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**Special Session Domestic Violence Courts:  
Enhanced Advocacy and Interventions**

**Final Report**

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**October, 2002**

**Prepared for**

**National Institute of Justice**

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# Project Description

## Introduction

Despite over twenty years of attention to domestic violence by advocates, service providers, researchers, and policy-makers, and dramatic increases in resources provided for criminal justice and community-based services, gaps remain in our knowledge about which types of interventions and collaborative partnerships offer the most effective strategies to enhance victim safety and hold offenders accountable. In particular, at the time the present researcher-practitioner partnership was proposed, little was yet known about the impact of specialized domestic violence dockets, specialized prosecution units, and the expanded advocacy and treatment interventions they often provide—especially in the context of mandatory arrest that applies to misdemeanor offenses. In addition, little was known about cultural differences which could affect the ways battered women understand and shape their experience and respond to efforts to provide them with help and support through the criminal justice system.

As courts struggle to create new approaches to respond to the complex challenges posed by domestic violence, the role of specialized victim advocacy and offender interventions have been particularly important. When courts place more emphasis on prosecuting domestic violence defendants, especially in misdemeanor cases, the roles played by advocates are likely to become more complex and diverse. Little was yet known about how they would interact with battered women and personnel in the courts and the community as the legal system's response changed. Evaluation that documents the process of these changes—particularly enhanced services and advocacy for women whose partners were arrested—was the focus of the project reported here. This evaluation partnership operated simultaneously with a state-funded pre-post evaluation of the special session courts that focused on a comparison of the court-ordered interventions and

subsequent rates of recidivism for offenders. In contrast, the present project sought to contribute to answers to the following questions shared by local researchers and practitioners:

- How do women whose partners were arrested for domestic violence in jurisdictions with special session courts experience the legal system's response?
- What strategies most enhance women's sense of safety?
- How (if at all) do African American, Latina and Caucasian women whose partners have been arrested for domestic violence differ in their experience of legal system interventions?
- How is the role of victim advocate affected by increased resources and court emphasis on interventions and sanctions?
- What services do women want and receive when advocates have more time and resources available?

## Review of Relevant Literature

Research and evaluation data on the role of the criminal legal system in responding to and preventing domestic violence has been growing rapidly in the last decade, as the number of jurisdictions that have adopted mandatory arrest policies and established specialized interventions has increased dramatically. The literature on mandatory arrest and police practices, court practice, specialized victim advocacy, victims' subjective understandings of domestic violence, and racial/ethnic cultural variations in women's experiences of domestic violence and the legal system are most germane to the present report, and are summarized in turn. This review demonstrates that gaps remain in our knowledge about the impact of legal system interventions and the importance of data on the *interpretation* of the laws, policies and people involved.

### ***Mandatory Arrest***

Since the mid-1980's, policy makers have increasingly turned to the criminal legal system to respond to cases of domestic violence, in part as a result of the 1984 Minneapolis Domestic Violence Experiment. Although some subsequent research on mandatory arrest had more qualified results, and some studies in the late 1980's and early 1990's highlighted potential barriers and situation-specific selection factors which raised questions about relying primarily on legal remedies, arrest has accelerated as a popular intervention strategy. Most recently, a new analysis of data from the Spouse Assault Replication Program found again that arrest was associated with lower levels of repeat offending—significantly so, using data from interviews with victims.<sup>1</sup>

### ***Police Practice***

Despite the growing emphasis on arrest as preferred policy, studies continue to document the use of police discretion, and to identify characteristics of incidents and the people involved that are associated with increased likelihood of arrest. Some find that victim or offender characteristics

most influence police decisions, other factors being equal. Stalans and Finn, for example, found that police assess female victims' credibility and develop their own determination of blame before deciding to arrest. Further, their determinations of blame are influenced by victims' social class and officers' knowledge of mental illness.<sup>2</sup> Avakame and Fyfe found that police are more likely to arrest when the victim is older, is Caucasian, wealthy, is injured; the offender is African American, under the influence of drugs or alcohol, and has weapons; and the incident occurs in a suburban or rural area.<sup>3</sup> Feder, in contrast, found that situational variables were more influential on police decisions than characteristics of victims or offenders, and noted the importance of administrative support for arrest, as well.<sup>4</sup> As the entry point for criminal justice processing, police handling is critical for both victims' and offenders' experience of the system; it is not surprising that victims report most satisfaction when the police do what victims want them to do.<sup>5</sup>

### *Court Practice*

Some studies of specialized court practice in domestic violence cases have provided evidence of the potential of legal intervention for contributing to victim empowerment, reduced violence, information, and satisfaction.<sup>6</sup> Ford, for example, found that women's risks of repeat violence were reduced when they were allowed to drop criminal charges against their abusive partner, and that the legal system's response to their decision contributed to women's sense of empowerment. Similarly, Hirschel and Hutchinson found that, controlling for other factors, prosecutors were more likely to proceed with a case when the victim was injured, and less likely to pursue it when the victim had argued against an arrest or citation.

Increasingly, the importance of multi-institutional, coordinated community responses in the court context has been emphasized and received some support.<sup>7</sup> Early evaluations indicated that such programs can be effective; they have been increasingly advocated as practitioners have

acknowledged the complexity of the issues involved in domestic violence. Buzawa, Hotaling and Klein found that the model court they studied focused intervention resources on men who had prior arrests for domestic violence. Murphy, Musser and Maton found that the more coordinated intervention the court invoked, the lower were men's subsequent rates of recidivism. Weisz, Tolman and Bennett reported that the more coordinated community services were provided for female victims, the more actively they participated in criminal prosecution.

Other studies that have investigated court process, however, have raised questions.<sup>8</sup> Cretney and Davis for example, found lower rates of conviction and lower penalties were more likely when the couple remained together. Carlson and Nidey reported that mandatory arrest in Iowa had resulted in *lower* rates of conviction in domestic violence cases than had been found before. They speculated that fear of retaliation, poor treatment by court personnel, and/or the complexity of the system's response may have affected victims' willingness to participate in the process.

Some studies have questioned the impact of the ways court personnel can pay selective attention to battered women's stories to shape them into categories appropriate for one of the available legal remedies.<sup>9</sup> Emerson's study of restraining order processing in Los Angeles, for example, also documented battered women's resistance to court categories and court workers' efforts to convince women to leave their partners. Wuest and Merritt-Gray reported that women learn the importance of knowing legal system language and staff in order to get the help they need. Hartley's analysis of felony trials found that defense strategies sometimes paralleled abuse tactics. Ptacek analyzed the role of judges' varying demeanor in the courtroom, and emphasized the differential impact it could have on victims. Each of these studies, however, notes the potentially crucial role that can be played by specialized advocates in the court process.

### *Specialized Advocates*

Research has begun to demonstrate that advocacy services, when available, can provide significant support of diverse kinds and can be associated with reduced risk of physical and psychological abuse and enhanced well-being over time.<sup>10</sup> Unfortunately, studies of advocacy in the court context have been extremely limited until recently.<sup>11</sup> Some of the more recent studies have involved very small samples<sup>12</sup> but have consistently found advocates to be significant sources of support. One recent study in a large urban court of 92 adult women whose partners had been arrested for assaulting them found that supportive advocacy, along with increased severity of abuse, and a child in common with the abuser, was associated with increased willingness to cooperate actively in their partners' prosecution.<sup>13</sup> As more emphasis is placed on court responses as the central feature of comprehensive interventions, then, comprehensive and effective advocacy has been urged more strongly, and models have proliferated.<sup>14</sup>

### *Women's Experiences*

As studies of court interventions have increased, more attention has begun to be paid to abused women's experience of domestic violence, and the ways they perceive and negotiate the legal system to obtain help and support. Sev'er's analysis of survey results found that separation heightened women's risk of violence, as measured by increased threats, threats related to children, economic and legal abuse, and other forms of physical violence. These findings raise questions about the advisability of automatic and universal court-ordered separation as the first intervention following arrest, unless effective protective measures are in place.<sup>15</sup>

Other studies have asked women directly about the ways their experiences may pertain to legal system interventions. Hamby and Gray-Little, for example, studied the used of the labels "abuse," "victim," and "battered woman" by 78 women who had experienced domestic violence.

They found that nearly 2 out of 5 women did not apply any of those labels to their own experience. The women who did apply the labels were more likely than those who did not to have experienced more frequent and severe physical violence, to have partners with lower incomes, and to have subsequently ended the relationship. Their study emphasizes the importance of *context* for understanding women's responses to abuse.<sup>16</sup> Several other studies have emphasized that abused women are strategic actors, whose priorities and relationship assessments can shift over time as circumstances change. Understanding these shifts can affect how receptive women are to outside intervention.<sup>17</sup>

These findings have direct applicability to research conducted in legal system contexts. A study of circumstances involved in 137 women's contacts with police, for example, found that they had experienced multiple situational barriers, including lack of accessible telephone, overt partner prevention, and fear. Less than a quarter of these women had had as much police contact in the previous six months as they felt they needed. Smith studied 93 women in shelters; she reported that 75% said that the presence of an effective advocacy program would increase their likelihood of reporting domestic violence.<sup>18</sup>

Finally, other studies have investigated women's response to mandatory arrest and specialized courts, and found that, while a majority support arrest and special courts, their reactions are complex. Smith found, for example, that women who had previously experienced arresting their abusive partners were less likely to support mandatory arrest. Another of her studies, with 241 women, found that 13% said they would be less likely to report the abuse if arrest were mandatory. Similarly, Ferraro found that women who saw the police as "agents of repression" did not support mandatory arrest, and some worried that they themselves would be arrested if they called police. Dutton, Goodman and Bennet found that the type of abuse women had experienced affected their

reactions: women who had been abused and assaulted physically were more likely to use the criminal legal system, while women who had experienced psychological abuse were more likely to seek civil remedies and also to display more signs of trauma. Finally, Ellis and DeKeseredy reported that women's loyalty and love for their partners can limit the effectiveness of criminal legal system responses. They found that women wanted the violence to stop, but often wanted that to occur with a minimum of trouble for themselves or their abusive partners.<sup>19</sup> Research that has asked women directly about their opinions and experiences, then, finds that women's views are complex and vary with their general views and the immediate situational context.

### ***Racial/Ethnic Cultural Variations***

Among the most glaring gaps in the available domestic violence research literature have been studies that investigate the ways women's experiences of domestic violence and the criminal justice system may vary by race/ethnicity. A study of 168 women in 22 focus groups found, for example, that African American women obtained more support from family and friends than the Caucasian women, and were more likely to have limited or negative experiences with shelters.<sup>20</sup> Bachman and Coker and others have found that African American women were more likely than Caucasians to call the police, even when such factors as seriousness of injury were controlled statistically.<sup>21</sup> Richie, in contrast, found that the African American women in her study were less inclined to seek help with domestic violence from the criminal justice system because of their perception of discrimination directed particularly at African American men. Similarly, Peterson-Lewis, Turner and Adams suggested that African American women may be more inclined to blame the abuse they experience on racist society than on their partners.<sup>22</sup> In one of her studies, Smith found that 79% of the Caucasian women, but 53% of the African American women she surveyed supported mandatory arrest. In her other study, however, she found few differences across race and

ethnicity for mandatory interventions in general (arrest, prosecution and medical reporting).<sup>23</sup>

There is no consensus in the literature as yet about the extent of similarities and differences across race and ethnicity in women's responses to violence and the criminal justice system; some research finds that apparent differences disappear when factors associated with social class are controlled.<sup>24</sup>

## **Scope and Methodology**

## **The Plan as Proposed**

The original proposal for this researcher-practitioner partnership called for data collection that would provide process information that would supplement an outcome evaluation already in process. The plan included the following:

- analysis of data collected from a case processing information system that was being developed specially for the three special session family violence court sites, and was nearly completed at the time of application;
- analysis of data from a new, separate, automated client service record covering the work performed by the specialized family violence victim advocates;
- observations and interviews with key personnel, with emphasis on the family violence victim advocates; and
- interviews with 60 women whose partners had been arrested for family violence crimes and were being seen in one of the three special session sites. The sampling goal for these interviews was 20 Caucasians, 20 African Americans, and 20 Latinas—to permit comparisons of their experience with violence and the court interventions across race and ethnicity. These interviews were the primary focus of the data collection in the proposed partnership.

## **The Plan as Implemented**

Between the time the proposal was submitted and the actual project start date, the State's Judicial Branch underwent a substantial reorganization. Many court functions were regionalized, and many job responsibilities were re-configured. One result was that the new case processing information system for the three specialized family violence court session sites was never completed. Another result was that the personnel who were expecting to work on development

of the new client service record for the specialized family violence victim advocates were reassigned, and available staff were focused on implementing the sweeping reorganization. These developments affected the data collection and analysis plan to some degree.

#### *Analysis of Data from the New Court Information System*

Since the new system was not completed, there were no data to analyze from it. Since the outcome evaluation of these three sites had been under way for several years, and was continuing, this aspect of the proposal for this project was the lowest priority. In fact, proposal reviewers had considered it too ambitious in any case. In the spirit of the researcher-practitioner partnership, the Project Director participated in several meetings with the Judicial Branch committee assigned the task of revising court intake and assessment forms, and helped to ensure that these instruments would document information needed for future research related to family violence in all court sites in the state. The new forms have now been implemented.

#### *Analysis of Data from the New Family Violence Victim Service Record*

Development of the new automated service record was an important part of the partnership. The grant had provided a computer for family violence victim advocate (FVVA) staff in each of the three specialized sites to facilitate data entry into the new system. With support provided by the Judicial Branch, the Project Director and the Coordinator of Victim Advocacy Services from the Coalition Against Domestic Violence worked with a software consultant who had designed other systems for the Branch to develop the new automated data system. All data elements were selected and defined collaboratively; the ultimate goal was to create a system that would greatly simplify ongoing FVVA reporting requirements, as well as data collection for research and evaluation purposes. The system was developed, the advocates from the three sites were trained in its use, and the software was loaded onto the grant-acquired

computers in each of the three courts. This process was completed such that two months of the formal grant period remained.

The proposal had called for analysis of data for two months of service. One of the three sites had difficulty coordinating the data entry process; none of its advocate staff was comfortable with computers, and staff turnover following the training in the new system posed an additional barrier. That site requested that it be allowed not to participate in the data entry, and the Coalition agreed. As a result, the data from the new system cover two of the three sites, but include services provided during a three-month span. Simple frequencies and cross tabular analyses of these service data for 1,135 female family violence victims are provided in the “Detailed Findings” section.

#### *Observations and Interviews with Family Violence Victim Advocates*

The daily work of the Family Violence Victim Advocates (FVVAs) in the special session court sites had been an ongoing focus of observations in the three years prior to the beginning of this project. For this project, observations were more limited, and discussions at bi-monthly meetings restricted to these advocates and the statewide advocate coordinator were emphasized instead. These meetings lasted three hours each, and featured descriptions of new practices and issues in each site, and more extended group discussion of new challenges in advocacy.

Analysis of these meetings focuses on themes pertaining to newly emerging problems associated with changes introduced by the special sessions, and their resolution (if any) and options.

Toward the end of the project period, in March and April, 2000, qualitative interviews were held with the twelve experienced specialized advocates—four from each site see Appendix A for a copy of the interview guide). The Coalition’s advocacy coordinator reviewed the questions in advance. These interviews were conducted by the Project Director, and held in

person at the advocates' program offices (away from court). The responses were recorded as near verbatim as possible on a laptop computer during the interview; interviews averaged about an hour and a half in length. Responses were analyzed to capture the range of responses, with an emphasis on the new challenges for advocacy posed by the special sessions' increasing focus on more stringent sanctions for offenders.

### *Interviews with Women Whose Partners Were Arrested for Family Violence*

The in-depth interviews with 60 women whose partners were arrested for domestic were the primary effort of this partnership. The purpose of these interviews was to learn more about the range of women's experiences with court interventions, including contact with advocates, in the context of the rest of their lives. Advocates, researchers, and women themselves have been calling for increased understanding of the context of violence for the past several years. With growing reliance on the criminal legal system as a primary source of interventions, this understanding becomes even more important—to help frame women's responses to the options this system presents.<sup>25</sup> Of particular interest was learning more about any differences based on race, ethnicity, or culture that women might describe in their experiences and the meaning of court interventions—how did these considerations affect their decision-making?

The specific questions were based partly on previous interviews conducted as part of Connecticut's ongoing evaluation efforts. Importantly, however, these interviews were developed in consultation with advocates and a victim advisory group. The advisory group was created with advocates' help, and was composed of six women whose partners' cases had been seen in the three court sites. The six women, along with two advocates, met in one program's office on a Saturday (transportation, food and child care were provided, along with \$20) to review proposed questions, suggest additional items, and discuss the best strategies for approaching women about their possible

participation. As a result of their suggestions, questions were added about women's experience with the police, as well as expanded questions about sources of support and risks.

The questions (see Appendix B for a copy of the interview schedule) were designed to elicit information from women about the meaning and context of intimate violence in their lives generally; their assessments of the risks and options available to them and their children from family, friends and other institutions; their strategies for maximizing safety for themselves and their children; the meaning of the arrest incident in their overall experience of their relationship with their abusive partner; and, significantly, the impact of the court experience (its options and remedies; their contact with advocates and court and offender intervention staff) on their plans, sense of options, and understanding of the abuse they had experienced.

Women who came to court on the day of arraignment were told about the study and the \$25 contribution for their time by the advocates, and given a simple written description of it (in English or Spanish, as appropriate), developed in consultation with the victim advisory group. Women who did not come to court at that time were told about the interview when the advocates contacted them by telephone. With this approach, nearly every woman who became involved in the court process to any degree was informed about the study and their opportunity to participate. This initial contact approach, since it occurred in the course of the advocates' ordinary work, did not increase risks to the women. Women who were interested in participating provided information about the safest ways and times to contact them.

These women were subsequently contacted by a research assistant who had received extensive training particularly for this project. The project was reviewed again, and arrangements made for the interview to take place in person in a safe place selected by the woman, or by telephone—the type of contact was her choice. Safety issues were raised at this point, as well, in an

effort to ensure that the interview process itself would not pose foreseeable risks to the woman. Without exception, the women preferred to be interviewed by telephone, and all agreed to have the interview tape-recorded. At the end of the interview, the women who expressed an interest were provided with information about the resources available in their area.

Interviews were completed with 60 women from the three specialized court sites. Unfortunately, the sampling goal of 20 Caucasians, 20 African Americans and 20 Latinas was not achieved precisely. Instead, the interviews included 22 Caucasians, 25 African Americans, and 11 Latinas, along with a Native American woman and a woman who had immigrated from India. Although the goal was not achieved precisely, the sample's diversity reasonably represents the range of women seen as victims of domestic violence in the courts, and the number of Latinas is sufficient for purposes of qualitative analysis. Further, the Latinas who were interviewed included women whose primary language was Spanish (and were interviewed in Spanish), who had experienced a range of physical (as well as psychological) violence, who were still living with the man who had abused them, and who reported that they had not revealed their abuse to anyone before the present court experience—characteristics often associated with women's reluctance to participate in research interviews. In any case, strict representativeness is not the primary goal of qualitative research; it is more important to include the *range* of potential respondents, and this was accomplished.

The interviews were coded where possible (and appropriate), and quantified, to demonstrate general frequency distributions and differences across race/ethnicity. Two researchers completed this coding independently; the initial few differences were readily resolved through subsequent discussion. The interviews were also analyzed qualitatively, with attention to the range of meanings and responses. Cross-case analysis was used to identify themes that were especially prominent.

Some specific questions that have particular relevance for understanding women's choices and behavior in court, such as their understanding of the term "family violence," the reasons they called the police (if they did), what they think the person who abused them needs, and issues related to their children, have been examined in most detail. In general, analysis focused particularly on understanding the meaning of the court process and personnel in the context of the women's lives, and the issues they considered in assessing their safety and available options.

## Detailed Findings

# The Family Violence Victim Advocates

## *Background*

The specialized “family violence victim advocate” (FVVA) position was created with the passage of the “Family Violence Prevention and Response Act” by the state legislature in 1986. The advocates are hired by the local private non-profit domestic violence programs across the state, and work under their supervision in each of the state’s lower criminal courts.<sup>26</sup> Until the arrival of STOP grant funding, the advocates’ work concentrated on the day of arraignment, with follow-up services provided at victims’<sup>27</sup> request and as time permitted. STOP funding, and subsequent funding through the Grants to Encourage Arrest Program, provided the resources for hiring more specialized advocates across the state. Among these, additional advocates were hired as part of the three special session family violence courts created with support from federal funds—to work with victims throughout the *pendency* of the case, and following conviction.

The special session courts have consistent, specialized staff appointed to work with family violence cases, and enhanced intervention options for both offenders and victims. Intervention options for offenders include groups available in both English and Spanish that range in length from 10 weeks (usually pretrial, for a first-time, misdemeanor arrest) to 26 weeks (either pretrial or post-conviction, for subsequent offenses), bi-weekly or monthly court appearances (depending on the site and the stage of the process—more frequent appearances are likely immediately following arraignment and may decrease in frequency if the offender is compliant with court orders), referrals for drug and/or alcohol assessment and treatment, orders to attend AA or NA, referrals for counseling, and orders to find or maintain employment or educational involvement. Specialized probation officers may also be involved in community supervision. Teams of court staff meet regularly in each site to discuss cases and review their

progress. The courts' goals have been to increase victims' safety and offenders' accountability. Early evaluation data indicated that conviction rates, number of defendants' court appearances, and the length of time under judicial supervision (time between arraignment and case disposition) increased significantly in the special session court sites.<sup>28</sup>

### ***Findings from Interviews and Meetings***

The advocates who were interviewed were experienced at their work: two-thirds had been employed in this capacity for a range of nearly two years up to eleven years. Only one had been employed as an advocate for less than a year. Nearly all of them had also worked in their local domestic violence program as volunteers or student interns before they were formally hired for the job. Six of the advocates (out of the 12 interviewed) said that they served as victim advocates in all stages of the criminal legal process, while, at the time of the interviews, two each specialized in advocacy during arraignments, continuances, and post-disposition. It is important to note at the outset that, without exception, the advocates agreed that the special session sites were more responsive (than other court sites and than these sites before the special sessions were created) to both victims and defendants, that the added resources had improved the options available for responding to often-complex situations, and that increased communication had enhanced opportunities for the victim's voice to be "heard."

**The work.** As the advocates were asked to describe a "typical" day at work, their responses centered on the different stages of the court process, and what that meant for victims' issues (for this grant, attention focused on female victims of intimate partner violence), the pace of the work, and the primary court staff involved. At arraignment, advocates talk with victims referred by "Family Relations Counselors." (These are Judicial staff who are ordinarily involved with family cases in civil court, as well; under re-organization most became part of the Intake,

Assessment and Referral unit.) The advocates' job at arraignment is to provide information about the court process and the immediate options available to victims, help determine victims' needs and preferences, and assess their safety; they convey the pertinent information that the victim has explicitly agreed to share to the Family Relations and/or the prosecutorial staff, as appropriate. This stage of the work was often described as stressful, for both the advocate and the victim.

Sometimes you can't work fast enough. Some victims when you're that busy get very testy and don't listen. You're not telling them what they want to hear...Arraignment you see more frustrated victims, because they're upset right after it happens.<sup>29</sup>

All of our work is affected by the volume. The size of the docket and the court house. Everything is large...there's nothing small and simple about what we do. All the time you're assessing what the situation is in the home. What kind of referrals, resources you can use to help. But the first priority is the immediate safety of the victim. Of course you're doing safety planning...Safety planning means keeping a woman safe according to her own situation. You look at the risks and work with her according to what's comfortable to her. Sometimes they don't want to stay at their (current) level of risk. So it's suited to her—what she wants. It's coming from her, and she's defining it. We have to ask the right questions so she can assess.

Continuance work spans the time following arraignment until the case is disposed. In these sites well over half of the cases remained pending for two months or more; about a third were open for at least six months. Over 80% of the cases involved three or more appearances for the defendant, and over one-third involved six or more. This period often includes defendants' reports to the court about their compliance with "pretrial" orders, and efforts to modify orders first issued on the day of arraignment. During this time, advocates describe victims as undergoing reassessments of their situation, with many reconsidering what they want and need. Advocates may be called upon at this stage to support victims' efforts to obtain modifications of court orders, and to discuss with victims the safety and other implications of changes in their situations or in court response. In communities with increasing arrays of services, this can also

be a confusing time for the women. The advocates help the women to sort through options and access what is needed.

Everybody and their brother is trying to talk to the victim. We inundate them. I'll get phone calls from victims asking if they have to respond to people they're hearing from. (Service A) and (Service B) also get copies of the police reports and contact her to offer services. She has so many more people to deal with than he does. So *he's* not confused or inundated [but she is]!

Post-disposition work most typically involves working with women whose partners were convicted and sentenced to either a period of incarceration or probation.

... We keep in close contact especially with the women we consider high risk... at least once a month. ... Most times they're happy to know that someone cares enough to call and see how they're doing. Sometimes we'll get in touch and we'll get a call back and the victim will say that they're concerned that he's acting up again but they don't know what to do. "I'm really afraid." For instance, a woman called back... and said that she was getting flashbacks, even though he was in prison, so she wanted victim notification now. She's going to get a restraining order and have him served while he's in jail, so she'll have that when he gets out.

This work may also involve extensive work with probation staff, as described in the following:

...(I) get information about new referrals and what they've disclosed during intake and any concerns (they may have) about the victim. While I'm there I have an opportunity to see probation officers and talk to them about cases. Victims raise issues but don't want him violated. So it's an opportunity to learn more about his status: is he pre-violation, anyway, so she doesn't need to risk her safety to do anything?

**Interactions with court staff.** The advocates were asked which staff they interacted with most frequently, and what the most common issues were. They were most likely to interact with Family Relations counselors and the State's Attorneys (prosecutors). To lesser degrees, they also interacted with Probation Officers, Bail Commissioners, police, and, occasionally, Public Defenders. These relationships varied, depending on the individuals and issues involved, and the local court culture.

The advocates reported that they were most likely to interact with the Family Relations counselors (FRCs), and most commonly about issues involved with protective orders (POs). In

general, one of three types of protective orders is entered on the day of arraignment in intimate partner cases (it is quite uncommon for no PO to be entered in these special session courts). One type involves an order not to engage in family violence behavior again (not to hit, threaten, harass, etc.); this is referred to by advocates and court staff as a “limited” PO. The second type (a “full” PO) additionally orders the defendant to stay away from particular addresses (most commonly the victim’s residence and workplace; this order usually requires him to find a new place to stay if they had been living together). The third type (also known as a “full,” but with no contact) orders the defendant to have no contact with the victim by any means, including by telephone and in writing.

Advocates’ characterizations of working with FRCs ranged from highly collaborative to conflict-laden, depending primarily on FRCs’ responsiveness to victims’ desires, as the following excerpts illustrate.

...recommendations from the victims—what they think would help. Parenting classes. What she feels would help with mending. FRCs go along with that about 99% of the time.

FRCs are #1 (most common to interact with)...I forget [to mention them], it’s like they’re one of us.

I inform them of what the victim is stating. Some of the [FR] counselors take it into consideration, and others do not—they’ve already made a recommendation based on the police report. Those same counselors do not take safety into consideration and do not understand that if a full PO is put in [under these circumstances] it will make things worse for the victim.

What they (victims) say to us is confidential unless they choose to release it. Victims don’t always know that what they tell Family Relations isn’t confidential. And Family Relations can make it more dangerous for them. The victims will say that someone has already called them, why should they talk to us? We let them know that what they’ve said to Family Relations wasn’t confidential. Sometimes we don’t get to talk to them until after arraignment, and then we can’t advocate. Family Relations does full orders a lot, and that may not be best for the victim. It makes our job harder. They do full orders without talking to the victim.

(We're) not always in agreement about POs...It's helpful to know where they're heading before we call the victim. We can hint at that in our conversation with her and ask her about the impact that would have on her...Our court tends to do that—a full no contact order is used to punish him for a bad attitude. It's been a battle...We've tried to talk about it, but we just let victims know that they're likely to get it and have to modify it at the next court date.

Advocates' characterizations of their relationships with State's Attorneys, too, were based on the prosecutors' responsiveness to victims, and the politics involved in effective advocacy. The following excerpts illustrate both of these dynamics.

[State's Attorney] is pretty responsive to victims. It's rare that he doesn't do what the victim wants.

Information from the victim initiates [contact with prosecutors]. She may call and say that something more has happened. They need to know that. I've been (very) fortunate—if I speak they listen...They know I don't jump at everything.

You have to pick your moment and battles with [one of the prosecutors]. She's not always reachable. I try not to step on her toes—then she's fine. She has a heavy work load and really knows her clients...She just has limited patience for intrusion at the wrong time.

The advocates said they spend less time with the rest of the personnel involved in these cases. The primary concerns they expressed involved lack of understanding or insufficient time invested to understand the complexities of women's safety and risks.

**Perceptions of what victims want and need.** Advocates were asked what the victims they work with most want, and what they (advocates) think the women most need. Their responses indicated that women both want and need the abuse to end, and to have someone listen to them. Advocates' additional characterizations of what victims want, however, focused more on legal system issues; their descriptions of what women need were more comprehensive.

Victims want: Someone to listen to them. A chance to vent. They want him to be punished for what he did—that's a minority, though. The majority want the abuse to stop. They called the police because they wanted mediators. They want to scare him into thinking she could eventually get him arrested. They say he's a great guy when he's not drinking

or stoned. Get the addictions and abuse to stop. They want me to tell them how to make him stop hitting or abusing them. They want to rehabilitate him.

Modifications of their POs. They're told they can get them modified after the [intervention] program is completed 6 months later. They're going nuts—some of them are married and want him home and they have to have no contact for 6 months!

To be heard. To have a voice and someone who will listen. To have what they say considered important.

Everything to be nice. To stop his abusive behavior, and be part of a family unit.

The first time they want a full PO, how to get help—they're scared and angry. The second time they're communicating and they're doing better—they want to give him a chance. Third time they want to drop the charges. He's in the program and he's helping out.

They feel at ease that there's someone in court for them. Someone who will give them the information about what happens. Validation. People from the suburbs want different things—they're surprised and shocked they have a case in court. They're embarrassed. They think this is something that happens to other people. Economic issues aren't at the survival level for them...I tend to talk to them longer about what's been going on... People from [the urban center] use us for basic needs—getting access to things they need.

Victims need: Someone to listen and validate what they're feeling. They're embarrassed; they're afraid. Can they make it on their own? They're afraid of what will happen next. Many just need emotional support. Victims are very insecure and when it's the first time and they finally ask for help, they need to know that wasn't wrong. They feel like they've opened Pandora's box, as things get out of hand. A calm conversation with someone so they can let it all out. To know they're not alone.

Support, counseling, and more people to listen to them, and hear them...Counseling for the victim and the children. Most don't get into counseling, but they'll get pulled into it through their children. Counseling as a means to support them...They also need money, bottom line. That's still a big reason they don't get out. Like day care or employment or housing assistance...Help with legal issues, like his manipulation of the civil system or of her by his using the civil system. For example, him pursuing custody of a child he hasn't seen in a year.

More counseling and support. I don't think a lot of women understand that this could really potentially be a serious situation. We do safety planning, and all that, but more education would be good. It would be nice if there were more economic resources they could use. We let them know where they can go for jobs and training...

I try to set up little goals for them to become more independent. When you know the victim isn't safe but they need to stay in the relationship. I do a lot of referrals. I try to

get the victim to start thinking. Housing—Section 8—I try to hook them up. [A community agency]—they're good at providing food. Social Security disability for victims with disabilities...

Information—to know that there are options for them, that this way of life is not the only way. They get so into it that they lose sight of that. Educating them about the alternatives—they need to know that, to feel free again. To be able to make a decision. And child care—that's one of the most important missing pieces of this whole system. He's often a major source of child care.

They know what they need, what will make things work. But they need someone to respect and understand why they stay, instead of being criticized and being told what they have to do. When you empower them and allow them to do things themselves, and see themselves—allow yourself to be a mirror for them to see themselves in, it's so much more successful. As advocates we can challenge them and be honest with them, and they'll take it as a compliment and not take it as an offense. You develop rapport; they tell you such intimate things about their lives, so they trust the relationship.

**Major issues & challenges.** With the special sessions courts' increased emphasis on pretrial judicial monitoring and sanctions following conviction, coupled with expanded numbers of advocates, FVVAs are more likely to have contact with victims over time, and to face issues that are new or were previously encountered rarely. Most of these issues are related to the impact (not always negative) on victims of the court process or of other institutions involved in cases, such as the police and the state child protection agency (known as "DCF").

Victim safety is an ongoing challenge in advocates' work. As they develop more intense and trusting relationships with victims, they learn more about risks, and the complexities involved in women's situations. One of the first and most frequent ways safety becomes a legal issue is when victims want their protection orders modified from "full" to "partial," so they can resume contact with the defendant. The special session court judges are more likely than others to insist on evidence that the defendant is under control and is complying with court-ordered interventions before they will agree to a modification. Advocates reported that this is a common reason that victims become upset with them and with the legal process, as in the following:

Modification downgrades—that’s a source of [victims] getting upset with me. When the judge or the prosecutor won’t modify. They need [the defendant] to pay bills, the kids hate them, they could lose the house. They’re backed against the wall.

Victim safety concerns have proved especially challenging when women provide additional or contradictory information about the incident or their situation as the case proceeds. Advocates described these changes in information as among the most difficult aspects of advocacy to accompany the special sessions’ increased focus on sanctions for offenders. The emotion and immediacy of this issue is demonstrated by its recurrence as a topic in advocates’ meetings, and by their characterizations of its frequency (that are reduced in response to explicit probing). “Quite a few” cases became “2 or 3” for one; another said, “it happens a lot,” and specified “a handful” when questioned further. The following excerpts illustrate a range of these situations and the ways advocates understand them. Most advocates described most situations as a response to women’s fear or need, but acknowledged that some women may not tell them the full truth for a variety of reasons.

When the victim wants contact and feels he’s been punished enough, then the [police] report is “false.” I talk to them about it...

Maybe 5 or 6 in the past year have called me and changed their story. Mostly they want the charges dropped. We talk about how they’ll have to say they lied to the police and get in trouble...They’ll do it [lie] because they get tired of being abused. It’s a power struggle. [Now I’m seeing] more of them. And women are [also] becoming abusive as a result of being abused for years.

There’s a lot of recanting recently. It’s very frustrating. I bring them back to the first time. They were afraid—why were they afraid? I talk about what can happen to them, lying to the court. And what the options are... “I lied”—those are two scary words. I don’t think they lied the first time very often. You can see the fear and the marks. You know it happened before.

I think women victims do what they have to do to make their lives work. After the arrest is a reality and he’s out of the house, and the bills are still coming in, if there aren’t supports in place, or she reconsiders and wants him back...that happens. A wonderful guy from Legal Aid helps our clients [understand the alternatives and their implications]. You try to help each woman explore—“let’s think about this.” You try to support her

through whatever she'd decided to do and do it in a way that has the least negative impact on her.

Additional funding has also made unprecedented safety-related resources available in some communities, and advocates have felt the need to offer more education and guidance to a variety of community professionals, as in the following:

...When [the police] first got their grant they became victim specialists and wanted to save all the victims. They developed a "compliance" program. They'd stop at an address to see if the PO was being enforced and see if she needed anything. They were proud of their ability to do that. [We] talked with them about letting us refer her if it's a service she wants. They didn't understand it could seem like Big Brother. But they finally understood what we were saying. Now [we] have a protocol for us to refer if she's afraid and thinks they could help. So we refer for compliance checks. The police let us know they've been there and what the plan/outcome is. For victims who want it, it's been very helpful.

The advocates have also begun to make greater use of the state's witness protection program, which was expanded following highly publicized homicides in the region serving one of the special session courts. One advocate explained the process:

If I have a client who presents very afraid and in danger and needs relocation as a final destiny, Witness Protection has the money to assist. The prosecutor refers to the inspector the need for witness protection to review the file, and if they deem it appropriate it goes up to Hartford. If the witness agrees to participate in the prosecution, they get the help: financial assistance for relocation, security potentially, transportation to and from court appearances...The statute came out and there's a bunch of things. *No one else has the money to help them that way* [her emphasis]. With that comes us teaching the program and our clients about changing social security numbers and names. I have a few clients who are proceeding with that. We help the victims talk with the witness protection people. Issues related to him killing her when he gets out. It can even be pending cases, where he keeps violating POs. We may pursue options independent of the program, too. For example, don't start civil proceedings if you intend to flee. Then she could be held liable...So we pursue all the options through brainstorming, believing she's the one who can tell us the most about her safety. We're more likely to see women who are ready to leave the relationship finally, because of the nature of the docket.

In the past two or three years, the state's child protection agency (DCF) has become more involved in these criminal cases. When children are in the home at the time of the arrest, the police commonly refer the case to DCF. Family Relations counselors may also make referrals on

the day of arraignment, if they have concerns. DCF's involvement can affect court orders, and can complicate the victim's experience of court intervention and her relationship with the advocate. The following excerpts came in response to the question about advocates' most frequent interactants or the question about major issues for victims.

DCF is getting more involved in cases...If a child is present in the home during the incident and it's noted on the police report, they investigate...They make a visit. It may not be helpful if the home is in disarray or they suspect neglect. That happens a lot, and it brings up a lot of feelings from the victim. She'll say that he did all that and she couldn't stop him. It's an ugly picture...More people are losing custody of the kids. They [DCF] just take them instead of listening. That's where I'll come in. I think they shouldn't just jump to conclusions, though I understand that their first priority is the safety of the children.

DCF comes up a lot. They get the case because of a referral at arrest. They say the victim has to get him out of the house. POs are the main issues. They [DCF] insist on a full PO or they'll take the children away. DCF will have to approve of a modification before it's ordered. That happens a lot.

...Many times DCF is involved [in efforts to modify POs], as well. [Sometimes] the victim and the defendant both want modifications, but Family Relations has to wait for approval from DCF and the victim doesn't understand why if she feels safe that DCF should have any say-so. So it takes a lot of explaining.

...If [DCF is] involved they just about dictate what happens in the case as far as contact goes. If they close the case and he reoffends, they'll take the kids because the victim is involved with him again. They do that all the time. And they don't tell the victims that they'll do that...I tell the victim we can't modify the [protective] order unless we get something in writing from DCF or they tell Family Relations.

In response to questions about the major issues they address with victims, advocates described differences related social class, and, to a lesser extent, race or culture. Since the majority of the women they see in court do not have abundant economic resources, social class differences were most apparent.

The economical issues. The victims' finding that they have to stay in the relationship because they can't make ends meet without the abuser—because he's the main provider, or because of the children...[The end of TANF's 21 months] is becoming a major problem. The defendants have been out working, but the [victim] had something to bring to the relationship. [Then] the males become the only income in the household, and they

feel they can abuse these women...The women aren't aware of the resources that are out there...The welfare office isn't asking the question [about domestic violence], and the women don't know it's an option. [The other side of it is] wealthy women with lawyers. Then the women are entrapped in a different way...The women are told to stay home and take care of the children. But the men are controlling all the finances. Most of the women I see who stay in the relationship, it's because of the economic issues...There's no difference based on race or ethnicity.

The differences between a large inner city court and a suburban court are huge. [In our urban court] the victims don't trust the system, that anything the court does will make any difference in their lives—it's more of a nuisance...I don't think they see the court as a place they can go for help. Most of the victims we see have so many other issues that impact their lives. When we try to bring domestic violence up to the level of everything else, they look at us like we're crazy. The violence—the street violence—is serious. So many women have lost children, neighbors...Housing is a factor. So many may move 2 or 3 times during their case. They came because of an assault and they're on their way to a methadone appointment—it's just a stop on the way. [In the suburban court] it's a big deal. [There's] more shame to the arrest and being identified as a victim. They go to referrals and give me feedback about how it was. When I make referrals here (urban court), they don't have the phone or resources to get there...It's a powerful difference!... That says a lot about poverty and large city impact on a woman's ability to create change in her life. I think it's more of a class issue than one of race or ethnicity.

However, some advocates commented on issues related to culture and language.

Hispanic males feel it's their right to beat their wives—it's culturally acceptable, and the women will say that, too...[Hispanic] victims are more quiet and less likely to open up. They prefer to deal with it in the family.

I've been getting a lot of calls lately from [Family Relations] counselors who need my assistance because I speak Spanish. They want me to call victims to do a follow-up, so they can make recommendations to the court. I find that strange, because if I wasn't available, it means that they'd go right ahead and make the recommendations without getting any victim input. So the Spanish clients would either not know what's happening in court, or not agree with what's happening...I find that with the cases where there's a language barrier, Family Relations makes one of two recommendations: either nolle or referring the defendants to the Spanish [anger management] classes. As opposed to any other or additional services that might be appropriate for them. The Spanish clients are losing out on services, for victims to stay safe or for defendants not to return to court. They should have hired right...The appropriate services and supports just aren't there to help people overcome being victimized or help men to change.

Immigration-related issues also arise in advocates' work with victims. Fortunately, there is a specialized agency that advocates can refer women to for assistance, but they can't always address the issues involved completely.

[In one case] her husband had her green cards. He wouldn't let her leave. In other cases, she's concerned that he'll be deported. They tend to be serious cases, that the prosecutor won't let go. It's difficult...

I do a lot of referrals [re immigration] to [the specialized agency]—they're really good. The defendant threatens to deport the victim, not realizing that he will be deported, too. But women with children are the bottom of the list for immigration enforcement. They'll go after bigger fish, especially if the children have been born here.

These issues identified in the interviews with advocates were corroborated in the bi-monthly special session court advocates' meetings. In those meetings, changes in women's stories, witness protection, DCF, and concern about victims' clarity about confidentiality (particularly regarding what they might tell Family Relations counselors) were repeated topics. In addition, handling co-defendant cases, variations in police practice, difficulties associated with changes in judges and other personnel, and the importance of specific, time-limited releases of information agreements reoccurred in the discussions, while they were not emphasized to the same degree in interviews.

However, additional issues arose when the advocates were asked specifically about the major challenges they found in their work with victims and in making the special sessions work. A major theme in making the dockets work related to ongoing communication—getting *all* the key personnel to attend the team meetings regularly, to maintain sharing information and understanding about appropriate interventions. This, in turn, related to personnel changes and consistency in decision-making. As one put it eloquently:

In an ideal world in the court there would be consistency. A predictable result would be good—no matter what it was. Just knowing what would happen so you can make decisions. It changes from police officer to courthouse. On any given day decisions can

be made that would be totally different the next week with the same circumstances. So how can you use that system to plan for your safety?

Related to the importance of consistency—of personnel and of practice—was the issue of turnover among advocates. This was described almost entirely as a matter of income, as in the following:

[A major challenge is] sticking with the job when you're making minimal money and you have a family. That's big. I couldn't afford to do this if I were a single mother. That's very troubling. That's the problem with the turnover. People have a passion for the job, but it doesn't pay the bills.

**Improvements associated with the special session courts.** Advocates were asked to provide examples of the special sessions working well and poorly. Notably, most could not think of an example of the sessions working poorly. Primarily, they offered examples of improvements they had experienced in the special session courts, or positive contrasts of these courts with the ways family violence cases were addressed in the other court sites. These differences were attributable to increased resources, trained and committed court staff, and the increased communication promoted by specialization and team meetings.

...Victims are getting continuance and disposition letters and tracking. We didn't have the staff to do that before. It's really increased our conversations with the prosecutors. Before a disposition they'll ask us to check with the victim to see if it's OK. They're very receptive to what the victim wants. It's amazing, and I recognize it now (in contrast with a neighboring court without the special session enhancements)...

It's an advantage to have more people, so someone is always in the office. We can catch up on things, and also do the outreach—we call to see how they're doing...[The added resources] makes victims more comfortable to talk. They have more rights. {Before} they didn't dare ask questions and didn't always understand the process...The other courts don't have the same resources or access to prosecutors or the judge. We have open communication with Family Relations and the prosecutor. *They listen to us, they really do* (her emphasis). I see that in a lot of courts it's not happening.

Prosecutors are very responsive to increasing bond when the victim is fearful...[They] are also trying to get the victims restitution if there's a criminal mischief charge and property was damaged...I'm finding the prosecutors are more open to victim input and more appreciative. This is recent...It's been a slow change. I make sure I'm there early

in the morning before court starts. I remind them that I'm there and can notify victims. Being in the courtroom is helpful to them—they don't have to search for me... They're opening up their mind and realizing that the advocates can do some things

We deal with a broader range of the same issues. We just touched on them before. We can spend more time on what she needs to make her life whole again... We also have more resources in the court now, more people listening to that. The fact that we have a decent treatment program now makes a big difference. There are more people monitoring now. We can discuss more issues with her knowing there's more backup in the court. And we have more clout now than we used to have because of those resources.

... Sometimes when we advocate for victims and people don't listen, it's so frustrating. I can only feel for advocates who have to deal with it on a daily basis. I talked to an advocate from Colorado, and she was shocked. We get results. We kind of get what we really want at this point. Not 100%, but more than elsewhere...

You become so familiar with the cases that really need focusing on—the repeat offenders. Someone will remember that name, even from two years back or longer. It's harder for something to slip through the cracks. Someone will pay attention. It makes us stronger as a unit.

In general the needs and wants aren't different, but the court's response is different. The same people deal with the same cases all the time, and begin to pick up more on the subtleties. Our prosecutors listen to what the victim wants. They see the continuum of cases. Our feelings on cases are more similar... They recognize the importance of some kind of intervention. And they realize that a lot is going on, and victims can lie, and cases are complex. I can express the victim's wishes better. You learn to pick and choose the cases you really advocate for. To preserve your credibility. They trust my judgment when a case is serious. Without a [special] docket it's harder to create that kind of relationship.

**Additional important elements of special session courts for advocates.** The advocates had several suggestions for changes in their own court's policy or practice. Because there are variations across courts on several of these matters, the suggestions are summarized here as matters that are important to them in their work with victims.

- Increased understanding and trust of victims' perspectives. The importance of this issue was reflected throughout the interviews, in many contexts. Some were especially explicit in expressing concern about "the system's unwillingness to trust her perception of what's going to keep her safe." As one of them noted:

[There needs to be] understanding that victim input is important, and that there are reasons they are still in the relationship. It's not just that they're stupid. There are safety reasons. The court has to understand that. It's not so simple as "just get out."

- Easier modifications of protective orders. As one described the issue:

The modifications of orders for victims should get granted more often. They know what they want and need. Especially around the holidays, so he can spend time with the kids. Be together as a family. That's hard. It's difficult to say, "you can't see this person." I can understand that they'll be part of him violating the order.

- Access to police reports. This is partly an issue of information and partly of credibility.

It is also symbolic of advocates' status within the court as independent advocates rather than as court employees.

Family Relations gets the police reports but we don't because we're not court personnel. It would help tremendously to have them. When we do intakes [over the phone] and are talking to the victim, she'll say he didn't do anything, but the police report will say he kicked her in the head and there are visible bruises. We can't see that from a phone call... And [the prosecutor] will laugh at us. It would help to know what he's getting to see. It helps to get the bigger picture. Some Family Relations counselors will let us see them...

- Programs for female defendants. Advocates maintained that the current programs are designed for men, so programs for women who are arrested need to be developed to meet their particular needs and gender issues.

- Police who will take the time that is needed. Advocates described this issue as one of understanding, time, and sympathy.

[Police reports should] help us identify the primary victim, instead of us having to put victims through the system as defendants. They don't take the time to ask the extra questions. I'm sure it's difficult and some situations are chaotic. That extra minute—for them and for us—can make a huge difference. They don't see it that way.

**A final thought.** One of the advocates concluded the interview with the following reflection:

Initially I thought vertical prosecution was wonderful. I still do, but I think more that if you have prosecutors who get it and care and respect victims, you don't really need it. Communication on a regular basis is what it's about. The docket created a context for that, but it shouldn't be necessary... We now can do much more "enhanced advocacy,"

but I'm not sure we're making great strides in changing people's lives...It'll take much more than just the court and how we respond. I'm concerned about all the victims we don't see. We need to talk more to women who don't call the police, and [find out] what they do and why they don't call the police.

## Family Violence Victim Service Record

This section provides the findings from analysis of the Victim Service Record in its first three full months of use. This record includes minimal demographic data on victims and frequencies for the various types of services they receive. It also includes information related to contacts (including whether or not home telephone contact is safe, and alternative safe numbers to use if available), releases, changing case status, and referrals related to new cases. The data provided here focuses on the services. It must be considered only suggestive, because the system was just being implemented, some information (such as race/ethnicity and age) was collected inconsistently during initial contacts that occurred by telephone, and many victims (especially those who were first contacted during the third month) were still actively receiving services at the end of the month. This means that their service frequencies are incomplete. In addition, counts of services do not fully characterize the length or quality of the interactions. Nonetheless, these data are a first attempt to quantify the advocates' work by counting the types of readily recordable services they consider most important. Combined with their accounts of services described in the previous section, and victims' descriptions of their interactions with advocates provided in the next section as part of the data from interviews, these records offer a picture of advocates' work with victims in two of the three special session court sites in late 1999 and early 2000.

### *Victim Characteristics*

During the three-month period, advocates in the two court sites provided some type of service to 1,459 victims of family violence. Of these, 1,135 (77%) were female and 324 (23%) were male. In addition, 44.6% were African American, 29.1% were Caucasian, 24% were Latino/a, less than 0.5% were Native American, 0.3% were Asian or Pacific Islanders, and the

remaining 1.6% were “other” or unknown. About 25% of the African American victims were male, as were less than 19% of the Latinos and 23% of the Caucasians. Notably, the about half of the victims at the court site that did not enter data were Caucasian, so these data overrepresent services to victims of color in the special session sites taken together. Since the focus of this project was on female victims, the remaining data provided from the victim services record will cover the 1,135 female victims only.

The age and race/ethnicity distributions are shown in Exhibit 1, below. Over half of the women were over age 30. In general, Caucasian women were somewhat older (59% were over

**Exhibit 1: Age by Race/Ethnicity of Family Violence Victims**  
(in percent)

Age	African American	Latina	Caucasian	Other/Unknown	Total
Less than 18	7.6%	8.5%	5.5%	15.4%	7.4%
18 – 20	7.1	12.4	10.2	--	9.1
21 – 25	16.9	24.4	15.3	23.1	18.3
26 – 30	16.4	16.4	10.2	30.7	14.9
31 – 40	33.6	26.4	35.8	23.1	32.3
Over 40	18.4	11.9	23.0	7.7	18.0
<b>Total%</b> <b>(N)</b>	100% (408)	100% (201)	100% (235)	100% (13)	100% (857)

$p < .01$

age 30), and Latinas were younger than the others (21% were age 20 or younger, and just 38% were over age 30). The record also shows that, over all, 2.6% of the women victims were “disabled”—1.5% of the Latinas, 2.3% of the African Americans, and 4.2% of the Caucasians.

Other demographic data are collected by court intake staff, but they are not entered into the independent FVVA service record.

### *Legal Status*

During the time covered, the rate of arrests of both parties (“dual arrests”) in family violence cases averaged about 22% across the state. The rates in the special session sites were slightly lower than this average. Although women are sometimes the only parties arrested, they are more likely than men to be brought to court in a “dual arrest” situation. In those cases, both the men and the women are treated as both victims and defendants, and receive the interventions at arraignment that have been developed for both statuses. Exhibit 2, below, shows the arrest status of the female victims with whom the advocates worked during the three-month period in the two special session courts. It shows that the African American women were significantly

**Exhibit 2: Arrest Status by Race/Ethnicity of Family Violence Victims**  
(in percent)

<b>Was Victim Arrested?</b>	<b>African American</b>	<b>Latina</b>	<b>Caucasian</b>	<b>Other/ Unknown</b>	<b>Total</b>
No	74.1%	84.6%	85.5%	72.0%	80.0%
Yes	25.9	15.4	14.5	28.0	20.0
<b>Total%</b> <b>(N)</b>	100% (433)	100% (234)	100% (297)	100% (25)	100% (989)

$p < .001$

more likely than the others to have been arrested. Since men comprised a larger percentage of the African American victims than of victims with other racial/ethnic backgrounds, as seen earlier, it is likely that African American women were more likely to be part of “dual arrest” situations.

### *Services*

The advocates speak with as many victims as they can on the day of arraignment.

Victims may come to court (of course, they are required to do so if they are also defendants, as a

result of a “dual arrest”) because the police informed them that was an option, because they called the domestic violence program following the arrest and were told they could speak with an advocate in court, or because they knew of this option from other sources. They may also come to court to provide support to the defendant. Advocates attempt to find and speak with all family violence victims who have come to court. Advocates also try to reach victims—either at work or at home—by telephone. Telephone contacts are made more difficult by inaccurate or illegible recording of numbers on police reports and residential mobility. Advocates report that defendants are sometimes a good source of victim contact information.

Exhibit 3 shows the distribution of types of first contact, broken down by race/ethnicity.

**Exhibit 3: Types of First Advocate Contact by Race/Ethnicity of Family Violence Victims**  
(in percent)

Type of First Contact	African American	Latina	Caucasian	Other/Unknown	Total
In person	25.9%	26.1%	23.5%	28.0%	25.3%
By telephone	52.0	50.0	59.5	48.0	53.7
Letter only	20.7	21.3	15.3	24.0	19.3
Unable to contact	1.2	2.2	1.7	--	1.5
Services refused	0.2	--	--	--	0.1
No attempt	--	0.4	--	--	0.1
<b>Total%</b>	100%	100%	100%	100%	100%
<b>(N)</b>	(429)	(230)	(294)	(25)	(978)

The majority of victims were first contacted by telephone, although slightly over a quarter were spoken with in person. A combined total of 79% of victims had direct interaction with an advocate as their first form of advocate contact regarding the case. Less than one in five were first contacted by letter only. There were not appreciable differences by race/ethnicity, although

Caucasian victims were somewhat more likely to be reached by telephone than the others, and less likely to have their first contact by letter.

Information about whether or not it is safe for the advocates to call the victim is provided in Exhibit 4. This information is updated as victims' circumstances change, and is determined

**Exhibit 4: Contact Safety by Race/Ethnicity of Family Violence Victims**  
(in percent)

Is It Safe to Call Victim?	African American	Latina	Caucasian	Other/ Unknown	Total
No	7.4%	14.4%	11.9%	8.8%	10.5%
Yes	92.6	85.6	88.1	91.2	89.5
<b>Total% (N)</b>	100% (489)	100% (285)	100% (327)	100% (34)	100% (1135)

$p < .02$

primarily by direct contact; information about the arrest incident and subsequent court orders (including protection orders) are also considered. Notably, in over 10% of the cases, advocates did not consider it safe to call victims at their residence. These safety concerns were noted most commonly for Latinas and least frequently for African American victims.

The major types of services provided to family violence victims by the advocates are reflected in Exhibit 5, on the following page. It shows the percentages of victims who received the particular service at least once during the three-month period for which the data were obtained. Since advocates began entering data into the new system as they provided services, the victims with whom they were working at that time were in all stages of the criminal legal process. For example, all victims with whom advocates have direct contact for the first time at arraignment in any given year experience an intake interview. Victims who receive only an initial letter are not interviewed. So these data are affected by the date at which the women

**Exhibit 5: Types of Services Recorded by Race/Ethnicity of Family Violence Victims**  
(percent receiving service at least one time)

Type of Service	African American	Latina	Caucasian	Other/Unknown	Total
Full intake interview *	52.6	39.3	46.2	47.1	47.2
Safety planning	67.3	62.5	68.2	58.8	66.1
General court advocacy *	47.6	26.0	26.9	23.5	35.5
Referral to DV program	47.2	42.1	46.2	38.2	45.4
Counseling *	67.7	69.1	74.6	67.6	73.9
I & R re outside agency *	21.9	32.6	32.1	8.8	27.1
Advocacy with outside agency	12.5	14.7	11.9	6.9	12.7
Protection Order modification	5.5	3.2	5.8	2.9	4.9
Sanction-related advocacy *	5.1	13.3	6.1	11.8	7.7

\* p < .05

were actually contacted directly for the first time, the nature of their case, the accuracy of initial data entry, and a host of other factors. Here, what is most important is the service categories; the general frequencies of such services as safety planning, counseling, advocacy with other court personnel, and referrals; and the limited variation in service frequencies across race and ethnicity (much of the statistical significance seen here can be attributed to the large N). The data in the system also demonstrate service intensity. 32% of the victims, for example, received counseling services on two or more occasions, with a range up to 17 during this three month period; 22% engaged in safety planning two or more times, with a range up to 15. Enhanced resources make this level of service possible.

## Women Whose Partners Were Arrested for Domestic Violence

The 60 interviews with women averaged over 1½ hours in length, and generated large amounts of qualitative data. This summary of results is presented in a kind of chronological sequence—similar to the sequence of questions in the interviews. It provides extensive contextual information that enhances understanding of the women’s legal system experience. First, it provides basic demographic information about the women, and then offers additional data about their background and their relationship with the man who was arrested. Data related to the context of abuse, including their definitions, safety strategies, sources of help, and the children are provided next, followed by information about their experience with the police. This is followed by their characterizations of their experience in court, including the impact of interventions and their assessments of fair treatment. The summary of findings from the interviews concludes with the women’s suggestions for responding to domestic violence.

### *Characteristics of the Women Interviewed*

Selected characteristics of the women who were interviewed are provided in Exhibit 6 on the next page. These data contribute to the picture of the respondents; however, because this sample cannot be considered random in any respect, tests of statistical significance are not meaningful and are not reported (here or in subsequent tables based on these interviews). The women who were interviewed were similar to victims seen in these three courts. Latinas were somewhat underrepresented (18% of this sample compared to about 21% across the three special session court sites). Interview respondents were also older than victims in these sites, where on average about 45% are age 30 or younger (compared to 28% here), and have somewhat more formal education (72% of respondents have at least a high school diploma, compared to about two-thirds on average in these sites). About half also experience poverty, as indicated by receipt

**Exhibit 6: Selected Demographic Characteristics by Race/Ethnicity**  
(in percent)

Characteristic		African American	Latina	Caucasian	Other	Total
<b>Age:</b>	18 – 20	--	27	9	--	8
	21 – 30	20	18	23	--	20
	31 – 40	44	36	41	50	42
	41 – 60	36	9	27	--	27
	> 60	--	9	--	50	3
<b>Education:</b>	< high school	4	18	--	--	5
	9 – 11 years	28	18	4	50	18
	high school grad	36	45	50	--	42
	some college	28	18	32	--	27
	college grad	4	--	14	50	8
<b># children:</b>	none	8	--	9	--	7
	one	12	36	18	50	20
	two – four	80	55	73	--	70
	five or more	--	9	--	50	3
<b>Have job?:</b>	full-time	40	10	43	50	36
	part-time	12	10	24	--	16
	no	48	80	33	50	48
<b>Gov't Asstc:</b>	none	44	36	64	100	52
	% receiving:					
	disability	16	9	14	--	16
	TANF	32	27	14	--	24
	food stamps	44	46	25	--	36
	section 8 (housing)	20	--	9	--	12
social security	4	27	14	--	12	

of government benefits. In these ways they are similar to other female victims of domestic violence, and certainly include much of the range of situations found in these courts.

Many of the women struggled to provide support for themselves and their children. 71% of the women who did not receive government benefits were employed at the time of the interview, as were 32% of those who received benefits of some kind. All of the women had been employed at some time in the past, and all of the women who were not employed at the time of the interview, except those who experienced serious disabilities, thought they could find a job if

they needed one. The women who were employed worked at a wide range of positions, including teachers, waitresses, nurses' aides, beauticians, and a physician.

### ***Exposure to Violence and Abuse in Childhood***

Over all, less than half of the women (40%) reported that they had seen or heard physical fighting between their parents when they were growing up. Latinas were substantially more likely than the other women to report this experience (64% did, compared to 40% of the African Americans and 27% of the Caucasian women). Most of the women said that the domestic violence they had seen in childhood resulted in arrest (15 of 24)—most often, but not always, of their fathers. In three cases, their parents divorced.

Of the women who had seen domestic violence in childhood, two-thirds said they thought that experience was related to patterns they experienced in their adult relationships. In most of these cases, the women commented that they were repeating the patterns they had seen when they were younger. Several of them observed, however, that observing their parents had made them determined to have different relationships. These were women who had taken steps to end the relationship with the first violence they experienced.

Nearly half of the women (46%) said that they had been hit by their parents when they were growing up. Again, Latinas were the most likely to report this experience (64% did, compared to 44% of African American and 43% of Caucasian women). Their fathers were more likely than their mothers to have abused them, and some of the abuse was quite severe. In a few instances their mother was the physically abusive parent.

### ***Relationship with Abusive Partner***

Selected characteristics of the women's relationships with the partner who was arrested are shown in Exhibit 7. Again, these relationships are quite similar in these respects to those

found in the three special session court sites (to the extent that comparative data are available).

The majority are unmarried partners, and have been involved in this relationship for more than

**Exhibit 7: Characteristics of Relationship with Abusive Partner by Race/Ethnicity**  
(in percent)

Relationship Characteristics	African American	Latina	Caucasian	Other	Total
<b>Type:</b> intimate partner/unmarried	58	60	42	--	52
husband	21	30	32	100	28
ex-partner/ex-husband	21	10	26	--	20
<b>Length:</b> 2 years or less	25	10	20	--	20
3 – 10 years	50	70	50	100	55
11 or more years	25	20	30	--	25
<b>Live together at arrest?:</b> yes	72	91	50	50	67
no	28	9	50	50	33
<b>Father of children?:</b> yes	40	64	57	50	51
no	52	36	33	50	42
N/A	8	--	10	--	7
<b>Help w/ child care?:</b> yes	56	64	50	--	55
no	32	9	32	50	27
N/A	12	27	18	50	18
<b>\$ support?:</b> yes, regular	54	73	59	100	62
yes, sporadic	4	--	--	--	2
no	42	27	32	--	36

two years. One of the relationships was a lesbian couple who did not have children. These data also show that, in many cases, the abusive partner provided significant help—both financially and with child care. (In cases where child care is “not applicable,” either there were no children, or they were not living with the woman because they were adults or for other reasons.) Nearly two-thirds (63%) of the women who received “regular support” from their partners said it was very important or essential to them and their children, and almost half (46%) of the women receiving regular support were also employed.

**What they liked about the relationship.** The women were asked what they liked about the relationship they had with their abusive partner. Although several of them could no longer

remember what had initially attracted them, or found that current problems so dramatically overshadowed the positive side that they could not respond to the question, most answered readily. Many talked about having had fun in the early days, about their partner's sense of humor, or about things they had in common, as in the following:

Oh, he's funny. He's got a good sense of humor—really funny! I don't know—we have fun together, he's a fun guy...(BL16)

I thought he was really nice. I met him again, like two months later, and we were playing pool and stuff. And he was really cool to talk to and I like baseball and he likes baseball, and racing and stuff like that. So we had a lot in common. (BL06)

We had similar pasts—we both had trouble with drugs, so we could kind of relate to each other...I also liked the way he treated his parents and family. He always showed respect for them and they were important to him. I knew that if I ever needed anything he would help me out. (MS01)

For others, his relationship with the children was paramount.

...He was a very good father to the kids. He worked nights, I worked days, so that he could be home when the little one was born. She's ten now, so he brought her up, basically...A father, he was great at, so that was important, to be there for the children. Then if the kids got sick, he'd be home with them. (MS03)

He would, like, pick my daughter up from school and spend real quality time with her, which was what she needed. Because I was a single parent and I was working 60 hours a week and I needed to pay my bills and stuff. So he gave her the quality time that she desperately needed. He was always, like, generous and thoughtful. He has all those qualities. (BL06)

Other women had more modest characterizations—they wanted to be married, or needed the company or male protection.

I don't know...I think just the fact of being able to say I was a married woman, you know, that was my thing...I wanted to be married, and I was married. (MS11)

He tells me things, and, well, you know, no person likes to be alone and I used to be alone a lot. [*So he was good company?*] Yeah, and you know...a little protective... Because when you be by yourself, men think different things...So, a lady alone by herself...because I was raped before I met him. And he was like a protective area. (BL15)

**What they didn't like about the relationship.** When the women were asked what they liked least about the relationship, notably, many women cited features other than the abuse. The major non-abuse themes in their responses were lack of ambition, lack of communication, and drinking and/or drug use, as in the following:

He had no ambition, he never wanted to better himself. He never wanted to make more money. He just wanted to have kids and not support them. (BL03)

He's got no discipline, he's got no courtesy. And, you know, that's very disturbing...All he likes to do is lay around. He don't got no movement, nothing...I call him dead weight. (BL15)

What troubled me? The lack of communication. The lack of any, I don't know, interest in me. I mean, it was like I was never around. I just wasn't here. I was good enough to bring the money home from my work, but that was about it. It was like I was just someone here. (MS03)

He drank. He drank and he spent a lot of time...He had a lot of friends...I'm more of a homebody. [He's] more of a social person. He'll go out, and drink and party. (MS02)

Of course, several of the women (but less than half) first described aspects of the abuse as what they liked least about the relationship.

He is just too controlling, too possessive, too demanding. It is like he lives in the stone age—the woman has to do everything and the man does nothing. If something doesn't go his way then he takes it out on me. (MS09)

...I couldn't do what I wanted to do. I couldn't go to work, I couldn't do anything...He would go to DCF [state child protection agency] and report me...He was always threatening to take my daughter away from me. (MR01)

He works a couple months and then he doesn't work—works and doesn't work...The months that we were [living] together, he's very selfish and possessive, and he can't be at work and keep tabs on me. So it's easier for him to not work, so he can constantly show up at my job and stuff like that. (BL06)

...Every time he fought me, he always went for my throat. He knew I had asthma, and eventually would go out, go into an asthma attack. So he would always go for my throat. (BL04)

**Partner's childhood experience of family violence.** The women were asked if they knew if their partner had been exposed to parental physical fights during childhood, if their partner had been hit during childhood, and if these experiences had an impact on the ways their partner handled relationships as an adult. Exhibit 8 shows the distribution of their responses. Latina

**Exhibit 8: Partner's Experience of Family Violence by Race/Ethnicity**  
(in percent)

Experience of Family Violence		African American	Latina	Caucasian	Other	Total
<b>Did parents fight?:</b>	yes	30	55	48	--	41
	no	39	9	14	--	23
	don't know	30	36	38	100	36
<b>Partner hit in childhood?</b>	yes	40	36	25	--	33
	no	28	27	25	50	27
	don't know	32	36	50	50	40
<b>Impact on adult relationships?*</b>	yes	73	71	73	--	72
	no	--	--	18	--	7
	don't know	27	29	9	--	21

\* Asked only if partner witnessed or experienced violence. Total N = 29 of 60

and Caucasian women were more likely than the African American women to report that their partner's parents had fought while their partner was growing up. The African American and Latina women were more likely than the Caucasian women to know that their partner had directly experienced childhood physical abuse. Notably, over a third of the women said they did not know about their partner's childhood experience of family violence, and this was as true for women in relationships lasting over two years as it was for women in shorter relationships. Nearly three-quarters of the women whose partners had experienced violence in the family as children thought this had affected the way they handled relationships in adulthood.

***Definition of Domestic Violence***

The women were asked to describe what the term "domestic violence" meant to them. This was not an easy question to convey clearly, but all of them could provide a description.

Their responses were divided into those who thought it applied only to physical violence (often using language that included the use of “hands”), and those who explicitly included emotional or verbal abuse. The first are examples of definitions based on physical violence only:

I feel that domestic violence is when you get beat up....Everybody argues, but not like fist fighting and stuff like that. (BL01)

When they start swinging...when his hands start swinging. (MR02)

...Domestic violence to me is when things get out of hand...When you're scared for your life. When you're scared that you're gonna be injured. (BL03)

Some women explicitly included verbal or emotional abuse, and for many of them, the emotional abuse was worse.

I guess where one is being continually abused, um, physically or emotionally I guess... When I think of the term domestic violence, I think of that as an ongoing kind of thing. (BL05)

Domestic violence would be a couple who are in a fight, hurting each other...It could [also] be verbal...words that are really...I'd rather have somebody punch me out than to say these things. I would consider that also as a domestic violence. (BL14)

...Fathers fighting the mother...or the mother fighting the father, beating on the man, it doesn't matter—it goes both ways...And it's not only physical violence, but there's verbal violence, and I think that's even worse. Mental violence is worse to me, because it destroys the mind, it destroys the spirit. Whereas, you know, you can hit me, you can slap me, I'll get better. But when you put it in my mind, it stays there, and it takes a long time for it to come out...for me to get rid of it. (MS11)

Several women said that their definitions and their sense of boundaries for intervention changed after their own experience, as in the following:

Before I got hit I would have my guidelines...drawing the line, you don't hit me, you don't pull my hair, you don't push me, you don't bruise me...But my actions have been different from what I used to think...I did get hit...It was more anger, it was more arguing, and that arguing just kept building up a lot, where I just had to cut it off. And that was my line right there. I guess it was like a fear that it just may happen again... (MR04)

Now that I'm going through counseling, I have a whole different view of it. What it meant to me was physical. And now I know through my counseling it's also verbal and

emotional stuff. So I also was an abuser towards [partner]. 'Cause I was a verbal abuser. He was physically and emotionally and mentally and everything, but I was verbally. (BL06)

### *Women's Abuse Experience: Interpretation, Strategies & Supports*

Women's ways of interpreting the violence and abuse they have experienced are important for understanding their strategies for addressing it. This section provides data on some of the vital contextual issues that affect how the women experience law enforcement and court responses.

Several respondents explicitly referred to media images of "battered women," and observed that those images do not apply to them.

It's embarrassing, you know, it really is. It brings down your...what is it called...your self esteem a lot. I mean not only being beaten on but also having everybody know... they call it a battered woman. But I know I'm not a battered woman. I'm not a battered woman because to me battered means every day. (BL02)

Some people think it's OK cuz they saw their parents get beat up, but I think I was a little smarter. Every time someone tried to hit on me, I'd hit 'em back or call the cops...I would never let him stay with the last hit. (BL08)

That's another thing that blew everybody's mind. He did this to me one time and one time only, and I took it to this extent so fast...I mean, a lot of women don't...I had the nerve and I knew enough that it was wrong. It took one time—how many people do you honestly know that go to this extreme for one time...You don't have to tell me anything, I mean, I watch talk shows. You read the newspapers, and look at this OJ thing...(BL03)

**Warning signs.** Over half of the women said that when their partner became violent, they "often" or "always" could see it coming. Some reported that it happened only in the context of drinking:

Well, if he would start drinking, that was it.

I could see it coming most of the time. I could see him starting to get angry because he was, like I said, most of the time when he did get mad he was drunk, intoxicated...He just came with an attitude, you know? He would have an attitude—that's about it. (MS12)

Others maintained that violence occurred when they disagreed with something their partner said.

I will walk away if we start arguing, but then he's the type who will keep on arguing and then I...if you say something to me I gotta say something, I gotta have the last word. Then it just keeps on from there. (MR02)

Every time I would defend myself with my mouth. If I would just shut up when he was mad and I would just take whatever he was saying, the mental abuse and then the physical abuse would not happen. But if I said 'leave me alone,' then I would get punched in the mouth or the head. (MR08)

If I disagreed, if he told me to do something and I didn't want to do it...he would get angry. You just automatically know. It was like he was the king of the castle and he ruled the roost and you didn't go against him...You were a non-person in his eyes...He would become sullen, and he wouldn't talk, he would just sit there, or he would leave the room...When he walks out of the room, he's coming back, and when he comes back, he's gonna blow, you know? One of those things. (MS11)

The not interacting with me. I'm talking and he's not talking, he's not really listening, he's poutin', his eyes wild and all upset, kinda like a..a vagueness...Once I said what I had to say then he would get angry...then it would start... (MR04)

The rest of the women said they did not experience any warning signs, as in the following:

He was spontaneous. He could be the most passive person, and when you least expect it, he would drop the keys on the floor and push you around...[There were] no clues. That was so scary for me, because there were times I thought he was a walking bomb. (BL14)

**How they understand the abuse.** The women were asked what they thought contributed to his abuse. The major themes in their responses were, first, his drinking; second, his exposure to abuse or violence as a child, or other childhood deficits; third, immediate stressors or situational factors; and fourth, his experience of getting away with it. Drinking was clearly the most prominent theme. It caused a transformation; it was also commonly linked to the remaining dimensions. The following excerpts illustrate the range of explanations.

I'm always walking on eggshells, and I don't think that makes for a good marriage—when you can't have a decent conversation with someone because you're afraid they're gonna haul off and punch you. You know...that's unhealthy. I try telling him that. I mean he can control his temper; it's just when he's drinking, and he blows up then...It's mainly his drinking, and that's when his other personality comes out. (BL02)

...Basically if he's not drinking, he's not a bad guy. He gets maybe a little mouthy once in awhile... (BL17)

...He was like off and on, and as long as he wasn't drinking, he was the sweetest person to be with, to be around. You know, but once he started drinking, his attitude, like, just changed. ...He needs professional help, for him being abused as a child coming up in that life, you know. (BL04)

...I think he has a hard time dealing with being a husband and a father, because he really doesn't know how because he never really had a role model...I think he has a hard time trying what's the right way...He's like a Jekyll and Hyde drunk. From one minute to the next, he's like—bam! Something snaps...I think he's still sad about a lot of things that were done, or...were neglected to be done for him by his parents and stuff...Over all, I don't think he's too happy with his life. (BL16)

I don't think he liked himself. He wasn't working...I think he was just really depressed and down about himself, and, um, he had no self-esteem...he had to depend on everybody else. (MS12)

[He's one of those guys who] thinks he can hit on you because you don't have anyone around, you know. No family or nothing. So he think he can hit on you, because you always alone, you know you always alone. They think they can take advantage of you. (BL15)

...It was almost like he did snap. 'Cause he was thinking of leaving and the money situation and then that night, he just went berserk...He had never hit me and he hit me so hard, my head just reeled. I couldn't believe it...It was like, "Is this the man I married?"...I couldn't believe it was my husband. (MS03)

**Safety strategies for themselves.** Women were asked if they had found anything that worked to enhance their safety, either when they thought a situation was escalating to potential violence, or in general. Some of them said that nothing they did would make any difference. Most descriptions included strategies of disengagement—not speaking, leaving the room, or not expressing disagreement—but some noted that these did not always work.

I would remove myself from him. If he was here, I would go in the kitchen, and I would take some time out. One of the things that I found out as a kid—do not exasperate (sic) the situation. Do not put anything in there. In my house, I know that all you had to say was 'boo.'...You know, [he] didn't like that either; he would call it sulking. (MS01)

Basically, I would ignore him. I would just take off with the kids. I went to my niece's house, [to] wait it out until he passed out. (BL17)

Others developed more explicit plans or signals with other people, as in the following example:

I told my two supervisors, and we made up a code, which was 347. If I said '347,' they would call [town] police department...[later in the interview] When he came over that night, I told my sister to call the cops, but what I said to her was "Sweet Pea." [*That was your code with her?*] Yeah. I said, "Oh, Sweet Pea, what is it you wanna get?"...The other one was "kiss and make up," so she knew he was there, and she knew I was gonna talk to him and say anything to make him stay [until the police arrived]. (BL18)

Some women said that they generally slept with the telephone, in case of emergency.

I was never so scared. He was like foaming at the mouth. I had never seen him like that, he was so...I thought, oh, my god, he's gonna kill me. And he probably would have, but, see, I slept with the phone... (BL03)

...My brother had gotten me a cell phone. And he said, "here, you are to keep this, you are not to let him have it or see it." And I would sleep with that cell phone in my hand every single night. (BL07)

Finally, some women reported that they had tried a variety of strategies to prevent abuse or to keep him away, but without success, as in the following examples.

I would try everything. I would even go so far as to try sex...try making his favorite meal. Umm, just stupid things. Try making him laugh. [*Did those things work?*] The problem would still be there after. (BL02)

When they say you can block out somebody's number, that is a lie. You can literally sit in your house, and you can block out their number. And they can call...all you have to say is there is trouble with the phone and the operator will call. I mean, he knows it all...When I went [to the police] for the phone calls, the officer said to me, "Oh, just change your number." And you know, I've done that, tried that...And then I went to try to get a restraining order and they said, "If you're not living with him, you can't get a restraining order." (BL11)

**Safety strategies for the children.** For most of the women interviewed, their children were a primary consideration in thinking about their abusive relationship. Most of the women described strategies for separating their children from potentially violent situations; a few had called child protection. Most commonly, these strategies involved getting the children out of the way or finding temporary places for them to stay—usually with family members or neighbors.

I'd put [the kids] into the tub. Do you know how many showers the kids took? They'd get in the tub. (BL06)

I would ask the kids to go upstairs or tell them to get ready for bed to try to keep them out of it. Or, like, go into a room where I could shut the door and try to keep it quiet or down so they couldn't hear. (MS02)

We used to send [the children] outside to play, or if it was raining or something, we would go outside. They would watch TV and we would put the TV loud so they wouldn't hear us. (BL08)

Well, we have a safety plan... You know, people are like, "Can't you go away for a day?" Nope, because my mom watches my kids. No, I can't go anywhere. Either my kids come with me or I'm near them. I just can't take off. [The shelter] wanted me to contact all kinds of places, but what I did was I chose to stay at my house, and let the kids go to my mom's house... My kids have my mom as a safe house, and that's our game plan. (BL11)

Half the time I wouldn't even take my kids home from my sister's house; I would leave them there with her, because I was afraid that he can come in with any type of attitude... It's my job to make sure that I protect my children, do the best that I can for my children. And not allow them to be hurt; they were already being damaged by hearing this verbal, going on and on. (BL18)

**Sources of support.** Over all, 88% of the women said that they had someone to talk with when there was trouble in their relationship, although Latinas were less likely than the others to have someone (73% did). Friends were cited most commonly (32%), followed by a combination of different people (26%), "others," such as people from their faith community or a drug or alcohol self-help group (22%), and mothers or sisters (20% over all, but not mentioned at all by Latinas). Nonetheless, 21% of the women over all (and 55% of Latinas) reported that they "never" tell other people about abusive incidents.

Most commonly, these people were helpful regarding general troubles primarily because they listened and expressed concern. However, they could potentially provide more concrete support, as well. Of those who described having a support system, 82% said that these people would be able to help with child care, 75% said they would be able to help with a place to stay, and 69% said they would be able to help with transportation. Finally, 67% said that they knew

of someone who could help them with money if they needed it, although half of them did not feel “OK” about asking for financial help, and another 13% expressed ambivalence.

**Complicating factors.** In different contexts during the interview, women volunteered a variety of complicating factors that made it more difficult for them to end or manage their relationship with their abusive partner (they were not asked a “why do you stay?” question). As already shown, many women were struggling with poverty, and found his financial support to be essential for providing some degree of well-being for themselves and their children. Even many of those who were employed said they needed contributions from him to make it. A few of the women said they had left the relationship but had to return:

We were split up for nine months, and he wasn't giving me any money and the state wouldn't help... They sent me to classes for me to learn how to work and support my family... The only way I can make it on my own is I take on more hours... My family's helping me. I'm not taking advantage, I'm just trying to get the food, and medical insurance for my children. [*So you split up for 9 months but you got back together.*] I had no choice. He wouldn't help, he wouldn't see the boys, he wouldn't do anything. I got evicted. That was the only way he would help. So I went back... (BL17)

Another theme was related to difficulties stemming from family involvements in their lives. Several women talked about lack of support from his family making things harder, as in the following examples:

...I explained to [his mother] that I don't want your son to be locked up, I just want him to get some help. Cuz she, even when we were together, his mother wouldn't really have nothing to do with him. And then when I call the police on him, then she wanted to get involved and tell him he don't need to be with me, because I call the police on him, and I want him to be locked up and all this. And like I told her, I sleep with your son, not you, and I wasn't gonna have him abusing me, and I wasn't gonna let him hurt me... (BL04)

The first time, when he got arrested, I felt bad because I did that, because I got the guilt trip from his family. (BL11)

And his own family would trigger it so that I would get hit—especially his brother that lived downstairs from us. He would start something with me even though I wasn't doing anything to them. (MR01)

For others, lack of support from their own family was hard.

My family was so mad at me, they didn't even want to talk to me, because of what he was doing to me. They wanted me to leave him. [*And you weren't ready?*] No, you know, I was so blinded. If I could only turn back time. (BL14)

D is very quiet and if you ever met him you would think he was the most personable, nicest person you ever met in the world. So, in [my family's] eyes, D was this really nice guy, gentle soul who never did anything wrong. Then there's me, the bitch. So they always assumed it was my fault. (MS02)

The children were another complicating theme in the women's interviews. Fear of losing the children, their partner's threats about the children, the children's love for the partner, and actual custody fights all became central considerations as women weighed their options both in and outside the court context.

No matter what, his family were controlling my life and so was he... What he was telling me was that his family wanted my daughter. And that he was going to do everything possible to take her away so that his mother could raise her. And I was like, "I'll be damned if your mother is going to raise her after she be beating up all her grandkids!" I'm not going to allow that now, because she's the type she would take anything, a rod or whatever, and hit them. (MR01)

I kept on thinking, how is this man asking for sole custody, and asking for the kids to reside with him, and asking for all these things when this man has been arrested twice and he has a case that is still pending!? (BL07)

My main concern the whole time... was the children... I didn't want him taking my children. Because for the ten years I was with him... he always said, if anything happens with us, I'm taking the kids to Arizona and you're never gonna see them again. OK, so that's my biggest fear. My life revolves around my kids. (BL03)

[The kids] want him, they miss him a lot... They blame me, and call me names. [*That must be hard.*] Yeah—they sound just like their father. (BL17)

For still others, loneliness was an important complicating consideration.

You need to have someone to talk to. You know, it's hard... Everyone need a person in their life, you know? (BL15)

I feel I should have gotten out from the beginning. When he first started becoming verbally abusive and prohibiting me from doing a lot of things... I just didn't want to be alone. I'm just afraid of being alone. (MR03)

## *The Police*

An arrest by the police was what had brought the women into contact with advocates, and, ultimately, into taking part in these interviews. Over all, 57% of the women had made the call to the police themselves—more than two-thirds of the Latina and Caucasian women, but 40% of the African American women. Neighbors, the women's children, other family members, and friends made most of the other calls. In three cases, the women were not sure who had called, either because the situation was confusing or because they were intoxicated at the time. Nonetheless, 82% of the women said that they wanted the police to be called at that time (there was no difference across the three groups).

Only 37% of the women said that this was the first time the police had been called because of threats or violence by their partner. Latina women were most likely to report that the police had been called multiple times (82% did, compared to about 60% of African American and Caucasian women). Over all, 45% of the women who said that the police had been called more than once indicated that they had been involved five or more times (more than half of the African American women, 46% of Caucasian women, and a third of the Latina women).

Half of the women who reported past police involvement said that they had not made an arrest every time. Again, Latina women were more likely than the others to say that the police had made an arrest each time they were called. It is not surprising, then, that just 47% of the women said that they wanted the police to arrest their partner when they arrived (although 76% opined that an arrest should have been made). Another 22% wanted the police to get their partner out of the house, and 4% wanted police to talk to him. 4% of the women did not know what they wanted the police to do, and the rest had other responses. Latina women were least likely to say they wanted their partner arrested, and most likely to say they wanted him out of the

house. However, their partners *were* arrested in this incident, as were 23% of the women (no difference across groups; notably, this is very close to the “dual arrest” rate in these courts, as shown in the earlier data from the Victim Service Record).

Over all, 52% of the women reported that they were satisfied with the way the police responded to this incident. Caucasian women were least likely to be satisfied (41% were, compared to 55% of the Latina and 60% of the African American women). Several of the women volunteered that they had not appreciated the police in the past, but this time found them helpful. The following excerpt comes from an interview with a woman who had had several experiences with the police because of her former partner’s violence, so she had perspective on changes in the police response over time.

At that particular time I got the sense that men do stick together even if they’re in a blue uniform. There was no sense that there was sensitivity training then, and I was enraged. I do feel that in the Black area here, I do feel we get less and less, you know—“these people do this shit all the time, maybe she deserved a butt whuppin”...I still see a fifties attitude in a lot of areas, not just domestic violence...[*Do you think you were treated fairly this time?*] Yes, I do. They took pictures in the hospital... They took care of my son emotionally, too. They dropped him off at my sister’s house to save him from being in the hospital waiting for me, and that was a really good thing to do, to take care of him. They questioned my son, and they questioned me, and they followed up. As a matter of fact, I sent the officers a thank-you card for the way they handled it. I didn’t get that slant that I had gotten some years ago. (MS01)

Women were more likely to talk at some length about their experiences with police when they were not satisfied, however. The problems they encountered are described here in more detail as well, because their police experience affects how they feel about their situation when they interact with court personnel. The four major themes of problematic police experiences were: a) adverse personal outcomes (they were arrested or the child protection agency was called); b) the police made assumptions or did not listen; c) the police took sides (against her); and d) nothing happened as a result of the arrest.

**Adverse personal outcomes.** Getting arrested contributed greatly to women's dissatisfaction with the police response. 79% of those who were arrested in the incident were dissatisfied with the police response (compared to 39% of those who were not arrested). For example:

I don't think it's right that the person who calls the police gets arrested. And a few times, I would be the one to call the cops, and I'd get arrested, and he didn't get arrested, because it was his house. After a few times of having the police involved, I stopped calling the police cuz it seemed like I was always the one gettin' arrested, no matter what. So, I feel like the police are *worthless*. I feel, after a few times of bein' abused like that, I'd rather just be abused or whatever, and not even involve the police. (RA01)

They should have just, you know, asked questions. See, you know, number one, when you're drinking and stuff, when they come they just arrest you, you know. They pull you apart, "What happened?" My nose is busted and bleeding—you take him to the doctor and then I'm going to jail. You know what I'm saying? And it wasn't fair. He hit me first and they didn't understand that. They should have just looked it through, seen it through. (MR02)

Calls to the state's child protection agency (DCF) were the source of others' dissatisfaction. The following excerpt is from a woman who maintained she had spoken with other women in court who had the same experience she did:

...I don't feel that a victim who has a child needs to be afraid to step forward if they're being abused because of a fear that DCF's gonna be called...In my case...we will never call the police again, because of the fear of losing our children, and I think that's very sad, because there are women that are getting the crap kicked out of them, that are too scared to come forward for fear that...they would lose their child... (RA06)

**Police assumptions.** Several of the women complained that the police made assumptions about things, or did not listen to what they were trying to say.

They really don't listen to the whole situation...They just hear a few little things and they arrest both of you. Half of the time, they won't even arrest you cuz they said, honestly, they said they don't feel like doing the paper work. That's what I heard from them. (BL12)

...When they seen the window broken, they right away assumed that he broke it. They didn't take my word for it, they thought that I was just another woman that called the cops for the hell of it and I'm trying to protect him. It's not like that. Because if he hits me, or if he does something wrong to me, he has to pay for his consequences...So when they came, yeah, I didn't like how they put extra charges on him... (MR05)

The first time the officers do state...“When you have your boyfriend arrested, you always take him back.” Don’t say that to me! I don’t need to hear that, you know. That just makes me think that they feel that this job is, “why bother?” Don’t tell me that. You don’t know what I’m thinking, or what I’ve done. Don’t prejudge me. (BL11)

**Police take sides or are manipulated.** Several women described instances where their partners lied to police, sometimes in collusion with family members, as in the first example, where her partner asked his family to call the police.

He told her to call the police. He said he wanted me out of his mother’s house [and] off his mother’s property...I just wanted to get my stuff...I didn’t like that [the police] asked [him and his family] all the questions. They didn’t really ask me anything. So in turn, we both was arrested. Because they told [the police] that I was beating him up first, which was a lie. (MR03)

...They send male cops, and I think the cops take the man’s side...One of the cops took my husband down in the cellar, and was talking to him, and then he comes upstairs, the cop, and says, “You know I was abused as a child.”...And so the cops left and everything ...and my husband says, “You know the cop down there told me I don’t have to leave this place.” So that’s why I don’t even trust these cops. *That* gives him the right to put his hand on me?! (SA05)

**Nothing happens as a result.** Some of the women expressed frustration at the police when they called to report violence, but no action resulted, as in the following:

I didn’t call the police. [*Why?*] I don’t want to waste the police’s time. You know, I have called the police on him several times, prior to this incident, but he always got away. (MH02)

Another woman described a series of bad experiences with police—some of them prior to the present incident:

He was dragging me down the street. Next door called the cops, the people across the street called the cops, I tried to call the cops, and he ripped the phone out of the wall, he ripped the screen door off...It took the cops six and a half hours to get here...That’s why I never call the cops...My case is being investigated by internal affairs. There were four different cop statements, and all four of them varied...When I call the cops now, it’s a joke...They tell me all the time, “If we come back out here, we’re gonna arrest both of you. You can’t call us every time you get into a fight.” I’m like, oh my god, who the hell am I supposed to call then?!...I’m just a little peon in [city], and I’m not asking them for like a bodyguard situation. I just want them, if I call them to my house because I feel

that I am in danger, I feel it's their job and their responsibility to do whatever it takes to control the situation. (BL06)

### *Initial Experience in Court*

Women were asked a series of questions about their court-related experiences, including whether or not they actually attended on the first day (since it was not required unless they were arrested in the incident, as well), how they felt that first day, the people with whom they spoke on the first day, and what happened that day. Frequencies for some of the major types of experiences are shown in Exhibit 9. These should be interpreted generally, since women's memories of a sometimes difficult and confusing experience were not always precise. Many of them had been involved in several court cases prior to the one that brought them to the research interview, and they could not always distinguish one court experience from another.

**Exhibit 9: Woman's Initial Court Experience by Race/Ethnicity**  
(in percent)

Court Experience		African American	Latina	Caucasian	Other	Total
<b>Did she go to court on the 1<sup>st</sup> day?</b>	yes	60	36	55	100	55
	no	40	64	45	--	45
<b>Talk to FR counselor?</b>	yes	61	50	55	50	56
	no	35	50	45	50	42
	don't know	4	--	--	--	2
<b>Talk to FV advocate?</b>	yes	92	89	100	100	95
	no	4	11	--	--	3
	don't know	4	--	--	--	2
<b>Advocate contact mode:</b>	in court	52	50	41	100	49
	by telephone	48	50	59	--	51
<b>Get PO?</b>	yes	89	100	100	50	96

As Exhibit 9 shows, over half of the women went to court on the day of arraignment (although Latina women were less likely than the others to have gone). A majority spoke with a

Family Relations counselor, and nearly all of them spoke with a specialized Family Violence Victim Advocate (FVVA) on that day, either in court or by telephone, as well.

**Feelings the first day.** Of the women who went to court, over a third (39%) went by themselves, and nearly a third (32%) went with their arrested partner; the remainder went with family, friends, or others. Caucasian women were more likely than the others to go to court with the defendant, while African American women were most likely to go alone. When the women who went to court were asked how they were feeling that day, nearly all of them said they were scared and upset; a few of the women replied that they were just there to get the process over with, and a couple of them commented that they were feeling “dumb.” The following responses are illustrative of the range the women provided:

I was basically scared and frustrated. ‘Cause I was there with all the kids...The kids were like driving me crazy. And my kids were hungry. We stayed there until like 5 o’clock in the evening, ‘til the place was almost empty...I was nervous. He was there, and he was staring at me. He had his family there, some of his family there with him...And I was just a little overwhelmed. I’d never been, really, to court before. [*What did you want from the court that first day?*] I just wanted that order of protection...[*And were you concerned about anything else that day?*] I was like afraid of DCF, you know. For my kids. But I wasn’t really afraid of anything else, no. (MR03)

...You know, the whole thing made me nervous. I was never not nervous, I was never not thinking about it, I was never not concerned, I was never not scared. In some ways, I wanted him to pay for what he did, [but] in some ways, I wanted the whole thing to go away and things to be normal again. (BL03)

I was feeling dumb, going to court for something that wasn’t really that big. In front of all those people. (BL08)

**Contact with Family Relations.** Just over half of the women had contact with Family Relations counselors (FRCs) on the day of arraignment. Of those who did, about half said little about their contact; they had spent more of their time that day talking with the advocate, and FRC interaction was neither problematic nor particularly notable.<sup>30</sup> Most of the rest were upset about their interaction, primarily because they felt they had been judged and not heard. Some women

focused on their feeling of having been pre-judged, while others found the encounter too bureaucratic, as in the following:

He was a complete butt-hole, excuse my language...He was bothered that he even had to ask me any questions. And he kept looking at me like I was lying. 'Cause he kept asking if me and him were back together and I kept telling him 'no'. I tell you, he asked me like three times to see if I would change my mind...You know, he was giving me that look like "You'll be here again, I know you will." And that got me upset. (MR03)

I just looked at it as a procedure, you know—it was part of their policy to meet with me. I don't feel like it was helpful for anything, and I feel like it was more helpful for **him!**...For him to get some kind of idea about what's going on. But it didn't do anything for me. (MR04)

They just look at you and they hear like whatever, or they cut you off in the middle of what you're talking about and they just fill out their paperwork. (MR05)

This was just a one-time thing. You know, they have a certain case, you're out lined up in the hallways taking turns, you're up, you walk in the door, you sit down, you talk, take your number, open a file, and they go blah blah blah...It was just one of those things that you have to do. (MS04)

They just don't care. They're just so booked up, they just write anything down, they just want to get you out. They don't really care what's going on. (BL17)

The women were especially concerned about not being heard by FRCs when they had been arrested, too, as in the following:

...They did not talk to me like they was supposed to, and the more I tried to explain what happened, it was like it was being pushed out of the way; [the] only thing they was concerned about was me hitting him upside the head. They weren't concerned about why I did it and stuff like that. (MR02)

He wouldn't listen to me, because [partner] had already been there. {Partner] had an advantage; I had to go to court. He got in there, got a protective order, told everyone his story. Then I was coming in as the bitch who couldn't keep her mouth shut. So I was down-looked all the way through. It was, "well, you know what, you shouldn't have been doing that, Mrs. \_\_\_." I have a restraining order against him, I've been dealing with abuse from him for three years, and you're telling me I shouldn't have gotten pissed off after three and a half years?! You don't know what you're talking about! Nobody listened to me. (BL06)

**Contact with FVVAs.** Nearly all of the women talked with an advocate on the day of arraignment—a somewhat higher percentage than is typical in these courts (as shown previously in the data from the Victim Service Record). Most of the women described their contact with advocates in highly positive ways. On the day of arraignment, the women emphasized that the advocates listened, provided useful information, and offered a sense of immediate relief, as in the following:

The most important thing I got from them was that they were the safety ground between me and [my ex-partner] because they were going to keep me informed of what was going on, you know. [*Was it helpful that day?*] It was very helpful, and they made me feel much more secure, you know, and it made me feel empowered that I had someone on my side. Now all the things that go with being abused like that—it's embarrassing, it's humiliating—that wasn't something that I wanted everyone to know, even though they all eventually found out. And when they called I felt like it was somebody working for me and my interests, you know...I don't know how they treated everybody else, but they were informative, and I am very curious anyway. And they were patient and their demeanor and their tone were very good, they were very patient with me, because...I was like, you know...damn skippy, you know. And I think that's a very important part of their job to maintain a demeanor, you know, of caring and concern. (MS01)

She was very nice. She told me everything that would happen, everything that would happen she would call me. You know, that she had to report it to DCF, you know, everything. She listened to what I said. (MS02)

Actually, at the court, I was amazed that [advocate] was the first lady who really listened to me and really cared. She told me [what I could] do. (BL14)

She took care of everything for me. She told me about [the shelter program] and everything. She gave me phone numbers. I told her that I wish someone had introduced me to her when it happened the first time. She said, "Well, we are here for you now." That made me feel so good. It made me feel real good that someone was going to be there to help me. I was not going to get punished for trying to protect myself. (MR08)

One of the recurring themes in the women's descriptions of their contact with advocates was that it had been particularly helpful not to have to attend court in person—especially that first day.

It was really helpful 'cause I didn't have to go [to court]. I don't think I could have done it. I did not want to see him. And [the advocate] explained everything to me. (MS03)

The victim advocates were there to answer my questions—they were very helpful. They were there to speak for me in court so I didn't have to go. And whatever I told them was between me and them unless I wanted the judge to know. (MS09)

At that particular time, I was so hurt, you know, I was just hurt all over. I was so low. I was relieved to know that I didn't have to be there...They gave me the number to the jail to make sure he was in there, because at first, I'm telling you I was frightened, because I knew that he was using. You know, this is a devastating thing. I'm sure that you do know that [when] someone you've been intimate with and shared all your secrets with turns on you and hurts you, it's a hell of a betrayal. And what I liked about it was the fact that I could keep a distance. (MS01)

**Protective orders.** Nearly every woman received a protective order on the day of arraignment, as is typical in these courts. Many women reported that a full protective order was their primary interest on the day of arraignment. When they obtained it that day, they felt much better.

They made me feel secure...I was relieved. And I slept so good. I felt safe. That [protective] order, it helps. (BL15)

[The advocate] asked me did I want a full protective order and I said "yes" because I...was hurting and really angry too, for someone to do that to me, you know. I just knew I didn't deserve that. (MS01)

For other women, a partial protective order was what they felt they needed—primarily because of the children, as in the following:

They asked me if I wanted a protective order, and I said, "Here's the problem—the children. I want to be sure I can be near him to pick up the kids. He's not gonna leave the house and leave them alone for me to pick them up, because of their ages." We didn't have much choice. So they gave me a limited protective order, and he's not allowed to say this or do that. (BL07)

[The advocate] told me that the judge was going to issue some type of protective order and she asked me what I wanted and I told her the [partial], and I talked about the kids, you know, going back and forth and stuff, so I didn't want a full protective order. (MS02)

Another woman noted that a limited order was enough to send a clear message, as in the following case, where she learned about the order from her partner:

Actually, he came in and told me, "I can't even yell, I can't raise my voice or I could go to jail." [*How was he about that?*] He was very calm. (She laughs.) He's like,

“Whatever you say, that’s what goes. I can’t even override anything you say.” My bottom line was, “Now you see I’m not playin’” (MS04)

### *Post-Arrest Court Experiences*

The women were less clear about subsequent court handling of their cases. They were aware of extensive continuances, as their (ex-) partners responded to court orders for groups, treatment, and other interventions. During this period, the most prominent features of their court experience were their contact with the advocates and the desire to modify their protective orders as time passed.

**Ongoing advocate contact.** Most of the women who had ongoing advocate contact spoke very positively about it. This contact was their primary source of information about case status. It was also their communication link to the court, as their needs, their safety status and their partner’s behavior changed. The following excerpts reflect this experience:

I decided that I needed to find out these days that he’s going to court, because I end up paying for it. What would happen is that he would be so angry that day, that I would have such problems dealing with him. So I called the family victim’s advocate and said “please tell me the dates he’s going to court, so I can prepare myself.” [And she did]...I mean, it’s not like I’ve been divorced before, it’s not like I’ve been abused before. It’s all new to me. I had no idea what to do, what would be the best thing...especially because I had kids....When you have children together, and you still have to work together, what do I do to protect myself? And that’s what I was looking for, and that’s what she would tell me...and that helped. (BL07)

They’re the only people who...sent me letters or called me. They kept me up to date on what was going on, about the [protective] order still in effect, that he has to go to court on this date. (BL16)

[The advocate would call] every time he went to court. If not the day before, she would call to tell me he’s gonna be in court the next day. And [was there] anything she needed to know—had he been in contact with me, or [was there] anything she needed to tell the court on my behalf. (MS03)

She gave me helpful advice as far as his next court date, which I came down for, and spoke to the woman down at the courthouse. She was helpful because I was able to talk to her about my wants for the court. She was like the middle man to the prosecutor, so whatever I talked, whatever I told her, she relayed it to the prosecutor. (MR04)

Just one woman spoke at all critically about ongoing advocate contact:

They call me now every time that [partner] goes to court; they call me and tell me what happened...and all they ever say to me is that he's compliant with his meetings and it's continued to whenever because there's been no problems...I don't want someone to tell me he's compliant because you're not telling me anything. (MS02)

**Protective order modifications.** Several women found that they wanted changes in their protective order as time went on. Some wanted a change from a full to a limited order:

There's the partial and the full. Right now, we have a full and it's not by my choice—it's the court slapped it on us...It's the holidays, you know...It's hard for me and I know it's hard for his daughter. And I know that him and his daughter are very very close, and I can only imagine how hard it is for him. I don't really feel sorry for him, but I feel bad for my daughter—I feel bad they can't see each other. But I also know that none of this would have happened if he had just kept his hands to himself...I didn't think he should be allowed home right away. I thought maybe, at first, they said two weeks, and OK, that was hard, but I was OK with that because it was only two weeks. Now...it's been a couple of months. (BL02)

Others wanted the protective order dropped altogether, after time had passed:

The order changed at the end because [the advocate] asked me what I thought and I said to them if [my ex-partner] was doing everything that he was supposed to be doing, and he was going to continue with his therapy and his anger management, you know, I felt that he deserved a chance because I really felt for him...Because it was not an ongoing thing...and I felt that he should have a chance at his life. (MS01)

Some women revealed that they had allowed their protective order to be violated.

Now that I know that I'm pregnant, I'm like I want to drop [the full protective order] because I do have to discuss that, which I already have, you know, because I do conversate with him. But I don't want to be walking down the street talking and [have] the police walk over and lock us up...We just conversate about the baby right now—that's all we're concerned with. (MR02)

He's [actually] living home. [laughs] I'm sorry, I had to lie to you...I don't want to get him in trouble. [A no contact order] wasn't really feasible. I needed someone to take care of the kids...He wasn't even working, so I had to work and he needed to help me with the kids. There was no way I could work and do child care and stuff. (BL16)

**Contact with other court staff.** Some also had opportunities to speak with the judge or the prosecutor as the case went on. Exhibit 10 shows that over a quarter of the women spoke

directly with a prosecutor, and nearly half that many spoke with a judge (outside of the courtroom). These were generally reported as empowering experiences, and important aspects of a positive assessment of the court's response, as seen in the next section.

**Exhibit 10: Woman's Contact with Court Personnel by Race/Ethnicity**  
(in percent)

<b>Court Contact</b>	<b>African American</b>	<b>Latina</b>	<b>Caucasian</b>	<b>Other</b>	<b>Total</b>
<b>Talk to prosecutor?</b> yes	38	--	29	--	26
<b>Talk to judge?</b> yes	12	--	19	--	12

***Positive Assessments of Court Response***

**Advocates.** For nearly all women, at least part of their experience with court had been positive. The single most prominent reason for a positive assessment of court was the advocates' effort and effectiveness. The advocates provided information, listened to them, responded to changing needs (as in assistance with modification of protective orders), and served as a conduit of information to others in court. They also provided advocacy with outside agencies, such as treatment services, the child protection agency, employers, and housing authorities. As shown previously in the Victim Service Record, ongoing safety planning and counseling were provided to most women. 79% of the women reported in the interviews that the advocates had been helpful to them. Through the advocates, many of the women felt that the court had gone out of its way to respond to their situations.

In his last court appearance, I talked to the woman, and she wanted to let me know what was going to happen; how did I feel about what he was doing now, what was my recommendation. I felt like I was part of the court process and that was empowering, too. I also called her with questions, you know, 'cause I went from hurt, to angry, to enraged...I mean, when I called up for information, it was there, you know. And if I left a message, somebody got back to me, and it made me feel important, like I mattered. You know—we're busy but we haven't forgotten about you and we're definitely going to inform you. That's what I liked. (MS01)

There was one time that he called a detective on me, and it was like two months ago. And it just so happened...I had to talk through the victim advocate so the prosecutor would know what I was going through, because this is all going on record. And they were going to have me arrested for something that I did not do, and the prosecutor went and talked to the detective and explained to them what was going on. (MR01)

I called [advocate] a million times. I'm serious. I'd say... "He's on probation, and he just violated his probation. Why aren't they violating him?" [And she'd say] "Well, I don't know, let me find out." And she'd get back to me with the situation. (BL06)

I think [the advocate] did a very good job of helping me...after he tried to kill me in February I went and took out protective order papers to keep him away from me and make him stop calling me. He used to call me on my job and stuff like that, harassing me, and he used to be outside my job when I'd get off...and I called [advocate] and I told her and she let the judge know that he was still calling me and stuff...The judge must've said something to him, because it stopped for awhile. (BL04)

I'm very happy with the way they handled [my case]. I felt like it was very fair...They gave resources...they got themselves involved where—"here's the help, we're here to help you." They didn't force the help upon you, but they weren't vague about the help, either. (MR04)

**Prosecutors.** The women were also pleased when the prosecutors contacted them, and listened to their requests, as in the following example:

He's seeing a psychiatrist. [*Do you know if that was a court stipulation?*] It was...That was one of my recommendations. The prosecutor called me and asked me what I wanted, and I said, "I'd like him to get probation. I don't want the guy to go to jail. That's not gonna help me any. But I would like to see him get psychiatric help." He doesn't just go from a mild-mannered man to this beast that punched me out—there's just no way...He said, "I'm gonna give him a year probation, he's gotta see a psychiatrist, and he'll have to check in with his probation officer; is that OK with you?" And I said "fine"...So—it is court ordered. (MS03)

Sometimes the prosecutor took more direct action. One example was a situation where the probation officer called the prosecutor to report that the woman's partner had been drinking and threatening, and would be violated:

...They both went to the police department, and they put me into hiding, because they didn't want me to go down there myself. (BL11)

**Judges.** Judges' responsiveness was also a source of positive court appraisal.

The judge said he couldn't believe I wanted to lift the [protective] order off my kids. I said, "You know, he didn't do anything to them. They're the ones that are suffering right now. They haven't seen their dad in 10 days." I said, "As long as he's with his family—his mother or his sister—he can see them." And he said, "OK." And he looked at my husband and said, "You're a lucky guy. I certainly wouldn't let you see my kids."  
(MS03)

**Court has produced change.** Women talked about positive changes induced by the court's response in several different ways. Some associated change with the increased seriousness of the court process as a whole.

I think it made him open his eyes and realize that you can't do this no more. This is not, you know, this ain't good. I think it made him think twice too, with the baby coming, and everything, I think he had a reality check, 'cause they were telling him he could've killed me very easily, he could have killed the baby...and that really hit home...I think we've gotten closer, since all of that happened...I think they should keep the domestic violence docket where they're really, you know, they're cracking down on the guys. They're not letting them get away with the things they were getting away with before.  
(MS12)

I think that they are doing good because the first time they sent him to a counselor and the second time it was a year later and they sent him to a counselor again. But the third time they going to make you pay for what you did. And now they send him to classes to modify his behavior and he has to pay \$200 for the classes. And if he doesn't do that, I think that he has to go for 5 years behind bars. So he has been seeing that what I was telling him was true, and it will get worse. (MS07)

He had to constantly go, but I didn't feel sorry for him. So [you know] what they did, dragging it like that? I thought it was great—just to show him a lesson in a way that, you know, he's not gonna control my life that way any more! (MR06)

Several of the women echoed the view that the court's response had changed, and specifically talked about court-ordered interventions. Of the women who knew what interventions the court had ordered, nearly two-thirds (64%) thought their (ex-) partner would comply with the order. This was more true for Latina women (73%) than for African American (64%) or Caucasian women (54%). Some of the women, too, had been to court because of domestic violence before the special sessions were created, and had a basis for positive comparison, as in the following more specific example:

[My previous husband] chased me with knives, and he always got off. And I had to have him arrested at least ten times, even for violating orders that he was to stay away from me. I mean, he would come around and I'd call the cops and he always got off. He never had to go through what [current partner] is going through now...They've been dragging him into court—I don't know how many times he's been going. And he's been going to classes. He's already completed one program—I think it was a 10-week program he had to go to—and he had to do so many AA meetings beside the program, and he completed that. Now he's going to another...We had an argument the other day, and he left. He doesn't want to go through any more of this. (BL16)

Other women offered other examples of change in their partners' behavior, some of them dramatic:

One night he asked, "Did you cheat on me?" And I thought, well, you know, this is it. And I shook my head yes. But he had taken anger management classes. He said if he didn't take those classes, he didn't know what he would have done. But he just walked out of the room and started crying. I said, "I'm sorry," and he said, "Just get away from me." (SA05)

He has to go to 26 meetings—he goes one time in a week, every week. [*Have you seen any changes?*] I think so, I see he's changed a little bit. He's stopped yelling, he doesn't get mad. He says, "I better leave," and he leaves, and when he comes back, he comes so quiet...I think the program is good for him, and he needs somebody to talk to him and let him know that the stuff that he's doing has to stop. (BL09)

Some of the women expressed ambivalence about the process, but acknowledged that the interventions ordered by the court had contributed to change.

We have learned ever since that incident...he knows when he gets that upset to leave. And when he calms down we'll talk or whatever instead of trying to argue back and forth, because that just makes things escalate. (BL13)

We did benefit...from it, you know, from him going to counseling, and the guy telling him about doing the time out and walking away. So we did benefit from that happening—we kinda got like a reality check. You know, a big kick in the ass, saying, "Hello, wake up." But at the same time, of learning stuff from it, it was also like hell, because he couldn't be in here. He couldn't be with the kids, and when I was working, he couldn't watch the kids. I had to have somebody else watch the kids. It was a little hard, because it was nice to have him here, so I wouldn't have to ask anybody else to watch the kids or do anything. But at the same time it was a lesson learned. (MR05)

Like when you really need the help, they like give you the run around first, and then they give you the help...Now, we discuss things. If he don't like things, we talk it out. If I don't like what he does, we talk it out...I think he knows what I was going through with

the kids. I think he learned. So I guess that's why he don't really get mad about it as much as he was. (BL08)

### *Critical Assessments of Court Response*

Although most women reported that there had been positive aspects to their court experience, this was not universal. The women who came to court as part of a "dual arrest" were least likely to speak positively. The women who did not think *any* arrest should have been made in the incident that led to their court involvement (25%) were also unlikely to regard their court experience positively. One woman was especially vehement, as she also talked about the change in the court's response:

I'm really *unhappy* with the way they do stuff at court, because this time when we got arrested there really wasn't no violence—we didn't actually hit each other, we were just arguing. But the two other times before that that there *was* violence—that we actually hit each other—all they did was arrest him, and then let him go. They didn't do everything that they're doing now. Now that we just got arrested for *arguing*...they're going *ballistic* with it! (MR05)

Nonetheless, she acknowledged that she and her partner had learned from the court experience and its interventions.

The major themes in critical reactions to the court involved a) the limits in the court's response, or the ineffectiveness of classes; b) court staff who did not listen or made negative assumptions; c) the involvement of DCF; and (related to the first three) d) their sense that they had not been treated fairly.

**Limits in the court's response.** For some women, the limits were found in the laws or in court procedures, while for others insufficient enforcement or monitoring were the problem. Most women who were critical in this way, however, focused on the ineffectiveness of the court-ordered programs. The following excerpts reflect the range of responses.

You can only do so much within the court limits. The judge only has so much rights to do things...

He goes in and tells the probation officer, "I can't take a urine today, there's no way—I'll come back tomorrow." And they let him! And he's been smoking all day long. And they say, "OK, tomorrow." (BL11)

The second time he got arrested he had to go through an anger management class. I don't know if that was a couple weeks or what, but he had to go to that and when he got arrested with this, I guess initially that's what they were going to give him until they realized that he had already been to them, and it's something that you're only eligible for once. So he did that, and like I said, when they found out he already did that, they recommended the 26 week program, so he got accepted into that. I wanted something to *happen*. I wanted, I mean, you have all these charges against you. It would be nice if someone makes you accountable for the things that you do, and pleading a month later, guilty to 3<sup>rd</sup> degree assault and all you have to do is go to classes for 26 weeks and the charges are nolle—*that frickin' blows my mind!* (MS02)

Those classes, they don't work. Most people go to those classes to pacify someone else or because it's court appointed, blah, blah. They don't work. (BL16)

[She asked the advocate why her partner was not being violated by his probation officer.] It was too much paper work. They didn't even violate him. He got put on probation, and he violated his probation because his probation says he can't have contact with me, and he was over my house, banging up my car and stuff. (BL06)

**Not being heard.** Police and Family Relations counselors were the primary people described critically for not listening or for making assumptions, but the women maintained that sometimes others in court did this, as well, as in the following examples:

...When you go to the prosecutor, you just sit there and they read the paper and they just tell you what you're gonna do. That's it. Like if you want to explain something, you can't. It's just do this and do that, and it's like, you know, you just look and say, "I can't say nothing?" I would have said, "I don't need no program, I don't want no program. [But] if it will help me out in court, I'll do it." [She was ordered to attend 90 AA meetings.] I think they probably should have fined me, instead of all that. Running around to 90 meetings, and taking buses here and there. I had to take pills, you know... I'm just glad it was in the summertime. I could never do it in the winter, 'cause I don't drive. [*Did they ask you anything about reasons why you couldn't do it?*] I guess they just assumed I could do it. They didn't know I had a health problem. I should have spoke up about that. (BL01)

His PO officer was a piece of crap on a stick. She really was...He [partner] didn't have no information about me—of me or my children's whereabouts. Everything was done through a third party. Because he was out, and he had said he would kill me if he couldn't have me...I called [his probation officer] and said, "I've got these papers from the court, and they said that he would reimburse me for [things he had destroyed]. And

she said, "Well, where are you? I have [partner] right here in the office and he would like to know where you are." And I said, "He don't need to know...If he's gonna pay...he can pay it through you at this address. And you can mail the money to [a PO box I had]." And she was like, "Oh, no—we don't send checks or money orders like that. We have to give them directly to you...If you can come into my office while \_\_\_ is here, we could solve this." I said, "You must be out of your damn mind."...She was like, "There's no need for you to get upset...Oh, he's such a nice guy."...I was like, "...You don't have a clue what I've been through." (BL18) [She did not receive the payments.]

The judge really said, "Well, let me tell you one thing. You took this for three years in your home and you come now to tell me about it? I mean, I'm sorry—what else do you want me to do? I mean, what, you guys are gonna end up together so it's a waste of time." And some other words. I can't remember right now. That really was so offensive. And here I am trying to get help! (BL14)

**DCF involvement.** Over a third (36%) of the women who had minor children reported that DCF became involved in their case at one point or another—half of the Latina women and 45% of the Caucasian women, but 26% of the African American women. While some of the women were understanding, others were irate. The court process was affected to some degree for all of them, however, and the case became more complicated, as they had more issues to consider.

DCF came after the incident in March only because they saw the whole thing...[*They're not involved right now?*] No. They talked with him, they talked with me. It was substantiated child abuse emotional, unsubstantiated child abuse physical. But there was no charge of physical...It was a waste of time...In the beginning, I didn't really like the way she was talking to me. She was kind of condescending, you know, and was saying stuff to me that [partner] had told her...and all the things that [he] had told her was a lie. And she was talking to me like what he told her was gold...She didn't impress me at all. (MS02)

[DCF] is very intrusive. I'm an awesome mother. I'm not the one who broke the law, but they're making me look really bad, by visiting my kids' school, and you know, calling my kids' doctors. They are letting everybody know that DCF is involved, but of course, they aren't gonna tell them why, and that makes me look really bad. I don't like it—it upsets me. Because I'm a darn good mother...It just bothers me how DCF can be wasting their time and energy on the wrong people...I'm not gonna call the cops if he's doing something to me but sit by if he's doing something to my kids! That's stupid!...[*Is their case done?*] Yes. Because of course, they didn't find anything. (BL16)

I only went to counseling 'cause it's mandated by DCF. [*So this is related to your kids?*] Well, this is to keep me safe. And I've never had a problem knowing what was safe. You're putting me into counseling sessions to tell me I shouldn't be abused. Well, I

already know that! It was just, until you're in the situation, you don't know what you're gonna do. [Partner] was my support, I had just had a baby, I wasn't working full time at that time, I was working 12 hours a week—what was I supposed to do? (BL06)

I think [women] should be *helped*, and not have their child ripped from them because of a mistake they made in picking the wrong partner. I don't think they should be penalized for stepping forward... (RA06)

**Unfair treatment.** The women were asked if they thought they had been treated fairly by the people in court. Over all, 59% said they thought they had been treated at least somewhat fairly. Latina women were the mostly likely to report fair treatment (75%), and Caucasian women were least likely (half did); two-thirds of African American women reported fair treatment. When they were asked additional questions, however, only one woman maintained she had experienced discrimination based on race.

[I believe they took sides] because of my past record, and because of the fact that I'm a Black woman and he's a White man...I don't think it was fair because [Family Relations] spent 3 minutes with me and then a couple of hours with him. And it seems as if she took his side instead of mine, so I think that's prejudiced, you know. I don't think you should have the same person [talk to both people] because they take sides, you know what I mean? (RA01)

Most of the other issues raised in response to this question focused on the children—related to initial charges, and on the impact of court interventions on the children, as in the following examples:

And my daughter told him to let me go and he pushed her aside and she fell on the ground. And when he did that, I hit him. [She was arrested too, but the charges were dropped]...Thank god I've never been convicted!...I feel like I was treated like I actually did something wrong. And I know that I didn't really do anything wrong. (MR03)

The kids and I are being punished for something he did. I don't think it's very fair that my kids can't...that he can't come here to see his kids. I don't think that's right. Even if I left the home while he came here—they won't even allow that, and I don't see how that's right. (BL02)

In addition, one woman who was part of a “dual arrest” incident felt that she was a victim of a “tough prosecutor,” who sent her to an anger management class.

Oh, my god, that class is ridiculous!...I'm in a class with people who have stabbed people, I'm in a class with people who have tried to kill people. I'm in a class with people that have tried to kill themselves...I feel that I'm on a totally different level than them...It's supposed to be an anger management class and what they're talking about is domestic violence...There's a lady in there that took a frying pan and split her son's head open and gave him stitches...I said I hate him and wanted to kill him and I'm sitting in the same class as her. What the hell?! I need her prosecutor...It depends on what prosecutor you have...There's someone in there who stabbed her boyfriend 12 times, I think it was. They arrested her in the hospital and she got an easy prosecutor and she got a ten-week class. (BL06)

**Outcomes**

The women were asked about the current status of the case and of their relationship in a variety of ways. Exhibit 11 shows the distributions of coded responses to the basic questions.

**Exhibit 11: Current Case & Relationship Status by Race/Ethnicity**  
(in percent)

Current Status		African American	Latina	Caucasian	Other	Total
<b>More trouble in relationship?</b>	yes	12	18	27	--	18
<b>Fear of being hurt in future?</b>	yes	20	27	36	--	27
<b>Call court if hurt/threatened?</b>	yes	88	80	86	--	83
<b>Current relationship:</b>	ended	48	27	45	--	41
	no change	20	18	15	100	21
	better	24	46	15	--	24
	confused	4	9	10	--	7
	trying to end re kids only	4	--	10	--	5
		--	--	5	--	2

Less than one in five of the women reported that there had been more trouble in their relationship by the time of the interview; more women (just over a quarter) expressed concern that their (ex-) partner could hurt them in the future. Caucasian women were somewhat more likely than the others to report trouble and to express fear of being hurt. Latina women were least likely to report that their relationship had ended, and most likely to say that it had improved since the arrest incident. The vast majority of the women (and *all* of the women who expressed concern

about possibly being hurt by their partner in the future) said they would contact the court if they were hurt or threatened while their (ex-) partner was in a court-ordered program.

### ***Help (ex-) Partner Needs***

The women were asked what help they thought their (ex-) partner needed. The majority (61%) said they thought he needed either counseling or “anger classes” (without reference to drug or alcohol intervention). Just 29% replied with some form of drug or alcohol treatment—either alone or in combination with counseling or classes. The remainder said they didn’t know (5%), that he didn’t need anything (2%), or something else (2%). African American women were most likely to endorse counseling or anger classes (79% did), compared to Latina (60%) and Caucasian women (42%). Caucasian women were more likely than the others to state that he needed treatment for drugs or alcohol, either alone or in combination with counseling or anger classes (42%).

### ***Current Concerns***

When the women were asked what they were most concerned about or most needed for themselves (at the time of the interview), three themes were most prominent in their replies: their children, fear, and self-sufficiency.

**The children.** Concerns about the children related to being able to maintain ongoing contact with them, and to their well-being. The following responses reflect the range.

The welfare of my children...The boys—in my heart, I cry every night about my children, that they aren’t with me, and the fact that they are getting so messed up. [She left the children and the house to get away from her partner, and is now in the process of divorce and pursuit of custody.] (BL07)

My children and how they’re going to deal with all of this. Luckily it wasn’t in the paper, so, like, none of their friends found out...[But] I think they miss him a lot. My 10 year old is kinda coming around. I mean, he could do anything and she’d go right back to see him. But my 16 year old is still kind of wary about the whole thing. He hurt her bad. (MS03)

I worry a lot about my children. I don't want them to make the same mistakes that I did. (BL14)

My priority is I'm not gonna allow my children to think it's OK if your husband spits at you...kicks you around, drags you by the hair...These things are unacceptable...this is not normal life. (BL18)

**Fear.** Some of the fears women expressed related to the potential for future physical harm inflicted by their (ex-) partner. Other women described fear that they were still trying to resolve as part of recovering from the relationship, although they did not think it likely that he would hurt them again.

[I don't really think he would hurt me again.] 'Cause he doesn't want to go to jail. But I'm also afraid because I wouldn't put it past him. I just want to be happy and I want to be alone...I'm still scared, though. I barely sleep at night. (MR03)

[I'm afraid] just if he picks up and uses again. I know I'm gonna be the first thing that crosses his mind...I've always been the only one that ever helped him do anything, and right now, it's like, I'm moving on with my life. I just recently purchased a house. I'll be moving in the next couple of weeks, and I just know that he's not gonna want to see me happy. I think he feels very threatened by me, by my will and my independence. (BL20)

**Self-sufficiency.** As already reported, about half of the women interviewed had ended their relationship, or were in the process of doing so. They were trying to create new lives for themselves—most commonly on their own. They needed to provide the essentials (especially housing) for themselves, and often for their children.

Trying to stay alive. It's a problem with not enough money. Winter's coming up [and] it's rough for me. I don't know what I'm going to do. (BL19)

What would I like most? A place to live that I can afford. (BL06)

My biggest worry is my health. Because, you know, at a certain age stress can put a lot of strain on you...I got pains in all my arms...[*And what would you like most right now?*] A larger apartment. (BL15)

[My biggest concern] is continuing my recovery and spending time with my daughter. And finding me a place to move to, out of these projects...I have a Section 8 voucher, but I just haven't found a place... (BL04)

### *Views of Mandatory Arrest*

The women were asked, "Do you think the police should be required to make an arrest if they have reason to believe that someone got hurt or wasn't safe?" It was made clear in the context of the question that the hurt or lack of safety occurred in an intimate relationship. 84% responded affirmatively, 12% added varying qualifications, and just 5% said "no." None of the African American women and just one each of the Latina and Caucasian women were clear that an arrest should not be required under the described circumstances. The women offered this view despite the fact that nearly a quarter of them did not believe that an arrest should have been made in their own case.

### *Suggestions for Improving Responses to Domestic Violence*

Women made suggestions for ways they thought the legal system's response to domestic violence should be changed at multiple points during the interview. When they described something that had occurred that they did not think was appropriate, for example, they sometimes offered what they considered a better alternative. Toward the end of the interview, they were also asked if they had any additional ideas about what they thought the police and courts should do in domestic violence situations. Their responses can be grouped into two broad categories: police and interventions. The importance of listening and developing individual responses that are suited for particular circumstances was conveyed repeatedly, and cut across these two categories.

**Police.** Many of the women had suggestions for changing the police response. These suggestions are important considerations for maintaining women's safety, since legal system intervention begins with the police, and negative experiences had led some women to state that they would not call the police if a new domestic incident occurred in the future. The women

focused on particular aspects of the police response, represented by the following. However, women would not agree about all of the specific recommendations.

- Specialization: Maybe we should have our own cops for domestic violence. Like if it's a domestic dispute, maybe only specific cops get called in, who know how to handle it. If I had had the same cop come back who had dealt with it the three times before, then they would have known the situation. But the cops who came didn't know the situation. (BL06)
- Better training: When police go out to a house to check on domestic violence ...if there are children there, they should really try to be aware of the signs. Because you could go out and that person could tell you nothing is going on. There could be children in the background, because I remember that from my childhood, that I always would wish the cop could read my eyes...Be more in tune to the look of the house, the surrounding... and being aware of the words that are not spoken while they're there. Because when a woman is scared...you might not get the direct information, you have to read between the lines. And I know that there's legalities involved, but you might want to do a check up. "Is everything OK over there?" To let the perpetrator know that somebody is checking up...My opinion is better safe than sorry. (MS01)
- Intervene early: [If people are arguing or fighting] ...they should just arrest them. Like, me and him was just arguing. But knowing me, I probably would have started hitting, and then he would start hitting me, so...it probably would have got worse. And that's probably how it is with a lot of people too. It starts with little arguments, and then it starts with getting physical. It's better for the cops to get in before somebody gets hurt.
- Access to police report: I couldn't get a copy of the police report until a plea was entered. Well, I was the one who filed it, I should be able to get a copy of it and see what they put. You only get to [know] what you tell them, you don't get to see what they write. What if I don't agree with what they're putting? What if what they're putting isn't what they just talked to me about? I should be able to see it. (MS02)

**Interventions.** The women had a much wider range of suggestions related to interventions, and clearly conflicting views. Many sustained their sympathy for their abusive partner, and felt that interventions should focus on help and personal change rather than punishment. Others thought that the system's current response was too lenient. The following excerpts reflect this range.

- Access to counseling. I think they should have a system, where you can go and talk...like a family. [To talk] about the incident, what happened, why it happened, and how we're dealing with things...We went and talked to our pastor. He gave us counseling separately and he talked to us together. And he told us how important it was to talk things out and walk away when you're angry and all that stuff...I think a lot of

people who [are in jail] probably need counseling. And throwing them in jail, I don't think there's counseling in there. (BL13)

- Something other than classes: Therapy class is just a class with a bunch of people who are pissed off with society and go and sit for an hour and a half a day, or a certain time a week, once a week, and they listen to someone talk and they can leave. Someone's there talking, someone's there listening, then they're out. (MS04)

Most of the people who go to [classes] are mandated; they go [because] it's either that or go to jail, or it's that or lose your wife...I would say at least 75% of the people in programs are doing it for all the wrong reasons. They aren't doing it for themselves. They've been through a lot of programs and meetings...They really don't want to get better, they just don't want to lose anything. (BL16)

- Free classes: I think if the court orders it, the court should pay for it. I don't think they should expect people out of their own pocket to pay for it, just so they don't have to go to jail. (BL12)
- No nollies: Just because they took an anger management class to bullshit their way through it, it doesn't mean they're completely changed. (BL03)
- Follow-up: If they are going to say, OK, your husband is not allowed in your home and you have kids, I think...it would be very important if they had someone set up to go to these houses where the fathers aren't allowed back to see if everything is OK—OK financially. And if they're not, she can say, "OK, well, this is what you can do...until he gets back in the home. (BL02)
- Quick notification for victims: Several women talked about this. They found it especially important to be informed quickly when their protective orders were no longer in effect, and when their partner was released from incarceration.
- Recognition of emotional as well as physical abuse: They're supposed to be there to help you...They don't understand that there's a whole lot more emotional than there is physical. If they could help more emotional than the physical then it would be a whole lot better...Treating people like people—that's about it. (MR03)
- Separate court times for co-defendants: They could have made me feel more comfortable number one if he wasn't there. We didn't have to be there at the same time...You don't want to go to court and see him. (MR03)
- Effective monitoring: They should have somebody check into stuff. Make sure you're working and stuff like that. They should have to check into it making sure they're going places, doing what they say they are [doing], which the court system do not do. (BL17)
- Lifetime protective orders: When it's a protective order, I think it should be the rest of their life...Two days before he was getting off probation—he was told a week prior that

he didn't have to go back—two days before, he started to call again... Each time you have him arrested, you have to have your paperwork to show that you have a restraining order or a protective order. If it's in the system already, you shouldn't have to do that... People that have been repeated offenders—they should be marked for the rest of their lives.

All of these recommendations from the women interviewed clearly relate to changes they thought would enhance their immediate or longer-term safety—either directly or indirectly.

Other recommendations could be inferred from responses to other questions, that women did not repeat at this point in the interview. They include coordination across systems (so that contradictory orders are not made by criminal and civil court, or by child protection), protocols that permit women to maintain distance from their (ex-) partners, and court staff understanding that circumstances (and women's risks and fears) can change while a case is in process, such that changes in orders and requirements may be warranted. These are addressed more fully in the discussion section that follows.

### ***A Final Word***

Women were given an opportunity at the end of the interview to add any comments they wanted to make. The following was a clear piece of advice that would be echoed (in general sentiment, at least) by many of the women who participated in these interviews.

Tell people not to be ashamed and tell people to ask for help... The whole reason I got choked is because I didn't want my children sleeping in the same room as my husband and his girlfriend having sex. I mean, is that asking too much? No! That's protecting your children, and that was not my fault. And as much as these men manipulate us to thinking it's our fault, it's not our fault... You have to take care of yourself, too, if you could write that down. To whoever's going through it, you have to keep your sanity, because you can't take care of your children if you're not sane. And that's what it has to boil down to, if this happens to anyone with children: your children have to come first. You have to take care of your children, no matter what the cost. (BL03)

## Discussion

This discussion focuses on the findings from the interviews with the advocates and the women whose partners were arrested for domestic violence just reviewed in some detail. These data provide an opportunity to compare perspectives of these two groups with each other, and with other findings.

### ***Primary Themes from the Interviews***

In most respects, the themes derived from the interviews with advocates and with women whose partners were arrested for domestic violence are highly compatible. Together, these interviews acknowledge and provide evidence of the complexity and diversity in the lives of women who have experienced domestic abuse. Within that framework, the following themes are particularly prominent: a) women want to be heard; b) advocates often make a significant difference in women's experience of specialized courts; c) children are central considerations in women's decision-making and experience; d) women's experience with the police can significantly affect their court experience; and e) women who come to court are not necessarily interested in ending the relationship with the person who was arrested for abuse.

**Women want to be heard.** This was the clearest theme running through the interviews. For the women, it was the single most powerful source of satisfaction and dissatisfaction. The police and court personnel who made assumptions about them and their relationships, and did not listen to what they had to say (or, worse yet, did not provide them with an opportunity to speak), were criticized most harshly and extensively. The women described many aspects of their individual situations that affected what they needed and the impact that the standard court response would have on them or their children. They wanted their particular circumstances to be considered seriously in actions taken by the court.

Often, they described the violence in their lives as part of a variety of difficult issues they had to contend with, including other relationship problems, their partner's or their own current or past drug or alcohol abuse, health problems, financial problems, difficulty obtaining needed survival resources (such as child care, sustained employment, and adequate housing), extended family problems, and difficulties with their children. They did not always see the violence and abuse they had experienced as being their primary problem, and this was one source of frustration with the court's response. This is also part of the context in which some women took care to distinguish themselves from "battered women"—an image derived partly from media accounts of extreme cases.

The importance of listening was prominent in the advocates' interviews, as well. With more resources, the advocates had more time to listen; as a result, they learned more about women's situations and the complexity of their needs. They were able to identify more needs that were beyond the immediate legal resources the court had to offer. As they began to do more advocacy that was "woman defined,"<sup>31</sup> the advocates described a major (occasional but recurring) difficulty and focus of their work as obtaining credibility for victims' needs and desires in the court system—especially when what the women wanted changed over time or was not consistent with what the court was prepared to provide readily. They reported that listening carefully to what the victims told them helped the advocates to understand additional situational details about victims' needs and risks that could alter their recommendation for court response. Shepard's discussion with experienced advocates reports similar frustrations with the criminal court's difficulty in responding to the individual context in which women experience violence.<sup>32</sup>

These themes are compatible with other (primarily) qualitative studies that have found that women stress the importance of attention to their individual circumstances. Emerson's

findings about women's resistance to court responses based on limited categories of remedies, and their antagonism to court workers' efforts to convince women who were still involved with their abusive partners to leave them, are particularly applicable. Similarly, women's common discomfort with categorical labeling, as described by Hamby and Gray-Little, are paralleled here.<sup>33</sup>

**The importance of advocates.** The advocates' importance as a major voice for victims in the court was a second prominent theme in both sets of interviews. The data from interviews with the women show that victims are more likely to have contact with advocates than with any other court personnel. The women reported that advocates were more likely than others to listen to them, to provide meaningful support, and to be in ongoing contact with them. Among the things they most appreciated was that, because of the advocates, they did not have to attend court physically in order to have their voice heard, or to remain informed about the status of their case. For some women, their ability to avoid contact with their (ex-) partner was an important safety consideration.

With the special session courts, advocates are able to provide more of the resources the female victims reported were most important to them. The advocates have more time to listen to each woman, and more time to spend in efforts to contact victims, such that they reach a higher percentage of victims directly and early in the case. In addition, the advocates reported that, with the coordinated response and increased communication they experience as part of the special sessions, they have gained more credibility and trust from the other court personnel, and they are usually able to advocate for the women more effectively.

However, added trust and information from victims often made advocates' work more difficult. As they attempted to work in ways that were most responsive to victims' needs and

desires, advocates sometimes found themselves taking positions that were not popular or understood by other court personnel. Dealing with protective order modifications and women who wanted to change their accounts of the arrest incident were two primary examples. Both examples can be understood at least partly as a result of the cases remaining active in court over a longer period of time, and the greater determination of these courts to hold abusive partners accountable.<sup>34</sup> Women's needs and assessments of their risks and priorities often change over a period of six months or a year, as interviews with both the women and the advocates reflect clearly, and other literature has suggested.<sup>35</sup>

The findings about the critical importance of advocates are compatible with the research literature that has addressed the issue.<sup>36</sup> In this setting, however, it is not clear whether or not connections with the advocates affect victims' interest in "cooperating" with prosecution.

Enhanced advocacy was accompanied by the courts' increased focus on programmatic interventions and sanctions. This study was not designed to determine whether increased contact with advocates would increase victims' interests in sanctions for their abusive (ex-) partners. In fact, interviews with both the women and the advocates provided support for Ellis and DeKeseredy's findings that most women were interested in having the violence stop with a minimum of trouble.<sup>37</sup> Many of the women maintained their desire for their partners to obtain help—particularly counseling or treatment for alcohol abuse—and many were still involved in the relationship at the time of the interview.

**The importance of children.** The women conveyed the importance of their children in several contexts. They had safety strategies to try to protect their children from the violence and its impact; they were sometimes arrested as part of their effort to protect their children; they were upset when protective orders prevented their children from seeing their fathers; they were often

upset when the arrest resulted in child protection agency involvement in their case; and they expressed concern (and described therapeutic arrangements and other efforts they had made) about the longer-term impact on their children of their exposure to violence and abuse. Several of the women also described ways that their abusive (ex-) partner had used threats to take their children or had initiated contact with the child protection agency as a means of manipulating or controlling them. In some cases the children were ongoing links to their (ex-) partner, and thus could heighten the women's risks; in other cases concern about their children provided the immediate impetus to leave the abusive situation. In many cases, the women's need for child care was a central consideration in their decision-making and assessment of legal options.

Recognition of the women's connections to their children, and the impact of child protection agency involvement in the case was also a major theme in the advocates' interviews. The women's need for child care provided by their partners was often central to their desire for protective order modifications. Such modifications were one of the primary challenges the advocates faced in their work.

The complexities of the issues involved in domestic violence cases where children have been exposed but not physically abused has been increasingly recognized recently.<sup>38</sup> However, the most effective strategies for addressing these issues in the criminal court context, and the impact of child protection agency involvement on women in court have not yet been investigated thoroughly. This is critically needed.

**The importance of police.** The interviews with women provided evidence that their police experiences had a profound effect on their approach to court. The encounter with police at the time of the incident often set the tone for their reactions to subsequent interventions. Some women reported that the police had acted appropriately, and had even gone out of their way to be

supportive. A majority of the women were satisfied with the police response. Of course, women who were arrested nearly always found that to be upsetting, and evidence that the police were biased or did not listen. 79% of the women who were arrested said that they were not satisfied with the police response. Women were also especially concerned about the police who did not take them seriously or investigate thoroughly, such that charges did not reflect what had transpired during the incident, and assumptions by some police that they would return to their abusive partner. These data are compatible with Stalans and Finn's findings about the importance of police discretion: victims are most satisfied when the police listen to them and respond in ways they want.<sup>39</sup>

**Terminating the relationship was not primary.** Interviews with both the women and the advocates made it clear that ending the relationship with the abusive partner was not necessarily a primary interest for the women. Many of the women understood the abuse as a reflection of his "other personality" that emerged when he was drinking, on drugs, or under other particular circumstances. The person who had abused them was not "really" him. Some hoped that the court would be a way that he could get help for these issues.

Although 43% of the women reported during the interview that the relationship was over (including the relationship sustained only for the children), 12% maintained that it was already over at the time of the arrest. 45% said that their relationship was largely unchanged or had improved since the arrest. While some women reported that the court's interventions had been helpful for their ongoing relationship, others maintained that the court's interventions had made the relationship more difficult, as in cases where the women had been arrested or the men had heard mixed messages. The strategies the women used to address these difficulties, in turn, made their connections with advocates, and the advocates' jobs in court, more complex.

### *Comparisons Across Race and Ethnicity*

One of the goals of this study was to investigate differences in women's court experiences across race and ethnicity. It was striking that the interviews revealed only one account of different treatment by court personnel that was attributed to racial or ethnic bias. Instead, when women reported that they had been treated unfairly, they pointed to having been arrested or not heard. In fact, Caucasian women were more likely than others to say they had not been fairly treated. It is certainly possible that women did not feel they were treated unfairly because of race or ethnicity; it is also possible that women of color who felt they had been unfairly treated on racial or ethnic grounds were less likely than others to participate in interviews.

Different patterns did emerge from the interviews, however. The Latina women often revealed differences from the African American and Caucasian women, as many of the exhibits demonstrated. On most measures, either there was no meaningful difference across race and ethnicity, or the Latinas differed from the African American and Caucasian women. The Latina women were younger, had somewhat less formal education, were least likely to be employed, were more likely to have witnessed domestic violence between their parents, and more likely to have experienced childhood abuse. They were more likely to be living with their abusive partner (who was also more likely to be the father of their children), to be currently involved with him, and to say that he provided significant financial and child care support. They were also more likely to report that their partner had seen domestic violence in his childhood home. In addition, the Latina women were more socially isolated than the others—they were less likely to say they had someone to talk to about problems in their relationship, and more likely to report that they did not discuss the violence. They were also less likely to say they had someone who could

provide help with child care or a place to stay if they needed it. In addition, Latina women were most likely to describe unsupportive interference from his extended family.

In response to questions directly related to legal system involvement, Latina women reported more past police involvement. They were also more likely than the others to say that they wanted something other than their partner's arrest when the police arrived. Instead, they wanted the police to get him out of the house. Despite this difference, they were more likely to say they were satisfied with the police response than were the Caucasian women (African American women were most likely to report satisfaction with the police response). Latina women were least likely to attend court, and most likely to report that the victim advocate had been helpful to them. None of them said they had spoken directly to a prosecutor or to the judge. Finally, Latina women were most likely to predict that their partners would do what the court told them to do, and to report that their relationship had improved since the arrest.

These patterns could be attributable to cultural differences. Some of the literature stresses the primacy of family relationships and values in Latino culture, as well as an emphasis on male familial authority that is often associated with higher rates of abuse. The patterns could also be attributable to the greater youth of the Latina women. Their children are more likely to be young and demanding, and the women may be more reliant on their partners for financial and child care support. It is also possible that these differences are only apparent, and were found because of the small sample and unrepresentativeness of the women who agreed to participate.

### ***Special Session Courts***

Drawing primarily on the interviews with the advocates, the findings suggest that the special session courts have changed in the ways they respond to domestic violence cases. Men who have been arrested are more likely to be involved with the court for an extended period of

time, and are more likely to be ordered to participate in more intense interventions. Women whose partners have been arrested are more likely to have supportive advocacy available, and to have extensive advocate contact. Evidence of this last change comes from all three data sources included in this report.

Advocates report, further, that the court process has changed. There is considerably more communication, collaboration, and consistency involved in responding to domestic violence cases, along with a greater emphasis on victim safety and offender accountability. The interviews with women who have experienced both the previous and the newer “special session” court processes indicate that they have noticed the change, as well. As already discussed, these changes in court practice have contributed to changes in advocates’ roles, and in the issues they must address with victims.

Despite the changes associated with the special sessions, interviews with victims indicate that the courts alone do not provide the “answer” to domestic violence. Further, victims made a variety of suggestions in both police and court intervention practice and policy that would, from their perspective, improve their safety and their satisfaction with the court’s response.

### ***Study Limitations***

These two sets of interviews are unusual in their combination of comprehensiveness, qualitative emphasis, respondent population (legal system victims and advocates), and focus on specialized domestic violence courts. As such, they have all the strengths and limitations associated with that combination: the data are rich, and yet are based on relatively small samples.

The advocates who were interviewed constituted the universe of specialized advocates in the special session courts in the state at that time. However, they are community-based advocates working in the courts, and not court employees working the prosecutors’ offices, as is

more common. Therefore, results of the advocates' interviews are applicable particularly to other advocates who are similarly located; such advocates are found in several states, and in each of the three Judicial Oversight Demonstration Projects.

The women who were interviewed are similar in race/ethnicity, relationship to their arrested intimate partner, mode of initial advocate contact, presence of children, and their own arrest status to other domestic violence victims found in these courts. However, they are somewhat older and more educated than the other women, and may differ from them in ways that have not been measured—they all had telephones, for example, and some degree of residential stability. Importantly, they were also willing to speak with a researcher—they may be at less risk than other women, and either more or less satisfied with their legal system experience. However, their voices were intended to describe a range of views and experiences, and they do provide that range. Nonetheless, their experiences cannot be seen as more precisely representative. Percentages provided in the exhibits were intended to offer subject-specific summaries, comparisons across race/ethnicity, and evidence of similarity to the larger population. They should not be removed from this context.

# Implications

The study reported here has a variety of implications both for research and for legal system intervention in domestic violence cases. The most important general implication is that domestic violence cases are complex, and do not lend themselves readily to simple, “one-size-fits-all” responses—by the legal system or any other institution. This means that the legal system cannot alone address the range of issues involved. Individual adult and child needs have been articulated that include housing, employment, financial support, health, mental health, drug and alcohol treatment, and civil legal issues, in addition to the criminal violence issues involved in these cases. Multiple agencies and institutions are often involved. In cases where the legal system functions as a major entry point for intervention, it would be well advised to have mechanisms established to respond to the complexity involved—through networks of cooperating agencies and institutions that can be readily accessed for support and resources of diverse kinds. A genuine coordinated community response has long been advocated, and the data reported here support that concept.

The present findings also strongly support the use of independent advocates with sufficient time and resources to provide the ongoing support throughout the pre-disposition and post-conviction process when domestic violence victims choose to use them. Advocates can be especially helpful when they have the time to establish trusting relationships with victims, the resources to provide or arrange the support victims need, and they work in a court context where they have the credibility needed to speak effectively on victims’ behalf when appropriate, or arrange for victims to speak with safety themselves. As courts are moving to hold abusers increasingly accountable, advocates can work with victims to plan the safety and self-sufficiency strategies they may need, and as they change over time. They can also help the courts to reassess practices that could contribute to risk, as in simultaneous appearances of co-defendants, or

requirements that victims provide contact information that could be obtained by their (ex-) partners. Protocols that allow safe court-ordered payments through a third party, such as a probation officer, should be considered; advocates could contribute to risk assessments and help facilitate such arrangements.

The study also has implications for training throughout the law enforcement and legal systems. Personnel who work directly with either victims or abusers need to learn to listen carefully, and to understand the complex sets of dynamics often involved in domestic violence situations, with particular attention to cultural issues that pertain to the particular populations they serve. Women do not remain in relationships with abusive men primarily because they are ignorant, helpless, or think they deserve no better. Similarly, most abusive men are not only abusive, on a constant basis. When systems operate on these assumptions they are less likely to be helpful to the people involved. Instead, responses that take into account multiple needs—for basic daily survival needs for both adults and children—are more likely to be received appreciatively. These observations suggest not only training, but more complex and ongoing risk and needs assessments, and careful safety planning.

Further consideration of child protection agency involvement in the criminal court process is also suggested by these findings. Protocols for more abbreviated investigations when there is no suggestion of direct abuse, and the children are either too young to be affected, were clearly unaware of the incident, or the incident consisted of an argument without physical violence, may be warranted. When child protection agencies are involved, clear protocols for timely communication and collaboration regarding interventions seem warranted; such protocols could also be important for the criminal and civil legal systems for cases where, for example, divorce or child custody actions are proceeding simultaneously with the criminal case.

When children want to maintain contact with both parents, and neither parent has abused the children, careful consideration is warranted for court orders that would safely permit contact. Orders that in effect make this impossible compound the difficulty of situations that are already problematic. Courts might also consider making arrangements for safe, accessible child care on days when large numbers of domestic violence cases are heard—to permit victims the opportunity for full and candid discussions of their situation and their risks with advocates and other court personnel without interruption.

However, this study was not designed to provide definitive answers to questions about court effectiveness or racial and cultural variations. Additional research is needed that develops larger representative samples and a combination of quantitative measures and qualitative data that go beyond simple opportunities for comment following fixed-choice questions. More in-depth understanding of the meaning and experience of domestic violence interventions and their relationship to victim safety, in the criminal justice system and elsewhere, remains vital.

More specifically, issues related to similarities and differences in the use of and experience with the criminal legal system and the other institutions involved across race and ethnicity need to be investigated more thoroughly and with larger samples. The experience of interventions following “dual arrest” is another area that needs further study. In addition, more examination of the roles of advocates and other court personnel should be undertaken. Further, alternative models of child protection agency involvement in criminal cases where children were witnesses or present in the household instead of more directly involved should be tested empirically. These areas of research remain relatively neglected, yet are central to court functioning, and, ultimately, to human safety and well-being in domestic violence cases.

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## Notes

<sup>1</sup> The results of the original experiment were reported in Sherman, L. and R. Berk, 1984, "The Specific Deterrent Effects of Arrest for Domestic Assault," *American Sociological Review* 49: 261-272. More qualified results were reported in Berk, R., A. Campbell, R. Klap and B. Western, 1992 "A Bayesian Analysis of the Colorado Springs Spouse Abuse Experiment," *Journal of Criminal Law and Criminology*, 83: 170-200; Dunford, Huizinga and Elliot, 1990, "The Role of Arrest in Domestic Assault: The Omaha Police Experiment." *Criminology*, 18: 183-206; and Hirschel, J. and I. Hutchinson, 1992, "Female Spouse Abuse and the Police Response: The Charlotte, North Carolina Experiment," *Journal of Criminal Law and Criminology*, 83: 73-119. Examples of studies that raised questions include Buzawa, E. and C. Buzawa, 1993, "Introduction: The Impact of Arrest on Domestic Violence." *American Behavioral Scientist*, 36: 558-574; Ferraro, K, 1989, Policing Women Battering. *Social Problems*, 36: 61-74; Hart, B., 1993, "Battered Women and the Criminal Justice System." *American Behavioral Scientist*, 36: 624-638; and Lerman, L., 1992, "The Decontextualization of Domestic Violence." *Journal of Criminal Law and Criminology*, 83: 217-240. The new analysis was reported in Maxwell, C., J. Garner, and J. Fagan, 2001, "The Effects of Arrest on Intimate Partner Violence: New Evidence from the Spouse Assault Replication Program." U.S. Department of Justice, National Institute of Justice: *Research in Brief* (June).

<sup>2</sup> Stalans, L. and M. Finn, 1995, "How Novice and Experienced Officers Interpret Wife Assaults: Normative and Efficiency Frames." *Law & Society Review*, 29: 287-321.

<sup>3</sup> Avakame, E., and J. Fyfe, 2001, "Differential Police Treatment of Male-on-Female Spousal Violence." *Violence Against Women*, 7: 22-45.

<sup>4</sup> Feder, L., 1999, "Police Handling of Domestic Violence Calls: An Overview and Further Investigation." *Women & Criminal Justice*, 10: 49-68.

<sup>5</sup> Buzawa, E. and T. Austin, 1993, "Determining Police Response to Domestic Violence Victims: The Role of Victim Preference." *American Behavioral Scientist*, 36: 610-623.

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<sup>7</sup> For example, Gamache, D., J. Edleson and Schock, 1988, "Coordinated Police, Judicial, and Social Service Response to Woman-Battering: A Multiple Baseline Evaluation Across Three Communities." Pp. 193-209 in G. Hotaling, et al., eds., *Coping with Family Violence*. Newbury Park: Sage. Syers, M. and J. Edleson, 1992, "The Combined Effects of Coordinated Intervention in

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<sup>14</sup> See Davies, Lyon and Monti-Catania, 1998, note 7. See also Hart, B., 1996, "Battered Women and the Criminal Justice System." Pp. 98-114 in E. Buzawa and C. Buzawa, Eds. *Do Arrests and Restraining Orders Work?* Thousand Oaks, CA: Sage; and Pence, E., 2001, "Advocacy on Behalf of Battered Women." Pp. 329-343 in Renzetti, C., J. Edleson, and R. Bergen, Eds., *Sourcebook on Violence Against Women*, Thousand Oaks, CA: Sage.

<sup>15</sup> Sev'er, A., 1997, "Recent or Imminent Separation and Intimate Violence Against Women: A Conceptual Overview and Some Canadian Examples." *Violence Against Women*, 3: 566-589.

<sup>16</sup> Hamby, S. and B. Gray-Little, 2000, "Labeling Partner Violence: When Do Victims Differentiate Among Acts?" *Violence and Victims* 15: 173-186.

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<sup>19</sup> Smith, 2000, "'It's My Decision, Isn't It?': A Research Note on Battered Women's Perceptions of Mandatory Intervention Laws." *Violence Against Women*, 6: 1384-1402. Ferraro, K., 1996, "The Dance of Dependency: A Genealogy of Domestic Violence Discourse." *Hepatia*, 11: 77-91. Dutton, M. A., L. Goodman, and L. Bennett, 1999, "Court-involved Battered Women's Responses to Violence: The Role of Psychological, Physical, and Sexual Abuse." *Violence and Victims*, 14: 89-104. Ellis, D. and W. DeKeseredy, 1997, "Rethinking Estrangement, Interventions, and Intimate Femicide." *Violence Against Women*, 6: 590-609.

<sup>20</sup> Short, L., P. McMahon, D. Chervin, G. Shelley, N. Lezin, K. Sloop, and N. Dawkins, 2000, "Survivors' Identification of Protective Factors and Early Warning Signs for Intimate Partner Violence." *Violence Against Women* 6: 272-285.

<sup>21</sup> Bachman, R. and A.L. Coker, 1995, "Police Involvement in Domestic Violence: The Interactive Effects of Victim Injury, Offenders' History of Violence, and Race." *Violence and Victims*, 10: 91-106.

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<sup>22</sup> Richie, B., 1996, *Compelled to Crime: The Gender Entrapment of Battered Black Women*. New York: Routledge. Peterson-Lewis, S., C. Turner, and A. Adams, 1986, "Attributional Processes in Repeatedly Abused Women." Pp. 107-130 in G. W. Russell, ed., *Violence in Intimate Relationships*. New York: PMA.

<sup>23</sup> Smith, 2001, (see note 18) and Smith, 2000 (see note 19).

<sup>24</sup> See, for example, Benson, M., G. Fox, A. DeMaris, and J. Van Wyk, 2000, "Violence in Families: The Intersection of Race, Poverty, and Community Context." Pp. 91-109 in G. Fox and M. Benson, Eds., *Families, Crime and Criminal Justice*. New York: JAI.

<sup>25</sup> See, for example Cretney and Davis, 1997, note 7. They observed that victims want courts to issue judgments on the pattern of behavior, not a specific incident. See also Taylor, W., L. Magnussen, and M.J. Amundson, 2001, "The Lived Experience of Battered Women." *Violence Against Women*, 7: 563-585. Bograd, M., 1999, "Strengthening Domestic Violence Theories: Intersections of Race, Class, Sexual Orientation, and Gender." *Journal of Marital and Family Therapy*, 25: 275-289) notes the importance of understanding women's choices and the constraints they face.

<sup>26</sup> In general, these courts handle misdemeanors and the least serious degrees of felonies, although they sometimes see more serious felonies. They also hear motor vehicle cases. The "special session" court dockets, however, hear only family violence cases.

<sup>27</sup> The term "victim" will be used throughout this report, as a reflection of the women's legal status. Advocates often use this term when they talk about specific legal cases, but prefer to think generally of women who have experienced abuse by their partners as "survivors."

<sup>28</sup> Lyon, E. 1999. "Specialized Family Violence Courts: Quantitative and Qualitative Outcome Measures." Paper presentation at the 6<sup>th</sup> International Family Violence Research Conference. Durham, New Hampshire.

<sup>29</sup> In each section of excerpts from interviews, no advocate is quoted more than once. The quotes were selected to reflect views or experiences shared by more than one individual, and to describe the range of responses. All twelve of the advocates are quoted multiple times in these excerpts.

<sup>30</sup> FRCs are responsible for conducting an immediate assessment of the domestic situation on the day of arraignment, and making recommendations to the prosecutors and the court about protective orders and other actions that the court should take that day. FRCs speak with defendants; they may either speak directly with victims that day as well, or refer victims to the advocates (or both). They feel responsible for conducting a balanced assessment, without favor to either the victim or the defendant.

<sup>31</sup> See Davies et al., 1998, note 7.

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<sup>32</sup> Shepard, M., 1999, "Advocacy for Battered Women." Pp 115-125 in M. Shepard and E. Pence, Eds., *Coordinating Community Responses to Domestic Violence*. Thousand Oaks, CA: Sage.

<sup>33</sup> See notes 9 and 16, above.

<sup>34</sup> Conflicts about the use of protective orders have historically been common across the state, but emerge with greater clarity and urgency in the context of the special session courts.

<sup>35</sup> See note 17.

<sup>36</sup> See notes 10 – 12.

<sup>37</sup> See note 19.

<sup>38</sup> See Schechter, S. and J. Edleson, 1999, *Effective Intervention in Domestic Violence & Child Maltreatment Cases: Guidelines for Policy and Practice*. Reno, NV: National Council of Juvenile & Family Court Judges; Holden, G., R. Geffner, and E. Jouriles, Eds., 1998, *Children Exposed to Marital Violence*. Washington, DC: American Psychological Association; Peled, E., 1996, "'Secondary' Victims No More: Refocusing Intervention with Children." Pp 125-153 in J. Edleson and Z. Eisikovits, Eds., *Future Interventions with Battered Women and Their Families*. Thousand-Oaks, CA: Sage.

<sup>39</sup> See note 5.

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# Appendix A

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## Interviews with FVVAs

**NOTE:** Begin with purpose of interview: to learn more about the operation of the special docket sites and impact on female victims from the advocates' perspective; to learn more about the impact of additional advocates; to learn more about advocates' role within the over all context of court functioning in the special docket sites; to learn more about what works especially well and what areas of improvement advocates would like to see; to learn more about new advocacy issues have emerged with the special docket sites.

Remind advocates that interview responses are confidential—that is, individual responses will not be shared for attribution or in any way that they could be identified. A summary of responses will be prepared and will be shared: with them, with CCADV, and as part of the final report to NIJ.

1. How long have you been a FVVA?
2. Did you have other experience providing DV services before you got this job? (What?)
3. Do you specialize in any particular aspects of advocacy? What?
4. Describe a typical day in court: what do you do first? (probe for detail)
5. What other court staff (roles) do you most often interact with? Under what circumstances?
6. What are the major issues you address with victims?
7. What do they most want/need?
8. Has this changed since additional advocates have been added/the special docket was created?  
[If the advocate is new, ask how her experience with what victims most want/need differs from what she hears from advocates in non-docket sites, and how what she does is different from what they do]
9. Give me two examples of docket teams working especially well, from your perspective.
10. Give me two examples of when the team/special docket approach didn't work very well, from your perspective.
11. What are the major challenges in making the special dockets work, from your perspective?
12. If you could make any change in the way the dockets work for victims, what would that be?
13. What are the major challenges in your work with victims?
14. What are the major challenges in your work with the other court staff?
15. What other changes would help you in your work with victims—to enhance their safety? To hold offenders accountable?

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## Appendix B

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## INTERVIEW INTRODUCTION

[This is a guideline for talking to prospective interviewees. Our initial goal includes assessing level of interest and fully explaining who we are and what we do.]

Interviewee ID# \_\_\_\_\_

Hello. My name is \_\_\_\_\_. I'm calling for **Eleanor Lyon** from the School of Social Work at the University of Connecticut. We have been given money by the federal government to help Connecticut's court system figure out what is most helpful after a family violence arrest has been made. I got your name and telephone number from the \_\_\_\_\_ [name of city] \_\_\_\_\_ court system. At the time when your partner or ex-partner was arrested, a **Victim Advocate** asked if you'd be willing to talk to someone about doing an interview with a researcher from Hartford who would pay \$25 for your time. Do you remember talking to someone about this? [If **no**, continue] It was probably about \_\_\_\_ [estimate time lapse by comparing date received and date of call] \_\_\_\_\_ long ago. Your partner or ex-partner would have been arrested for a family violence charge. Our research and the interview are related to family violence. Would you like to hear more about the interview?

[**Description of content and purpose of our research**] I am one of the researchers who do the interviews. They are interviews about **your** experience with the arrest of your partner or ex-partner. Anything you say during the interview will not be shared with anyone in court. Actually, our research is **NOT at all** associated with the case against your partner/ex-partner. Our research team is trying to collect information about people's experiences with family violence and what happens after an arrest. We are hoping people can help us understand what happened to you and other people whose partners have been arrested for a "family violence crime" and what will be most helpful. We will put all the information we collect together in a confidential report for people who make court policy. No names, either yours or any others you mention, will be used as part of the research reports. Again, we want to hear how courts and other agencies dealing with family violence can be more helpful. Does this sound like something you'd be willing to help us with? [If **yes**: continue. If **no**: if person will allow, explore reason **NOT** interested to see if any concerns can be reassured with further information.]

[**Schedule interview, address physical/emotional safety, if possible determine date of arrest**] The interview takes about one and a half hours on the telephone, and I usually advise people to set aside **two full hours** because we don't want to make you feel rushed. When might there be that available block of time for you? [Inform participant you'd like to call the day before to confirm if that is O.K.] Will you have any concerns about your safety during the interview? I have to ask everyone if they feel they might be at risk while they talk to me, and we'd like everyone to be able to speak freely. For example, it will be important that your (ex-)partner is **not** around when we talk. [Ask for name of partner and current relationship status if this seems comfortable. And note it for reference during the interview. Otherwise, wait until the interview itself.]

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--Schedule time--

[**Right before starting interview**] Could you tell me your (ex-) partner's name and when the arrest occurred? [**note somewhere so you can refer to it during interview**] Also, I need to remind you about a couple of things before we start. First, as I told you when we first talked, this interview is completely voluntary and separate from anything happening in court—it will have no impact on the case. Anything you say during the interview will not be shared with anyone in court. No names, either yours or any others you mention, will be used as part of the research reports. Let me know if you don't want to answer a question that I ask, and we can just move on to the next one. You can also stop the interview at any time. *If you tell me that your children are being abused, I will need to talk with you about reporting that to the Department of Children and Families, so please keep that in mind.* Anything you do say I need to record word-for-word. I may ask you to slow down or even stop while I am writing/typing. What has been helpful for me, in case I miss something, is to have an audio tape back-up of our conversation. Would you be comfortable with that?

YES participant agreed to be audio taped \_\_\_\_\_

REFUSED to be audio taped \_\_\_\_\_

[**as final safety assessment probe**] Is there any chance of someone walking into your home or room that you **DO NOT** want to hear you talking about the arrest and what's been happening since then? Should that happen at all, you can just say "Thanks for calling" and hang up. I will know that's a sign and call again some other time. If you should for any reason find yourself in danger while we are talking and you want me to call the police, just say "Sorry, I'm not interested," and I'll call them.

Do you have any questions for me before we start? If you are ready to start and understand what I have said, I'm going to sign your name on a piece of paper, to show that you know this research is voluntary, entirely confidential, and you made the choice about me audio taping our conversation.

\_\_\_\_\_  
(Name: sign and print)

\_\_\_\_\_  
(Date)

What would be the best way to get your \$25 to you? [**check is our first choice but anything is possible**] May we mail you a check? [**takes at least a couple of weeks**] Please give us an address where you are comfortable receiving the check. Would you like us to do anything special (plain envelope, change addressee of check)?

Address: \_\_\_\_\_  
\_\_\_\_\_

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## Interview Guide

To begin, I want to ask you a few questions about yourself.

1. How many years of school have you finished?
2. Have you received any specialized training? (What? Which of your skills do you think are most helpful in getting a job?)
3. Are you employed right now?
  - (If yes-- is that full-time? What type of work is it? How long have you held the job?
  - If no-- how do you get money to live on? Have you ever been employed? [when was that? what did you do?]) (If no--do you think you could find a job if you needed to?)
  - Do you get any financial help from any state or federal or town agencies, such as disability, food stamps, welfare ("temporary family assistance"—TFA), social security, section 8, etc?
    - if yes: Which ones?
    - And about how long have you been getting that help?
    - Has anyone (case worker) connected with that help asked you about domestic violence or abuse in your relationship?
    - Has anyone raised any problems for you? Have you had any trouble because of the rules related to support?
4. How old are you?
5. Do you have any children?
  - If yes--how many? \_\_\_\_\_
  - What are their ages? Females: \_\_\_\_\_ Males: \_\_\_\_\_
  - Where were they living at the time of the arrest?
  - Are they still living there now? Yes \_\_\_\_\_ No \_\_\_\_\_ (if no): Where are they living?
6. When you were growing up, did you ever see or hear any physical fights between your parents (or other people who raised you)? Yes \_\_\_\_\_ No \_\_\_\_\_
  - If yes—How often did it happen?
  - Did you ever get hurt during those fights?
  - Do you remember how you thought about it at that time? [*Note: we're trying to find out how s/he made sense of those incidents: e.g. "this is the way adult relationships are;" "my dad is a bully;" "all women get hit;" etc.*]
  - Did anything happen as a result of that/those fight(s)? [e.g. arrest, injury, divorce, etc.]
  - Do you think those fights have had any effect on the relationships you have had as you got older?

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**Additional probes:** did your reaction change over time—did you begin to think about their relationship differently as you got older? How do you think about that relationship now?

7. Were you ever hit or threatened when you were growing up? Yes \_\_\_\_\_ No \_\_\_\_\_  
(explain: \_\_\_\_\_)

8. Now, this may seem like a strange question, but CT's law refers to "family violence." What does that mean to you? [*We're trying to get their definition of the term "family violence." How do they understand it? What behavior does it apply to? Additional ways to approach it may be: When people are having a fight/argument, when do you think that the police should get involved? When should someone outside of the situation step in to do something about it? What is the point where things have gone too far?*]

Now I want to ask you some questions about the situation that ended up with your partner (or ex-partner) being arrested and you coming to (or talking to people from) court in (month), starting with a little bit of history.

9. How long have you been involved in this relationship? Is it still going on?

- What do/did you like most about it?
- What troubles/troubled you the most about it? (probe)
- Do you know if he/she was ever hit or threatened while growing up?
- Do you know if his parents (or others who may have raised him) fought? Do you think that has had any effect on how your partner handles relationships?

10. Were you living with the person who was arrested at that time?

- For how long?
- Has that changed since (month they came to court)? [*Don't ask if the answer was given in response to #7.*]

11. Was your partner helping to support you [and your children] financially at that time?

\_\_\_ yes, regularly \_\_\_ yes, sporadically \_\_\_ no

- (If yes): how important to you was that support?
- At that time, did you think you could manage without that support? (*If still involved*): How about now?

12. Is there anyone else who could provide help with money if you needed it? Who?

13. Do you feel OK about asking people for help with money if you need it?

14. Is the person who was arrested the father/mother of any of your children? (Don't ask if no children.)

- Was your partner helping you care for the children in any way? What kind of help?
- Did you ever feel uncomfortable with the way your partner treated the children? How so?

- 
15. When you have trouble in your relationship, do you have a friend or family member you feel comfortable talking to? How about a church or other community group?
- (If yes): Are they able to help you in some way? How?
  - [If there are children]: Would they be able to help you care for the children if you needed it?
  - What about help with a place to stay?
  - What about help with transportation?
  - Any other kinds of help?

*The next set of questions will ask about how your experience your relationship troubles with the person who was arrested.*

16. Lots of people say that they can see the abuse coming. When your (ex-) partner gets (got) angry, how often can/could you “see it coming”? What are/were the signs?
- How often does/did he/she hurt or threaten you when he/she gets/got angry?
  - In your experience, what is/was the best thing to do when that happens/happened?
  - Lots of women say there are things they do to help keep things under control when they see something about to happen. Is/was there anything else you have tried that seemed to help? Do/did these things help you feel safer? [Keep the kids safer?]
  - How often do you tell other people when these things happen? Whom do you tell? What do they say? [*Don't ask if this came out in response to #11*]
  - (If has minor children): Do you have any concerns for the children's safety because of what your partner does?
  - Are you concerned about how they are handling the troubles in your relationship?
  - Have they seen any of the fights happen?
  - Sometimes when people have this kind of trouble in their relationships, someone calls DCF. Has anyone ever called DCF in any of these situations? If yes—what happened?
  - Do you have any plans for how you will deal with his abuse (*if this seems relevant—we're trying to get at longer-term strategies*)
17. Was this the first time the police got involved because you were hurt or threatened with violence by the person who was arrested? By anyone else?
18. (If this wasn't the first time): About how many times have the police come before? Did they make an arrest every time?
19. Please tell me what happened that time in (Month) when the police made the arrest that brought you to court. What were the circumstances that led to the trouble? Has that (those circumstances) ever happened before? (If yes): Was there anything different about this time? [*Note: If this question has already been answered, do not repeat it.*]

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20. Who called the police this time? (If not the respondent): Did you want them to be called?
  21. What did you want the police to do?
    - Was anyone other than your partner arrested?
  22. Were you satisfied with the way the police responded? (Probe, but don't repeat if answered.)
  23. Is there anything you would have wanted them to do differently? (What?)

*The next set of questions has to do with court. She may have trouble distinguishing this specific time. Please note if the answers are more in general about going to court for DV or if they are about this specific incident.*

24. Tell me what happened that day in (Month) when your partner went to court. Did you go on the first day, too?
  - (If yes): Did you go with anyone?
  - Whom did you talk to?
  - How were you feeling that first day?
25. How did you feel about your contact with the Family Relations counselor? (Did you have any? Do you remember?) What happened?
26. Did you talk with a Family Violence Victim Advocate?
  - In court? By telephone? What did she say? How did you feel about that?
  - Was it helpful that day?
  - How much contact with an advocate have you had since that first day?
  - Has that been helpful? How (or why not)?
  - Is there anything else you wanted or needed from an advocate?
27. Did you get a protective order?
  - Do you remember anyone explaining the different kinds of orders to you? (who)
  - Do you remember what they said about them?
  - What kind of order did the judge give you?
  - Did you have any concerns about the judge's order?
28. What did you want the court to do?
29. What did the judge say/do that first day? (Do you know? Drop the case? Other?)
30. What did you think about what happened in court that day?
31. Did you talk to the judge or prosecutor? Did you want to?

- 
32. Did the judge order your partner to do (or not do) anything?
    - Did you think he/she would do what the judge said?
  33. Is there anything people in court could have done to make you more comfortable or be more helpful that day? (What?)

**SINCE THAT FIRST CONTACT WITH COURT:**

34. What has happened with the case--do you know? How do you know? How did you feel about that?
35. Have you talked any more with anybody from court? (Judge, prosecutor, advocate, Family Relations counselor, other) Do you wish you had had more contact with anyone from court?
36. Has there been any more trouble in your relationship? (Probe.)
37. What has happened with your relationship? (i.e. Any changes?) What would you like to see happen? (if relevant) What would need to occur for that to come about?
38. Are you at all afraid he might hurt you in the future?
39. Stepping back for a minute and thinking about everything that's going on in your life, what are your biggest concerns right now?
40. What will you do if something like what happened in (Month) happens again? Did you ever feel that you should be able to handle any situation that comes up in your relationship by yourself? Do you still feel that way sometimes?
41. Are there situations when you think that couples should keep physical fighting private, just between themselves?
42. What do you think the police/courts should do to help people in situations like (yours/the one you were in)? Do you think the police should be required to make an arrest if they have reason to think someone got hurt or wasn't safe? Are there other things that should be done? Who should do them?
43. Did the court tell your partner to go to some group education meetings? Did anyone in court tell you about those meetings, called the Family Violence Education Program? (If yes): What did you think that program would do? (If partner went): What effect do you think the program had on your partner? (Did it do any good?)
44. One of the things people in the court are thinking about is starting a much longer group—say, 3 to 6 months—that people who are arrested could be ordered to attend after they were convicted. If your partner were sentenced to attend this kind of

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treatment group for three to six months, would you have any worries about your safety?

45. Would you call someone from the court if s/he hurt or threatened you while s/he was in treatment? Why not/Who? (Advocate, Family Relations counselor, group leader, probation officer, other?)
46. Would you be willing to talk to someone connected to the group or court if they called you from time to time to see how you and he were doing? What would be the best way to have that happen?
47. What help do you think your partner/ex-partner needs?
48. What would be most helpful to you?
49. What would you like most for yourself right now?
50. You've been willing to talk to me about what happened to you, and I'm sure it's not easy. Have you had to talk about it to other people?
51. Just a final question: how would you describe your race or ethnicity?

Is there anything else you'd like to say before we're finished? I wish you the best of luck. Thank you very much for your time and patience in answering my questions. You've been VERY helpful. I ask everyone at the end of the interview if they would like to take down either your closest FRO or FVVA office phone number and contact person. *DOCUMENT your referral of services and whether or not the offer was accepted.*

ID # \_\_\_\_\_

Date: \_\_\_\_\_

Length of time: From \_\_\_\_\_ to \_\_\_\_\_

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Interviewer: \_\_\_\_\_

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Interviewer's post-interview impressions—your reaction, comment, question about the interview process/interviewee...

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