of violence in their lives (see Figure 1). It includes direct and arguably, more valid measures of victim empowerment and self-efficacy than have been used in prior research. We argued earlier that victim empowerment is more than simply individual choice, and is the result of a dynamic process shaped by current and prior experiences with the justice system and violence, and the degree of goal compatibility between the justice system and the individual victim. We plan to examine this process by assessing the effects of these variables on victim empowerment and self-efficacy at three time points: (a) at case screening to gain a baseline measure; (b) at initial disposition of the case to assess the effects of prosecutorial strategy and case outcome on victim empowerment; and self-efficacy, and (c) at six months after case disposition to assess the effects of re-occurrence of violence on victim empowerment and self-efficacy. Case outcomes, including both initial disposition (dismissal,

diversion from prosecution, conviction or acquittal) and type of sanction (probation, jail, fine, treatment intervention), will also be measured at case disposition and their effects on re-occurrence of violence at six months will be assessed. In addition to the predictor variables described and presented in Figure 1, other important variables identified in prior research as affecting case outcomes and re-occurrence of violence within six months will also be included. These variables include: length of time from case screening to case disposition; the occurrence of violence during case processing; co-habitation status during court processing; abuser's prior arrests, victims' level of satisfaction with case outcome, and victims' rating of the helpfulness of the prosecutor.



In order to accomplish this aim, we first identified what factors influenced victims' levels of empowerment at case entry. We then examined the effects of prosecutorial actions (minimal, supportive, persuasive, choice, and coercive), case outcomes and goal compatibility on changes in the levels of victims' court and personal empowerment and self-efficacy at case disposition. Lastly, we examined the effects of personal empowerment at disposition on the re-occurrence of violence within six months after case disposition.

Chapter 2

Scope and Methodology

Research Sites

Two solicitors offices located in DeKalb and Gwinnett Counties, both in suburban Atlanta, Georgia were selected as the research sites. The two counties differed in important ways. Based on available data from the U.S. Bureau of Census, Gwinnett County, compared to DeKalb County, is more affluent with a higher per capita income and a smaller percentage of citizens living in poverty. It also has experienced more rapid population growth in the last five years, and is less diversified along lines of race and ethnicity than DeKalb County. Specifically, Gwinnett County, located north east of Atlanta, has an estimated population of 522,095, with an annual growth rate of 6 percent, a median household income in 1995 of \$54,083 with 5.2 percent of its population lived in poverty. Less than ten percent of the county's population is racial or ethnic minorities. DeKalb County, located to the south and east of Atlanta, has an estimated population of 593,850 and an annual growth rate 1.5 percent. Median household income in 1995 of \$40,607 and 15.7 percent of the population live in poverty. Nearly half of DeKalb County's population is racial or ethnic minorities (U.S. Bureau of Census, 1999).

The two sites also differed in their written procedures for handling domestic violence cases as determined by review of two documents: Domestic Violence Procedures prepared by the DeKalb County Solicitors Office and Family Violence Policy prepared by the Gwinnett County Solicitors Office. Based upon information from these documents and meetings with staff at the two offices, there are at least three key procedural differences in the processing of domestic

violence cases in the two counties. First, the DeKalb County Solicitors Office relies on diversion for at least one third of its domestic violence cases, whereas the Gwinnett County Solicitors Office specifically does not allow for the use of diversion, abeyance, or mediation in family violence cases involving adult female victims and adult male defendants.

Second, the DeKalb County Solicitors Office has integrated the two largest service providers/advocacy groups for domestic violence into their court processing. The Women's Resource Center and Men Stopping Violence are provided space where representatives from each organization can meet and evaluate victims and defendants, and make recommendations to the solicitors on how to proceed with a case. The Gwinnett County Solicitors Office will make victim referrals and will provide information on resources in the community to the victim, but it does not involve such agencies directly in the court process.

Third, the intake of cases into the two solicitors' offices differs. In Gwinnett County Assistant Solicitors participate in the screening of all cases at an early stage in the process, whereas in DeKalb County the Assistant Solicitors screen only those cases in which the defendant is detained in jail after arrest with the Victim-Witness Coordinator screening all remaining cases. This shifting of responsibility for case screening to a non-solicitor may be due to the different volume of cases that enter the solicitors' offices in the two counties. DeKalb County Solicitors Office reported that domestic violence cases for 1998 numbered 4,441, constituting 32 percent of all cases ($N = 13,883$) which entered the solicitors office that year. Comparatively, Gwinnett County's Solicitors office estimates that it handles about 1,500 cases of domestic violence a year. However, Gwinnett County does not have a reliable computerized

database to accurately and easily monitor the volume and types of cases that enter its office.

After examination of each office's domestic violence policy and procedure, and as a result of the discussion in meeting with each respective office, there also appears to be a philosophical difference as well regarding how each views the appropriate role of the victim in the court process. Gwinnett County's Family Violence Policy clearly views the victim as a witness to a crime and minimizes the ability of the victim to control any decisions regarding how the case is handled. It recommends that victims know from the outset that if a prima facie case can be made against the defendant without victim testimony, the case will go forward regardless of the wishes of the defendant or victim. DeKalb County's Domestic Violence Procedures, on the other hand, recognizes that victims are often reluctant to prosecute and will require victims to sign forms when they support the solicitor's decision to not prosecute a case.

The DeKalb County's Solicitors Office has a specialized Family Violence Unit that handles approximately 4,500 cases of family violence each year. This unit consists of a unit supervisor, two victim/witness advocates², and a domestic violence investigator. The unit supervisor is responsible for reviewing and assessing each case for safety risk to the victim and makes a recommendation for disposition and sentencing in the case. The investigator targets high-risk cases and attempts to locate victims unable to be contacted by victim/witness advocates. Victim/witness advocates are assigned the responsibility of contacting, interviewing, and counseling victims. However, victim/witness advocates in both offices reported that in over half of the cases, they are unable to contact the victim. Standard policy in both offices is to try to telephone the victim at least three times, and then issue a letter to be mailed at the address

provided in the police report.

In the DeKalb County Solicitor's office cases must meet a certain criteria to be recommended for the domestic violence calendar, and then may be diverted from criminal prosecution for three months pending successful completion of assigned treatment. Cases that are not considered suitable for diversion include: those where the defendant has a prior record, defied court stay away orders, killed animals or pets, utilized weapons, objectified partner, threatened or fantasized about homicide or suicide, or destroyed the victim's property or here there was substantial injury to victim. Cases diverted from prosecution are required to complete special programs (Men Stopping Violence, Women's Resource Center, Child Impact Classes, NA or AA) and to abide by certain conditions. If successfully completed, the victim is contacted and the case is considered for possible dismissal. Cases not diverted are sent to an attorney for prosecution in the state court.

The Gwinnett County's Solicitors Office created a Domestic Violence Unit consisting of three prosecutors (one serving as supervisor), two victim/witness advocates, and a domestic violence investigator in 1999. Each prosecutor independently reviews a case and sends it forward for accusation³ if it reaches legal sufficiency (probable cause that a crime occurred), the case is sent forward for accusation. Unlike in DeKalb County, diversion is not used with domestic violence cases involving male perpetrators and female victims. Prosecutors in Gwinnett County may recommend counseling as a condition of probation supervision, but this is after the case has been charged. This office has a "no-drop" policy that includes the option to subpoena victims. It also states it will treat failures to appear for the witnesses in family violence

cases similar to witnesses in other cases. The domestic violence investigator identifies high-risk cases and attempts to locate victims unable to be contacted by victim/witness advocates.

Victim/witness advocates contact, interview, and counsel victims as needed.

Data Sources.

Defendant's Criminal History Data.

The researchers obtained permission for the Georgia Bureau of Investigation who manages the Georgia Crime Information Center to code defendant's criminal histories that were contained in the solicitor's office case files. The GCIC receives reports from more than 600 state and local law enforcement agencies each month (Georgia Bureau of Investigation (2003, August 29). The records contained the date, criminal charges, dispositions, and punishment filed against adult defendants.

Solicitor's Office/Court Data. The solicitor's offices in DeKalb County and Gwinnett counties provided access to information in their court tracking database on the criminal defendants arrested for victimizing the women in our study. Each case that enters the solicitors' offices was assigned a case number. Knowledge of this number, coupled with access to the court's databases, allowed researchers to monitor the progress of the case through the court system, to determine when it was initially disposed and what actions were taken by the prosecutor and by the judge (if the case was adjudicated). Specifically, information on the number and type of criminal charges filed per incident, the disposition of the case, and the punishment/sanction imposed were drawn from this database.

In addition, both solicitor's offices provided access to case files on each of the criminal defendants. The types of documents typically found in the case files included: police incident reports, victim-witness intake sheets, and affidavits of arrest warrant. The police incident reports were standardized within each county, but not across the two counties in the study. Further, the information on the victim-witness contact sheets was not uniform across the two counties. Despite the availability of standardized reporting forms for police and victim-witness advocates to complete, information was often incomplete. From these documents the following information about the nature of the current family violence incident was obtained (the percentage of missing cases are indicated in parenthesis behind each): (a) the relationship between the victim and defendant (16.5%); (b) how the case entered the system, either from a police arrest or victim's criminal complaint (34.9%); (c) who called the police (for those cases entering after arrest) (38.8%); whether an adult witness (38.8%) or child witness (22.9%) was present; (d) substance use by the victim (31.2%), defendant (28.8%) or both (34.7%); (e) presence of injuries to the victim (16.5%); (f) evidence of property damage (32.9%); and (g) if photographs were taken (38.8%) and who took the photographs (42.4%).

Victim Interviews.

Recruitment.

All participants were recruited from the DeKalb and Gwinnett Counties solicitors' offices. All female victims of misdemeanor acts of family violence perpetrated by an adult male partner (spouse, ex-spouse, boyfriend, former boyfriend) were informed about the study by victim/witness advocates assigned to the solicitor's office. We chose to interview only adult

female victims because recent victimization surveys indicate that about 85% of all adult female victims of intimate partner violence are women (Rennison, 2001). In both counties, family violence cases were identified by the type of charge and type of relationship between the parties involved. Criminal charges that fell within the domestic violence designation included: (a) battery, (b) criminal trespass, (c) harassment or verbal threats, (d) interference with custody, (e) pointing a pistol at another, (f) sexual battery, (g) simple assault, (h) simple battery, (i) theft by taking, and (j) violation of civil protection orders. Relationships that could result in domestic violence designation were: (a) spouses, (b) ex-spouses, (c) boyfriend/girlfriend; (d) former boyfriend/girlfriend, (e) homosexual relationships, (f) elderly relatives, (g) parents who shared a child, (h) abuse of a minor by a relative, (i) siblings living together, (j) parent/child, and (k) grandparent/grandchild.

Researchers provided a script to victim/witness advocates with relevant information about the study. Potential participants were told that, if they agreed to participate: they would be interviewed as soon as possible now that the solicitors office had the case assigned, after their case was disposed by the court, and six months after the disposition of the case. Interviews would last approximately one hour and would be conducted in the victims' homes or in places convenient and safe as determined by them. They would be paid for their participation. A list of community resources available to the participants would be provided at the end of the interview. Contact names and the safest strategy for future contacts with the victim (mail, phone, or third party contact) were made at the initial interview.

After this initial information was shared with eligible victims, project interviewers

telephoned all eligible victims to solicit their participation. After completion of an initial interview, research staff tracked the disposition of the cases via computer access available in the solicitor's offices. Once the case was initially disposed (dismissed, diverted or adjudicated by the court), the participants were contacted for the second or disposition interview. The final interview occurred six months after the initial disposition of the case.

Interview Procedure and Confidentiality

Participants were assigned an ID number placed in a master file with their names, contact information, and batterer's court-assigned case number. This master file was stored in a separate location in a secure filing cabinet away from the completed interview questionnaires. Interview questionnaires contained the participant's ID numbers and no other identifying information. Over the course of the research, three interviews were conducted - at case screening, at initial case disposition, and at six months after initial case disposition. At the beginning of each interview, participants were provided with a consent form, which was read to them. Each consent form indicated the approximate length of the interview, the types of information asked, the benefits and risks of participating in the study, local resources available to the victim, the participant's right to stop the interview at any time without penalty, assurances of confidentiality of the information provided, contact information on the Principal Investigator and Georgia State University's Research Office, and the amount of compensation for the interview. All interviews were conducted with a trained adult interviewer, in a safe location selected by the victim. An office was available on the Georgia State University campus for interviewing. For safety and practicality (to provide childcare for victim's children if needed), two-person teams were used to

conduct interviews when they took place away from the University. At the termination of each interview, the participant was given reimbursement and asked to sign a receipt acknowledging such.

Following the strategy recommended to improve tracking of participants used by Rumpitz, Sullivan, Davidson, & Basta (1991), at the conclusion of the initial interview, each participant was asked to provide a list of contact names and numbers of individuals who would likely know where the participant would be in six months. Each participant was asked to provide at least 14 names. Business cards with a university phone number was also provided for participants to notify us of changes in their contact information. At this time we also discussed safety issues with the victim as to what she believed was the safest way for researchers to initiate contact with her in the future (phone, mail, or third party contact). Her preferred contact strategy was documented in the master file.

Measures

Dependent Variables

Victim Empowerment

Victim empowerment was measured at the initial, disposition, and six-month follow-up interviews. It serves as both a dependent variable at Time 2 and Time 3, and as a predictor variable at Time 2 when examining the re-occurrence of violence at six months. Victim empowerment was measured using a modified version of a questionnaire designed by Newmark, Harrell, and Salem (1995) that examined the effects of mediation on empowerment. The specific items for court empowerment were:

1. I think the court will consider my rights and wishes just as important as my partner's rights and wishes.
2. I expect the court will treat me fairly and listen to my side of the story.
3. I will probably be forced to accept a court decision that I don't really want.

The specific items for personal empowerment were:

4. I think I can speak up for myself about my wishes in this relationship as well as my partner can.
5. My partner can get what he wants by out-talking me.
6. I feel like giving my partner what he wants so I don't have to deal with him anymore.
- 7) I feel guilty asking the court to handle this case the way I really want.
8. In disagreements with my partner, I get what I want.
9. My partner has gotten back at me when I've gotten my way in the past.
10. I am afraid of openly disagreeing with my partner because he might hurt me if I do.

Respondents were asked to rate how often each item occurred using a four point Likert scale (1 = never to 4 = often). No information on the reliability or validity of the questionnaire was available. We conducted a factor analysis (orthogonal rotation method) to identify the underlying factors and corresponding indicators. Reliability analysis indicated that six items (items 3, 5, 6, 7, 9, and 10) formed a reliable scale of personal empowerment ($M = 17.37$; $SD = 4.54$; Cronbach's $\alpha = .772$). Two items (items 1 & 2) formed a reliable scale of court empowerment ($M = 6.83$; $SD = 1.36$; $\alpha = .845$).

Self-Efficacy

Self-efficacy of participants was measured at each time point using the Self-Efficacy Scale for Battered Women (Varvaro & Palmer, 1993). This scale contained 12 items asking a woman how sure she was that she could do the behaviors listed on a scale of 1 = low efficacy (couldn't do it at all) to 5 = very high efficacy (completely sure she could do it). Reliability analysis indicated that the twelve items formed a reliable scale ($M = 52.36$; $SD = 8.62$; $\alpha = .884$).

Construct validity of the scale is evidenced by its positive correlation with Pearlin and Schooler' (1978) Self-Mastery Sale ($r = .68, p < .001$); Rosenberg's (1965) Self-Esteem Scale ($r = .64, p < .001$) and overall score on the Psychological General Well Being Index (Dupuy, 1984) ($r = .53, p < .001$).

The scale was slightly modified for the present research. The specific items used were:

1. Can ask for help by talking to the victim-witness advocate or a counselor about my abusive situation.
2. Can spend time telling someone such as a close friend/counselor the facts about my abusive situation.
3. Can ask for help by calling a shelter hotline for abused women.
4. Can plan ahead to ensure safety when and if I choose to leave the abusive relationship.
5. Can do things I normally enjoy without fear of being abused.
6. Can shrug off self-doubts.
7. Can make plans for living on my own without the abusive relationship.
8. Can accept that fact that the abuse is not my fault.
9. Can make up my own mind about small to moderate changes in my life, such as choosing what to wear, eating foods I like, time to visit friends and family.
10. Can make up my own mind about large changes in my life, such as finding an apartment, getting a job, or returning to school.
11. Can carry on normal activities of daily living.
12. Can say what I think and feel without fear.

Re-occurrence of Abuse during Follow-up (Six Months after Case Disposition)

Self-reports of victims' experiences with violence during the six months following case disposition were obtained from their completion of selected scales from the Revised Conflict Tactics Scale (CTS2) (Straus, Hamby, McCoy, & Sugarman, 1996). Specifically, items from the Psychological Aggression, Physical Assault, Sexual Coercion, and Injury Scales were used. Internal consistency reliability for each scale is: psychological aggression ($\alpha = .79$); physical assault ($\alpha = .86$); sexual coercion ($\alpha = .87$) and injury ($\alpha = .95$) (Straus et al., 1996).

This allowed for the measurement of the prevalence of abuse within the six months after case disposition. The coding for the item is (0 = never happened) (1 = once in six months) (2 = twice in past six months) (4 = 3-5 five times in past six months) (8 = 6-10 times in past six months) (15 = 11-20 times in past six months) (25 = more than 20 times in the past six months) (7 = not in past year, but happened before). We coded whether or not one or more of these acts occurred (yes = 1 or more reported) and (no = none of these acts reported).

Experiences with Psychological Aggression. This subscale contained the following eight items.

1. My partner insulted or swore at me.
2. My partner shouted or yelled at me.
3. My partner stomped out of the room or house or yard during a disagreement.
4. My partner said something to spite me.
5. My partner called me fat or ugly.
6. My partner destroyed something that belonged to me.
7. My partner accused me of being a lousy lover.
8. My partner threatened to hit me or throw something at me.

Experiences with Physical Assault. This subscale contained the following twelve items.

1. My partner pushed or shoved me.
2. My partner grabbed me.
3. My partner slapped me.
4. My partner used a knife or gun on me.
5. My partner punched or hit me with something that could hurt.
6. My partner choked me.
7. My partner slammed me against the wall.
8. My partner beat me up.
9. My partner burned or scalded me on purpose.
10. My partner kicked me.

Experiences with Sexual Coercion. This subscale contained the following seven items.

1. My partner made me have sex without a condom.
2. My partner insisted on sex when I did not want to (but did not use physical force.).
3. My partner insisted that I have oral or anal sex (but did not use physical force).

4. My partner used force (like hitting, holding down, or using a weapon) to make me have oral or anal sex with him.
5. My partner used force (like hitting, holding down, or using a weapon) to make me have sex.
6. My partner used threats to make me have oral or anal sex with him.
7. My partner used threats to make me have sex.

Experiences with Physical Injury. This subscale contained the following six items.

1. I had a sprain, bruises, or small cuts because of a fight with my partner.
2. I felt physical pain the next day because of a fight with my partner.
3. I passed out from being hit in the head by my partner in a fight.
4. I went to the doctor because I had a fight with my partner.
5. I needed to see a doctor because of a fight with my partner, but I didn't.
6. I had a broken bone from a fight with my partner.

Protective Order in Effect. We asked each woman at the six-month interview whether or not she sought a temporary protective order (TPO) or a civil protective order (CPO) from the courts? (yes = 1) and (no = 0). We also asked if the protective order was granted? (yes = 1) and (no = 0).

Partner Consistency. As women victims may have a different intimate partner at the six month interview than she had at the initial interview, we ascertained if these acts were committed by the same partner who was the abuser at the initial interview (yes =1) and (0 = no).

Predictor Variables

Victim's Prior Experiences with the Justice System

Prior Contact with Police. We asked each woman at the initial interview: "Excluding the current family violence charge, have you or someone else called the police for assistance in the preceding 12 months?" (yes = 1) and (no = 0).

Number of times police were called in past 12 months? Mean

Prior Request for Protective Orders. We asked each woman at the initial interview: “Prior to your spouse’s/partner’s current arrest on charges of family violence, had you ever requested a temporary protective order (TPO) or a civil protective order (CPO) from the courts?” (yes = 1) and (no = 0). We also asked if the protective order was granted? (yes = 1) and (no = 0).

Prior Contact with Prosecutor. We asked each woman at the initial interview: “Excluding the current family violence charge, was your partner/spouse prosecuted for an act of family violence in the past 12 months?” (yes = 1) (no = 0).

Prior Contact with Victim/Witness Advocates. We asked at the initial interview: “Did you ever meet with a victim/witness advocate?” (yes = 1) and (no = 0).

Victim’s Experiences with Violence

Length of abuse. We asked each woman at the initial interview how long ago (in days) did the abuse begin?

Experiences with Psychological Aggression. At the initial interview we used this subscale of the Revised Conflict Tactics Scale (CTS2) described above and asked women to indicate how often any of the acts occurred in past year.

Experiences with Physical Assault. At the initial interview we used this subscale of the Revised Conflict Tactics Scale (CTS2) described above and asked women to indicate how often any of the acts occurred in past year.

Experiences with Sexual Coercion. At the initial interview we used this subscale of the Revised Conflict Tactics Scale (CTS2) described above and asked women to indicate how often any of the acts occurred in past year.

Experiences with Physical Injury. At the initial interview we used this subscale of the Revised Conflict Tactics Scale (CTS2) described above and asked women to indicate how often any of the acts occurred in past year.

Likelihood of Future Harm. We asked each woman at the initial interview: “How likely is it that your partner will physically hurt you in the next six months?” Likert responses were (3= very likely) (2 = somewhat likely) and (1 = not at all likely).

Re-occurrence of Abuse Between Arrest and Initial Interview. We asked each woman at the initial interview: “During the time that had passed between the family violence incidents for which charges are pending and today’s interview, has your spouse/partner been abusive towards you?” (yes = 1) and (0 = no).

Acts of Family Violence During Case Processing. At the disposition interview, each woman was asked: “During the court processing of this case (from arrest to case settlement), did your spouse/partner attempt, threaten, or complete an act of family violence against you?” (yes = 1) and (n = 0).

Victims’ Experiences with Justice System during Current Case Processing

Victim’s Ratings of the Helpfulness of Police. At the disposition interview, women who reported interacting with the police were asked: “Overall, how helpful would you rate the actions of the police in your most recent request for assistance from them? Using a Likert scale, responses were (1 = not at all helpful) (2 = a little helpful) (3 = moderately helpful) (4 = quite helpful) and (5 = extremely helpful).

Victims’ Ratings of the Helpfulness of the Civil Court. At the disposition interview, each

woman who had contact with the civil court to request a protective order were asked: “Overall, how helpful would you rate the actions taken by the civil court in your most recent request for assistance from it?” Using a Likert scale, responses were (1 = not at all helpful) (2 = a little helpful) (3 = moderately helpful) (4 = quite helpful) and (5 = extremely helpful).

Victims’ Ratings of the Helpfulness of the Victim/Witness Advocate. At the disposition interview, we asked each woman who interacted with a victim/witness advocate, how helpful the advocate’s actions were using a Likert scale (1 = not at all helpful) (2 = a little helpful) (3 = moderately helpful) (4 = quite helpful) and (5 = extremely helpful).

Victims’ Ratings of the Helpfulness of the Prosecutor. At the disposition interview, each woman was asked: “Overall, how helpful would you rate the actions of the prosecuting attorney in this case that was just disposed (diverted)? Using a Likert scale, responses were (1 = not at all helpful) (2 = a little helpful) (3 = moderately helpful) (4 = quite helpful) and (5 = extremely helpful).

Victims’ Ratings of the Helpfulness of the Judge. At the disposition interview, each victim was asked: “Overall, how helpful would you rate the actions of the judge in this case that was just settled? Using a Likert scale, responses were (1 = not at all helpful) (2 = a little helpful) (3 = moderately helpful) (4 = quite helpful) and (5 = extremely helpful).

Prosecutorial Strategies. Each participant was asked the following question: “During the processing of this case, which of the following actions did the prosecuting attorney, solicitor, state’s attorney, or victim/witness advocates take to gain your cooperation and support?” Responses were coded as (yes = 1) and (no = 0) to the following list of actions. The actions were

grouped into the following categories: minimal, supportive, persuasive, choice, coercive.

Prosecutors often used more than one type of action from the above categories. Therefore, this variable was hierarchically coded to capture the most coercive action taken for each case. For analytical purposes, it was then dummy coded with minimal contact serving as the reference category.

1) Minimal Contact

- a) No actions (phone or mail) - I did not have any contact with victim-witness assistants from the court by phone or mail
- b) No phone contacts - did not speak or meet with victim advocates, but received letters from them;
- c) One phone call from victim-witness assistants.

2) Supportive actions

- a) Provided individual counseling;
- b) Kept me fully informed on what was happening with the case;
- c) Informed me of my risk of future victimization by this partner/spouse;
- d) Had me view video materials on domestic violence;
- e) Had me read informational literature about domestic violence;
- f) Informed me of services for victims of domestic violence in the community;
- g) Encouraged me to attend a battered women's support group;
- h) Referred me for individual counseling;
- i) Developed with me a safety plan.

3) Persuasive actions

- a) Persuaded me to cooperate with the prosecution by providing support and encouragement;
- b) Persuaded me to testify and I did so willingly.

4) Exercised choice in filing of complaint

- a) Told me that I could withdraw my complaint against my partner/spouse, and prosecution would not continue;
- b) Told me that I could withdraw my complaint against my partner/spouse, but prosecution would still continue;

- c) Allowed me to withdraw my complaint against my partner/spouse after I provided a written statement as to why I wanted to withdraw the complaint;
- d) Allowed me to withdraw my complaint against my partner/spouse after I gave assurances that my partner/spouse was not pressuring me to drop the charges;

5) Coercive actions

- a) Subpoenaed me to testify against my partner/spouse, because I would not willingly do so;
- b) Threatened to arrest me if I failed to appear in court and testify in the case or withdrew the complaint;
- c) Arrested me because of my failure to appear;
- d) Charged me with contempt of court for my failure to do as the court wished.

Victim's Support of Prosecutorial Actions. We asked each victim if she supported the prosecution in its decision to not prosecute, divert, or to convict your spouse/partner for the violence committed against you? (Yes = 1 and No = 0).

Protective Order in Effect During Case Processing. We asked each woman at the initial interview: "During the processing of this case did you request a temporary protective order (TPO) or a civil protective order (CPO) from the courts?" (yes = 1) and (no = 0). We also asked if the protective order was granted? (yes = 1) and (no = 0).

Relationship Status during Case Processing

We measured the status of the victim's relationship with her spouse/abusive partner over the course of the study.

Live with spouse/partner at initial interview. We ascertained if the victim lived (co-habitated) with her abusive spouse/male partner, coded yes = 1 and no = 0.

Maintained relationship during case processing. At the disposition interview, we asked each victim if she maintained a relationship with her abusive spouse/male partner during the

processing of the case coded yes = 1 and no = 0.

Maintained relationship after case disposition. At the six month follow-up interview, we asked each victim if she maintained a relationship with her partner over the past six months coded yes = 1 and no = 0.

Case Processing Variables

Defendant detained during court processing. We asked each woman at the disposition interview if her spouse/partner was detained in jail during case processing (yes = 1) and (no = 0).

Length of case processing. From the court documents we calculated the number of days between arrest and case disposition.

Characteristics of Current Criminal Incident

Relationship between victim and defendant. From official records and victim interviews, we coded if the defendant was the victim's current spouse = 1, former spouse = 2, co-habitant = 3, current boyfriend = 4, former boyfriend = 5, stepfather of her child(ren) = 6, or biological father of her child(ren) = 7.

Police or victim initiated complaint. From official records, we attempted to determine how the case entered the court system. Cases that entered the system as the result of police arrest were coded 1 and cases initiated by the victim filing a complaint were coded 0.

Who called the police. From official records we identified who called the police. The codes were: victim = 1, offender = 2, adult witness = 3, child witness = 4, neighbor = 5, other = 6, relative not present = 7.

Child present at violent incident. From official records we noted whether or not a child

witness was present and witnessed the violence coded (yes = 1) and (no = 0).

Adult present at violent incident. From official records we coded whether or not another adult was present and witnessed the violence (yes = 1) and (no = 0).

Substance use by defendant. From official records we noted whether the defendant was using substances at the time of incident (yes = 1) and (no = 0).

Substance use by victim. From official records we noted whether the victim was using substances at the time of incident (yes = 1) and (no = 0).

Substance use by defendant and victim. From official records we noted whether the defendant and victim were using substances at the time of incident (yes = 1) and (no = 0).

Presence of injuries to victim. From official records we coded whether the victim had injuries (yes = 1) and (no = 0).

Evidence of property damage. From official records we recorded whether there was property damage at the crime scene (yes = 1) and (no = 0).

Photographs of evidence were taken. From official records we noted whether photographs were taken at the crime scene or prior to criminal processing (yes = 1) and (no = 0).

Who took photographs. From official records we documented who took the photographs of evidence coded police = 1, other = 2, victim and police = 3, victim, police and solicitors office = 4, police and other = 5.

Outcomes of Current Criminal Incident

For the current criminal incident, we examined the type and number of charges, case disposition, and the sanction imposed.

Criminal Charge Type. Charges included battery, simple assault, cruelty to children, criminal trespass, interference with 911 calls, harassing communication, disorderly conduct, stalking, public drunkenness, obstruction charges, possession of burglar tools, theft, suspended license, DUI, pointing a pistol, and robbery.

Number of criminal charges per criminal incident. Mean

Case Disposition. Dispositions were classified into five categories as follows: a) guilty: defendant plead or was found guilty, had bond forfeited, or was ordered to continue on original order of probation; b) no action beyond arrest charge: this included cases that were dead docketed; where no true bill was issued by grand jury; the defendant was not charged by prosecutor; nolle prosequere was ordered; arrest disposition was only outcome; no further action was anticipated; charge was not presented to the grand jury; disposition was deferred; or adjudication was withheld; c) dismissed: cases formally dismissed by the court; d) not guilty: cases where not guilty or nolo contendere plea was entered; and e) other: a catch-all category that included cases disposed under youthful offender act, cases turned over to the county district attorney for felony prosecution, and cases in which the defendant died before criminal processing could be completed. For analytical purposes, this variable was dummy coded and dismissed served as the reference category.

Case Sanctions. Similarly, numerous sanctions may be imposed at the sentencing stage. In order to capture the most severe sanction imposed, we created a hierarchical scale. This hierarchy ranged from the most severe, incarceration in jail or prison = 5, probation = 4, fines = 3, mandated treatment interventions = 2, other = 1, to the least severe, dismissals or nolle prosequere =

0).

Victim's Satisfaction with Case Outcome

We asked the victims at the disposition interview what the outcome was (i.e., what happened to your spouse/partner in this case) and how satisfied they were with this outcome using a Likert scale with 1 = not at all satisfied, 2 = somewhat satisfied, 3 = neither satisfied nor dissatisfied, 4 = very satisfied, and 5 = completely satisfied.

Control Variables

Unless indicated otherwise, all control variables came from the initial interview with the victim.

Site location was coded as Gwinnett County = 1 or DeKalb County.

Victim's race was coded as Asian = 1, Black = 2, Caucasian = 3, Latino = 4, or Other = 5.

For analytical purposes, race was dummy coded to black = 0 and non-black = 0.

Victim's Age was measured in years.

Victim's Education was coded as less than high school education, high school graduate or equivalent, or some college or more. For analytical purposes, education was dummy coded with less than high school education used as reference category.

Victim's Employment was coded as worked in the past year (yes = 1 or no = 0).

Number of months victim was employed in past year. Mean

Victim's Income. Total monthly income in dollars was coded as follows: 0 = no income; 1 = less than \$250; 2 = \$250 to less than \$500; 3 = \$500 to less than \$750; 4 = \$750 to less than \$1,000; 5 = \$1,000 to less than \$1,250; 6 = \$1,250 to less than \$1,500; 7 = \$1,500 to less than \$1,750; 8 = \$1,750 to less than \$2,000; 9 = \$2,000 to less than \$2,500; 10 = \$2,500 to less than

\$3,500; 11 = \$3,500 to less than \$5,000; 12 = \$5,000 or more.

Number of times victim changed residences in past year coded never = 0, once = 1 or two or more times = 2.

Victim's Marital status was coded as married = 1, pending divorce or divorced = 2, and never married = 3. For analytical purposes, marital status was dummy coded with never married as reference category.

Number of children living with victim (Mean).

Victim shares children in common with abusive partner was coded yes = 1 and no = 0.

Number of prior arrests of abuser (Mean). Prior arrest information was obtained from the Georgia Crime Information Center's⁴ (GCIC) Criminal History sheet for each defendant. This sheet lists the dates of arrest, criminal charges, dispositions and punishments for any criminal incidents committed by adult defendants. The GCIC also accesses the National Crime Information Center data base and thus, can capture arrests for criminal incidents that occurred outside of Georgia.

Analytical Strategy

Several types of analytical techniques were used to examine the relationships between independent (predictor) and dependent (outcome) variables. We reported descriptive statistics including mean, median, mode, and range on variables measured at the interval level and numbers and percentages on variables measured at the nominal or categorical level. When examining the relationship between two variables, a number of bi-variate statistics were used depending upon how the variables were measured. T-tests for differences in means were

conducted when the dependent or outcome variable was interval level and the independent variable was nominal. Chi-square (a test of association) and lambda (a proportional reduction in error measure) were used when both the independent and dependent variables were measured categorically. When both the dependent and independent variables were measured at the interval level, correlation coefficients (Pearson's r) were calculated.

While such bi-variate statistics are useful in understanding the unique relationship between an independent (predictor) variable and dependent (outcome) variable, multi-variate techniques allow for the examination of the effects of several independent (predictor) variables on a single outcome simultaneously. When our outcome was measured at the interval level, as is the case with our measures of empowerment, multiple linear regression analysis was used. This method allows one to determine the predictive value of each variable, while controlling for the effects of other independent variables in the model. When our dependent variable was measured at the dichotomous level, as is the case with our measures of the re-occurrence of violence at six months, then logistic regression analysis was used.

Chapter 3

Findings

For ease to the reader, our findings are presented in four main sections. Section 1 presents findings from analyses to determine the degree to which two common threats to validity, sample selection bias and case attrition, are operating. Section 2 provides descriptive statistics on the study sample. It is grouped under the following headings: Demographic characteristics, Victims' prior experiences with the justice system, Victims' prior experiences with abuse, Victims' relationship with their abusive partner during court processing, Victims' current experiences with the justice process, Current domestic violence incident and court outcomes, and Re-occurrence of violence during case processing and during the six months following case disposition. Section 3 presents results of analysis to determine if there are differences in the characteristics and experiences of victims by court location (site). Section 4 presents the results of analysis that examines the main outcome variables, victim empowerment and the re-occurrence of violence (abuse) in victims' lives during the six months after case disposition.

I. Assessing Threats to Validity: Sample Selection Bias and Attrition

One threat to the external validity of longitudinal survey research is that cases interviewed may differ in some systematic way from those that were not interviewed (i.e., they are not representative of the larger population of cases eligible for interview). A second threat to validity is sample attrition (i.e., the cases that interviewed at all three stages differed from those that were not interviewed at all three stages). This section presents findings of our attempts to assess the degree to which selection bias and attrition were operating. We begin by examining

the selection bias issue and then conclude with sample attrition.

During the time frame of the study (March 2000 through June 2002), all cases referred to the DeKalb County Solicitor's office and the Gwinnett County Solicitors office were screened by court personnel and researchers to identify cases involving an adult female victim who experienced family violence at the hands of a male intimate partner. Criminal charges which fall within Georgia's family violence legislation include: (a) battery, (b) criminal trespass, (c) harassment or verbal threats, (d) interference with custody, (e) pointing a pistol at another, (f) sexual battery, (g) simple assault, (h) simple battery, (i) theft by taking, and (j) violation of civil protection orders, and (k) stalking. For both counties, the total of cases eligible for interview numbered 1,611. A total of 286 victims or 18% of eligible victims (121 from Gwinnett County and 165 from DeKalb County) were interviewed initially at Time 1. Table 1 reports the reasons for exclusion from the initial interview (also referred to as the intake or Time 1 interview) by county.

Reason	Total	Gwinnett (42.5%)	DeKalb (57.5%)
Completed Initial Interview	286 (17.9%)	122 (7.6%)	166 (10.3%)
Couldn't be reached by phone number provided	678 (42.1%)	198 (12.3%)	480 (29.8%)
Refused interview	232 (14.4%)	121 (7.5%)	111 (6.9%)
Language barrier	81 (5.0%)	36 (2.2%)	45 (2.8%)
Pending interview	47 (2.9%)	2 (0.01%)	45 (2.8%)
Did not show for interview appointment	46 (2.8%)	27 (1.7%)	19 (1.2%)
Case disposed before interview could be completed	10 (0.6%)	10 (0.6%)	0
Victim incarcerated	1 (0.06%)	1 (0.06%)	0

Missing	228 (14.2%)	167 (10.4%)	61 (3.8%)
---------	-------------	-------------	-----------

In Gwinnett County a total of 684 cases were eligible for interviews and in DeKalb County a total of 927 cases were eligible for inclusion. The main reason that a victim was not interviewed was that she could not be reached by the phone number provided. Each interviewer was instructed to attempt a minimum of six phone contacts at various points in the day between 9:00 a.m. and 9:00 p.m. If unsuccessful, a letter was sent to the victim informing her of the nature of the study and providing her a phone number to call if she wanted to participate. Over half of the cases (n = 678 cases) could not be reached via telephone for interview. In some instances, the phone had been disconnected (n = 60), the incorrect number was recorded in court documents (n = 48), the victim had moved and no forwarding number was available (n = 40) or the new listing was non-published (n = 13), or no phone number was available in court records (n = 76).

The next largest percentage of cases (17.5% or n = 232) was reached via phone, but the women refused to participate in an interview. Language presented a barrier to interviews in 5.0% of the cases. Slightly fewer than 3% of the cases had an interview pending at completion of the study and another 3% did not show for scheduled interviews. The smallest percentage of cases not interviewed was those disposed before the victim could be interviewed. In some instances, when an on the scene arrest was made and the defendant detained in jail, the solicitors office would gain a guilty plea at arraignment or an agreement to participate in diversion typically within 72 hours after arrest. In such cases we were unable to get in contact with the victim prior

to the case being disposed. Initially, we excluded these cases from inclusion, because our intent was to measure victim empowerment and self-efficacy at three time points. However, discussion with the solicitor's offices in both counties indicated that these cases were unique in that the defendants had either more serious criminal histories or less serious criminal histories than other defendants. Thus, exclusion of them from the study could have biased the sample. Thus, after the first three months of data collection, jail cases and diversion cases were included in the study. Overall, they comprised a small number of cases $n = 35$ (12.2%) of the initial interview sample and 14.7% ($n = 25$) of the final study sample.

The reasons for exclusion from the initial interview did vary by county. A greater percentage of cases in DeKalb County had pending interviews and were not able to be reached at the phone number provided than were cases in Gwinnett County. Refusal rates, language barriers, and no shows were comparable across the two counties.

Assessing Selection Bias in Sample

To assure that the cases for which initial interviews were conducted (herein referred to as the treatment group) were representative of all cases eligible for interview, information on defendants' criminal histories and the current family violence incident were collected for the entire treatment group and then for a random sample of the population (herein called the control cases). Criminal history information included the number of arrest incidents, number and type of arrest charges per incident, disposition, and punishment. Current case information included number of charges, type of charges, disposition, and punishment. We will first discuss criminal history differences and then current case differences across the treatment group and the control

cases.

Differences in Criminal History

To assure comparable sample sizes across the two counties and to assure large enough samples in case of missing data, criminal history information was collected on slightly over 40% of all cases in Gwinnett County ($n = 260$) and on approximately 25% of all cases ($n = 204$) in DeKalb County. Information on the total number of arrests was missing for 88 cases from the treatment group. The overall number of arrest incidents for the two groups ranged from 0 to 37, with a mean of 4.33 arrests, a median of 2 arrests, and a mode of 1 arrest. The mean number of arrest incidents differed significantly by county with Gwinnett County reporting a mean of 3.39 arrest incidents and DeKalb County a mean of 5.32 arrest incidents ($t = -4.82, p < .001$). Lastly, we examined differences between the treatment and control group on the number of arrest incidents within each county. In Gwinnett County, the mean number of arrest incidents for the treatment group ($M = 2.94$) did not differ significantly from the control group ($M = 3.53$). However, in DeKalb County, the treatment group had a significantly higher number of arrest incidents ($M = 6.55$) compared to the control group ($M = 4.60$) ($t = -2.74, p < .01$).

As each arrest incident often involves more than one criminal charge, we next examined the number of types of criminal charges by group within each county. Table 2 presents the number of criminal charges overall by type across treatment and control groups within each county. Criminal charges were classified into five categories. In Gwinnett County type of criminal charge was missing for 3.6% of the charges and in DeKalb County type of charge was missing for 4.4% of the charges. Chi-square (X^2) tests of association indicated that the

distribution of criminal charges differed across the treatment and control groups in Gwinnett County ($\chi^2(4, 1507) = 13.16, p < .05$). There was no significant association between group membership and criminal charges in DeKalb County. Because large sample sizes can inflate the value of chi-square, lambda (λ) was also calculated. Lambda is a proportional reduction in error measure that assesses how well one can predict an outcome or dependent variable based on knowledge of an independent variable. In this specific case, it measures how well one can predict criminal charge based on group membership. Lambda ranges from 0 to 1. As it increases in value, the usefulness of knowledge of one variable predicting another variable increases. Our findings suggest that group membership is not useful in predicting disposition for either Gwinnett County ($\lambda = .002, p > .05$) or for DeKalb County ($\lambda = .005, p > .05$).

Charges:	Gwinnett				DeKalb			
	Treatment		Control		Treatment		Control	
	N	%	N	%	N	%	N	%
Total	273	18.1%	1,234	81.9%	808	40.7%	1,178	59.3%
Domestic Violence	113	7.5%	421	27.9%	265	13.3%	367	18.5%
Drug	39	2.6%	252	16.7%	99	5.0%	159	8.0%
Property	24	1.6%	131	8.7%	142	7.2%	200	10.1%
Violent	24	1.6%	67	4.4%	52	2.6%	75	3.8%
Other	73	4.8%	363	24.1%	250	12.6%	377	19.0%

We next examined the different dispositions imposed for the criminal charges and compared differences across the groups within each county. Results are presented in Table 3. Dispositions were classified into five categories as follows: 1) GUILTY if the defendant plead or was found guilty, had bond forfeited, or was ordered to continue on original order of probation; 2) NO ACTION BEYOND ARREST included cases that were dead docketed, where no true bill

was issued by grand jury, the defendant was not charged by prosecutor, nolle prosee was ordered, arrest disposition was only outcome, no further action was anticipated, charge was not presented to grand jury, disposition was deferred, or adjudication was withheld; 3) DISMISSED cases; 4) NOT GUILTY PLEA OR NOLO CONTENDERE plea was entered; 4) OTHER was a catch-all category that included youthful offender act and cases turned over to the county district attorney. Dispositions were missing for 47.6% of the criminal charges in Gwinnett County and for 36.7% of the criminal charges in DeKalb County. Because a large percentage of cases were missing, we included MISSING as a category in the analysis.

	Gwinnett				DeKalb			
	Treatment		Control		Treatment		Control	
Disposition:	N	%	N	%	N	%	N	%
Total	324	20.7%	1,239	79.3%	866	40.7%	1,178	62.8%
Guilty	59	3.8%	314	20.1%	189	35.9%	284	21.6%
No action	17	1.1%	216	13.8%	199	47.0%	420	31.9%
Dismissed	16	1.0%	69	4.4%	65	4.9%	68	5.2%
Not guilty/Nolo Contendere	17	1.1%	78	5.0%	18	1.4%	35	2.7%
Other	5	0.3%	29	1.9%	19	1.4%	19	1.4%
Missing	210	13.4%	533	34.1%	376	18.4%	352	57.6%

Chi-square measures of association were significant for both counties suggesting that there is a relationship between disposition and group (For Gwinnett County $X^2 = 58.13$, (5, 1,563); $p < .05$ and for DeKalb County $X^2 = 58.02$; (5, 2,708) $p < .001$). Findings suggest that group membership is not useful in predicting disposition (for Gwinnett County, $\lambda = .000$ and for DeKalb County, $\lambda = .042$, $p < .05$). Knowing group membership reduces error by 4% in DeKalb County and has no appreciable benefit in prediction in Gwinnett County.

Lastly, for cases where a punishment of fine, incarceration, or probation was imposed, we examined the mean differences in fine amounts, number of months on probation and number of days incarcerated by treatment and control group within each county. For Gwinnett County, the mean fine amount for the treatment group ($M = \$378.88$) did not differ significantly from the control group ($M = \$564.05$). The mean number of months on probation also did not differ significantly (M treatment = 12.58) and (M control = 16.16). The mean number of days incarcerated also did not differ (M treatment = 365.00) and M control = 257.56). Similarly, in DeKalb County no significant differences were noted between the treatment and the control groups. The mean fine amount for the treatment group was \$579.43 and for the control group the mean was \$325.00. The mean number of months on probation for the treatment group was 18.79 and for the control group the mean was 21.33. For number of days incarcerated the mean for the treatment group was 258.30 and for the control group 580.43.

Differences in Current Case Characteristics

To further assure that the treatment cases were representative of the entire population of cases from each county, a random 10% sample ($n = 354$) of all current criminal incidents for the control group was taken and compared to treatment group. As a single criminal incident often consists of more than one criminal charge, we first compared the treatment and control groups within each county on the mean number of overall charges levied and then within types of family violence charges. The total number of criminal charges for the control group was 1,125, with a range of 15 and a mean of 3.18, a mode of 3, and a median of 3. The total number of criminal charges for the treatment group was 1,023, with a range of 10 and a mean of 3.59, a mode of 4

and a median of 4.

T-test comparisons of the mean number of criminal charges overall and for each crime type by treatment and control group within each county were conducted and are presented in Table 4. Due to the large number of t-tests conducted ($n = 24$), we applied Bonferroni adjustment and considered a $p < .002$ as significant and reaching the alpha level of .05. Results indicated that in Gwinnett County the treatment and control group differed significantly in the mean number of simple assault charges (M control group = 1.75, $SD = .610$ and M treatment group = 2.07, $SD = .649$, $t = -4.41$, $p < .001$). No other means significantly differed.

Criminal Charge	Gwinnett County				DeKalb County			
	Treatment (n = 121)		Control (n = 258)		Treatment (n = 165)		Control (n = 96)	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
All	3.25	1.48	2.88	1.08	3.83	2.39	3.98	.321
Simple Assault	2.07	.649	1.75	.611	2.06	1.34	2.12	1.47
Battery	2.62	.899	2.43	.715	3.43	2.12	3.59	2.45
Criminal Trespass	1.00	.000	1.33	.577	1.69	.974	2.00	1.07
Child Cruelty or Abandonment	1.38	.775	1.16	.462	1.50	.759	2.20	1.64
Obstruction	1.00		1.00		2.00	1.41	1.25	.500
Public Drunkenness	0		0		1.50	.707	1.00	
Providing False Name	0		0		0		1.00	0.00
Harassing Communication	1.14	.378	1.50	.707	1.83	.753	2.00	.000
Stalking	1.00	0.00	1.00	0.00	1.00	0.00	2.25	.957
Interference with 911 call	1.00	0.00	1.00	0.00	1.11	.333	1.29	.488
Violation of DV order	0		1.00		0		3.00	
Unknown Charges	0		0		1.13	.354	1.00	0.00
Terroristic Threats	0		0		0		2.00	
Possession of Tools of Crime	0		0		1.00		0	
Probation Violation	0		0		2.00		0	
Theft	1.00		0		1.00		1.00	0.00
Suspended License	0		1.00		1.00		0	

DUI	1.00		1.00		0		0	
Pointing Pistol	1.00		0		0		0	
Disorderly Conduct	1.20	.422	1.07		1.33	.577	1.00	0.00
Robbery	0		0		1.00		0	

Attrition from the Sample after the Initial Interview.

Initial interviews were completed on 288 cases. We tracked the case attrition rates and reasons for attrition on the cases as they progressed toward disposition and the six months following disposition. These rates are presented in Table 5. For 93 (31.6%) of the cases, no disposition or six month follow-up interview was completed and for 25 (8.7%) of the cases no six-month follow-up interview was completed. Thus, the overall attrition rate was 40.3%.

	Total (N = 288)	Gwinnett (N = 122)	DeKalb (N = 166)
Intake Interview Only completed	93 (31.6%)	40 (13.5%)	53 (18.1%)
Intake and Disposition Interview Only completed	25 (8.7%)	6 (2.1%)	19 (6.6%)
Intake, Disposition and Six Month Interview completed	170 (59%)	76 (26.4%)	94 (32.6%)

Reasons for case attrition are presented in Table 6. For almost one third of the cases, we were unable to contact the victim. For approximately 20% of the cases (all from DeKalb County) six-month interviews were pending at the close of the study. For slightly over one third of the cases the reason for attrition was not recorded by the interviewers. Only 7.6 % of the victims contacted after the initial interview refused to participate in the later interviews. In about

6% of the cases, the charge was upgraded to a felony before initial disposition and transferred to the district attorney's office, thus excluded as our focus was on misdemeanor case processing.

Two cases were discarded because the interviewers did not conduct the correct interview at the correct stage, and the victim could not be reached for a subsequent interview. In one instance a defendant died and the case was not processed further.

Reason	Total (n = 118)	Gwinnett (n = 46)	DeKalb (n= 72)
Unable to contact victim	33 (27.9%)	13 (11.0%)	20 (16.9%)
Refused	9 (7.6%)	5 (4.2%)	4 (3.4%)
Transferred to District Attorney	7 (5.9%)	1 (0.85%)	6 (5.1%)
Pending interview	23 (19.5%)	0	23 (19.5%)
Discarded because incorrect interview completed	2 (1.7%)	1 (0.85%)	1 (0.85%)
Defendant died	1 (0.85%)	1 (0.85%)	0
Unknown	43 (36.4%)	25 (21.2%)	18 (15.3%)

We examined whether or not the cases interviewed at the six-month follow-up differed on several key variables from those that were interviewed only at the initial interview. The results are presented in Table 7. There were no significant differences between the cases interviewed during the six-month follow-up and those interviewed at the initial interview, suggesting that the six-month cases (n = 170) are representative of the initial sample (n =286).

	Initial Interview (Time 1) (n = 286)	Six Month Follow-up (Time 3) (n = 170)
Variable	N (%) or <u>M</u> (SD)	n (%) or <u>M</u> (SD)
County		
Gwinnett	121 (42.3)	76 (44.7)
DeKalb	165 (57.7)	94 (55.3)
Race		
Black	180 (62.9)	107 (62.9)
Caucasian	86 (30.1)	51 (30.0)
Latino	10 (3.5)	6 (3.5)
Asian	3 (1.0)	3 (1.8)
Other	7 (2.4)	3 (1.8)

Age	\underline{M} = 33.3 (\underline{SD} = 9.35)	\underline{M} =33.29 (\underline{SD} =9.19)
Table 7. Characteristics of Sample at Initial Interview and Six Month Follow-Up (continued)		
	Initial Interview (Time 1) (n = 286)	Six Month Follow-up (Time 3) (n = 170)
Variable	N (%) or \underline{M} (\underline{SD})	N (%) or \underline{M} (\underline{SD})
Marital status		
Married	85 (29.7)	54 (31.8)
Pending divorce	53 (18.5)	36 (21.2)
Divorced	40 (14.0)	16 (9.4)
Never married	106 (37.1)	64 (37.6)
Widowed	2 (0.7)	0 (0.0)
Live w/spouse or male partner	130 (45.5)	80 (47.1)
Number of months lived with partner	\underline{M} = 61.63 (\underline{SD} = 64.34)	\underline{M} = 66.55 (\underline{SD} = 67.72)
How many times married		
Never	106 (37.1)	64 (37.6)
Once	127 (44.4)	68 (40.0)
Twice	39 (13.6)	26 (15.3)
Three Times	14 (4.9)	12 (7.1)
Employment status		
Full-time	202 (70.6)	119 (70.0)
Part-time	26 (9.1)	16 (9.4)
Self employed	24 (8.4)	16 (9.4)
Unemployed	34 (11.8)	19 (11.2)
Worked during past 12 months	252 (88.1)	151 (88.8)
Months employed in past 12 months	\underline{M} = 10.02 (\underline{SD} = 3.04)	\underline{M} =10.56 (\underline{SD} = 2.66)

Table 7. Characteristics of Sample at Initial Interview and Six Month Follow-Up
(continued)

	Initial Interview (Time 1) (n = 286)	Six Month Follow-up (Time 3) (n = 170)
Variable	N (%) or <u>M</u> (<u>SD</u>)	N (%) or <u>M</u> (<u>SD</u>)
Monthly Income		
None	4 (1.4)	3 (1.8)
Less than \$250	6 (2.1)	1 (0.6)
\$250 to less than \$500	17 (5.9)	8 (4.7)
\$500 to less than \$750	11 (3.8)	7 (4.1)
\$750 to less than \$1,000	16 (5.6)	9 (5.3)
\$1,000 to less than \$1,250	25 (8.7)	11 (6.5)
\$1,250 to less than \$1,500	24 (8.4)	14 (8.3)
\$1,500 to less than \$1,750	20 (7.3)	11 (6.5)
\$1,750 to less than \$2,000	26 (9.1)	17 (10.1)
\$2,000 to less than \$2,500	29 (10.1)	13 (7.6)
\$2,500 to less than \$3,500	43 (15.0)	31 (18.2)
\$3,500 to less than \$5,000	38 (13.3)	26 (15.3)
\$5,000 or more	17 (5.9)	12 (7.1)
Missing	8 (2.8)	7 (4.1)
Number of times changed residence		
Never	157 (54.9)	101 (59.4)
Once	74 (25.9)	39 (22.9)
Two or more	54 (18.7)	29 (17.2)
Education		
Less than high school	43 (15.0)	19 (11.2)
High school	107 (37.4)	63 (37.1)
Post high school	135 (47.2)	88 (51.8)
Number of children who live with you	<u>M</u> = 1.5 (<u>SD</u> = 1.43)	<u>M</u> = 1.5 (<u>SD</u> = 1.38)

II. Description of Sample

Demographic Characteristics

Our final sample (n =170) consisted of 145 cases where three interviews (initial, disposition and six month) were completed and 25 cases two interviews (jail or diversion and six month) were completed. Of these, 94 cases (55.3%) were from DeKalb County. More than half (62.9%) of the victims were black (African American), 30% were Caucasian, and the remaining victims were Latino or Asian. The average age of victims was 33.3 years, with a range of 41.69 years. With regard to educational status, 11.2% reported not having graduated from high school nor having a GED, 37.1% reported having graduated from high school or having a GED, and 51.8% reported having some college or earning a degree beyond high school.

The vast majority of the victims (88.8%) reported having been employed in the 12 months preceding the initial interview; 62.4% indicating they worked the entire 12 months; and 70% reported working for someone else full time. Annual income ranged from 0 to over \$60,000 per year, with the median annual income of between \$24,000 - \$29,999 and a modal annual income of \$30,000 - \$42,000. Over half of the sample (59.4%) reported that they had not changed residences in the past 12 months. Of the 68 victims who did change residences, over half (n= 39) did so only once and about a third (n = 20) did so twice. Four victims changed residences three times and another four victims changed residences four times. One victim changed residences 5 times in the preceding 12 months.

Single women who had never been married comprised the largest percentage of cases in the sample (44.1%). Slightly less than one third indicated that they were currently married.

Divorced women comprised 4.1% of the cases and women who were separated or in the process of filing for divorce included 18.8% of the cases. Slightly less than half of the victims reported that they were currently living with their abusive spouse/partner.

Most of the victims (81.2%) were mothers. The victims had a total of 247 children, of which 140 (56.7%) were the biological children of the abuser. Close to half (49.4%) of the victims reported that they shared children in common with the abusive partner. The numbers of children who lived with their mothers ranged from 1 to 10, with a mean and median of 2 children and a mode of 1.0 child.

Victim's Prior Experiences with the Justice System

We asked each victim a series of questions to ascertain how often in the past 12 months, excluding the current incident of family violence, she had contacted the police, prosecutor, victim/witness advocate, or judge in a request for assistance in a criminal or civil matter. We also asked what actions each of the justice system officials took, whether she regarded those actions as helpful or not, whether she supported these actions, and how helpful each justice system official was.

We begin by discussing victims prior experiences with the police. Of the 170 victims, only 64 (37.6%) reported that the police had been called for assistance in the preceding 12 months because their spouses/male partners threatened, attempted or completed an act of physical violence toward them. The number of times that victims called the police for assistance ranged from 1 to 15 times, with a mean of 2.72, a median of 2 and a mode of 1.

Only 18.8% of the victims indicated that they had requested a temporary protective order

or civil protective order from the courts in the past. Of those, 29 (90.6%) requests for protective orders were granted. The most common conditions requested by those seeking orders of protection were to limit contact with the partner (86.2%), to exclude the partner from the residence (79.3%), and to gain sole custody of children (48.3%). Spouses/partners failed to abide by the terms and conditions of the protective order in over half of the cases. However, less than half of the victims reported these violations to the court. Of the seven victims who did report their partners' violations, over half were satisfied with how the court responded to the reported violations. When asked to rate the helpfulness of the civil court, over half of the victims rated the court as "quite helpful" or "extremely helpful" and only 17% rated the civil court as "not at all helpful or "a little helpful".

Only nine victims (5.4%) reported that their partners had been criminally prosecuted for an act of family violence in the past twelve months, excluding the pending family violence incident. Of these nine victims, seven supported the prosecution of their partner and five testified against their partners in those prosecutions. All but one victim was satisfied with the outcome in this earlier case, and all but one victim was satisfied with the criminal punishment imposed on their partners. Only two victims rated the prosecutor as "quite helpful" or "extremely helpful" and three victims rated the prosecutor as "not at all helpful".

Both solicitors' offices had victim witness assistance programs and advocates assigned to assist specifically with family violence cases. However, only two victims reported having ever interacted with a victim/witness advocate on the earlier cases. The two victims had different ratings of victim/witness advocates' overall helpfulness, with one rating the victim/witness

advocate as “a little helpful” and the other rating the victim/witness advocate as “extremely helpful”.

Victims' Prior Experiences with Violence

Nearly one-third of the victims reported that they had prior relationships that were violent. Forty five victims (81.8%) reported one prior violent relationship, seven victims (4.1%) reported two prior violent relationships, and three victims (1.8%) indicated three prior violent relationships. When asked how long ago their current partner had started to abuse them, the victims reported lengths of time ranging from as little as 5 days ago to as long as 24 years ago. On average, the abuse started three years ago and most reported abuse began two years ago. When asked about the violence they had experienced in the past year only⁵, close to 97% of the victims reported having experienced psychological aggression. Nearly 90% reported having been physically assaulted in the past year. Close to three fourths reported having experienced a physical injury. Less than half (44.4%) reported having been coerced into having sex during the past year. With regard to the chronicity of violence experienced by the victims, the number of acts of psychological aggression reported ranged from 1 to 183, with a mean of 43 acts and a mode of 5 acts. The number of acts of physical assault ranged from 1 to 248 with a mean of 21 assaults, and a mode of 4 assaults. The number of acts of physical injury ranged from 1 to 124, with a mean of 7 and mode of 1. Lastly, acts of sexual coercion ranged from 1 to 150, with a mean of 15 and a mode of 2.

Relationship Status with Abusive Partner during Court Processing and Six Month Follow-up

The overwhelming majority (84.6%) of the victims reported that they had separated from their current partner at some point in their intimate relationship. The number of times ranged

from 1 to 25, with a mean of 2.21, a median and mode of 1. The longest period of time they were separated from their current partners ranged from 1 day to 6,570 days (18 years), with a mean of 267 days, a median and mode of 90 days. Slightly less than two-thirds (61.5%) reported at the time of the initial interview that they were currently separated from their partners. The length of this separation ranged from 15 days to 2,555 days (7 years), with a mean of 1,245 days, a median of 45 days, and modes of 60 and 90 days.

Close to three-fourths (71.2%) of the victims indicated that their spouses were detained at some point during the processing of the current case. For over half of the cases, bail or bond was granted to the defendant, but only 12.4% of the victims indicated that they were the party who posted this bail/bond. Approximately 32% of the victims indicated that defendants were released on bond with the condition that they not have contact with their victims. Of these 54 cases, over half of the defendants violated that condition and had contact with the victims.

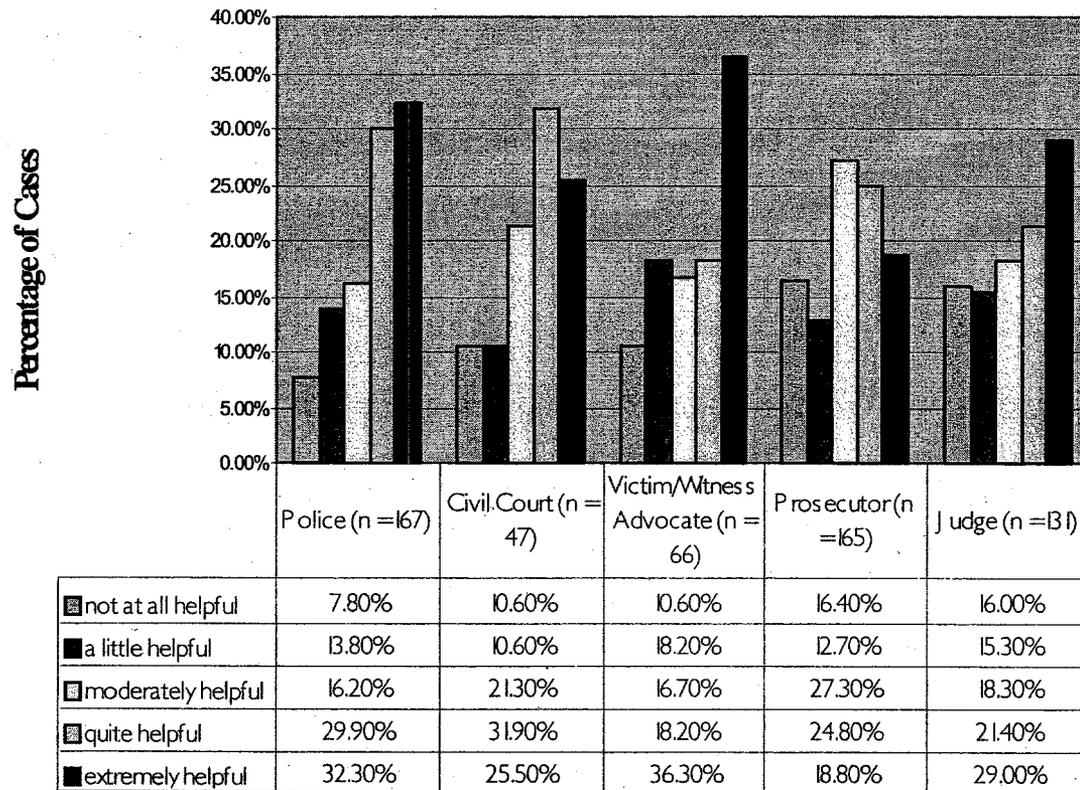
At the disposition interview, close to 70% of the victims indicated that they had maintained a relationship with their partner/spouse during the processing of the case and close to half reported that they planned to continue a relationship with their spouses/male partners. At the six-month interview, 73 victims (42.9%) indicated that they maintained relationships with their spouses/male partners over the six months since the current case was disposed.

Women's Experiences with the Justice System during Current Case Processing

We were particularly interested in capturing women's experiences with the justice system during the processing of the current case. Five victims reported never meeting with a solicitor during the case processing. Almost two-thirds of the victims reported that they never interacted

with a victim/witness advocate. About one quarter of the victims never appeared before a judge. We asked those who did interact with the police, solicitor/prosecutor, victim/advocate, civil court, or criminal court judge, to rate how helpful the actions of each criminal justice official was. Their ratings are presented in Figure 2. Examination of the ratings indicate that the actions of the police received the highest percentage of ratings of “quite helpful” or “extremely helpful” (over 62%) and the lowest percentage (7.8%) of “not at all helpful” ratings. Comparing across the groups, the percentages of victims rating the actions of prosecutors and criminal court judges as either “quite helpful” or “extremely helpful” was smaller (43.6% and 50.4%, respectively). Further, the percentages of victims rating the actions of prosecutors and actions of judges as “not at all helpful” were larger (16.4% and 16%, respectively).

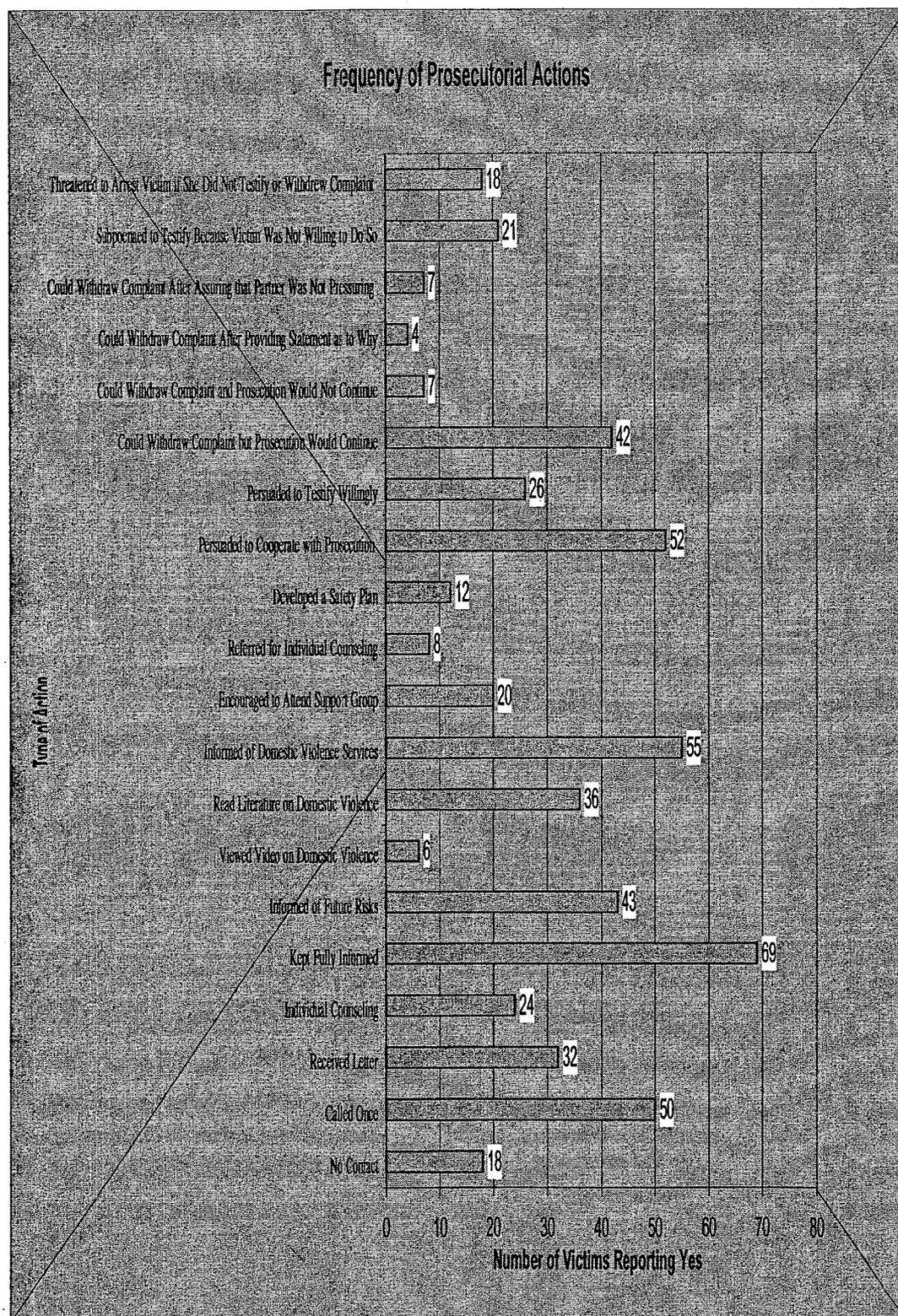
Figure 2. Victims' Ratings of the Helpfulness of Recent Actions Taken Criminal Justice Officials



Type of Criminal Justice Official

We measured the nature and extent of the interaction that victims had with the prosecutor's offices by asking them a series of questions about the actions taken by the prosecuting attorney or victim/witness advocate to gain her support and cooperation. Prosecutors often used a combination of strategies with victims, as can be seen in Figure 3 which presents the overall number of victims who reported experiencing each type of action. With the exception of victims who reported no contact with the prosecutor's office, the actions as presented here are not mutually exclusive. Thus, the sum total of actions taken is larger than the number of cases (n = 170).

The most common action taken (as reported by 40.6% of the cases) was for prosecutors to keep the victim informed about what was happening with the current criminal case. About one third of the victims indicated that they were informed of domestic violence services in their community, and about one third indicated that they were persuaded to cooperate with prosecution because of the level of support and encouragement they received from that office. With regard to women's ability to exercise choice in whether or not prosecution moved forward, about one quarter of the victims reported being told that they could withdraw their complain, but prosecution against their abusive partner would still continue. Prosecutors used coercive actions in a relatively small number of cases. About 12% of the women reported that they were subpoenaed to testify because they would not do so willingly and about 11% reported that they were threatened with arrest if they refused to testify or withdrew the criminal complaint filed against their abusive partner. Additionally, about 11% of the women reported that the prosecutors' office took no actions to contact them with regard to their criminal case.



In order to better understand the effects of prosecutorial actions, we hierarchically coded prosecutorial actions into five types from the most to least coercive action they could take such that if a victim experienced at least one coercive action, then her case was coded as coercive. If she experienced at least one choice action and no coercive actions, then her case was coded as choice. If she experienced at least one persuasive action and no coercive or choice actions, then the case was coded as persuasive, and so on. Applying this coding scheme results in each case fitting into one action category as follows: coercive (n = 32 or 18.8%), choice (n = 37 or 21.8%), persuasive (n = 31 or 18.2%), supportive (n = 26 or 15.3%) and minimal action (n = 44 or 25.9%).

When asked if they supported the actions taken by the prosecutor's office, the overwhelming majority of victims (77.6%) indicated that they did. When asked to rate how satisfied they were with the outcome of their case, over half (53.0%) indicated that they were "quite satisfied" or "extremely satisfied" with the outcome of their case. However, at the other extreme 45.8% indicated that they were "not at all satisfied" or "just a little satisfied" with the case outcome.

Current Family Violence Incident and Case Outcomes

Based on information from official court records, the amount of time between arrest and disposition of the cases ranged from 4 days to 474 days (approximately 16 months). The mean number of days that transpired between arrest and disposition was 162 days (slightly over five months). The total number of charges filed against defendants in the current criminal incident

ranged from 1 to 11, with a mean of 3.54, median of 3 and mode of 4. A total of 864 criminal charges were filed in the 170 current criminal incidents. The most common criminal charges from highest to lowest frequency were: battery (n = 452), simple assault (n = 290), cruelty to children (n = 39), criminal trespass (n = 24), interference with 911 calls (n = 15), harassing communication (n = 13), disorderly conduct (n = 11), stalking (n = 6), public drunkenness (n = 3), obstruction charges (n = 1), possession of burglar tools (n=1), theft (n =1), suspended license (n = 1), DUI (n = 1), pointing a pistol (n = 1), and robbery (n = 1). In four instances, the charge was not listed.

As all of the charges levied were misdemeanor level offenses, with the exception of one battery charge that was transferred to the felony court and one charge for robbery, the most serious criminal charge within a single criminal incident was simple battery. By definition battery charges are levied when physical injuries have occurred as the result of an aggressive action by another party. In the current criminal incidents, the overwhelming number of incidents included at least one charge for simple battery (n = 132 or 77%).

The solicitor's offices provided copies of police incident reports, victim-witness intake sheets, and affidavits of arrest warrants that provided additional information about the nature of the current family violence incident. When necessary, we relied on victim descriptions of the current family violence incident to complete missing data. The information on the current incident obtained from the official reports included: the relationship between the victim and perpetrator; whether the defendant, victim, or both parties were under the influence of drugs and/or alcohol at the time of the incident; prior history of violence by the defendant; presence of

injuries and whether medical attention was received by the victim; whether property damage was present; if police were called to the scene and who called police to the scene; and whether an adult or child witnessed the violence.

Ascertaining the relationship between the victim and perpetrator is critical to determine whether or not the parties can be charged under family violence statutes. Information on relationship status indicated that the vast majority of incidents occurred between current spouses (45.9%). Current and former boyfriends represented 23.5% and 15.9% of the perpetrators, respectively. Former spouses comprised 6.5% and co-habitants made up 4.7%. In 3.5% of the cases, the arrested party was the parent of one or more of the children living with the victim.

We attempted to determine whether the case was initiated by a call to the police or by the victim/complainant filing a complaint with the solicitor's office. It was possible to determine the type of entry for 74.1% of the cases. When type of entry was reported, records indicated that police were called to the scene in 122 of the cases (96.8%) and it was the victim who contacted the police in 49.4% of the cases. In only 4 cases was prosecution initiated by the victim filing a criminal complaint. In over three quarters of the cases, police noted whether or not a child witness was present and among those cases, a child was present and witnessed the violence over half the time (51.9%). Likewise, police noted whether an adult witness was present during the violence in more than half (58.8%) of the incidents, and an adult witness was present less than one third (31%) of the time.

Surprisingly, information on factors that often trigger concern for the criminal justice system was not as judiciously recorded. For example, substance use by either party or both

parties was missing in less than one third of the cases. In the 121 cases where it was recorded, the defendant was under the influence of drugs and/or alcohol close to half (42.1%) of the time. In comparison, only 7 victims (2.8%) were under the influence of drugs and/or alcohol. In only five instances were both the victim and perpetrator under the influence of drugs and/or alcohol.

Prima facie evidence that an act of family violence has occurred is the presence of injuries and/or property damage. Official records indicated that injuries were present in over three-quarters of the current incidents, and yet medical attention was received by only 15 victims. Property damage, when noted, occurred in only 34.2% of the incidents. Photographs to document the evidence occurred about half the time and most often police took the photos.

As each charge in a single criminal incident may be disposed of in different ways, we created a hierarchical scale capturing the most severe disposition imposed within a criminal incident. Close to half of the cases (44.1%) were disposed of with a finding or plea of guilty. Slightly more than one quarter (25.3%) resulted in a not guilty finding or a nolo contendere plea. In more than one-fifth (21.8%) no action beyond arrest was taken. Diversion was used for 8.2% of the cases and one case was transferred to the district attorneys office for prosecution at the felony level.

Similarly, numerous sanctions may be imposed at the sentencing stage. In order to capture the most severe sanction imposed, we created a hierarchical scale to capture the most severe punishment imposed. Incarceration, the most severe sanction, was imposed in 30.6% of the cases. Probation, the next most severe sanction, was imposed in 29.4% of the cases. Fines, the next most severe sanction, were imposed in 2.9% of the cases. Judges also utilized the

available batterer intervention programs offered in the local communities, as well as anger management, parenting classes, Alcoholics Anonymous and Narcotics Anonymous, often in combination. These mandated treatment interventions were the most severe sanction imposed in 14.7% of the cases. Dismissals and nolle prosequi occurred in 18.2% of the cases. Lastly, 3.5% of the cases were dealt with by requiring bond forfeiture, restitution, community service, and banishment. In one case, the defendant died before the case could be prosecuted and in another case it was upgraded to a felony and transferred to the district attorney for prosecution.

We also examined the influence of whether injuries were present ($n = 132$) or not ($n=38$) on severity of disposition and severity of punishment imposed. T-tests indicate that presence of injury approaches significance in relationship to severity of disposition (M injury = 2.86, $SD = 1.22$ and M not injured = 2.42, $SD = 1.29$, $t = -1.89$, $p < .064$), but is not related to severity of punishment (M injury = 4.41, $SD = 1.51$ and M not injured = 4.03, $SD = 1.97$, $t = -1.09$, $p < .279$).

Re-occurrence of Violence during Case Processing

At the initial interview, each victim rated the likelihood that her partner/spouse would hurt her in the next six months. More than two-thirds (64.7%) indicated it was not at all likely that their partners would hurt them. Slightly more than one-fifth (20.6%) responded that it was somewhat likely that their partners would hurt them. Lastly, more than one-tenth (12.4%) reported it was very likely that their partners would hurt them in the next six months. Four victims (0.5%) refused to answer this question.

Ten percent of the victims indicated at least one abusive incident had occurred since the

spouse's/partner's arrest in the current family violence incident and before the current case was disposed. The number of abusive incidents ranged from 1 to 10 with a mean of 2.86 and a median and mode of 3 incidents.

At the disposition interview, slightly over one-fifth of the victims ($n = 37$) indicated that during the processing of the case from arrest to disposition, their partner threatened or committed an act of violence against them. A total of 21 victims (57%) reported these acts or threatened acts of violence to the police. After arrest of their partner/spouse 28.2% ($n = 48$) of the victims requested a protective order from the court and in 98% ($n = 44$) of the cases, the court granted this protective order. Half the time, the partner/spouse did not abide by the terms or conditions of the protective order and in almost two-thirds of those instances victims reported the violations to the court.

Re-occurrence of Violence in the Six Months Following Case Disposition

We asked victims at follow-up whether or not there was a re-occurrence of psychological abuse, physical abuse, sexual abuse, or physical injury in the past six months since the case was disposed. Seventy-four victims (43.5%) reported there had been a re-occurrence of abuse. Of these cases, 66 or 89% indicated that the person abusing them was the same male partner/spouse as at the initial interview. Only 31 victims (18.2%) indicated that physical violence had re-occurred in the six months following initial disposition of the case. Of these 28 or 90.3% indicated that the person who physically assaulted them was the same spouse/male partner as at the initial interview.

When asked if in the past six months if the victim or someone else called police because

her spouse or male partner was violent towards her, 15.9% (n = 27) reported that police had been called. The number of times police were called ranged from 1 to 15 times, with a mean of 2.2, median of 1 and mode of 1. Nine victims reported filing a complaint against their partner with the magistrate's office and ten victims reported that they had requested and been granted a protective order. Only nine victims indicated that their partner was prosecuted for this more recent violent incident and in eight of the nine cases, the women supported prosecution's efforts to convict their abusive partners. Three of those cases were not yet disposed when we conducted our follow-up interview. For the six cases that were disposed, three women indicated that they were "quite satisfied" or "extremely satisfied" with what happened to their partner and were "quite satisfied" or "extremely satisfied" with the punishment their partner received.

III. Prosecutorial Actions by Presence of No-Drop Policy

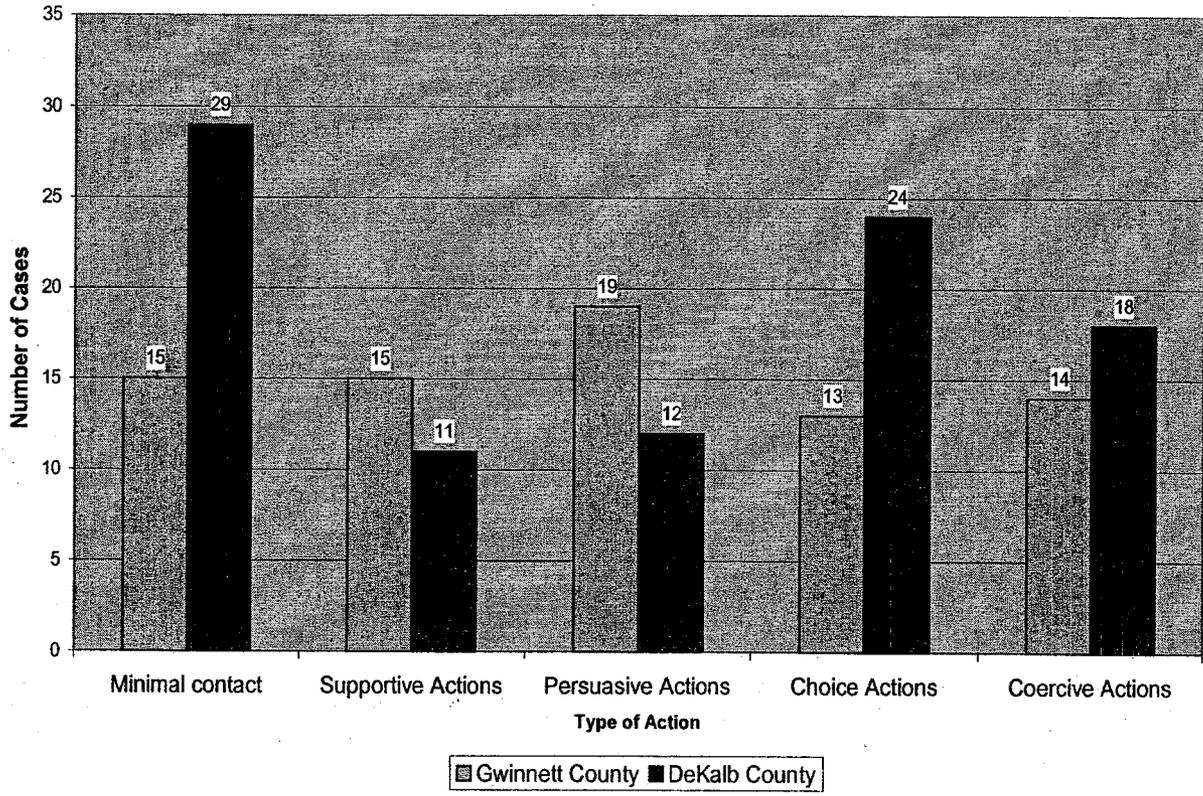
One of the primary aims of the current research project was to assess the experiences of victims who interact with prosecutorial offices that operate under no-drop policies versus the experiences of victims who interact with prosecutorial offices that do not have such policies. In the current study, this means a comparison of our two selected sites: Gwinnett County Solicitors office that has a no-drop policy in place and DeKalb County Solicitors office that does not have a no-drop policy⁶. As we are examining a bi-variate relationship, t-tests for differences in means for variables measured at the interval level and chi-square analysis for variables measured at the nominal level are used. At the outset, we predict that Gwinnett County which operates under a no-drop policy would not permit cases to be dropped at the victims' request and would be more coercive in their actions with victims in order to assure their cooperation and support with

prosecutors' goals. Thus, we expected that a greater percentage of victims in Gwinnett County would be discouraged from withdrawing any complaints filed against their abusive spouses/partners, would be told that they could not withdraw their complaint, or if permitted to withdraw their complaint, this action would not prevent the case from being prosecuted. We also expected that the presence of no-drop policies would result in the greater use coercive strategies, such as use of subpoenas, threats to arrest or charge victims, or actual arrests of victims if they refused to cooperate with the prosecutors.

Figure 4 presents the types of prosecutorial actions reported by victims at each site. Results of chi-square analysis indicates that the actions did not differ significantly across sites ($X^2(4,170) = 8.61 p < .072$).⁷ The most common actions taken by prosecutors in Gwinnett County (reported in one quarter of the cases) were persuasive actions, whereas in DeKalb County it was most likely that the victim had only minimal contact with the prosecutor's office (slightly over one third of cases). As expected, giving victims the choice to withdraw the complaint against their abusive partner was more prevalent in DeKalb County than in Gwinnett County. However, unexpectedly, the use of coercive strategies, such as threatening arrest or using subpoenas to acquire victims' testimony, were equally distributed across both sites.

Figure 4.

Prosecutorial Actions by Site



IV. Examining Victim Empowerment and Re-occurrence of Violence

Initial Levels of Victim Empowerment and Self-Efficacy

As stated earlier, we posited that victims' levels of empowerment and self-efficacy would be influenced by her prior experiences with abuse, her prior experiences with the justice process, and if she were still currently in an intimate relationship with the abusive partner. In this section, we examine the influence of several sets of variables, including demographic variables (age, race, education level and months employed) on victims' levels of court empowerment, personal empowerment, and self-efficacy at the initial interview.

We conducted a series of linear regression analyses to assess the influence of the same sets of predictor variables (prior experiences with the justice system, prior experiences with abuse⁸, relationship factors) and control variables (demographic variables) on the dependent measures (self-efficacy, personal empowerment, and court empowerment at the initial interview).⁹ Linear regression analyses produces coefficients for each predictor variable that indicates the amount of change in the dependent variable attributed to that predictor variable, holding constant all other factors. It also produces an R-square measure for the model that indicates the percentage of variation explained in the dependent (outcome) variable by the independent (predictor) variables in the model. The unstandardized regression coefficients, standard errors, and t-values for the three models are presented in Table 8. We first discuss the variables significantly related to each dependent variable separately, and then discuss any common influences across the three regression models.

Model 1 (presented in the first three columns) lists the coefficients for the variables entered into the model predicting court empowerment at the initial interview. Findings indicate that victims' ratings of the helpfulness of police in prior requests for assistance were positively related to levels of court empowerment. In addition, the higher the mean level of physical injuries experienced by the victim, the higher the levels of court empowerment. Victims who reported that they lived with their abusive spouse or partner at the initial interview reported lower levels of court empowerment. Lastly, as the number of months that the victim was employed over the previous 12 months increased, levels of court empowerment decreased.

Table 8: Regression Coefficients of Predictor Variables on Personal Empowerment, Court Empowerment and Self-Efficacy at Initial Interview (T1)

Variable	Model 1			Model 2			Model 3		
	Court Empowerment			Personal Empowerment			Self-Efficacy		
	B	SE	T value	B	SE	T value	B	SE	T value
Prior Experiences with Criminal Justice System:									
Overall helpfulness of police	.262	.042	6.18***	.137	.041	3.37***	1.19	.551	2.16*
Called police in past year	-.031	.115	-.267	-.217	.108	-2.00*	-1.85	1.54	-1.21
Spouse prosecuted in Past year	-.051	.280	-.181	-.818	.263	-3.11**	-11.55	3.61	-3.19**
Prior Experiences with Abuse:									
Chronicity of physical injury	.009	.005	1.66*	-.007	.005	-1.42	.005	.069	.460
Chronicity of psychological aggression	-.001	.002	-.855	-.006	.002	-3.66***	-.051	.023	-2.22*
Length of abuse	-.0001	.000	-1.30	-.0001	.000	-1.94*	-.002	.001	-3.26***
Likelihood partner will hurt victim	-.075	.078	-.959	-.190	.075	-2.55*	-1.00	1.00	-1.00

Chronicity of sexual coercion	-.004	.004	-.994	-.0001	.003	-.018	-.069	.047	-1.47
Relationship Factors:									
Live with spouse	-.202	.113	-1.79 ^a	.015	.108	.136	-2.74	1.49	-1.83 ^a
Demographic Characteristics:									
Education	.147	.109	1.35	.001	.104	.105	2.91	1.46	1.98 ^a
Months employed	-.025	.013	-1.91 ^a	-.011	.012	-.952	-.013	.166	-.075
Black	-.165	.116	1.42	.130	.113	1.16	.399	1.53	.261
Age	-.002	.006	-.357	-.003	.005	-.506	.006	.079	.790
(intercept)	3.11	.280		3.27	.264		57.19	3.70	
<i>N</i>	142			140			136		
<i>F</i>	3.94			9.40			5.05		
<i>R-square</i>	.213			.440			.281		

Note.

^a approaches statistical significance $p < .10$.

Model 2 (presented in columns 4 – 6) lists the findings of linear regression analyses predicting levels of personal empowerment at initial interview. In this model, all three prior experiences with the justice system measures are related to the outcome. Overall helpfulness of the police is positively related to victims' levels of empowerment. However, if the victim reported either calling the police in the previous 12 months or that her abusive partner or spouse was prosecuted, her level of personal empowerment was lower. Victims who reported higher levels of psychological aggression, longer periods of abuse, and believed that their partners were likely to hurt them in the next six months reported lower levels of personal empowerment. Neither demographic variables nor co-habitation status were significantly related to personal empowerment.

Model 3 (presented in columns 7 – 9) lists the results from the linear regression equation

with self-efficacy as the dependent variable. Again, we find that victims' ratings of the helpfulness of police were positively related to self-efficacy, whereas if the victim's abusive partner was prosecuted in the past 12 months, levels of self-efficacy were lower. Victims who reported higher levels of psychological aggression and longer periods of abuse had lower levels of self-efficacy. Victims who reported living with their abusive partner or spouse had lower levels of self-efficacy. Lastly, victims with higher levels of education reported higher levels of self-efficacy.

As expected because self-efficacy and personal empowerment are similar concepts, they share similar predictors. Both are positively influenced by the victims' ratings of the helpfulness of the police and negatively influenced by the occurrence of the abusive partner having been prosecuted in the past year. Additionally, the extent of psychological aggression experienced by the victim and the length of abuse were negatively related to self-efficacy and empowerment. Chronicity of physical injury was positively related to court empowerment, but was not related to self-efficacy or personal empowerment. Living with current abusive partner was negatively related to both court empowerment and self-efficacy, but had no affect on personal empowerment.

The Effect of Prosecutors' Actions on Victims' Empowerment and Self-Efficacy at Disposition

We begin our assessment of the effects of prosecutorial actions on victim empowerment and self-efficacy by conducting Analysis of Variance (ANOVA) to compare mean levels of court empowerment, personal empowerment, and self-efficacy at disposition and at six months by type

of prosecutorial action. In addition, we calculated five new variables to measure the degree of change in levels of court empowerment, personal empowerment, and self-efficacy over time. To examine the immediate impact of court experiences and case outcomes on victim's levels of empowerment and self-efficacy, we subtracted each victim's level of empowerment and self-efficacy measured at the disposition interview from the baseline measures taken at the initial interview. In addition, we assessed the stability of any changes in levels of empowerment and self-efficacy by subtracting each victim's level of personal empowerment and self-efficacy at six months from the measures taken at disposition. Because so few victims had any additional contact with the court ($n=9$) in the period between disposition and the six months following disposition, we were unable to reliably assess changes in court empowerment at six months.

Results from the ANOVA are presented in Table 9. Findings from this analysis suggest that the victims' initial levels of empowerment and self-efficacy did not differ significantly by type of prosecutorial action. Overall, prosecutorial action has a significant effect on court empowerment, but not on personal empowerment or self-efficacy. Further, post-hoc differences tests (Tukey α) were performed to identify for which type of prosecutorial actions did mean levels of empowerment and self-efficacy differ significantly. These results indicated that victims who experienced supportive or persuasive actions, or were given the choice to withdraw their complaint, reported significantly higher levels of court empowerment at disposition compared to victims who had only minimal contact with the prosecutor's office. Levels of court empowerment for victims who were coerced to participate in prosecution did not differ significantly from victims who had only minimal contact with the court.

The same pattern of findings occurs when we examine changes in levels of court empowerment from the initial interview to disposition. Victims who had only minimal contact with the prosecutor's office reported the largest decrease in level of court empowerment, followed by victims who were coerced to participate in prosecution. Victims who received supportive services or who were persuaded to participate in prosecution demonstrated significantly smaller declines in court empowerment compared to victims who had only minimal contact with the prosecutor's office. Victims who were permitted to withdraw charges against their abusive partner actually demonstrated *increases* in court empowerment over time. Lastly, victims who were threatened with arrest or subpoenaed to testify experienced a decrease in court empowerment, but this decrease did not differ significantly from those who had only limited contact with the prosecutor's office.

<u>Table 9. Levels and Changes in Empowerment and Self-Efficacy by Prosecutorial Action</u>					
<u>(Means)</u>					
Prosecutorial Action					
<u>Levels Having Significant ANOVA Effects</u>	Minimal contact (n = 44)	Supportive (n = 26)	Persuasive (n = 31)	Choice to Withdraw (n= 37)	Coercive (n = 32)
Self-efficacy at Disposition	54.56	55.83	55.13	52.03	55.29
Self-efficacy at Six Months Following Disposition	55.23	55.83	55.43	54.86	55.94
Change in Self-efficacy from Initial Interview to Disposition	-3.04	-4.91	-.478	-1.59	-3.59
Change in Self-efficacy from Disposition to Six Months	.921	1.68	-.517	2.88	.400

Personal Empowerment at Disposition	3.11	3.06	3.01	2.96	3.09
Personal Empowerment at Six Months Following Disposition	3.41	3.09	3.05	3.01	3.41
Change in Personal Empowerment from Initial Interview to Disposition	.161	.061	.247	.371	.101
Change in Personal Empowerment from Disposition to Six Months	.383	.056	.048	.118	.119
Court empowerment at Disposition	2.34	3.22^a	3.37^a	3.41^a	2.84
Change in Court Empowerment from Initial Interview to Disposition	-1.21	-.023^a	-.289^a	.047^a	-.643

Note:

^a Mean for this category differs significantly from mean for minimal contact at $p < .05$ level.

Effects of Prosecutors' Actions, Goal Compatibility, and Case Outcome on Victims' Empowerment and Self-Efficacy

The previous findings suggest preliminarily that prosecutorial strategies do impact victims' levels of court empowerment. However, as we argued earlier, we believe that victims' levels of empowerment are also affected by the degree to which the prosecution and the victim have the same goals, how helpful prosecutors are, victims' overall satisfaction with the outcome of the case, and the actual case outcome.¹⁰ In order to better understand this relationship, we asked victims what actions the prosecution took in their case and whether or not they supported

these actions (yes or no). We also asked victims to rate the overall helpfulness of the prosecutor and how satisfied they were with the outcome in their case. In both instances, the ratings were measured using a Likert scale ranging from 1 = “not at all” to 5 = “extremely”.

Linear regression analysis was used to examine the effects of prosecutorial action, the measures of victims’ evaluation of the prosecution (helpfulness, support, and satisfaction), and severity of punishment on changes in levels of victims’ court empowerment and personal empowerment from the initial interview to disposition. Several control variables identified in prior research, such as whether or not the victim’s abusive partner threatened or committed an act of violence during case processing, whether or not the victim maintained a relationship with the defendant, whether or not the defendant was detained during case processing, and the length of time between arrest and disposition in the current case, were also included.

Table 10 presents the coefficients from Model 1 (columns 1 - 3) predicting change in court empowerment and Model 2 (column 3-6) predicting changes in personal empowerment. Examining Model 1, results indicate that four variables are significantly related to changes in court empowerment from the initial interview to disposition. Levels of court empowerment increased significantly in cases where victims reported that prosecutors were supportive, persuaded them to participate actively in the prosecution, or allowed them to withdraw complaints, compared to cases where victims reported only minimal contact with the prosecutors’ office. Levels of court empowerment for victims who experienced coercive actions by prosecutors did not differ significantly from victims who had minimal contact with the court. Further, as victims’ ratings of the helpfulness of prosecutors increased, so did the change in level

of court empowerment.

Somewhat surprisingly, whether victims were supportive of prosecutorial goals or their degree of satisfaction with the outcome of the case were not significantly related to their levels of court empowerment. Severity of the punishment imposed was not related to changes in levels of court empowerment. The re-occurrence of violence (threats or acts of physical violence) during case processing was not related to changes in levels of court empowerment. Our control variables (detention of abusive partner, maintenance of relationship with abusive partner, and the length of time between arrest and disposition (period of risk) were also not significantly related to changes in court empowerment.

The amount of variation in change in level of court empowerment explained by the variables in the model was 38%. Diagnostics were conducted to assess collinearity and the presence of outliers. The condition index was less than 30 and no single dimension had more than one variance proportion greater than .50; thus no multi-collinearity is evident. No cases were identified as outliers.

Table 10. Effects of Prosecutorial Action, Goal Compatibility, and Case Outcome on Changes in Court Empowerment and Personal Empowerment from Intake to Disposition: Linear Regression Coefficients

Variable	Model 1 Change in Court Empowerment ¹			Model 2 Change in Personal Empowerment ²		
	B ³	SE	t	B	SE	t
Prosecutorial action						
Supportive	.820*	.255	3.22	-.167	.238	-.701
Persuasive	.507*	.245	2.07	-.016	.232	-.070
Choice	.950***	.232	4.10	.177	.216	.819
Coercive	.396	.232	1.71	-.112	.218	-.514

Prosecutors' helpfulness	.374***	.079	4.73	.099	.078	1.28
Victims' satisfaction with outcome	.044	.072	.612	.018	.070	.252
Victim supported prosecution	.042	.198	.210	.002	.183	.012
Re-occurrence of violence during case processing	.295	.196	1.50	-.047	.185	-.256
Severity of punishment ⁴	.064	.049	1.29	.005	.048	.105
Defendant detained	-.128	.167	-.768	.027	.157	.172
Maintained relationship with defendant	.305	.166	1.84	.232	.159	1.46
Number of days between arrest and disposition	-.000	.001	-.041	-.000	.001	-.706
Constant	.871	.395		1.54	.377	
N = 132				N = 129		
Adjusted R square = .384				Adjusted R square = .090		

Note.

¹ The measure of change in court empowerment from initial interview to disposition was modified to eliminate negative values by adding 3 to each value. Thus, larger values indicate higher levels of empowerment.

² The measure of change in personal empowerment from initial interview to disposition was modified to eliminate negative values by adding 3 to each value. Thus, larger values indicate higher levels of empowerment.

³ Numbers under the B column are unstandardized coefficients.

⁴ Coded using a six point scale 1 to 5 (dismissed = 1, other = 2, treatment = 3, fine = 4, probation = 5, and incarceration = 6).

* $p < .05$; ** $p < .01$; *** $p < .001$.

The amount of variation explained by Model 2 predicting changes in court empowerment was only 9% and no coefficients were statistically significant. This confirms our earlier results that found that the variables related to personal empowerment and court empowerment are rather distinct from one another. Variables that measure victim's satisfaction with the process and her experiences with the courts appear to have limited utility in explaining changes in personal

empowerment.

Re-occurrence of Violence at Six Months

We performed two separate logistic regression analyses to predict re-occurrence of abuse in the six months following case disposition (Model 1) and the re-occurrence of physical violence in the six months following case disposition (Model 2) presented in Table 11. This type of regression analysis allows for the prediction of an outcome for a set of predictor variables. It produces goodness of fit statistics that allow for a comparison of observed and expected outcomes. Further, a maximum likelihood ratio test (exp B) is produced for each predictor to allow for the identification of the variables that significantly influence the re-occurrence of violence.

Results from both the logistic regression models do not yield any significant coefficients. However, in each model a few variables approach statistical significance ($p < .10$). In Model 1 predicting the re-occurrence of abuse, if a victim reported her partner was violent towards her after arrest, but before the initial disposition of the case, she was 2.89 times more likely to experience abuse during the six months following initial disposition. Secondly, if the victim continued to live with her abusive partner, she was more likely to experience abuse in the six months following disposition.

In Model 2 predicting the re-occurrence of physical violence, again victims who lived with their abusive partners were more likely to experience a re-occurrence of physical violence. Also, as the number of prior arrests of the defendant was positively related to the re-occurrence of physical violence. Victims who reported higher levels of personal empowerment at

disposition were less likely to experience physical violence in the following six months.

Table 11. Logistic Regression Model Predicting Re-occurrence of Abuse and Re-occurrence of Physical Violence Six Months Following Disposition

Variable	Model 1 Re-occurrence of Abuse at Six Months			Model 2 Re-occurrence of Physical Violence at Six Months		
	B ¹	SE	Exp (B)	B	SE	Exp(B)
Prosecutorial strategy						
Supportive	.504	.766	1.66	.389	1.02	1.48
Persuasive	-1.07	.784	.343	.255	.983	1.29
Choice	.264	.710	1.30	.936	.878	2.55
Coercive	-.432	.698	.649	.658	.889	1.93
Prosecutors' helpfulness	-.211	.226	.810	.136	.292	1.15
Victims' satisfaction with outcome	-.035	.185	.966	-.240	.234	.786
Victim supported prosecution	.312	.585	1.37	-.104	.736	.901
Victims' level of personal empowerment at disposition	-.368	.335	.692	-.714 ^a	.387	.489
Victims' level of court empowerment at disposition	.121	.246	1.13	.526	.345	1.69
Re-occurrence of violence during case processing	1.06 ^a	.560	2.89	.641	.622	1.89
Severity of punishment	-.155	.140	.856	.119	.174	1.13
Living with abusive spouse or partner	.010 ^a	.006	1.01	.011 ^a	.006	1.01
Abusive partners' number of prior arrests	.055	.040	1.06	.070 ^a	.043	1.07
Constant	1.05	1.37		-2.33	1.68	
N = 110				N = 110		
R square = .195				R square = .151		

Note.

¹ Numbers under the B column are unstandardized coefficients.

^a Approached significance $p < .10$.

Chapter 4

Discussion and Conclusion

The current research project's primary aim was to better understand the influence of prosecutors' no-drop policies on victims' experiences with the court. We selected two sites that differed as to whether or not no-drop policies were operating. We expected prosecutors' offices with no-drop policies would engage in more coercive actions (such as threatening victims with arrest or subpoenaing them to testify against their abusive partners) and fewer choice strategies (such as allowing victims to withdraw their complaint with or without the cessation of prosecution). However, we found that coercive strategies were used in a small number of cases, and that the presence of no-drop policies did not result in more coercive actions being used.

A major finding of this research is that, with the exception of victims who reported that prosecutors allowed them choice in withdrawing their complaint, victims' court empowerment declined after disposition of their case. The declines were most notable for victims who had only minimal contact with the court or who were threatened with arrest or subpoena if they failed to support prosecutions' handling of their cases. These findings support the conclusions of Ford (1991) and Ford and Regoli's (1993a,b) research that allowing women to exercise choice in withdrawing a complaint increases their levels of court empowerment. However, our findings do not demonstrate that prosecutorial actions significantly affected victims' personal empowerment. We found that across all prosecutorial actions, with the exception of coercive strategies, women's levels of personal empowerment increased from initial interview to the disposition interview.

Our findings also suggest that court empowerment and personal empowerment are two

distinct concepts that are only weakly related. This conclusion is based on the low correlation between court empowerment and personal empowerment observed, and that the variables that influence each are for the most part different. Somewhat unexpectedly, victims' initial levels of personal empowerment were negatively affected by whether or not the police and prosecution were called in the past 12 months, but court empowerment was not significantly affected by these occurrences. Having positive interactions with police served to increase both personal empowerment and court empowerment. Indeed, police compared to other criminal justice officials received the highest rating with regard to their helpfulness to victims. This finding is not uncommon (for example, see Buzawa, et al., 1999; Smith, 1988), and is likely explained because when police arrive, the violence stops. As such, their actions are extremely helpful to the victim who wants the violence to end.

Length of abuse and the chronicity of psychological aggression were also related to personal empowerment, but not to court empowerment. However, chronicity of physical injury was related to court empowerment, but not personal empowerment. Prior research by Goodman, et al. (1999) reported that women were more likely to cooperate with prosecution of their abusive partner if physical injury was present and if the severity of violence was severe. Thus, our finding that the extent of physical injury enhanced victims' initial levels of empowerment is not surprising, as our measure of court empowerment asked the victim if she believed she would be treated fairly and her rights given equal consideration as her partners. A victim who has experienced more chronic physical injuries might be more optimistic that her experiences will be taken seriously by the court.

Our finding that psychological abuse was related to personal empowerment reinforces the findings of Dutton, Goodman and Bennett (1999) that psychological abuse plays a more important role in predicting battered women's traumatic responses than their use of the legal system. Our measure of personal empowerment had victims assess their abilities to speak up for themselves and to get what they wanted relative to their partners' abilities. If she had experienced extensive psychological abuse from that partner, it is likely that her levels of personal empowerment would be negatively affected.

We found that victims' ratings of the helpfulness of the prosecutor was positively related to her level of court empowerment, but whether she supported the prosecution's goals or her satisfaction with the outcome were not. Our findings suggest that to enhance victims' court empowerment, it is more important for prosecutors take actions that victims regard as helpful. Indeed, this may be more important to her empowerment than focusing exclusively on whether she is supportive of actions taken by prosecutors as they move to dispose of her case.

Lastly, another aim of our project was to examine if enhancing levels of empowerment would affect the re-occurrence of violence in the lives of victims. Unfortunately, we found no strong evidence to support this. Indeed, our model predicting re-occurrence of abuse and re-occurrence of physical violence within the six months following disposition failed to yield any variables that reached statistical significance. Particularly relevant because it confirms prior research in this area, we found that punishment severity had no affect on the re-occurrence of violence (Buzawa, et al. 1999; Davis et al, 1998; Mears, et al., 2001; Thistlethwaite et al., 1998; Tolman & Weisz, 1995).

Our research findings have major policy implications for how prosecutors interact with victims of family violence. First, we need to re-assess whether coercing victims to assist in the prosecution of their abusive partners is worth the costs. Use of coercive actions has the effect of lowering victims' empowerment, and this should not be an acceptable outcome for prosecutors. Rather, whenever possible, victims should be empowered through their interactions with the court. Continuing to provide enhanced training to law enforcement officers and investigators to improve the quality of evidence collected in family violence cases so that victim testimony will not be necessary for prosecution is important. Further, prosecutors' offices need to ascertain from victims feedback on the helpfulness of their actions so that victims will see the prosecution as an ally in their attempts to remain free from violence.

While we believe that our findings advance our understanding of how prosecutorial actions affect victims' empowerment and the likelihood of violence reoccurring in their lives, our research has several limitations that future research should attempt to overcome. First, our study was conducted within a single region of the southern U.S. and the generalizability of the findings to other jurisdictions is in question. Thus, replication in other areas is important.

Second, the sample of women who volunteered for interviews may differ in some fundamental way from those who did not volunteer, a phenomenon referred to as selection bias. We analyzed the amount of selection bias in our sample and concluded that violent incidents experienced by the victims we interviewed were not of a less serious nature than the incidents experienced by the victims not interviewed. However, we cannot be certain that those interviewed did not differ demographically or in their victimization histories from those not

interviewed. Future researchers need to continue to monitor the effects of selection bias in their research designs, and develop better strategies on how to capture such information at the recruitment stage. One possible solution could be to encourage prosecutors' offices to collect such information on their intake forms.

Third, the quasi-experimental design employed involved the comparison of victims' experiences in two sites that varied on whether no-drop policies existed. However, the population of citizens within those two jurisdictions differed in several ways, such as racial and ethnic composition, income levels, and size of cases, that may have contributed to the outcomes studied. Future research should try to select jurisdictions that are more comparable.

While our current research aim was to primarily give voice to victims' experiences with prosecutors and the courts, our research findings would have been further enhanced by interviews with justice system professionals. Prosecutorial perspectives on just how the no-drop policies were enforced, and why they chose to use coercive measures with one victim as compared to another is an important issue for future research. Race and social class of the victim and prosecutor may be important factors to consider (Weisz, 2002). To address such an issue would require researchers to have greater access to the decision making of prosecutors and might be obtained through field observation and de-briefing interviews. Further, research on judicial responses to family violence in no-drop jurisdictions would be informative when trying to examine the effects of dispositions on re-occurrence of violence.

References

Berk, R. A., Campbell, A. Klap, R. & Western, B. (1992). The differential deterrent effects of an arrest in incidents of domestic violence: A Bayesian analysis of three randomized field experiments. *American Sociological Review*, 57, 698-708.

Belknap, J., Fleury, R. E., Melton, H. C., Sullivan, C. M., & Leisenring, A. (2001). To go or not to go? Preliminary findings on battered women's decisions regarding court cases. In H. Eigenberg (Ed.), *Woman battering in the United States: Till death do us part* (319-326). Prospect Heights, IL: Waveland.

Bui, H. N. (2001). Domestic violence victim's behavior in favor of prosecution: Effects of gender relations. *Women and Criminal Justice*, 12 (4), 593-622.

Buzawa, E S. & Thomas, A. (1993). Determining police response to domestic violence victims. *American Behavioral Scientist*, 36 (5) (1993), 610-623.

Buzawa, E. S., Hotaling, G. T., Klein, A. & Byrne, J. (1999). *Response to domestic violence in a pro-active court setting: Final report*. Washington, DC: National Institute of Justice.

Cannavale, F J. & Falcon, W. D. (1976). *Witness cooperation with a handbook of witness management*. Toronto: Lexington Books.

Corsilles, A. (1994). No-drop cases in the prosecution of domestic violence cases: Guarantee to action or dangerous solution. *Fordham Law Review*, 63 (3), 853-881.

Cretney, A. & Davis, Q. (1997). The significance of compellability in the prosecution of domestic assault. *British Journal of Criminology*, 37 (1), 75-89.

Davis, R. C., Smith, B. E., & Nickles, L. B. (1998). The deterrent effect of prosecuting domestic violence misdemeanors. *Crime & Delinquency*, 44 (3), 434-442.

Dawson, M. & Dinovitzer, R. (2001). Victim cooperation and the prosecution of domestic violence in a specialized court," *Justice Quarterly*, 18 (3), 593-622.

Dunford, F. (1992). The measurement of recidivism in cases of spousal assault. *Journal of Criminal Law and Criminology*, 83, 122-130.

Dunford, F. W., Huizinga, D., & Elliott, D. S. (1990). The role of arrest in domestic assault: The Omaha police experiment. *Criminology*, 28, 183-206.

Dupuy, H. J. (1984). The psychological general well being (PGWB) index. In N. Wenger, M. Mattson, C. Furberg, & J. Elinson (Eds.), *Assessment of quality of life in clinical trials of cardiovascular therapies*. New York: Le Jacq Publishing, 1984.

Dutton, M. A., Goodman, L. A. & Bennett, L. (1999). Court-involved battered women's responses to violence: The role of psychological, physical, and sexual abuse. *Violence and Victims*, 14 (1), 89-104.

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), 3-50.

Fagan, J. (1988). Contributions of family violence research to criminal justice policy on wife assault: Paradigms of science and social control. *Violence and Victims*, 3 (3), 159-186.

Fagan, J. (1996). *The criminalization of domestic violence: Promises and limits*.
Published presentation from the 1995 Conference on Criminal Justice Research and Evaluation

in Washington, D.C., 1996.

Ferraro, K. J. & Pope, L. (1993). Irreconcilable differences: Battered women, police and the law. In N. Z. Hilton (Ed). *Legal responses to wife assault: Current trends and evaluation* (pp. 96-123). Thousand Oaks, CA: Sage, 1993.

Ford, D. A. (1991). Prosecution as a victim power resource: A note on empowering women in violent conjugal relationships. *Law & Society Review*, 25 (2), 313-334.

Ford, D. A. & Regoli, M. J. (1992). The preventive impacts of policies for prosecuting wife batterers. In E. S. Buzawa & C. G. Buzawa (Eds.) *Domestic violence: The changing criminal justice response* (pp. 181-208). Westport, CT: Auburn House.

Ford, D. A. & Regoli, M. J. (1993a). *The Indianapolis domestic violence prosecution experiment: Final report*. Washington, D.C.: National Institute of Justice.

Ford, D. A. & Regoli, M. J. (1993b). The criminal prosecution of wife assaulters. In N. Z. Hilton (Ed.) *Legal responses to wife assault: Current trends and evaluations* (pp. 127-164). Newbury Park, CA: Sage.

Georgia Bureau of Investigation (2003, August 29). *Georgia Crime Information Center*. Retrieved from: <http://www/ganet.org/gbi/gcic.html>.

Goodman, L. A., Bennett, L. & Dutton, M. A. (1999). Obstacles to victims' cooperation with criminal prosecution of their abusers: The role of social support. *Violence and Victims*, 14, 427-444.

Goolkasian, G. A., *Confronting domestic violence: A guide for criminal justice agencies*. Washington, D.C.: National Institute of Justice, 1986.

Hanna, C. (1996). No right to choose: Mandated victim participation in domestic violence prosecutions. *Harvard Law Review*, 109 (8), 1849-1910.

Hirschel, D. J. & Hutchison, E. W. (1992). Female spouse abuse and the police response: The Charlotte, North Carolina experiment. *Journal of Criminal Law and Criminology*, 83, 73-119.

Kahan, D. M. (2000). Gentle nudges vs, hard shoves: Solving the sticky norms problem. *University of Chicago Law Review*, 67, (3), 607-646.

Lerman, L. G. (1981). *Prosecution of spouse abuse: Innovations in criminal justice responses*. Washington, D.C.: Center for Women Policy Studies.

Mancoske, R. J., Standifer, D. & Cauley, C. (1994). The effectiveness of brief counseling services for battered women. *Research on Social Work Practice*, 4 (1), 53-63.

McCord, J. (1992). Deterrence of domestic violence: A critical review of research. *Journal of Research in Crime and Delinquency*, 29 (2), 229-239.

McFarlane, J. P, Willson, D. L., & Malecha, A. (2000). Women filing assault charges on an intimate partner: Criminal justice outcome and future violence experienced. *Violence Against Women*, 6 (4), 396-408.

Mears, D., Carlson, M. J., Holden, G. W., & Harris, S. D. (2001). Reducing domestic violence revictimization: The effects of individual and contextual factors and type of legal intervention. *Journal of Interpersonal Violence*, 16 (12), 1260-1283.

Mills, L. G. (1998). Mandatory arrest and prosecution policies for domestic violence: A critical literature review and the case for more research to test victim empowerment approaches.

Criminal Justice and Behavior, 25 (3), 306-318.

Newmark, L., Harrell, A. & Salem, P. (1995). Domestic violence and empowerment in custody and visitation cases. *Family and Conciliation Courts Review*, 33 (1), 30-62.

Pate, A. M. & Hamilton, E. E. (1992). Formal and informal deterrents to domestic violence: The Dade county spouse assault experiment. *American Sociological Review*, 57, 691-697.

Pearlin, L. I., & Schooler, C. (1978). The structure of coping. *Journal of Health and Social Behavior*, 19, 2-21.

Pinderhughes, E. B. (1983). Empowerment for our clients and for ourselves. *Social Casework*, 64, 267-276.

Quarm, D. & Schwartz, M. D. (1985). Domestic violence in criminal court – An examination of new legislation in Ohio. In C. Schweber & C. Feinman (Eds.) *Criminal justice politics and women: The aftermath of legally mandated change* (pp. 29-46), Binghamton, NY: Haworth Press.

Rauma, D. (1984). Going for the gold: Prosecutorial decision making in cases of wife assault. *Social Science Research*, 13, 321-351.

Rebovich, D. J. (1996). Prosecution response to domestic violence: Results of a survey of large jurisdictions. In E. S. Buzawa & C. G. Buzawa (Eds.) *Do arrests and restraining orders work* (pp. 176-190). Newbury Park, CA: Sage.

Rennison, C. M. (2001). *Intimate partner violence and age of victims, 1993-1999*. Washington, D.C.: U.S. Department of Justice. Retrieved from:

<http://www.ojp.usdoj.gov/bjs/pub/pdf/ipva99.pdf>.

Rosenberg, M. (1965). *Society and the adolescent self image*. Princeton, NJ: Princeton University Press.

Rumptz, M. H., Sullivan, C. M., Davidson, W. S. & Basta, J. (1991). An ecological approach to tracking battered women over time. *Violence and Victims*, 6(3), 237-244.

Schmidt, J. & Steury, E. H. (1989). Prosecutorial discretion in filing charges in domestic violence cases. *Criminology*, 27 (3), 487-510.

Sherman, L. W. & Berk, R. A. (1984a). *The Minneapolis domestic violence experiment*. Washington, DC: Police Foundation Reports, no. 1.

Sherman, L. W. & Berk, R. A. (1984b). The specific deterrent effects of arrest for domestic assault. *American Sociological Review*, 49, 261-272.

Smith, A., & Siegel, R. (1985). Feminist therapy: Redefining power for the powerless. In L. Rosewater & L. Walker (Eds.), *Handbook of feminist therapy*, (pp. 13-21). New York: Springer.

Smith, B. (1988). Victims who know their assailants: Their satisfaction with the criminal court's response. In G. T. Hotaling, D. Finkelhor, J. T. Kirkpatrick, & M. A. Straus (Eds.), *Coping with family violence: Research and policy perspectives*, (pp. 183-192). Newbury Park, CA: Sage.

Straus, M. A., Hamby, S. L. Boney-McCoy, S. & Sugarman, D. B. (1996). The revised Conflict Tactics Scales (CTS2): Development and preliminary psychometric data. *Journal of*

Family Issues, 17 (3), 283-316.

Thistlethwaite, A., Wooldredge, J. Gibbs, D. (1998). Severity of dispositions and domestic violence recidivism. *Crime & Delinquency*, 44 (3), 388-398.

Tolman, R. M. & Weisz, A. (1995). Coordinated community intervention for domestic violence: The effects of arrest and prosecution on recidivism of woman abuse perpetrators. *Crime & Delinquency*, 41, 481-495.

U.S. Bureau of the Census (1999). *County population estimates for July 1, 1998 and population change for July 1, 1997 to July 1, 1998*. Prepared by the Population Estimates Program. Washington, D.C., 1999.

Varvaro, F. F. & Palmer, M. (1993). Promotion of adaptation in battered women: A self-efficacy approach. *Journal of the American Academy of Nurse Practitioners*, 5 (6), 264-270.

Waites, K. (1985). The criminal justice systems response to battering: Understanding the problem, forging the solutions. *Washington Law Review*, 60, 267-329.

Wallerstein, N. (1992). Powerlessness, empowerment, and health: Implications for health promotion programs. *American Journal of Health Promotion*, 6 (3), 197-205.

Weisz, A. N. (2002). Prosecution of batterers: Views of African American battered women, *Violence and Victims*, 17 (1), 19-34.

Whitcomb, D. (2002). Prosecution, kids, and domestic violence. *National Institute of Justice Journal* no. 248, 3-9.

Wills, D. (1997). Domestic violence: The case for aggressive prosecution. *UCLA Women's Law Journal*, 7, 173-182.

Zimmerman, M. A. (1990). Taking aim on empowerment research: On the distinction between individual and psychological conceptions. *American Journal of Community Psychology*, 18, (1), 169-177.

Zorza, J. & Woods, L. (1994). *Analysis and policy implication of the new domestic violence police studies*. New York: National Center on Women and Family Law.

END NOTES

¹ Most policy development has occurred at this level because the source for most criminal justice system reforms have been initiated by the legislature in various states, or have been the result of civil actions directed largely at the police whose responses to domestic violence are more visible than those of prosecutors and judges (see Epstein, 1999 and Kahan, 2000 for further discussion of this issue) . In addition, police are the gatekeepers of the justice system, with the majority of domestic violence cases entering the court system through police arrest.

² Victim/witness advocates who are assigned to the prosecutors offices are not to be confused with advocates in the community who act on behalf of battered women. Because of their location in the prosecutor's office, victim/witness advocates main function is to support and assist victims during the prosecutorial process. This often does not always equate with advocating for victims' wishes or desires with regard to the handling of her case within the prosecutor's office. As such, they are often advocates for prosecution, rather than advocates for the victim if she does not support prosecution.

³ An accusation is the technical term applied to the document prepared by a prosecutor to levy charges against a defendant. This document is then filed with the appropriate court.

⁴ The Georgia Criminal Justice Information System (CJIS) Network provides direct terminal access to computerized data bases maintained by Georgia agencies, by agencies in other states, and by the National Crime Information Center. The GCIC receives reports from more than 600 state and local law enforcement agencies each month (Georgia Bureau of Investigation Georgia Crime Information Center (2003, August 29). Retrieved from:

<http://www.ganet.org/gbi/gcic.html>.

⁵ Of the 55 victims who reported having at least one prior violent relationship in addition to their current one, only five indicated that they lived with their current abusive partner for less than one year. Thus, it is possible that when asked to report abuse committed by a partner in the past year, these five cases reported abuse that they experienced at the hands of more than one partner.

⁶ In addition to examining the effect of the presence of no-drop policies on prosecutorial actions, we compared the cases drawn from each site to identify any differences in victims' demographic, prior experiences with abuse, and prior experiences with the justice system. This analysis revealed few significant differences between victims across the two sites. A greater percentage of victims in DeKalb County were black (88.3%) compared to in Gwinnett County (31.6%) $X^2(1,170) = 57.96, p < .001$. The mean number of residence changes was higher among Gwinnett County victims ($M = .868, SD = 1.18$) compared to Gwinnett County victims ($M = .495, SD = .802, t = 2.35, p < .02$). A significant larger percentage of cases in Gwinnett County reported that they currently lived with their abusive partner at the initial interview (55.3%) compared to DeKalb County (40.4%) $X^2(1,170) = 4.06, p < .04$. A larger percentage of victims in Gwinnett County reported that they requested a protective order in the past (27.4%) compared to DeKalb County (13.0%) $X^2(1,165) = 5.36, p < .021$.

⁷ In addition to examining the mean differences by the five categories of prosecutorial actions

(minimal, supportive, persuasive, choice, and coercive), we also conducted a total of 22 t-tests to see if any specific prosecutorial action within the five categories was employed more frequently in one site versus another. Because of the large number of t-tests conducted, the Bonferroni technique was used to guard against Type 1 error and a .002 level of significance was used ($.05/22 = .002$). No statistically significant differences emerged.

⁸ Chronicity of physical injury and chronicity of physical assault reported by victims were highly correlated ($r = .880$) and could not be included in the same model.

⁹ Pearson's correlation coefficient for each set of dependent measures was calculated. As expected, personal empowerment and self-efficacy were highly correlated $r = .564$ and court empowerment was only weakly related to personal empowerment ($r = .188$) and self-efficacy ($r = .110$). Because the high degree of correlation between self-efficacy and personal empowerment would likely cause multi-collinearity, both variables could not be included in the same regression model. Personal empowerment was included rather than self-efficacy throughout the remainder of the analysis.

¹⁰ Case disposition was categorized into the following categories: guilty, no action beyond arrest, dismissal, not guilty and other. Case sanction was also categorized into incarceration, probation, fines, treatment interventions, other and nolle prosequere or dismissals. When measured in this way, the two variables are highly correlated and could not be included in the same model.