

**Dynamics of Domestic Violence
VOCA Training
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I. DOMESTIC VIOLENCE IS *NOT* ABOUT VIOLENCE

A. Domestic violence is about *power* and *control*:

“Battering is always about the establishment of control, and batterers are men who not only have an extraordinary need for control, but who grow up convinced that whatever they need to do to control their partner is justified, including battering.”¹

B. Domestic Violence is pervasive.

1. 25 - 30% of American women surveyed said they were physically assaulted and/or raped by an intimate partner at some time in their life
2. 10% of American women are in an abusive relationship at any one time
3. Violence perpetrated against American women by an intimate partner is chronic. Approximately two-thirds of women physically assaulted and one-half of the women raped by an intimate partner said they were victims multiple times by the same partner.
4. In a recent study at Group Health Cooperative 44% of the women randomly surveyed reported having experienced intimate partner violence in their lifetimes: 30% physical violence; 11% rape; 30% controlling behavior.²

II. DEFINITIONS OF DOMESTIC VIOLENCE

A. The **behavioral definition** of domestic violence is more comprehensive than the legal definition. The behavioral definition is particularly relevant to understanding the impact of domestic violence on children and families.

1. Domestic Violence is: a pattern of assaultive and coercive behaviors, including physical, sexual and psychological attacks as well as economic coercion that adults or adolescents use against their intimate partners. It is not impulsive or “out of control” behavior — the batterer selectively chooses tactics that successfully control the victim.³
2. Battering is physical aggression with a purpose. The purpose of battering is to control, intimidate and subjugate one’s intimate partner through the use of the threat of physical aggression.⁴

B. The **legal definition** of domestic violence is limited to particular behaviors and particular relationships addressed by statute.

Domestic Violence means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household

1 Jacobsen and Gottman, *When Men Batter Women*, p. 70, Simon & Schuster (1998)

2 Thompson RS, Bonomi AE et al, *Intimate Partner Violence: Prevalence, Types and Chronicity in Adult Women*, American Journal of Preventive Medicine 2006: 30(6) 447-457.

3 Ganley, A. and Schechter, S., *Domestic Violence: A National Curriculum for Child Protective Services*, Family Violence Prevention Fund (1996)

4 Jacobson & Gottman, *When Men Batter Women*, p. 35, Simon & Schuster (1998)

members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member. RCW 26.50.010

III. DOMESTIC VIOLENCE IS A PATTERN OF BEHAVIORS

- A. Domestic Violence is not an isolated event but a pattern of multiple tactics and repeated events: assaults repeated on the same victim by the same perpetrator. The assaults can be physical, sexual, psychological. There is often economic coercion. (ATTACHMENT 1, Power and Control Wheel)
- B. Physical Assaults may occur infrequently, perhaps just once. But one assault, combined with other tactics which may occur daily (name calling, isolation, economic coercion), builds on the past and makes the victim fearful for the future. All of the tactics a perpetrator uses to control the victim interact with each other combining to create a profound effect on the victim.
- C. Assault against an intimate partner may not constitute domestic violence under the *behavioral definition* of domestic violence but will be charged as the crime of domestic violence assault according to the *legal definition* of domestic violence.
- D. Some parts of the pattern of domestic violence are crimes in Washington State. Crimes considered domestic violence in Washington include, but are not limited to, the following when committed by one household or family member against another (RCW 10.99.020):
 - 1. Assault in the 1st, 2nd, 3rd, 4th degree
 - 2. Burglary in the 1st, 2nd degree
 - 3. Coercion
 - 4. Criminal trespass in the 1st, 2nd degree
 - 5. Drive-by shooting
 - 6. Interfering with reporting a domestic violence crime
 - 7. Reckless endangerment in the 2nd degree
 - 8. Malicious mischief in the 1st, 2nd, 3rd degree
 - 9. Stalking
 - 10. Residential burglary
 - 11. Rape in the 1st, 2nd degree
 - 12. Kidnapping in the 1st, 2nd degree
 - 13. Unlawful imprisonment
 - 14. Violation of the provisions of a restraining order or protection order
- E. Other battering tactics are not crimes: name calling, interrogating the children, withholding access to transportation, sleep deprivation, withholding food, control of financial resources, isolation from friends and family.

- F. Some domestic violence causes physical injury, some does not. *All domestic violence causes psychological injury.* A victim lives with a history of multiple abuse tactics; some are obvious but many others are subtle and not visible.

IV. CAUSES OF DOMESTIC VIOLENCE

- A. Battering is a learned behavior. It is learned through:

1. Observation
2. Experience and reinforcement
3. Culture
4. Family
5. Communities: schools, peer groups, media

- B. Domestic Violence is not caused by:

1. Illness
2. Genetics
3. Alcohol/drugs
4. Anger/stress
5. Out-of-control behavior
6. Behavior of the victim or problems in the relationship

V. SAFETY FOR VICTIMS

- A. Barriers to leaving

1. Victims DO leave the abusive relationship when they are able to do so safely. But there are many barriers to keep them from leaving: batterers do not willingly let their victims leave their control. Some barriers are:⁵
 - a. Perpetrator's Violence and Control
 - Escalating physical and sexual assaults against victim, children, or others when victim tries to leave. Lethality for domestic violence victims increases after they leave their abusers.
 - Escalating tactics of intimidation such as stalking, visitation or custody fights, snatching the children, harassing telephone calls, wrongful reporting (CPS, ICE, employer), destruction of personal property.
 - b. Economic Barriers
 - Lack of safe housing
 - Loss of income and ability to provide for the children
 - Loss of health insurance benefits for victim and children
 - Being unable to afford an attorney for civil court proceedings

⁵ Ganley, A., and Schechter, S., Domestic Violence: A National Curriculum for Child Protective Services, Family Violence Prevention Fund (1996)

- c. Community Barriers
 - Police and courts that fail to enforce the law or hold the perpetrator accountable or provide protection for the adult and child victims
 - Pressures to stay in relationship from religious communities, family, friends, children
 - Lack of shelter, support groups or other social services
 - Lack of job training programs or employment
 - Lack of day care for children
- d. Individual Barriers
 - Effects of trauma from violence, i.e., physical injuries, depression, substance abuse, suicide attempts that may immobilize the victim
 - Language
 - Belief that divorce/separation is wrong for the children
 - Belief in batterer's promises to change
 - Hope that the violence will stop if victim can please the batterer
 - Belief that the violence is her fault

B. Safety Planning for Victims. Victims should have a safety plan for themselves and their children. (ATTACHMENT 2, Safety Plan)

1. Victim should have a safety plan whether or not she is able to leave the abuser.
 - a. Plan an escape route and teach it to the children
 - b. Pack a bag with important things and keep it in a safe location
 - c. Make copies of important documents and keep them in a safe location (birth certificates, immigration documents, bank information, medical records, school records, social security numbers, prescriptions)
 - d. Consider where to go if there is a need to leave quickly
 - e. Keep a cell phone charged and close at hand
 - f. In a fight, retreat to a "safe" room in the house (not the kitchen or the garage)
2. Children should also have a safety plan.
 - a. Teach children not to get into the middle of a fight
 - b. Teach children how to get to safety
 - c. Teach children a code word for pick-up by a third party
 - d. Teach children how to dial for help; how and where to go for help
 - e. Teach the children who to go to at school if they see the abuser

C. BATTERERS INTERVENTION PROGRAMS

1. Batterers intervention program or batterers treatment is very different from anger management. Anger management teaches people how to control their anger. Batterers are experts at control! Sending them to anger management would only improve their ability to batter. Batterers should be ordered to a Washington State certified batterers' intervention program, pursuant to RCW 26.50, WAC 388-60

2. A batterer's intervention program must focus treatment primarily on ending the participant's physical, sexual and psychological abuse.
 - a. The program must hold the participant accountable for: the abuse that occurred and changing the participant's violent and abusive behaviors.
 - b. The program must base all treatment on strategies and philosophies that do not blame the victim or imply that the victim shares any responsibility for the abuse which occurred. WAC 388-60-0045
 - c. "The primary goal of a domestic violence perpetrator treatment program must be to increase the victim's safety by: (1) facilitating change in the participant's abusive behavior and (2) holding the participant accountable for changing the participant's patterns of behaviors, thinking and beliefs." WAC 388-60-0055
- D. Court Orders to Provide Safety (ATTACHMENT 3, Court Orders Chart)
1. Order for Protection – RCW 26.50
 - a. May be obtained, for free, at any court
 - b. Provides protection to victim of domestic violence
 - c. Court makes a finding of domestic violence
 - d. Fear does not need to be recent, Spence v. Kaminski, 103 Wn.App.325 (2000)
 - e. Violation has criminal penalties
 2. Restraining Order - RCW Title 26
 - a. Can only be obtained by a domestic violence victim as part of another underlying court action such as dissolution or paternity
 - b. Can only be obtained in Superior Court
 - c. Must pay filing fee
 3. No Contact Order - RCW 10.99
 - a. This order is obtained by the prosecuting attorney in a criminal case involving domestic violence
 - b. Usually does not include children
 4. Sexual Assault Protection Order – RCW 7.90
 - a. May be obtained, for free, at any court
 - b. Provides protection to a victim of non-consensual sexual conduct
 - c. Jurisdiction is the same as for a domestic violence protection order
 - d. Violation has criminal penalties
 5. Anti-Harassment Order – RCW 10.14
 - a. Sought by person who does not qualify for a DVPO
 - b. Prove: seriously alarmed, annoyed or harassed by conduct which serves no legitimate or lawful purpose.

6. Vulnerable Adult Protection Order – RCW 74.34
 - a. Obtained by vulnerable adult or interested person on behalf of vulnerable adult.
 - b. Must prove abandon, abused, financial exploitation, neglect or threat thereof.

7. Stalking Protection Order – RCW 7.92.030
 - a. Person who does not qualify for DVPO
 - b. To protect from stalking as defined in RCW 9A.46.110: course of conduct involving repeated contacts/monitoring/surveillance with no lawful purpose.
 - c. Conduct would cause a reasonable person to feel afraid/intimidated

8. Extreme Risk Protection Order – RCW Title 7, new section
 - a. May be obtained by family/household member or law enforcement
 - b. Allege respondent poses significant danger of causing injury to self or others
 - c. Court orders surrender of firearms and CPL

VI. DOMESTIC VIOLENCE ALLEGATIONS & CLIENT REPRESENTATION

- A. Why does domestic violence matter in housing, immigration, family law, elder law, youth law, Indian law, consumer, probate, personal injury, benefits cases?
 1. Safety, safety, SAFETY of all the parties – including judges, lawyers and third parties
 2. Abuse does not end with separation or divorce
 3. The overlap between domestic violence and child abuse is significant
 4. The abusive party often undermines the non-abusive party
 5. Unequal negotiating positions in abusive relationships (no level playing field)
 6. Perpetrator’s new relationship is potentially violent
 7. Perpetrator’s use of threats to keep victim in relationship (immigration, housing)
 8. Economic control is a powerful battering tactic
 9. Legal system is often used by perpetrator to continue abuse

- B. Batterer May Continue Court Action as Means of Control
 1. Batterers are twice as likely to seek custody as non-batterer and more likely to get custody because the victim becomes worn down, he presents better, he is the friendlier parent
 2. Batterers may threaten or initiate disputes to continue to control their victim
 3. Batterers may continually test the limits of a court order
 4. Batterers often request delays and/or file frivolous motions to drag the victim back to court and use her resources

5. Batterers may request mutual protection orders when they are not supported by the evidence
6. Batterers may present evidence to the court about how the victim's behavior caused the abuse; how the victim's behavior makes her at fault

C. Appearances can be deceiving

1. Batterers are experts at control and often make an excellent appearance. Batterers are often so well-spoken and charming that it may be difficult for attorneys, judges, social workers, to believe the horrible things the victim alleges. Some common characteristics of batterers:
 - a. well groomed and well spoken
 - b. have stable work history
 - c. may have community and/or church support
 - d. knows the "right" things to say — persuasive and logical
 - e. controlling
 - f. entitled/self centered
 - g. manipulative/good public image
 - h. skillfully dishonest
 - i. good early on in a relationship
 - j. disrespectful, superior, depersonalizing
 - k. retaliatory
 - l. convinced that he is the victim

2. Many victims of domestic violence suffer from a variety of trauma symptoms related to abuse. They often appear so disoriented, irrational, vindictive that it is easy for attorneys, judges, social workers to believe the blame the batterer heaps upon her is justified. Some characteristics of a victim of domestic violence:
 - a. disoriented and disorganized
 - b. paranoid
 - c. unemployed
 - d. self-medicated with drugs and/or alcohol
 - e. no family, community, church support — isolated
 - f. minimizes violence and/or may be too embarrassed to discuss
 - g. Many domestic violence victims describe their relationship with their batterers, and the domestic violence they experienced, as "crazy making". And, indeed, they may appear so.

D. Lack of Third Party Corroboration.

1. It is extremely rare for there to be a third party (other than a child) witness to domestic violence. As one client said, "no one knows what went on in my house after the garage door closed."
2. Batterers do not abuse their partners when others are present.

3. Batterers, who are experts at control, do not assault their partners any place on their bodies where marks would be visible. (If they do leave visible marks it is a warning sign of high lethality; they don't care anymore.)
4. Victims are often afraid to call the police. They fear that they won't be believed, that their abuser will retaliate against them for calling, that they may be deported, that they will lose their children.
5. In a "he-said-she-said" case, the batterer often appears more credible and persuasive. The victim is often so traumatized as to sound unreliable.

E. Other Corroborating Evidence to Consider:

1. Current and prior police reports
2. CPS reports
3. Medical records
4. Court records: civil and criminal (all courts); minute entries
5. 911 tapes
6. Batterer's letters to victim when he hurt her before
7. Protection order documents
8. Former spouses/partners
9. Treatment providers
10. Washington State Patrol records and criminal records check
11. Visitation supervisors
12. Drug and/or alcohol evaluations

VII. INTERVIEWING

- A. Victims may not acknowledge that violence exists: they are ashamed; they feel they are to blame; they think that violence is normal; cultural norms keep them from discussing the abuse with strangers; they are trying to protect themselves from increase violence and/or loss of their children; they are trying to keep their family together. Focus on "what happened to you" NOT "what is wrong with you." (ATTACHMENT 4, Trauma Informed Representation)
- B. Victims may not be able/willing to disclose information that may put them at risk such as: shelter address, employer, children's school and daycare, support groups, substance abuse treatment providers. Safety must be the priority. Be very careful not to mistakenly disclose confidential information.
- C. Ask open questions. Many people picture domestic violence as a black eye and a bloody nose, yet for many women verbal threats and emotional abuse are more terrifying than physical violence.
 Ask: Has your partner ever done anything that frightened you?
 Ask: Has your partner ever touched you in anger?
 Tie your questions to a particular time in the relationship: Were there any incidents while they were dating? While she was pregnant? Where were you living? How old were your children? (ATTACHMENT 5, Sample Interview Questions)

- D. Ask about specific types of abusive behavior:
1. Physical Assault
 - a. pushing (down stairs, against wall, out of car)
 - b. throwing objects at victim
 - c. spitting
 - d. scratching
 - e. biting
 - f. grabbing
 - g. hitting/hitting with object
 - h. shoving
 - i. shaking
 - j. choking
 - k. punching/slapping
 - l. burning
 - m. restraining (to keep victim from leaving)
 - n. pulling hair
 - o. kicking
 - p. smothering
 - q. slamming victim's head against hard object
 - r. running over victim with automobile
 - s. using a weapon on victim
 - t. subjecting victim's eyes/skin to toxic substance (bleach, gasoline, acid)
 - u. forcing victim to consume drugs or alcohol
 - v. starvation
 2. Sexual Assault
 - a. coerced or forced sex
 - b. violent sex
 - c. forced nudity
 - d. forced viewing/making pornographic films
 - e. unwanted touching
 - f. degrading, painful or dangerous sex
 - g. controlling contraceptives
 - h. sexual put-downs/comparisons
 3. Psychological Abuse
 - a. threats and/or acts of violence against others
 - b. threats of violence or harm
 - c. direct: "I'll kill you ", "You'll be sorry", "You'll never see the kids again", "I won't let you go"
 - d. indirect: stalking, displaying weapons, wanting to say "good-bye" to the children
 - e. threats to contact immigration, CPS, welfare
 - f. interfering with employment

- g. attacks against property or pets — smashes favorite vase, beats pet, punches holes in walls (message is: you're next)
- h. coerce illegal activity, such as drug trafficking or prostitution
- i. makes menacing gestures
- j. irrational jealousy
- k. keeping victim under "surveillance" — wanting know where she is and with whom at all times
- l. sleep deprivation
- m. controlling activities

4. Isolation

- a. limit use of telephone and/or listens to all conversations
- b. deny access to telephone
- c. deny access to transportation
- d. alienate and/or limit time with family members
- e. does not allow employment outside of family home
- f. deny access to medical care

5. Economic Control

- a. deny access to cash, credit cards, bank accounts
- b. making all financial decisions
- c. demand "accounting" for all monies spent
- d. accrue debt in victim's name
- e. withhold child support payments

6. Using the Children

- a. threatening to take the children
- b. hurting and/or threatening to hurt the children
- c. hurting and/or threatening to hurt the victim in front of the children
- d. pitting the children against victim
- e. using the children to monitor the victim
- f. taking the children as hostages
- g. forcing the children to participate in psychological or physical abuse of the victim
- h. undermining the parenting of the adult victim

E. How to Assess the Risk of Danger?

1. Self-reporting by the batterer is unlikely to be reliable. Assessment should consider the following:

- a. Level of physical danger to the victim
- b. History of physical abuse towards the children
- c. Access to weapons
- d. History of sexual abuse or boundary violations
- e. Levels of psychological cruelty to the mother or the children

- f. Level of coercive or manipulative control during the relationship
 - g. Level of entitlement or self-centeredness of the batterer
 - h. History of using the children as weapons and/or undermining the mother's parenting
 - i. History of placing the children at physical or emotional risk while abusing their mother
 - j. History of neglectful or severely under involved parenting
 - k. Refusal to accept the end of the relationship
 - l. Level of risk to abduct the children
 - m. Substance abuse history
 - n. Mental health history
2. Lethality is always a possibility. A threat of suicide indicates high lethality although suicide is uncommon. What occurs more often is either murder-suicide or murder. (ATTACHMENT 6, Lethality Assessment Checklist)
- F. When working with victims it is important to be non-judgmental.
- 1. Who do you feel is responsible for stopping batterer? the victim? the courts? the police?
 - 2. Who is to blame if the violence continues?
 - 3. How do you react if she tries to "protect" her batterer?
 - 4. If she is difficult, do you: blame her? plan less for her safety? think more highly of the batterer?
 - 5. If she has reconciled with the batterer before, do you believe her less?
- G. When working with batterers it is important to be non-judgmental.
- 1. Do not make assumptions about the level of risk based on economic class, dress, appearance, race or level of education of a batterer.
 - 2. Do not exaggerate the level of risk of a batterer because he is a minority, immigrant or low-income.

VIII. CHILDREN AND DOMESTIC VIOLENCE

- A. Children *ARE* exposed to domestic violence. *During a domestic violence episode children are in the same or adjacent rooms 81 - 100% of the time.*⁶
- 1. Children witness the violence:
 - a. Children see and hear the violence. Parents may think that their children are not aware of the violence but 80 - 90% of the children from violent homes know what happened and can give detailed description of the violent events. ABA, 1994

⁶ Edleson, Jeffrey, "Emerging Research and Public Policy on Children Exposed to Domestic Violence", Children's Justice Conference, 2005.

- b. Children suffer in the aftermath of the violence -- the mother may not be available for the children because of physical and/or psychological injuries; the mother may be unable to protect the children from abuse. The abuser may take the children from the mother to make her comply and/or to keep her from leaving.
 - c. Children become the batterer's tool: being required to spy on their mother; being interrogated about their mother; being made to feel sorry for the batterer
2. Children are victims of violence themselves:
- a. The overlap between domestic violence and child abuse is between 30 and 60%, with a statistical mean of 41%. Jaffe, Wolfe & Wilson (1990)
 - b. Girls are 5 to 6 times more likely to be sexually assaulted by fathers who are domestic violence perpetrators than by non-battering fathers. Bowker, L. (1988)
 - c. Many children are injured when their mother is assaulted, when they try to intervene and protect her.
 - d. Many children are accidentally injured when their mother is assaulted, from being nearby and in the way.
 - e. Children are sometimes used as a weapon by the batterer: the child is abused in front of the victim to make her comply.
3. Children are used by batterers to coercively control their victims:
- a. Isolating the child along with the abused parent
 - b. Forcing the child to watch the abuse against the parent
 - c. Engaging the child in abuse against the parent
 - d. Threats of violence against pets or other loved objects (this is particularly traumatic for children who are unable to separate themselves from the pet and perceive the attack as against them)
 - e. Interrogating the child about the victim
 - f. Undermining the victim's parenting and becoming the "good guy"
4. Children are victims of violence when a parent is a victim of violence:
- a. The "children were harmed by his repeated violence toward their mother, which was committed in their presence and resulted in the fear that he would again assault her." "Such fear is indeed psychological harm.... It is also domestic violence...." In re Marriage of Stewart, 133 Wash. App. 545 (2006)
 - b. A child witnessing severe domestic violence, without being the direct recipient of the violence, was sufficient to support criminal charges of child endangerment. People v. Theodore Johnson, 95 N.Y. 2nd 368, 740 N.E. 2nd 1075 (2000)

- B. Exposure to Domestic Violence *IMPACTS* Children. Children exposed to domestic violence may show comparable levels of emotional and behavioral problems as children who were direct victims of abuse. Children experience trauma from witnessing the abuse and from living with the tension cause by the abuse.⁷ (ATTACHMENT 7, Abuse of Children Wheel)
1. Behavioral and emotional problems: fear; anxiety; depression; insecurity; hyper-sensitivity/hyper-vigilance; low self-esteem; repressed or overt anger and resentment; extreme guilt, self-blame and shame; developmental regression; suicidal thought or plans; nightmares; flashbacks.
 2. Cognitive functioning: compromised academic development; impaired ability to form normal social relationships with peers, teachers or other adults; equating love and abuse; blaming others for one's own actions.
 3. Young children: research shows that exposure to violence has permanent, negative changes in a child's brain development predisposing child to impulsive, reactive violent behavior.
 4. Older children: Adolescent exposure to domestic violence is associated with drug use, alcohol abuse, truancy, dating violence; sexual irresponsibility; involvement with the juvenile justice system.
 5. Belief System: Children begin equating love with abuse; blaming others for their own actions; disrespect for the victim; in awe of batterer; idolizing power; belief that abuse is justified.
 6. Long-term Problems: witnessing domestic violence as a child is associated with adult reports of depression, trauma-related symptoms, low self-esteem.

IX. RESOURCES

Many resources are available throughout Washington State. Because of funding, availability changes so be sure to check for current contact information.

- C. Statewide Domestic Violence Hotline: 1-800-562-6025
- D. National Domestic Violence Hotline: 1-800-799-SAFE (7233); 1-800-787-3224 (TTY); www.ndvh.org
- E. DSHS Address Confidentiality Program: 1-800-822-1065
- F. Washington State Certified Batterers' Intervention Programs: www.dshs.wa.gov click on: "domestic violence"
- G. Washington State Coalition Against Domestic Violence, www.wscadv.org, click on: "projects" and "fatality review"
- H. Coalition Ending Gender-based Violence, <http://endgv.org/> click on "projects & tools"
- I. The Greenbook Initiative, <http://www.thegreenbook.info/index.htm>
- J. "Washington State Parenting Plan Study", Diane N. Ly, Phd., June 1999, www.courts.wa.gov/committee/pdf/parentingplanstudy.pdf

⁷ Edleson, Jeffrey, "Problems Associated with Children's Witnessing of Domestic Violence", National Resource Center on Domestic Violence (1999), www.vawnet.org/domesticviolence/research

- I. Futures Without Violence <https://www.futureswithoutviolence.org/>
- J. Center for Survivor Agency & Justice, <https://csaj.org/>
- K. ABA Commission on Domestic Violence
http://www.americanbar.org/groups/domestic_violence.html
- L. Kernic et al, "Children in the Crossfire: Child Custody Determinations Among Couples with a History of Intimate Partner Violence", Violence Against Women, Vol II, No. 8, August 2005, 991-1021
- M. Washington State Gender & Justice Committee, "Domestic Violence Manual for Judges 2015", Office of the Administrator for the Courts,
<http://www.courts.wa.gov/index.cfm?fa=home.contentDisplay&location=manuals/domViol/index>
- N. "Impact of Domestic Violence on Children", Report to the President of the American Bar Association (1994)
- O. Washington Law Help, www.washingtonlawhelp.org
- P. Battered Women's Justice Project <http://www.bwjp.org/index.html>
- Q. Office on Violence Against Women <https://www.justice.gov/ovw>
- R. National Council of Juvenile and Family Court Judges <http://www.ncjfcj.org/> click on "resources" and then "domestic violence"



DOMESTIC ABUSE INTERVENTION PROJECT

202 East Superior Street
 Duluth, Minnesota 55802
 218-722-2781
www.duluth-model.org

Attachment 1

VOCA Training
March 2017

ATTACHMENTS TO OUTLINE

- 1. Power and Control Wheel**
- 2. Safety Planning**
- 3. Comparison Chart for Civil Safety Orders in Washington**
- 4. Trauma-Informed Representation**
- 5. Sample DV Interview Questions**
- 6. Lethality Assessment**
- 7. Abuse of Children Wheel**

- Ask your local domestic violence program who can help you get a civil protection order and who can help you with criminal prosecution
- Ask for help in finding a lawyer

In most places, the judge can:

- **Order the abuser to stay away** from you or your children
- **Order the abuser to leave your home**
- **Give you temporary custody** of your children & **order the abuser to pay you temporary child support**
- **Order the police to come to your home** while the abuser picks up personal belongings
- **Give you possession of the car,** furniture and other belongings
- **Order the abuser to go to a batterers intervention program**
- **Order the abuser not to call you at work**
- **Order the abuser to give guns to the police**

If you are worried about any of the following, make sure you:

- **Show the judge any pictures** of your injuries
- **Tell the judge that you do not feel safe** if the abuser comes to your home to pick up the children to visit with them
- **Ask the judge to order the abuser to pick up and return the children at the police station or some other safe place**
- Ask that any **visits the abuser is permitted are at very specific times** so the police will know by reading the court order if the abuser is there at the wrong time
- **Tell the judge if the abuser has harmed or threatened the children;** ask that visits be supervised; think about who could do that for you
- **Get a certified copy** of the court order
- **Keep the court order with you at all times**

CRIMINAL PROCEEDINGS

- **Show** the prosecutor your **court orders**
- **Show** the prosecutor **medical records** about your injuries or **pictures** if you have them

- **Tell the prosecutor the name of anyone who is helping you (a victim advocate or a lawyer)**
- Tell the prosecutor about **any witnesses** to injuries or abuse
- **Ask the prosecutor to notify you ahead of time if the abuser is getting out of jail**

BE SAFE AT THE COURTHOUSE

- **Sit as far away from the abuser** as you can; you don't have to look at or talk to the abuser; you don't have to talk to the abuser's family or friends if they are there
- **Bring a friend or relative** with you to wait until your case is heard
- **Tell a bailiff or sheriff that you are afraid** of the abuser and ask him/her to look out for you
- Make sure you **have your court order before you leave**
- Ask the judge or the sheriff to **keep the abuser there** for a while when court is over; leave quickly
- If you think the abuser is following you when you leave, call the police immediately
- **If you have to travel to another State for work or to get away from the abuser, take your protection order with you; it is valid everywhere**

For additional information in your area, please contact:

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DOMESTIC VIOLENCE

SAFETY TIPS FOR YOU AND YOUR FAMILY

IF YOU ARE IN DANGER, call 911
 or your local police emergency number

To find out about help in your area, call:
 National Domestic Violence Hotline:
 1-800-799-SAFE
 1-800-787-3224 (TTY)

American Bar Association
 Commission on Domestic Violence
 &
 American Bar Association
 Tort & Insurance Practice Section

Attachment 2

Whether or not you feel able to leave an abuser, there are things you can do to make yourself and your family safer.

IN AN EMERGENCY

If you are at home & you are being threatened or attacked:

- **Stay away from the kitchen** (the abuser can find weapons, like knives, there)
- **Stay away from bathrooms**, closets or small spaces where the abuser can trap you
- **Get to a room with a door** or window to escape
- **Get to a room with a phone** to call for help; lock the abuser outside if you can
- **Call 911** (or your local emergency number) **right away for help**; get the dispatcher's name
- Think about a neighbor or friend you can run to for help
- If a police officer comes, tell him/her what happened; **get his/her name & badge number**

• • • • •

- **Get medical help** if you are hurt
- **Take pictures** of bruises or injuries
- **Call a domestic violence program or shelter** (some are listed here); ask them to help you make a safety plan

To find out where to get help in your area,
**CALL the
National Domestic Violence
Hotline 1-800-799-SAFE
1-800-787-3224 (TTY)**

HOW TO PROTECT YOURSELF AT HOME

- Learn where to get help; **memorize emergency phone numbers**
- **Keep a phone** in a room you can lock from the inside; if you can, get a cellular phone that you keep with you at all times
- If the abuser has moved out, **change the locks on your door**; get locks on the windows
- **Plan an escape route** out of your home; teach it to your children
- Think about where you would go if you need to escape
- **Ask your neighbors** to call the police if they see the abuser at your house; make a signal for them to call the police, for example, if the phone rings twice, a shade is pulled down or a light is on
- **Pack a bag** with important things you'd need if you had to leave quickly; put it in a safe place, or give it to a friend or relative you trust
- Include **cash, car keys & important information** such as: court papers, passport or birth certificates, medical records & medicines, immigration papers
- **Get an unlisted phone number**
- **Block caller ID**
- **Use an answering machine**; screen the calls
- **Take a good self-defense course**

HOW TO MAKE YOUR CHILDREN SAFER

- **Teach them not to get in the middle of a fight**, even if they want to help
- **Teach them how to get to safety**, to call 911, to give your address & phone number to the police
- **Teach them who to call for help**
- **Tell them to stay out of the kitchen**
- **Give the principal at school or the daycare center a copy of your court order**; tell them not to release your children to anyone without talking to you first; use a password so they can be sure it is you on the phone; give them a photo of the

abuser

- **Make sure the children know who to tell at school** if they see the abuser
- **Make sure that the school knows not to give your address or phone number to ANYONE**

HOW TO PROTECT YOURSELF OUTSIDE THE HOME

- **Change your regular travel habits**
- Try to **get rides with different people**
- **Shop and bank in a different place**
- **Cancel any bank accounts or credit cards** you shared; open new accounts at a different bank
- **Keep your court order and emergency numbers with you at all times**
- **Keep a cell phone & program it to 911** (or other emergency number)

HOW TO MAKE YOURSELF SAFER AT WORK

- Keep a copy of your court order at work
- Give a **picture of the abuser to security** and friends at work
- **Tell your supervisors** - see if they can make it harder for the abuser to find you
- Don't go to lunch alone
- Ask a **security guard** to walk you to your car or to the bus
- If the abuser calls you at work, **save voice mail** and save e-mail
- Your employer may be able to help you find community resources

USING THE LAW TO HELP YOU

Protection or Restraining Orders

Comparison of Civil Safety Orders for Washington State

Many Tribal Courts have similar civil and criminal court orders. Check with your local Tribal Court for details.

SEXUAL ASSAULT PROTECTION ORDER (SAPO) RCW 7.90	
Who may obtain order?	A person who does not qualify for a domestic violence protection order, and is a victim of nonconsensual sexual conduct or nonconsensual sexual penetration, including a single incident, may petition for a civil order. Minors under age of 16 with parent or guardian. Court may appoint a guardian ad litem for either petitioner or respondent at no cost to either party.
Cost to Petitioner	No filing or service fees.
Consequences if order is knowingly violated	Mandatory arrest for violating restraint and exclusion provisions. Possible criminal charges or contempt. Class C felony if assault or reckless endangerment, otherwise Gross Misdemeanor.
Maximum duration of order	<ul style="list-style-type: none"> • Temporary civil SAPO—14 days with service. • Full civil SAPO—Designated by court up to two years.

DOMESTIC VIOLENCE PROTECTION ORDER (DVPO) RCW 26.50	
Who may obtain order?	A person who fears violence from a “family or household member” (RCW 10.99.020), or who has been the victim of physical harm or fears imminent physical harm, or stalking from a “family or household member”, (includes dating relationships). Petitioners 13 or older in a dating relationship with a Respondent, 16 or older; minors aged 13-15 with a parent, guardian, guardian ad litem, or next friend.
Cost to Petitioner	No filing or service fees.
Consequences if order is knowingly violated	Mandatory arrest for violating restraint and exclusion provisions. Possible criminal charges or contempt. Class C felony if assault or reckless endangerment, otherwise Gross Misdemeanor.
Maximum duration of order	<ul style="list-style-type: none"> • TPO—14 days with service. • TPO—24 days certified mail or with service by publication. • PO—Designated by court: 1 year or permanent.

Attachment 3

Comparison of Civil Safety Orders for Washington State

Many Tribal Courts have similar civil and criminal court orders. Check with your local Tribal Court for details.

CRIMINAL NO-CONTACT ORDER (NCO) RCW 10.99	
Who may obtain order?	Incident must have been reported to the police. Criminal charges must be pending. Judge must consider issuance pending release of defendant from jail, at time of arraignment, and at sentencing.
Cost to Petitioner	None.
Consequences if order is knowingly violated	Mandatory arrest. Release pending trial may be revoked. Additional criminal or contempt charges may be filed. Felony if any assault, reckless endangerment or drive-by-shooting, otherwise Gross Misdemeanor.
Maximum duration of order	Until trial and sentencing are concluded. Post-sentencing provision lasts for possible maximum of sentence in Superior Court. In District or Municipal court, for a fixed period not to exceed 5 years.

RESTRAINING ORDER (RO) RCW 26.09, 26.10, 26.26	
Who may obtain order?	Petitioner who is married to respondent or has child in common.
Cost to Petitioner	Same as dissolution. Filing fee waived if indigent Per GR 34.
Consequences if order is knowingly violated	Mandatory arrest. Gross Misdemeanor. Possible criminal charges or contempt.
Maximum duration of order	<ul style="list-style-type: none"> • TRO–14 days. • Preliminary injunction–dependency of action. • RO in final decree–permanent unless modified.

Comparison of Civil Safety Orders for Washington State

Many Tribal Courts have similar civil and criminal court orders. Check with your local Tribal Court for details.

ANTI-HARASSMENT ORDER (AHPO) RCW 10.14	
Who may obtain order?	A person who does not qualify for a domestic violence protection order, and who has been seriously alarmed, annoyed or harassed by a conduct which serves no legitimate or lawful purpose. Parties generally are not married, have not lived together, and have no children in common.
Cost to Petitioner	No filing or service fees for stalking, sexual assault or domestic violence victims.
Consequences if order is knowingly violated	Gross Misdemeanor. Discretionary arrest with possible criminal charges or contempt.
Maximum duration of order	TAHO—14 days. TAHO—24 days certified mail or with service by publication. AHO—1 year or permanent.

VULNERABLE ADULT PROTECTION ORDER (VAPO) RCW 74.34	
Who may obtain order?	A vulnerable adult, or an interested person on behalf of a vulnerable adult, who has been abandoned, abused, subject to financial exploitation, or neglect or threat thereof. The Department of Social and Health Services may also obtain an order on behalf of a vulnerable adult.
Cost to Petitioner	No service or filing fees.
Consequences if order is knowingly violated	Mandatory arrest for violating restraint and exclusion provisions. Possible criminal charges or contempt. Class C felony if assault or reckless endangerment, otherwise Gross Misdemeanor.
Maximum duration of order	TVAPO—14 days with personal service. TVAPO—24 days certified mail or with service by publication. VAPO—Designated by court, for a fixed period not to exceed 5 years.

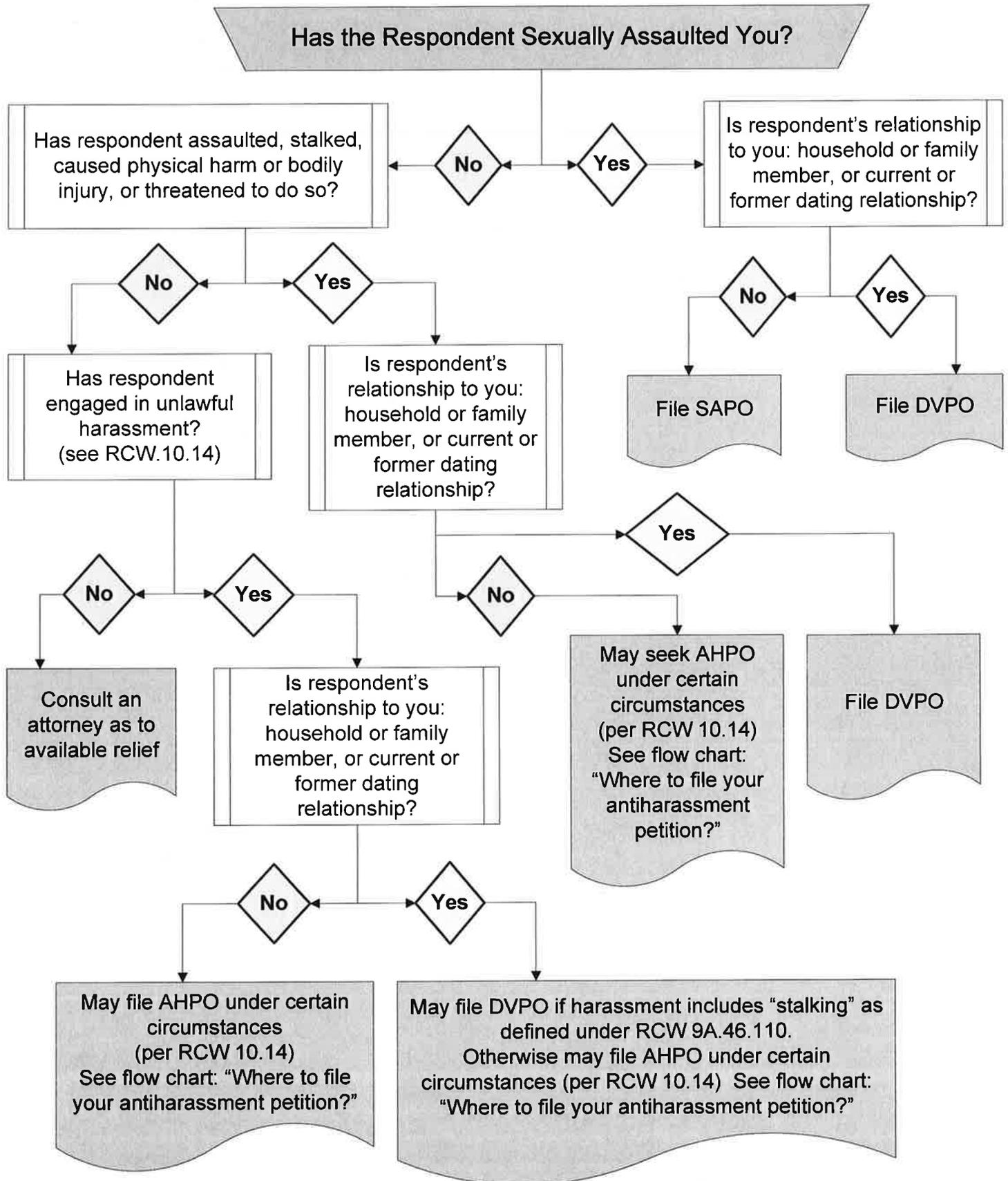
Comparison of Civil Safety Orders for Washington State

Many Tribal Courts have similar civil and criminal court orders. Check with your local Tribal Court for details.

STALKING PROTECTION ORDER (STPO) RCW 7.92.030	
Who may obtain order?	A person who does not qualify for a domestic violence protection order, and is a victim of any stalking conduct. Petitioner 16 may file (not required to have a guardian or next friend). Parent or guardian may petition on behalf of any minor, including minors 16 or 17. Interested person may petition on behalf of vulnerable adult. Court may appoint a guardian ad litem for either petitioner or respondent. If Respondent is 15 or younger and not emancipated, a guardian ad litem must be appointed.
Cost to Petitioner	No filing or service fees.
Consequences if order is knowingly violated	Mandatory arrest for violating restraint and exclusion provisions. Possible criminal charges or contempt. Class C felony if assault or reckless endangerment otherwise Gross Misdemeanor.

EXTREME RISK PROTECTION ORDER (ERPO) RCW TITLE 7, NEW SECTION	
Who may obtain order?	Family or household member; law enforcement officer or agency Allege in sworn affidavit that respondent poses a significant danger of causing Personal injury to self or others by possessing firearm
What can order do?	Order respondent to surrender a firearm to law enforcement, surrender CLP, Order respondent not to have weapon in custody or control or attempt to Purchase firearm. Law enforcement officer serving order shall request respondent surrender weapons.
Cost to Petitioner	No fees for filing or service
Consequences if order is knowingly violated	Gross misdemeanor; if two or more previous convictions Class C felony; prohibited from owning firearm for 5 years.
Maximum duration of Order	<ul style="list-style-type: none"> • TERPO: 14 days • ERPO: 1 year

What type of protection order should you file?



TRAUMA-INFORMED REPRESENTATION
ALISON ISER, KING COUNTY COALITION AGAINST DOMESTIC VIOLENCE
Family Law Task Force Annual In-Person Meeting
May 16, 2014

13 Steps to Better Active Listening Skills*

Below are 13 different skills that help people be better active listeners. You do not have to become adept at each of these skills to be a good active listener, but the more you do, the better you'll be. If you even just use 3 or 4 of these skills, you will find yourself listening and hearing more of what another person is saying to you.

1. Restating

To show you are listening, repeat every so often what you think the person said — not by parroting, but by paraphrasing what you heard in your own words. For example, *"Let's see if I'm clear about this. . ."*

2. Summarizing

Bring together the facts and pieces of the problem to check understanding — for example, *"So it sounds to me as if. . ."*

3. Minimal encouragers

Use brief, positive prompts to keep the conversation going and show you are listening — for example, *"umm-hmmm," "Oh?" "I understand," "Then?" "And?"*

4. Reflecting

Instead of just repeating, reflect the speaker's words in terms of feelings — for example, *"This seems really important to you. . ."*

5. Giving feedback

Let the person know what your initial thoughts are on the situation. Share pertinent information, observations, insights, and experiences. Then listen carefully to confirm.

6. Emotion labeling

Putting feelings into words will often help a person to see things more objectively. To help the person begin, use "door openers" — for example, *"I'm sensing that you're feeling frustrated. . . worried. . . anxious. . ."*

7. Probing

Ask questions to draw the person out and get deeper and more meaningful information — for example, *“What do you think would happen if you. . .?”*

8. Validation

Acknowledge the individual’s problems, issues, and feelings. Listen openly and with empathy, and respond in an interested way — for example, *“I appreciate your willingness to talk about such a difficult issue. . .”*

9. Effective pause

Deliberately pause at key points for emphasis. This will tell the person you are saying something that is very important to them.

10. Silence

Allow for comfortable silences to slow down the exchange. Give a person time to think as well as talk. Silence can also be very helpful in diffusing an unproductive interaction.

11. “I” messages

By using “I” in your statements, you focus on the problem not the person. An “I” message lets the person know what you feel and why — for example, *“I know you have a lot to say, but I need to. . .”*

12. Redirecting

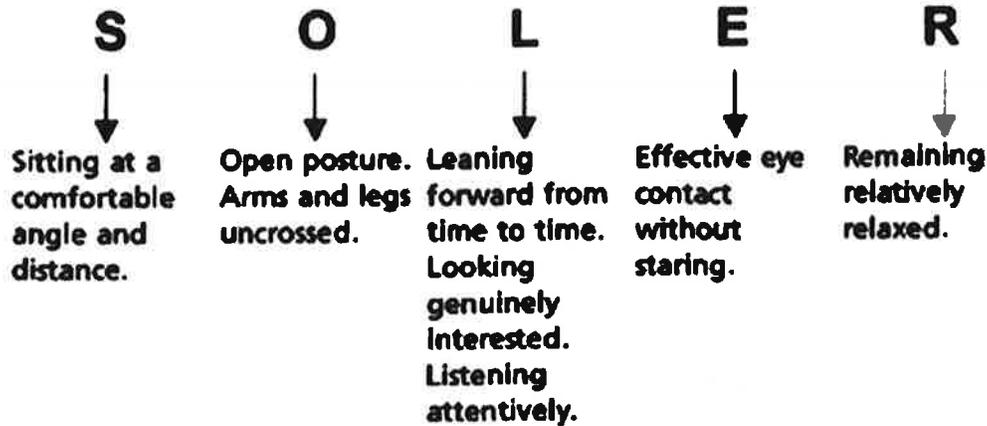
If someone is showing signs of being overly aggressive, agitated, or angry, this is the time to shift the discussion to another topic.

13. Consequences

Part of the feedback may involve talking about the possible consequences of inaction. Take your cues from what the person is saying — for example, *“What happened the last time you stopped taking the medicine your doctor prescribed?”*

*Grohol, J. (2007). Become a Better Listener: Active Listening. *Psych Central*. Retrieved on May 12, 2014, from <http://psychcentral.com/lib/become-a-better-listener-active-listening/0001299>

S.O.L.E.R. (developed by Gerard Egan)



Help Lines Include		
Help Line	Contact Info	Additional Info
Crisis Clinic Help Line	206.461.3222 1.866.4CRISIS 206.461.3219 (TTY)	Available 24 hours daily
King County DV & Sexual Assault Deaf Hotline	206.812.1001 (Videophone)	Available M-F 9-5 For people who are Deaf
Peace in the Home Helpline	1.888.847.7205	Available 24 hours daily For non- or limited-English speakers, DV assistance is available in Amharic, Chinese, Japanese, Khmer, Lao, Romanian, Russian, Somali, Spanish, Tagalog, Thai, Tigrina, Ukranian & Vietnamese
Washington Recovery Help Line	1.866.789.1511 206.461.3219 (TTY)	Available 24 hours daily
Washington State Domestic Violence Hotline	1.800.562.6025 (Voice/TTY)	Available 8am-5pm daily
National Domestic Violence Hotline	1.800.799.7233 1.800.787.3224 (TTY)	Available 24 hours daily

Websites, Books, and More!

The Domestic Violence and Mental Health Collaboration Project of the King County Coalition Against Domestic Violence

www.kccadv.org/reports/mental-healthdv-reports/

“Depression Part Two” by Allie Brosh

www.hyperboleandahalf.blogspot.com/2013_05_01_archive.html

[In an Unspoken Voice: How the Body Releases Trauma and Restores Goodness](#) by Peter A. Levine

[Mindsight: The New Science of Personal Transformation](#) by Daniel J. Siegel, M.D.

www.mindsightinstitute.com

National Center on Domestic Violence, Trauma, & Mental Health

www.nationalcenterdvtraumamh.org

[Trauma and Recovery](#) by Judith Herman

[Trauma Stewardship: An Everyday Guide to Caring for Self While Caring for Others](#) by

Laura van Dernoot Lipsky with Connie Burk

www.traumastewardship.com

Washington Contemplative Lawyers

www.wacontemplativelaw.blogspot.com

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DOMESTIC VIOLENCE: SAMPLE INITIAL INTERVIEW COMMENTS AND QUESTIONS

- a. All families disagree and have conflicts. I am interested in how your family resolves conflict. I am interested in how you and your partner communicate when upset.
- b. What happens when you or your partner disagree and your partner wants to get his/her way?
- c. Have you ever been hurt or injured in an argument? Has your partner ever used physical force against you or anyone else or broken or destroyed property during an argument? Have you ever felt threatened or intimidated by your partner? How?
- d. If your partner uses physical force against a person or property, tell me about one time that happened. Tell me about the worst or most violent episode. What was the most recent episode? Are you afraid of being harmed or injured?
- e. Have you ever used physical force against your partner? If so, tell me about the worst episode. What was the most recent episode? Is your partner afraid of you?
- f. Have the children ever been hurt or injured in any of these episodes? Have the children been present? Are the children afraid of your partner? Afraid of you?
- g. How frequently do the violent episodes occur? Have there been any changes in the frequency or severity of the abuse in the last month or the last year? Is any of the abuse (physical, sexual, psychological) getting worse or happening more often? Have the police or any other agency been involved?

INTERVIEW QUESTIONS FOR ASSESSING THE OUTCOME OF THE VICTIM'S PAST HELP-SEEKING

These questions are directed primarily to the adult victim, although modified versions can be posed to the perpetrator or the children.

1. Does the extended family know about the violence? Who knows? What has been the response? Do you feel safe in talking with them about the problem?
2. Is there anyone outside the family (friends, co-workers, clergy) who knows about the violence? How have they responded? Have you felt supported? Do you feel it is safe to talk with them?
3. Have the police been called? Who called them? What was their response? Did that help you?
4. Have you gone to court for a protection order? To press charges? To get a divorce? What was the experience like for you?
5. Have you ever left home to protect yourself or the children? What happened? Was this helpful to you? Were you able to take the children?
6. Have you ever gone to a counselor or to medical personnel for help with this issue? What happened?
7. Have you ever used a battered women's services program? What happened?
8. Has your partner ever gone to counseling or to a program for the domestic violence? What happened?

Attach next 5

INTERVIEW QUESTIONS FOR ASSESSING THE IMPACT OF DOMESTIC VIOLENCE ON THE ADULT VICTIM

When a victim or perpetrator acknowledges domestic violence, ask for elaboration as follows:

1. What kinds of injuries or health problems have you (has your partner) had due to the domestic violence?
 - a. Loss of appetite or excessive eating? Sleep disturbances? Increased use of alcohol or drugs? Headaches, pain?
 - b. Increased illnesses or medical problems?
2. What kind of psychological and emotional problems are you (is your partner) having?
 - a. Difficulties concentrating, depression, anxiety, fears, feelings of being numb, nightmares? Are you (is your partner) taking any medications for these problems?
 - b. Have you (has your partner) tried to hurt or thought about hurting yourself (herself)? Do you (does your partner) have a plan? Do you (does your partner) have a sense of failure?
 - c. Have you (your partner) thought of hurting or harming your partner (you)? Do you (your partner) have a plan? Do you (or your partner) have thoughts of hurting someone else?
 - d. Are you having trouble caring for the children?
3. In what ways does your partner control you? (Do you control your partner in any of the following ways?)
 - a. Do you have to get your partner's permission, (or does your partner have to get your permission) for any of the following:
 - > what you wear?
 - > what time you go to bed? your daily schedule?
 - > who you see? what appointments you have?
 - > your discipline of the children? where you work?

- > how you spend your money?
 - > how much time you spend with him?
 - > talking with CPS?
- b. What would happen if you (she) did something he (you) opposed? What would happen if CPS wanted you (her) to do something he (you) opposed?

**ASSESSING
LEVEL OF DANGEROUSNESS**

To assess dangerousness and level of risk of serious life threatening harm posed by batterer, put “yes” or “no” in left column. Use “DK” if woman doesn’t know. Use “NA” if it does not apply to this situation. Add up the number of “yes” answers at the bottom.

Batterer history:	
	Previous assaults against her, children, or others
	Suicide threats and attempts
	Homicide threats and attempts
	Homicidal fantasies
	Prior threats of or use of weapons / Type: (gun, knife, etc.)
	Childhood parental abuse, victimization or witnessing of violence
Batterer recent behaviors:	
	Active drug and alcohol abuse
	Monitoring or stalking partner
	Terrorizing or sadistic behaviors / Type: (physical, sexual, etc.)
	Escalating frequency or severity of assaults
	Current threats with weapons
	Physical or sexual abuse of the children
	Abuse began or changed during pregnancy
Batterer personality characteristics/descriptors:	
	Paranoid, extremely jealous
	Emotional disregard or lack of empathy; coldness or cruelty
	Severe depression
	Dependent, insecure, desperate
	Displays belief of entitlement or possessiveness
Additional history and context of abuse:	
	Length of relationship and length of the abuse
	Pattern or sequence of abuse over time since beginning
	Leaving, separation, or divorce impending
	Available weapons in residence
	Recent losses, deaths, or illnesses (stressors) in family or close family and friends
	Recent exposure of “family secrets” regarding abuse or violence
	Rejections by others during victim’s search for help and/or failed attempts at gaining safety
	Victim’s use of weapons
	Victim’s escalating use of retaliatory violence
	Victim’s suicide attempts
	Victim’s abuse of substances
	Other contextual elements: Sudden changes in his behavior; threats of child(ren) being removed or loss of custody/visitation; violence toward pets; fear level of victim, etc.

All information contained on this sheet is to be kept strictly confidential.

Attachment 6



DOMESTIC ABUSE INTERVENTION PROJECT

202 East Superior Street
Duluth, Minnesota 55802
218-722-2781
www.duluth-model.org

Attachment 7

The **behavioral definition** of domestic violence is more comprehensive than the “legal” definition. The behavioral definition is particularly relevant to understanding the impact of domestic violence on children and families.

Domestic Violence is:

a pattern of assaultive and coercive behaviors, including physical, sexual and psychological attacks as well as economic coercion that adults or adolescents use against their intimate partners. It is not impulsive or “out of control” behavior — the batterer selectively chooses tactics that successfully control the victim.

The **legal definition** of domestic violence is limited to particular *behaviors* and particular relationships addressed by statute.

Domestic Violence means:

- Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members;
- sexual assault of one family or household member by another; or
- stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

Domestic Violence is a Pattern of *Behaviors*

Domestic Violence is not an isolated event but a **pattern of multiple tactics** and repeated events: assaults repeated on the same victim by the same perpetrator.

The assaults can be **physical, sexual, psychological.**

There is often **economic coercion.**

Physical assaults may occur infrequently – perhaps just once.

But one assault, combined with other tactics, builds on the past and makes the victim fearful for the future. All of the tactics a perpetrator uses to control the victim interact with each other combining to create a profound effect on the victim.

Some parts of the pattern of domestic violence are crimes in Washington State.

- Assault
- Burglary
- Coercion
- Criminal trespass
- Drive-by shooting
- Interfering with reporting a domestic violence crime
- Reckless endangerment

Domestic Violence is *Not* About Violence

Domestic violence is about
power & control



(Crimes considered domestic violence, cont.)

- Malicious mischief
- Stalking
- Residential burglary
- Rape
- Kidnapping
- Unlawful imprisonment
- Violation of the provisions of a restraining order or protection order

Other battering behaviors are *not* crimes:

- name calling
- interrogating the children
- withholding access to transportation
- sleep deprivation
- withholding food
- control of financial resources
- isolation from friends and family

Causes of Domestic Violence

Battering is a learned behavior.

It is learned through:

- Observation
- Experience and reinforcement
- Culture
- Family
- Community: schools, peer groups, media

Domestic Violence is *not* caused by:

- Illness
- Genetics
- Alcohol/drugs
- Anger/stress
- Out-of-control behavior
- Behavior of the victim or problems in the relationship

So, why doesn't she just leave?



Victims DO leave the abusive relationship when they are able to do so safely. But there are many barriers to keep them from leaving.

Some barriers are:

- Perpetrator's violence and control
- Economic barriers
- Community barriers
- Individual barriers

Safety Planning

- Victim should have a safety plan for herself and her children.
- Different considerations whether living with the abuser or separated.
- Advocates should also safety plan for themselves.

Batterers Should Attend Batterers' Intervention Program

- Washington State certified batterers' intervention program. **This is *not* anger management.**
- A domestic violence batterers' intervention program must focus treatment primarily on ending the participant's physical, sexual and psychological abuse.
- The program must hold the participant accountable for the abuse as well as changing the participant's violent and abusive behaviors.

Court Orders to Provide Safety

- Order for Protection
- Restraining Order
- No Contact Order
- Sexual Assault Protection Order
- Stalking Protection Order
- Extreme Risk Protection Order
- Anti-harassment Order



It is important to understand DV because:

- Everyone's SAFETY
- Abuse does not end with separation or divorce
- The overlap between dv and child maltreatment
- Children are exposed to an inappropriate role model in a parent who batters
- The abusive parent often undermines the non-abusive parent
- The abusive parent may be involved in alienating behaviors
- Perpetrator's new relationship is potentially violent
- Importance of providing the children with an environment to heal

Court action as means of control

- Batterers may threaten or initiate custody disputes to continue to control their victim
- Batterers may continually test the limits of a parenting plan
- Batterers often request delays or frivolous motions to bring the victim back to court
- Batterers may request mutual protection orders when not supported by the evidence
- Batterers may present evidence about how the victim's behavior caused the abuse

Batterers often make an excellent appearance:

- Well groomed and well spoken
- Have stable work history
- May have community and/or church support
- Know the “right” things to say
- Controlling
- Entitled
- Good public image
- Skillfully dishonest
- Good early on in a relationship
- Disrespectful, superior
- Retaliatory
- Convinced that he is the victim

Victims of domestic violence may suffer from a variety of trauma symptoms:

- disoriented and disorganized
- paranoid
- unemployed
- self-medicated with drugs and/or alcohol
- isolated
- minimizes violence
- “crazy making”

Lack of Third Party Corroboration

- It is extremely rare for there to be a third party witness to domestic violence
- Batterers do not abuse their partners when others are present
- Batterers do not assault their partners any place where marks would be visible
- Victims are often afraid to call the police
- In a “he-said-she-said” case, the batterer often appears more credible and persuasive

Other evidence to consider:

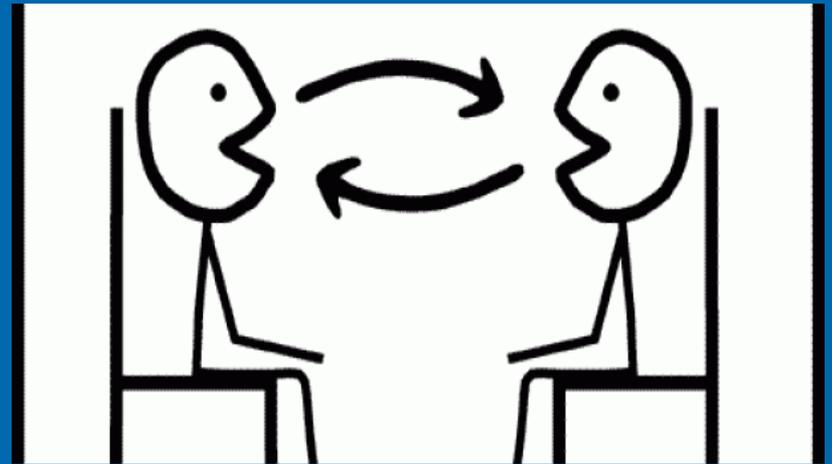
- Current and prior police reports
- CPS reports
- Medical records
- Court records: civil and criminal (all courts)
- 911 tapes
- Batterer's letters to victim when he hurt her before
- Protection order documents
- Former spouses/partners
- Washington State Patrol records and criminal records check
- Treatment providers
- Visitation supervisors
- Drug and/or alcohol evaluations

Interviewing

Victims may not acknowledge violence exists:

- they are ashamed
- they feel they are to blame
- they think that violence is normal
- cultural norms keep them from discussing the abuse with strangers
- they are trying to protect themselves from increase violence and/or loss of their children
- they are trying to keep their family together

When interviewing:



- Questions about DV should be a routine part of every interview.
- Ask open-ended questions
- Tie your questions to a particular time in the relationship
- Ask about a specific type of *behavior*

Specific types of abusive behavior:

- Physical assault
- Sexual assault
- Psychological assault
- Isolation
- Economic control
- Using the children to control victim



Ask about a specific time:

- when the parents began dating
- pregnancy
- after children
- household moves
- job changes

The children remain the abuser's best route to continue to batter the victim.

- Threatening to take the children
- Hurting and/or threatening to hurt the children
- Hurting and/or threatening to hurt the victim in front of the children
- Pitting the children against victim
- Using the children to monitor the victim
- Taking the children as hostages
- Forcing the children to participate in abuse of the victim
- Undermining the parenting of the victim

Assessing Danger to Children

Assessment should consider the following:

- Level of physical danger
- History of physical abuse
- Access to weapons
- History of sexual abuse
- Levels of psychological cruelty
- Level of coercive control
- Level of entitlement
- History of using the children as weapons
- History of placing the children at risk
- History of neglectful or under-involved parenting
- Refusal to accept the end of the relationship
- Level of risk to abduct the children
- Substance abuse history

Assessing Danger to Victim

To thoroughly assess the lethality or dangerousness of a batterer consider:

- Suicide threats
- Homicide threats
- Access to weapons
- Escalating violence/abuse
- Violence toward pets
- Stalking behavior

Children ARE exposed to domestic violence.

During a domestic violence episode children are in the same or adjacent rooms 81 – 100% of the time.



Children witness the violence

- Children see and hear the violence
- Children suffer in the aftermath of the violence
- Children become the batterer's tool

Children are victims of the violence

- The overlap between domestic violence and child abuse is between 30 and 60%
- Many children are intentionally injured when their mother is assaulted
- Many children are accidentally injured when their mother is assaulted
- Children are sometimes used as a weapon by the batterer

Children are used by batterers to coercively control their victims by:

- Isolating the child
- Forcing the child to watch the abuse
- Engaging the child in abuse against the parent
- Threats of violence against pets or other loved objects
- Interrogating the child about the victim
- Undermining the victim's parenting

**Children are victims of violence
when
a parent is a victim of violence.**

Exposure to domestic violence *IMPACTS* children.

Children exposed to domestic violence may show comparable levels of emotional and behavioral problems as children who were direct victims of abuse.



- Behavioral and emotional problems
- Cognitive functioning impairment
- Exposure to violence permanently alters a child's brain development
- Exposure to domestic violence in adolescents is associated with drug use, alcohol abuse, truancy, dating violence, sexual irresponsibility, and juvenile justice system involvement
- Belief systems are negatively impacted
- Long-term health problems (ACES)

“If we don’t stand up for children,
then we don’t stand for much.”

Marian Wright Edelman

