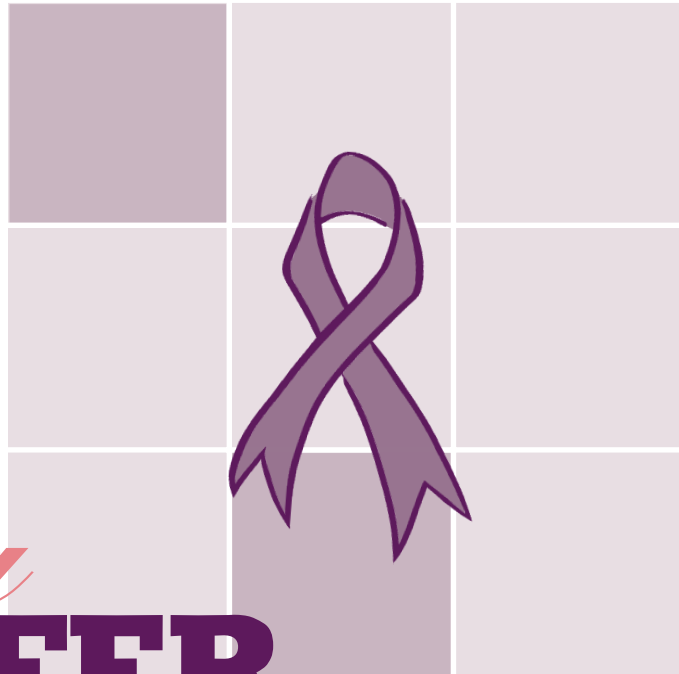


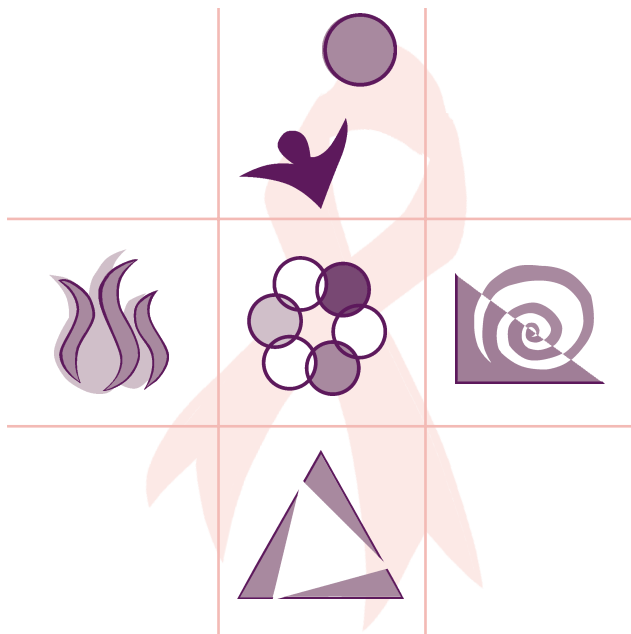
THERE'S **NO EXCUSE** FOR DOMESTIC VIOLENCE



for a
SAFER
state of
family

A Handbook for Helpers

DOMESTIC VIOLENCE HURTS US ALL



Domestic violence crosses all boundaries of age, ethnicity, gender, sexual orientation and socio-economics. Those who are most vulnerable are those most at risk: children; women; the elderly; those with physical, cognitive or emotional disabilities; the disenfranchised. Domestic violence hurts not only intimate partners, but also the larger family and community and, ultimately, the nation. Peace in our world begins in our homes.

dedication

To the victims and survivors of domestic violence who found the courage and support to break the silence and in doing so empower others to claim their right to live free from violence. In memory of Diane Reese for her exceptional dedication and lifetime commitment to advocating for battered women and (their) children.

acknowledgments

Many individuals and organizations contributed to this publication. Thank you for your hard work and support of this project. This publication was partially funded by Grants # G-030-WV-SD-VC, 03-DC-035 and 2001-QW-BX-0041.

Special thanks to the West Virginia Coalition Against Domestic Violence Rural Grant Joint Advisory Council for their work on addressing issues in traditionally underserved communities. Gratitude is extended to the West Virginia domestic violence network for their commitment to the ongoing work of ending violence in the home.

REVISED EDITION 2004

Alternative formats and additional copies of this booklet are available upon request by contacting:

*West Virginia Coalition Against Domestic Violence
4710 Chimney Dr., Suite A
Charleston, WV 25302*

*Phone (304) 965-3552 • Fax (304) 965-3572
www.wvcadv.org*



HELP FROM THE LEGAL SYSTEM

The following information gives helpers the “basics” they need to educate victims of domestic violence about the legal options available to them. For more detailed information, please contact the trained legal advocate at your local domestic violence program. A list of programs and contact numbers is provided on page 67.

TIP

As a helper, you are in the position to provide referrals for victims to get specialized services. Working within the civil and criminal legal system can become quite complicated. Licensed domestic violence programs in West Virginia have trained advocates available who work with volunteer attorneys and local legal aid staff to provide legal options to victims, preparing for and accompanying victims to hearings, assisting victims with filing procedures, and advocating for the

continued...

CRIMINAL REMEDIES

Domestic violence is a crime under state and federal law with both civil and criminal penalties. Victims of domestic violence can get help through the police and court system.

Domestic violence has been considered a crime in West Virginia since 1992. With criminal remedies, convicted batterers can be punished by going to jail, paying a fine or both. With civil remedies, victims can get a protection order, in which the court orders the batterer to stay away from the victim for either 90 or 180 days. Victims can pursue both civil and criminal remedies at the same time.

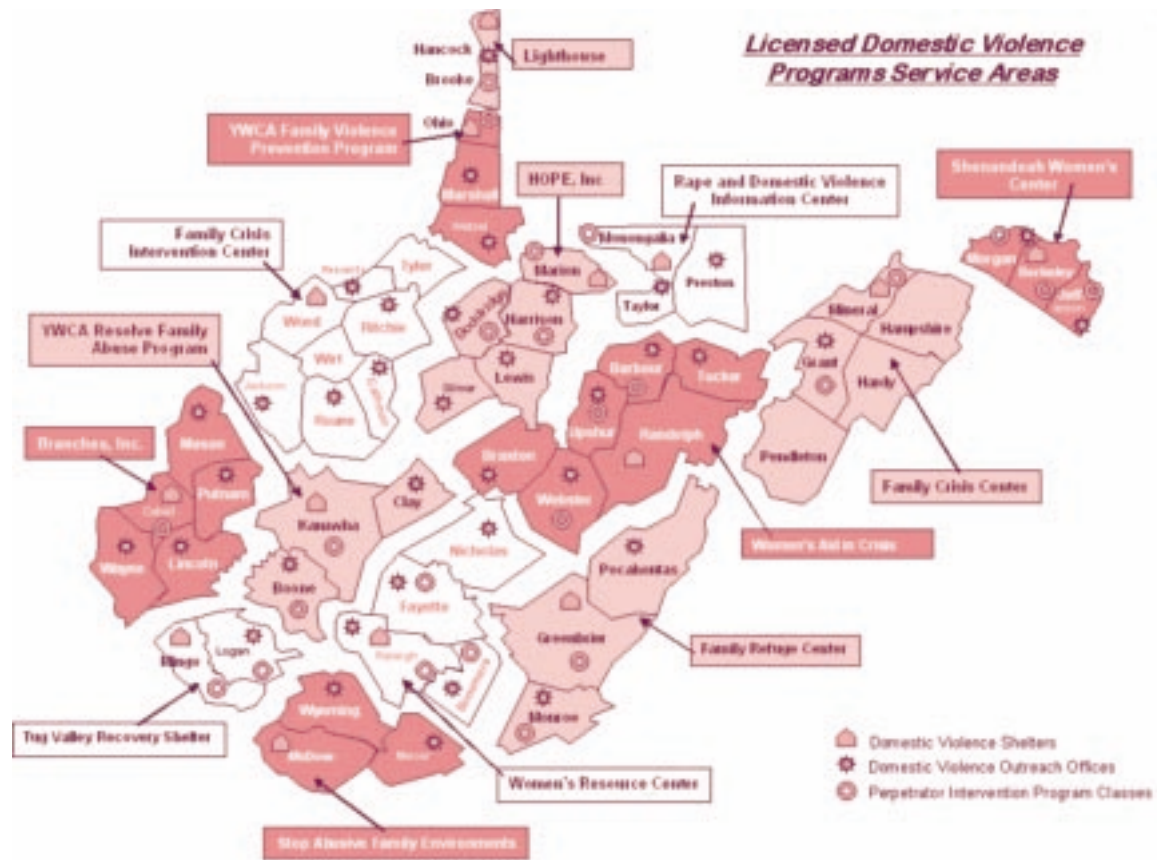
CIVIL REMEDIES

Protection Order: Victims of domestic violence can get protection orders through magistrate’s court if they can show that their partner has abused them physically or sexually or has threatened to harm them.

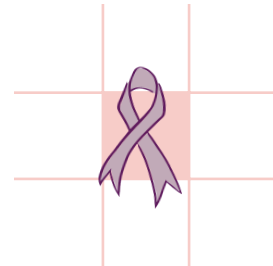
Victims can get protection orders against anyone with whom they:

- Are or were married;
- Are or were living together as spouses;
- Are or were sexual or intimate partners;
- Are or were dating;
- Are or were residing together in the same household;
- Are or were related by marriage or consanguinity (a blood relative) within the second degree;

Licensed Domestic Violence Programs



West Virginia Coalition
 Against Domestic Violence
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 Charleston, WV 25302
 (304) 965-3552



- I. Introduction
- II. Domestic Violence in West Virginia and the Nation
- III. Understanding Domestic Violence
 - A. Power & Control Wheel
 - B. Tactics Used by Batterers
 - C. Victims With Disabilities
 - D. Victims Who Are Lesbian, Gay, Bisexual or Transgender
 - E. Violence in Later Life
 - F. Elder Abuse and Domestic Violence Later in Life
 - G. Power and Control Wheel: Societal/Cultural
 - H. Women's Use of Violence
 - I. Staying or Leaving: Batterer Generated Risks
- IV. The Truth About Domestic Violence
- V. Children Exposed to Batterers
- VI. Batterer Generated Risks to Children
- VII. The Lethality of Domestic Violence
- VIII. Help From The Legal System
- IX. Healthcare Response to Domestic Violence
- X. Economic Issues of Domestic Violence
- XI. Domestic Violence and Communities of Faith
- XII. Domestic Violence in the Workplace
- XIII. How You Can Help a Victim
- XIV. Help From Community Resources



INTRODUCTION

You are holding in your hands information that may save someone's life – even your own. As the statistics on page 47 show, domestic violence is a serious threat to the health and safety of women, children, and men. But physical, sexual, verbal, emotional, and financial abuse harms more than the individuals to whom it is targeted. Domestic violence endangers us all, in our homes, our workplaces, our communities, our state, our nation and our world. The connection among various forms of violence is best illustrated by the Societal Power and Control Wheel on page 14, which shows how cultural norms, values and traditions, and the institutions that reflect them, contribute to the perpetuation of domestic and family violence.

“For a Safer State of Family: A Handbook for Helpers” is an updated version of a handbook that was first printed in 1997. This booklet is designed to provide information as well as to encourage the reader to engage in a more active role in responding to domestic violence in the lives of those with whom you come in contact.

In addition, this booklet has incorporated information about domestic violence in the lives of people who, traditionally, have been underserved in their communities: elderly people; people of color; people with disabilities; and people who are lesbian, gay, bisexual, and transgender. Individuals who identify with one or

more of these groups, particularly if they live in rural areas, face additional obstacles in seeking help – obstacles that helpers must understand if they are to respond effectively.

Finally, a series of highlighted boxes throughout this booklet will introduce you to emerging issues in the field of domestic violence.

Understanding these emerging issues is an integral part of an effective response. If you want to read more about the issue of domestic violence on your own, refer to the list of resources on Page 95.

Please note that throughout this booklet, victims are typically referred to as “she” and perpetrators of domestic violence are typically referred to as “he.” Domestic violence educators are often challenged to use gender-neutral language when talking about intimate partner abuse. However, domestic violence is not

gender-neutral. The fact remains that the vast majority of heterosexual victims are women and the vast majority of heterosexual perpetrators are men. The box on Page 17 discusses current research showing that when women are perpetrators of violence, their violence is very different in its scope and motive. Gender-specific language will be used to more accurately reflect the reality of male violence against women.

Please take time to read and become familiar with the contents of this booklet. Keep it close by. You may help save a life.



DOMESTIC VIOLENCE IN WEST VIRGINIA AND THE NATION

Domestic Violence is Prevalent

Nearly one in three women report having been kicked, hit, choked, or otherwise physically abused by a spouse or boyfriend at some point in her life. One in five women has been raped or physically or sexually assaulted in her lifetime. (*Commonwealth Fund's 1998 Survey of Women's Health.*)

In 2000 West Virginia law enforcement agencies received approximately 13,200 complaints of domestic violence. (*Crime in West Virginia," Uniform Crime Report, West Virginia Department of Public Safety, 2000.*)

In fiscal year 2002-2003, licensed domestic violence programs in West Virginia provided service to more than 19,000 people, 17 percent of whom were children. (*Data Summary Report, Fiscal Year 2002-2003, West Virginia Coalition Against Domestic Violence*)

Domestic Violence is Dangerous and Often Lethal

Domestic violence accounts for 22 percent of the violent crimes experienced by women in the United States, and 3 percent of violent crimes against men (*"Intimate Partner Violence, Washington DC, U.S. Department of Justice, Bureau of Justice Statistics, May 2000.*)

One-quarter of the 1.4 million intentional injuries treated in emergency departments nationwide during 1994 resulted from domestic violence. (*"Violence By Intimates: Analysis of Data on Crimes by Current or Former Spouses, Boyfriends, and Girlfriends," U.S. Department of Justice, March 1998.*)

Heterosexual women are five to eight times more likely than heterosexual men to be victimized by an intimate partner. (*Violence By Intimates: Analysis of Data on Crimes by Current or Former Spouses, Boyfriends, and Girlfriends*, U.S. Department of Justice, March 1998.)

Thirty-four percent of female murder victims and 6 percent of male murder victims in the United States between 1976 and 1995 were killed by people with whom they have an intimate relationship. (*National Trends and Intimate Partner Homicides*. Violence Against Women, 2000.)

In West Virginia, a domestic homicide occurs approximately every 14 days; one out of every three murders in the state is related to domestic violence. (*Crime in West Virginia*, Uniform Crime Report, WV Department of Public Safety, 2000.)

Domestic Violence Affects our Children and Youth

Batterers are seven times more likely to physically abuse their children than men who are not batterers. (*Childhood Experiences of Domestic Violence*, Philadelphia, PA, C. McGee, 2000.)

Batterers are six times more likely to sexually abuse their children than men who are not batterers. (*The Effect of Systemic Family Violence on Children's Mental Health*, 66 Child Development, L.A. McCloskey, A.J. Figueredo and M. Koss, 1995)

Fifty percent of men who frequently assault their wives also frequently assault their children, and the US advisory Board on Child Abuse and Neglect suggest that domestic violence may be the single major precursor to child abuse and neglect fatalities in this country. (*US Advisory Board on Child Abuse and Neglect, 1995, "A Nation's Shame: Fatal Child Abuse and Neglect in the United States: Fifth Report.*)

Children who are abused at home and witness domestic violence are six times more likely to assault children from outside their families. (Loeber, R., and Stouthamer-Loeber, M. (1998).) *Juvenile aggression at home and at school*. In D.S. Elliott, B.A. Hamburg, & K.R. Williams, (Eds.), *Violence in American Schools* (pp. 94-126). Cambridge, UK: Cambridge University Press.)

Eight percent of high school age girls said “yes” when asked if “a boyfriend or date has ever forced sex against your will.” (*The Commonwealth Fund Survey of the Health of Adolescent Girls*, November 1997.)

Forty percent of teenage girls age 14 to 17 report knowing someone their age who has been hit or beaten by a boyfriend. (*Children Now/Kaiser Permanente poll*, December 1995.)

Domestic Violence is Costly

The total health care costs of domestic violence are estimated in the hundreds of millions each year, much of which is paid for by the employer. (*Pennsylvania Blue Shield Institute, Social Problems and Rising Health Care Costs in Pennsylvania: Pennsylvania Blue Shield Institute, 1992:3-5.*)

Domestic Violence is Related to Belief Systems.

Male attitudes with a belief in the right to control female partners made a more important statistical correlation to prediction of future violence than did alcohol use, age, type of relationship or other variables. Name-calling and “put-downs” were the most important predictor of violence. (*Johnson, H. Contrasting Views of the Role of Alcohol in Cases of Wife Assault. Journal of Interpersonal Violence, 16, (1) 54-72*)

UNDERSTANDING DOMESTIC VIOLENCE



Domestic violence is a pattern of coercive behavior used by one person in order to maintain power and control in a relationship. Batterers repeatedly subject their victims to physical, sexual, verbal, emotional, and financial tactics of control in order to force them to do something the batterer wants them to do without regard to the victims' rights or well being.

The Power and Control Wheel

The Power and Control Wheel¹ depicted here was developed by the Domestic Abuse Intervention Project in Duluth, MN, to show the physical, sexual, emotional, and financial tactics that batterers use to control their victims.

- Power and control are at the hub of the wheel because they are at the center of violent relationships. Batterers do not batter because they are drunk, high, stressed out, or angry. They batter because they want to maintain power and control over their victims, and they will use any means they can to do so.
- Each spoke of the wheel represents a category of abusive tactics, ranging from emotional abuse to economic abuse to use of children. These are the tactics of control, and although every violent relationship is different, they share many of these tactics in common. As a helper, you can familiarize yourself with these tactics and learn to recognize that when they are present in a relationship they may indicate violence.
- The rim of the wheel represents physical and sexual violence. The threat or reality of physical and sexual violence holds the violent and abusive relationship in place because it is the ultimate tactic of control. Although some abusive relationships do not include the

reality of physical and sexual violence, the threat is always there for the victim, and the fear that goes along with that threat can be a powerful motivator for the victim to stay in the relationship.

The Power and Control Wheel

Tactics of Control

Using Coercion and Threats: Making and/or carrying out threats to do something to hurt her; threatening to leave her; to commit suicide; to report her to welfare; making her drop charges; making her do illegal things.

Using Intimidation: Making her afraid by using looks, actions or gestures; smashing things; destroying her property; abusing pets; displaying weapons.

Using Emotional Abuse: Putting her down; making her feel bad about herself; calling her names; making her think she's crazy; playing mind games; humiliating her; making her feel guilty.

Using Isolation: Controlling what she does, who she sees and talks to; what she reads; where she goes; limiting her outside involvement; using jealousy to justify actions.

Minimizing, Denying, and Blaming: Making light of the abuse and not taking her concerns about it seriously; saying the abuse didn't happen; shifting responsibility for abusive behavior; saying she caused it.

Using Children: Making her feel guilty about the children, using the children to relay messages; using visitation to harass her; threatening to take the children away.



Using Male Privilege: Treating her like a servant; making all the big decisions; acting like the “master of the castle;” being the one to define men’s and women’s roles.

Using Economic Abuse: Preventing her from getting or keeping a job; making her ask for money; giving her an allowance; taking her money; not letting her know about or have access to the family income.

victims with disabilities



If a victim has a disability, the batterer may use additional tactics of control, including:

Coercion and Threats: Threatening to withhold basic support and rights; terminate the relationship and leave the person unattended; report noncompliance with their program providing care; institutionalize the person.

Using Intimidation: Mistreating service animals; providing personal care in a way that is frightening.

Emotional/Verbal: Focusing verbal abuse on impairment; denying a person the right to make decisions; refusing to speak or ignoring requests.

Isolation: Limiting employment possibilities due to caregiver schedule; discouraging or preventing contact with a case manager or advocate; denying use of assistive equipment or life skills adaptations that facilitate independence.

Minimize, Justify and Blame: Excusing abuse as behavior management or caregiver stress (often accepted by professional helpers); blaming the disability for the abuse.

Using Children: Threatening to take the children and using the disability as evidence of inability to care for children (in custody proceedings and with threats to call child protective services).

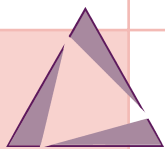
Using Caregiver Privilege: Providing care in a way to accentuate the person's dependence and vulnerability; ignoring, discouraging or prohibiting the exercise of full capabilities; dominating treatment decisions by speaking for the person with the disability and intercepting communications from case workers and other potential helpers.

Economic Abuse: Using a person's money or property without their permission; using power of attorney and/or payee status as a means to withhold and/or misuse resources.

Physical Abuse: Inappropriate physical handling; over-use of bodily restraints; over-medicating; inappropriate behavior modification; using medication to sedate a person for convenience.

Neglect: Denying food, clothing, shelter; withholding medications, assistive equipment or personal/medical care; withdrawing care or equipment to immobilize the person or leaving the person alone without a way to call for help.

Sexual: Forcing someone to have an abortion or to be sterilized.



victims who are lesbian, gay, bisexual or transgender

If the victim is lesbian, gay, bisexual or transgender, tactics of control may also include:

Using Coercion and Threats: Threatening to tell others about sexual orientation or gender identity (including employers, parents, church leaders or others who may react with negative consequences for the victim).

Using Intimidation: Using looks, actions, gestures to reinforce homophobic, biphobic, or transphobic control.

Using Emotional Abuse: Questioning or making fun of a person's sexual identity (questioning if they are a "real" lesbian, "real" man, "real" woman, "real" femme, "real" butch, etc.); reinforcing internalized homophobia, biphobia or transphobia.

Using Isolation: Saying no one will believe the person because of their sexual orientation or gender identity; preventing the person from connecting with other LGBT community members and support systems.

Minimizing, Denying & Blaming: Accusing the person of "mutual abuse" because they are the same sex; saying that women cannot abuse women or men cannot abuse men and that it is "just fighting - not abuse."

Using Children: Threatening to tell an ex-spouse or authorities that the person is lesbian, gay, bisexual or transgender and increasing the risk of losing custody of the children.

Using Privilege: Being the only one allowed to define each partner's role and responsibilities or duties in the relationship; using privilege or the ability to "pass" (as straight or more like the dominant culture) to discredit the person, put them in danger, cut off access to resources or use the system against them.



violence in later life

If the victim is an elderly person, tactics of control may also include:

Abusing Dependencies/Neglecting: Taking advantage of an elderly persons confusion; threatening to place an elderly person in a nursing home or other facility; establishing medical power of attorney and making harmful medical decisions.

Ridiculing Values/Spirituality: Denying access to church or clergy; ignoring or ridiculing religious/cultural traditions.

Using Family Members: Misleading members about extent and nature of illnesses/conditions; colluding with adult children to perpetuate dependencies.

Using Privilege: Misleading family, case workers and others about physical condition – can easily excuse injuries, deteriorating physical condition or accusations as part of the aging process; using traditional family values based in spiritual beliefs to dictate rules and to humiliate if not adhered to (through separation, divorce, etc.).

Financial Exploitation: Preventing access to a lifetime of shared assets; establishing financial power of attorney and making decisions that are harmful to assets and financial health. (If the elderly person has a disability and/or requires personal care assistance, many of the additional tactics listed for people with disabilities apply.)

Elder Abuse and Domestic Violence in Later Life

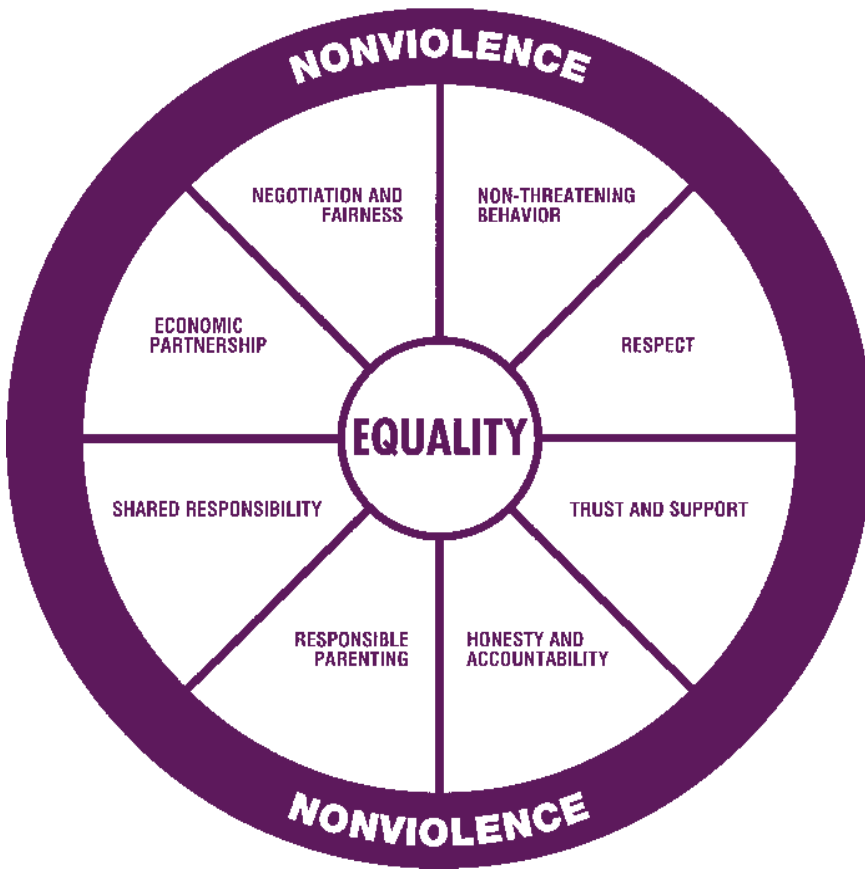
As our elderly population grows, much attention is being placed on abuse of our nation's elderly. A term widely recognized for this is "elder abuse." This term often brings with it images of an older, frail person abused or exploited by a caregiver. While this image is an accurate portrayal of elder abuse, some finer distinctions need to be made.

In most elder abuse cases, the perpetrator is a family member – spouse, partner or adult child. The connection of a family member perpetrating violence on another family member links domestic violence to the issue of elder abuse. However, this connection is often not clearly defined, resulting in situations that are not accurately assessed, services that are not adequately provided and perpetrators that are not held accountable.

Elder abuse occurs when a person age 60 or older is subjected to physical, sexual, emotional, financial abuse and neglect. A family member, caregiver or any other individual can perpetrate this abuse. The legal definition of elder abuse is more detailed, differs from state to state and usually defines the victim of the abuse as an "incapacitated" adult (someone who is unable to care for themselves or make decisions independently). Domestic violence in later life can be a form of elder abuse when an older, incapacitated adult is subjected to a pattern of coercive control and abuse by someone with whom they have an intimate, ongoing relationship. Domestic violence in later life also includes a pattern of abuse perpetrated on an older adult who is not "incapacitated."

Research in the 1970s² determined that "caregiver stress" was a primary cause for elder abuse. Caregiver abuse was attributed to an overworked, overburdened caregiver who hurt a frail, dependent elderly person. Subsequent research does not support caregiver stress as the primary cause for elder abuse. Many people who respond to elder abuse situations have been trained to intervene in elder abuse cases as instances of caregiver stress; however, they have not been trained on the dynamics of this type of violence and its impact on older people. Therefore, many cases of domestic violence in later life have been identified as instances of caregiver stress and therefore, have been incorrectly treated.

The caregiver stress model when incorrectly applied to an instance of domestic violence shifts the blame to the victim, frees the perpetrator of the responsibility for the violence, and offers support to the perpetrator. Accurate assessment that considers the dynamics of domestic violence is essential for addressing an older victim's needs for safety and support. Offering inappropriate interventions can put an older abused victim in greater danger.

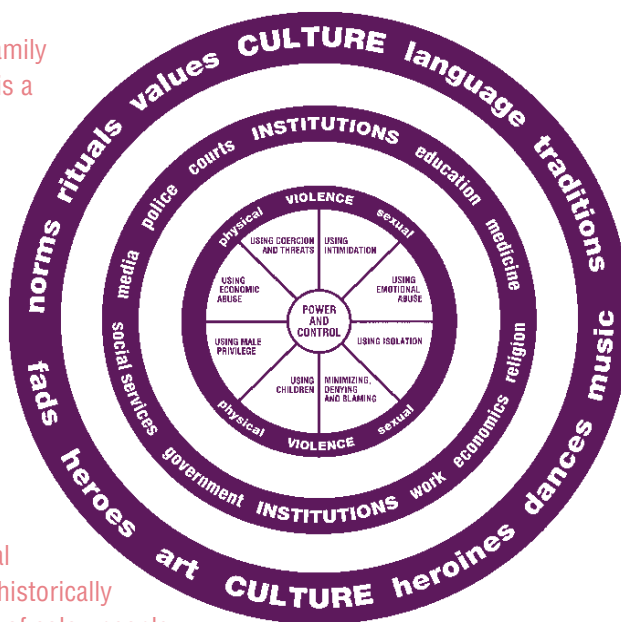


While the work of ending violence in the home is about eliminating the Power and Control Wheel, the principles involved in creating peace in the home are reflected in the Equality Wheel.³

Societal/Cultural Power & Control Wheel

Examples of institutional tactics of control include but are not limited to:

- Threatening to take a victim's children away if she does not leave the perpetrator.
- Asking a victim, "What are you doing to provoke the abuse?" or "If it's so bad, why do you stay with him?"
- Violating her confidentiality by contacting police or the perpetrator without the victim's consent.
- Telling a victim that it is her job to hold the family together and that leaving an abusive partner is a sin.
- Denying a victim health insurance or a job because she is "high-risk."
- Colluding with abusers who provide personal assistance to their victims by excusing abusive behaviors as "caregiver stress".
- Denying people with disabilities access to public transportation, courthouses and the same services that are provided to able-bodied people.
- Not acknowledging fears of using the criminal justice system felt by people who have been historically discriminated against by that system (people of color, people with disabilities, and people who are lesbian, gay, bisexual and transgender.)
- Not acknowledging that domestic violence, including sexual abuse, happens to people with disabilities, elderly people and people who are lesbian, gay, bisexual and transgender.
- Communicating with the personal assistant or person accompanying a person with a disability instead of communicating directly with the person (particularly when the person's disability affects their communication skills).
- Believing that violence between same-sex couples is "mutual abuse" instead of assessing for power and control.
- Allowing personal homophobia, biphobia and transphobia to interfere with services provided to lesbian, gay, bisexual and transgender victims.



Societal/Cultural Power and Control Wheel⁴

The illustration shown on the previous page, also developed by the Domestic Abuse Intervention Project, depicts the ways in which societal and cultural factors contribute to perpetuating violent relationships.

A violent relationship, shown at the center of the wheel, exists within the larger environment of society and culture.

When institutions that interact with victims and perpetrators help victims find safety and hold perpetrators accountable for their violence, they are vital factors in ending the violence. However, when those institutions ignore victims' pleas for help or blame them for the violence, they actually keep the violence going and may even contribute to making it worse. In addition, institutions sometimes use tactics of control in dealing with victims, thus "re-victimizing" them when they come for help.

The actions of individuals and institutions are influenced by the norms, values, language, and other cultural factors that surround everyone. These cultural factors are ingrained in us from the day we are born, and can play a role in either ending or perpetuating violence. For example, domestic violence was not considered a crime in West Virginia until 1992. Prior to that, violence against a stranger was considered a serious and prosecutable matter, but violence against an intimate partner was often seen as acceptable.

Cultural norms still exist that perpetuate the problem. For example, the tradition of not interfering in matters between family members that occur in private has led to reluctance for government, the criminal justice system, and other systems to respond to domestic violence, even after it became a crime. Music and the media continue to portray domestic violence as "lover's quarrels" and domestic violence homicide-suicides as "crimes of passion" by jilted men who think, "If I can't have her, no one else

will.” Romanticizing domestic violence allows the violent behavior to be excused or explained away – something that is not done with any other type of assault and battery.

It is important to acknowledge the cultural norms that victims bring with them. These norms inform how they may experience domestic violence and how they may react to it. People who live in rural communities may adhere to strong values of independence that make it difficult to seek help from “outsiders” or urban programs. People of color may adhere to a code developed through historical experience that has taught them not to trust the “white” culture and the formal systems it offers for assistance (e.g., the criminal justice system, the social service system and domestic violence programs). Elderly people may have been conditioned not to discuss “personal” issues with strangers and are therefore reluctant to use “self-help” programs that require people to disclose abusive experiences. When people in same-sex relationships disclose domestic violence, they risk exposure to societal norms that condemn them as “evil” and expose them to hate crimes.

Women's Use of Violence – Different from Men's?

Gaining power and control over another establishes battering in an intimate partner relationship. Batterers seek to punish, abuse and control their partners through a pattern of violent, coercive and intimidating actions. It is within this context of battering that we must view the issue of women's use of violence.

As more states adopted "pro-arrest" policies, there has been a significant increase in arrests for domestic violence incidents. This increase has resulted in a corresponding increase in the number of women arrested. Many of these women have been convicted of domestic violence charges and referred to a "batterers" treatment program. However, research shows that most of these women are battered women and their use of violence is significantly different than that of a "batterer."⁵

Batterers use violence and other tactics discussed in the power and control wheel to maintain power and control in a relationship. Victims of batterers may also use violence, but their use of violence differs in context and consequences. Some victims fight back in self-defense and some use retaliatory violence after they have been victimized. While some victims may be arrested for using retaliatory violence or even violence in self-defense, their motivation for using the violence differs from the batterer's motivation of power and control. The consequences and risk of harm to the victim are generally more severe when violence is part of a pattern of threats, emotional abuse, intimidation and life-threatening behaviors. Research shows that while some women use violence, most "batterers" are men, and most women tend to use violence in self-defense of or in retaliation towards their batterers.

Although women's use of violence may on the surface appear to be the same as men's, the critical difference in men's use of violence is the intention of exerting power and control.


Battered women who kill their partner:

Research shows that when women kill their partners it is likely to be in self-defense. Battered women who resort to homicide have often tried repeatedly and unsuccessfully to obtain protection from their abusers. If the community fails to help ensure battered women's safety through law enforcement and other systems, society runs the risk that lives will be lost. Leaving an abusive relationship requires strategic planning and legal separation to avert separation violence and to safeguard victims and their children. Law enforcement and battered women's advocates must work in partnership to maximize victim safety and to hold perpetrators accountable for their violence.

STAYING OR LEAVING: Batterer-Generated Risks



Victims of domestic violence face many risks – some generated by the batterer, and some generated by life. Victims constantly evaluate the risks that they and their children face and base their decisions of whether to stay or to leave the relationship in light of those risks. The following chart shows some of those risks⁶.

	RISKS IF SHE STAYS...	RISKS IF SHE LEAVES...
Victim 	<p>Batterer-Generated: He may continue to abuse her and her children physically and emotionally, and he may even kill her. He may expose the children to abuse impacting their emotional well-being, physical safety and risk of being removed from one or both parents.</p> <p>He may impair her financial stability and standard of living using financial tactics of control.</p> <p>Life-Generated: Family, community members, faith representatives, social institutions and "marriage promotion" initiatives may not understand the dynamics of domestic violence and may jeopardize her safety.</p>	<p>Batterer-Generated: He may continue to abuse her and her children physically and emotionally, and he may even kill her.</p> <p>She may have less access to resources, which may result in loss of her housing, her transportation, her job – even her children.</p> <p>Her family and friends may blame her for ending the relationship and stop supporting her, leaving her further isolated.</p> <p>Life-Generated: Resources, housing, employment and transportation are limited - especially in rural areas.</p>

if the victim also has a disability...



RISKS IF SHE STAYS...

Batterer-Generated:
When the batterer is also her caregiver, he may withhold or interfere with treatment, or cause injury that may worsen the disability.

The batterer may prevent her from receiving services that will help her gain independence and thus perpetuate her dependency on her abuser.

Life-Generated:
If the batterer is the primary caregiver, the victim is less likely to receive alternative care resources because the batterer is capable of providing the services in the home.

RISKS IF SHE LEAVES...

Batterer-Generated:
If the batterer is also her caregiver, she will no longer have him to care for her and she may be placed in an institution.

Life-Generated:
There may not be a domestic violence shelter that can meet her needs.

She may be more likely than a person without a disability to lose her housing, her transportation, her job, and her children.

Her story may not be believed by those to whom she turns for help.

if the victim is also a person of color...



Batterer-Generated:
The batterer may interfere with help-seeking by inducing fear of discrimination by helping agencies.

Life-Generated:
She may risk a greater likelihood of involvement with child protective services because she is a person of color.

She may adhere to cultural pressures to resolve the situation herself or within her own community and not seek assistance from the "white" system and possibly increase her risks for more severe emotional and physical abuse.

Batterer-Generated:
The batterer may interfere with help-seeking by inducing fear of discrimination by helping agencies.

Life-Generated:
She may risk a greater likelihood of involvement with child protective services because she is a person of color.

The criminal justice system may discriminate against her case because she is a person of color. She and her abuser are more likely to be arrested and given a severe sentence because she is a person of color. Because of this, she may be in greater danger of being further abused or even killed by the batterer, if she leaves.

Housing options (scarce for all victims) are more scarce for women of color because of discrimination.

if the victim is also an elderly person...



RISKS IF SHE STAYS...

Batterer-Generated: She may risk having the abuser manipulate systems resulting in her loss of decision-making abilities (power of attorney), or her being placed in an institution.

She may risk deteriorating physical condition (often explained as part of the aging process) due to abuser's prevention of her seeking medical care and emotional and physical abuse.

RISKS IF SHE LEAVES...

Batterer-Generated: Those she turns to for help may minimize or explain away the abuse she is describing. Because of this, she may be in greater danger of being further abused or even killed by the batterer if she leaves.

Life-Generated: Available services may not meet the needs of elderly women, which may leave her with nowhere to turn for help.

If she relies on the batterer for her care, she will no longer have him to care for her and she may be placed in an institution.

She may need to leave her "home place" that holds a lifetime of memories.

She may be faced with financial burdens made greater by low likelihood of employment, welfare or housing assistance.

if the victim is also lesbian, gay, bisexual or transgender ...



Batterer-Generated: The batterer may minimize the abuse as something that women don't do to women or men don't do to men causing the victim to stay in the relationship longer.

Life-Generated: The victim may be afraid to report abuse or seek services due to risks of loss of employment, housing, family support or hate crimes that happen because of societal homophobia, biphobia and transphobia.

Batterer-Generated: A lesbian batterer may seek shelter in the same shelter her partner is in to gain access to her.

Life-Generated: When seeking helping agencies, lesbian, gay, bisexual or transgender victims risk revealing their sexual orientation or gender identity and risk loss of employment, housing or family support and become more susceptible to hate crimes due to societal homophobia, biphobia and transphobia.

if the victim also lives in a rural area...



RISKS IF SHE STAYS...

Batterer-Generated:
She will be less able to reach help if she is far removed from neighbors or roads which are not easily accessible.

Her injuries are more likely to be explained by “accidents” from farm tools and equipment.

There is an increased likelihood that weapons are present in the household.

Life-Generated:
Rural values of “making due,” independence, traditional male/female roles and pride in not seeking outside helpers may promote denial of abuse and prevent victims from seeking help.

RISKS IF SHE LEAVES...

Batterer-Generated:
She may have to abandon her animals or leave them in the care of her abuser (who probably threatens to kill and/or to abuse the animals as an intimidation tactic.)

Life-Generated:
She may have less access to public transportation when she needs to get away.

She will probably need to travel a distance for safe housing (possibly a different county) resulting in changing her children’s school and making it difficult or impossible to get to work.

She may have to leave her “home place” (or way of life that has great meaning for her) to live in an urban housing project.

TIP

As a helper, you can help a victim of domestic violence think through the risks she faces if she stays and the risks she faces if she leaves the violent relationship. Have her write these down on paper and she will have a tool that she can use to help decide what she wants to do.

WHAT IS THE TRUTH ABOUT DOMESTIC VIOLENCE?



Misconceptions about domestic violence abound in our society. This hurts both victims of domestic violence and those from whom they seek help. The following list will help you recognize these misconceptions when you hear them expressed by yourself or others, and replace them with facts.

Some People Say: Battering overstates the case. Few women are beaten, although a lot of them may get slapped around a little now and then.

The Truth Is: According to a 1998 survey by the Commonwealth Fund, nearly one in three women in the United States reports having been kicked, hit, choked, or otherwise physically abused by a spouse or boyfriend at some point in her life. One in five women has been raped or physically or sexually assaulted in her lifetime.

While some women do get slapped or hit and leave the violent situation immediately, most often battering escalates once it starts. One-quarter of the 1.4 million intentional injuries that were treated in emergency departments nationwide during 1994 resulted from domestic violence. (“Violence By Intimates: Analysis of Data on Crimes by Current or Former Spouses, Boyfriends, and Girlfriends,” U.S. Department of Justice, March 1998.)

In the most extreme cases – particularly when a victim leaves the relationship — domestic violence turns deadly. One-third of all homicides in West Virginia are related to domestic violence – a ratio that has remained consistent since 1991.

This is what you might hear some people say:

“It’s only a domestic dispute.”

“Words will never hurt.”

“She can leave anytime if she wants.”

This is what you might hear some people say:

“He only threatened her. He would never do that.”

Some People Say:

Verbal and emotional abuse is not as serious as physical abuse.

The Truth Is:

Just because verbal and emotional abuse – threats, put-downs, etc. – do not leave visible bruises, that does not mean that it is any less serious. The emotional scars that are left by repeated lashing of a victim’s self-esteem could leave her frightened, ashamed, and isolated from her support system. While verbal and emotional abuse are not classified as crimes under the West Virginia Code, they are serious forms of abuse. Verbal and emotional abuse may precede physical abuse, but even if physical abuse never occurs, victims of verbal and emotional abuse should be treated with the same care as those of physical abuse.

This is what you might hear some people say:

“It’s a family matter, don’t get involved.”

“A man’s home is his castle.”

“Families should stay together, no matter what.”

Some People Say:

Battering is a family matter.

The Truth Is:

No act which can leave another permanently injured physically or mentally or which can lead to death is a “family matter.” Assault is assault; rape is rape; murder is murder regardless of the relationship between people. These are criminal acts. Traditionally women have been encouraged by family, friends and institutions to remain in violent homes in order to preserve the family unit. Recently people have begun to recognize that violence within the family is unjustifiable and inherently destructive.

Some People Say: Battering happens only in “problem” families.

The Truth Is: To identify a “problem” family assumes that most families are “normal.” Domestic violence cuts across all cultural, social, economic, religious, educational, ethnic, racial and age lines. The myth that only “problem” families experience violence encourages police, court personnel, and social services workers to explain away violence by finding “problems” such as drug or alcohol abuse, stress, or dysfunctional background, all of which may be factors in abusive situations but do not actually cause the abuse. The reality is that men who are abusive when under the influence of drugs or alcohol also batter when they are sober and rational.

This is what you might hear some people say:

“He must be drinking again-it’s the alcohol.”
“He’s been under a lot of stress lately.”
“He grew up in a violent home.”
“He is crazy.”
“She grew up in a violent home.”

Some People Say: Battering occurs only in low-income and working class families.

The Truth Is: Women of every kind have been battered at the hands of doctors, lawyers, judges, police professionals, clerics, teachers, coal miners, etc. The difference is that middle- and upper-class women may have other options open to them and are less likely to seek assistance from public agencies and shelters. Many middle class women are also afraid of damaging their husband’s career or reputation and are pressured to “keep up appearances” at all costs, especially for the sake of the children. Others may have the skills and resources that give them access to financial independence, making them less dependent on social service agencies, and less likely to be included in statistics involving battering compiled by service agencies.

This is what you might hear some people say:

“That’s how poor people behave. They don’t know any better.”
“He doesn’t have a job or an education.”
“There are no victims of domestic violence in my church.”

This is what you might hear some people say:

“I don’t even need to ask. Surely I would be able to tell if one of my friends was a victim of domestic violence.”

“It’s cultural, that’s how they treat women.”

“I’m not surprised. Prostitutes have it coming to them.”

Some People Say:

Battered women constitute an easily definable group. They aren’t like me or my friends or family.

The Truth Is:

The “battered woman” stereotype is that of a passive woman between 20 and 35 years old who is unemployed, has two or more children, and lives with an alcoholic husband. In West Virginia she is from “up a holler,” has had little education, and is lacking in most skills.

This stereotype does not stand up to the truth. A battered woman may be elderly or teen-aged, gay or straight, a professional or a laborer, a person with or without a disability, a person of any color. There is no single type of relationship in which domestic violence occurs. Women are battered by male spouses, male or female partners, relatives, neighbors, older children; prostitutes are beaten by their pimps or customers who get sick gratification from violence. Teen battering and date rape are as possible as older women being battered by sons or younger relatives, and people with disabilities are battered by the caregivers on whom they depend as frequently as people without disabilities are battered by the husbands and boyfriends with whom they have lived for years.

This is what you might hear some people say:

“She likes being controlled.”

“It will stop when I learn to be a better wife.”

Some People Say:

She asked for it.

The Truth Is:

Of all the myths about domestic violence this is the most degrading and insensitive, yet many battered women are accused of deserving or asking for abuse, often from those to whom they turn for help: clergy; police; the courts; social

workers; relatives. They are asked what they did to provoke the violence and told to change their behavior in order to avoid abuse. They are depicted as wanting to be physically abused and dominated and, therefore, the cause of the violence. Those who hold this theory call a woman masochistic. They ignore the danger that women face when attempting to leave an abusive situation.

People with disabilities and elderly people are often viewed as behaving in ways that are more deserving of abuse and abuse is more likely to be excused or explained away as the fault of the victim.

Some People Say:

It can't really be that bad or she would leave.

The Truth Is:

The assumption that women can easily leave abusive situations fails to look at reality. Many women are economically dependent on the abuser and are the primary caretaker of the children. Until shelters came into existence in the late 1970s there were few places a woman and her children could go for refuge and assistance. Even today, many shelters cannot accommodate the needs of people with disabilities, people of color, and elderly people. In addition, people with disabilities and elderly people who leave an abusive caregiver face the threat of institutionalization and the loss of whatever independence they have. Independence is highly valued by people with disabilities, and many elderly people were taught that it is a woman's duty to hold the family together at all costs. Women who live in isolated rural areas may face even more barriers to leaving.

Even if a woman finds emergency shelter that can meet her needs, what about the long-range implications of her leaving

"You made me do this."
"You made your bed, now lie in it."

This is what you might hear some people say:

"All he'd have to do is hit me once and I would leave."
"If it were that bad, she would leave."

This is what you might hear some people say:

- “She is exaggerating.”
- “No one would do such a thing to a person with a disability.”
- “It’s the price a person has to pay for care.”
- “It’s for her own good. That’s the only way to teach her how to behave.”
- “She brought it on herself because she is so cantankerous.”
- “That couldn’t be true. No one would hit an elderly person.”
- “She is difficult to care for.”

This is what you might hear some people say:

- “She is drawn to bad men because of her childhood.”
- “A man has to do what a man has to do to show who is boss.”
- “He batters because his father beat his mother.”

for herself and her children? Furthermore, she must deal with her feelings about the relationship and her fear. If she does get a job, she will probably earn less than the man she left. Day care is expensive if it is available at all. Finally, she must face the loneliness of leaving old connections with family and friends who encouraged her to stay for the sake of the children. For more discussion about why victims feel trapped in violent relationships, see “Staying or Leaving: Batterer-generated Risks,” Pages 18-21.

Some People Say: The pattern of family violence is passed on from generation to generation.

The Truth Is: Many professionals assert that there is a pattern to violence: boys from violent homes grow up to be batterers; girls, to be victims. While there is truth to the assertion that environment and learning are major factors in development, this theory is deterministic. Many men from violent homes do not batter. Many women from nonviolent homes are battered. Another facet of this theory asserts that all women who are battered in turn batter their children, although no evidence exists to support this belief. What is important in the analysis of violence is to separate the cause of the violence – a pattern of power and control – from factors that can be involved in the abuse.

A decorative graphic on the right side of the page. It features a light purple square with a dark purple circle above it and a dark purple silhouette of a person with arms outstretched below it. This graphic is overlaid on a grid of thin red lines.

CHILDREN EXPOSED TO BATTERERS

People sometimes assume that domestic violence programs are only for battered women. But the West Virginia Coalition Against Domestic Violence Annual Data Report states that about 50% of the residents served by domestic violence programs in West Virginia are children. The report also shows that between July 1, 2002 and June 30, 2003, 789 children received 18,266 nights of emergency shelter. Research shows that between 3.3 million to 10 million children are exposed to intimate partner violence per year, depending on the specific definition of witnessing violence, the source of interview and the age of the children included in the survey⁷. Research also shows that growing up in homes with batterers is detrimental to children. For this reason, more and more domestic violence programs are placing emphasis on child advocacy and child related services.

When examining the impact of domestic violence on children, professionals, helpers, survivors and family members need to both acknowledge the risks to children and understand that these risks are brought about through the complex ways that the batterer's abusive and controlling behaviors are woven into the daily lives of these children. By shifting the theoretical framework from "children exposed to domestic violence" to that of "children exposed to batterers," the focus of accountability is placed directly on the batterer. This shift of focus highlights the variety of ways batterers as parents hinder children's well being as a result of the trauma of experiencing the physical violence and abusive behaviors towards their mother. "Battering can have a far-reaching impact on patterns of interaction within a family. Many of the symptoms demonstrated to occur in children exposed to domestic violence may result largely from these disruptions in family functioning rather than being entirely the product of traumatic witnessing of assaults."⁸

In this section, we will examine the more prominent effects of children's exposure to batterers followed by a section that examines batterer-generated risks to children.

Distress to the Fetus

Whatever affects the mother affects the fetus. When the mother is battered, the fetus receives direct/indirect injuries including but not limited to impairments of the nervous system, disruption of sleeping patterns and birth defects.

Infants and Toddlers

If incidents of battering are the infant's earliest images and experiences, his or her first and longest-lasting impression is that the world is a dangerous place. Moreover, because the young child is helpless to leave the violent scenes, both terror and powerlessness are imprinted into the child's psyche. Research shows that physically and psychologically traumatic events can undermine neurological development and in children with chronic exposure to traumatic events, there is greater risk for cognitive, motor and social developmental delays¹⁰.

Older Children

Older children experience unresolved feelings of mistrust and fear. They see a parent inflict cuts, bruises, black eyes, or more serious injuries, and may witness law enforcement, family or friends do little to protect the victim/parent. Often, children experience the same abusive behavior used against the parent, i.e., the abuser may embarrass, threaten or hit the child. Children can be hurt trying to protect or intervene on behalf of the adult victim.

Constant Fear

Children feel panic during each battering episode. They may fear that the abuser will turn on them next. Children also fear what will happen to them if their mother is hurt or if their father is taken to jail.

Constant Anxiety

When children are exposed to violence in the home, they can become jumpy, watchful, and on guard at all times. They learn to read the parent/abuser's every move. Living in homes where battering occurs can mean that children learn strategies to keep out of harm's way and to feign or ward off sleep until the violence is over.

Low Self-Esteem

Children of abuse have difficulty developing healthy self-esteem. They often blame themselves for the arguments and the violence. They may believe it is their own failing that they receive little love. Children often learn to deny their own needs. They also may learn to get needs met through manipulation or other indirect means.

Behavioral Problems

Children of violence are at higher risk for alcohol and drug abuse. They may develop eating or sleeping disorders, stress-related headaches, ulcers, or rashes. Children exposed to domestic violence may engage in fear-driven perfectionism or over-achieving. Conversely, other children are inhibited from performing well in school. Unresolved feelings of guilt and shame generated in childhood can last a lifetime.

Isolation

Exposure to an abusive parent who perpetrates violence and employs manipulative tactics that purposely interfere with the child's relationship with the abused parent can leave a child feeling isolated from both parents. The abusive parent isolates the family from friends and family leaving children further isolated from positive relationships and opportunities to form trusting relationships.

Adult Responsibilities

Children exposed to violence may spend a lot of time trying to make peace between parents. They may try to separate the abusive parent from the abused parent, call the police, or try to defend the abused parent. In addition, children often become caretakers, comforting the abused parent or siblings. Throughout these efforts, the child may be manipulated by the abuser and may be the only comfort and companion to the abused parent.

Violence Towards Others

Children exposed to batterers are exposed to specific techniques to hurt and humiliate others. They may learn that violence is a way to settle problems, punish family members, or gain control of a situation.

Feeling Powerless

Children of abuse may feel a complete sense of powerlessness. They cannot stop the abuse; they cannot fix the parents' abusive relationship; and they cannot save the parent or siblings who are abused. Unresolved, these feelings of powerlessness may continue into adulthood.

Stress and Depression

Abused children may experience long-term depression. Many experience flashbacks of violent episodes. A child also may block out violent scenes for years. Repeated exposure to violence has a tendency to overwhelm and exhaust the child's nervous system resulting in feelings of high anxiety and despair.

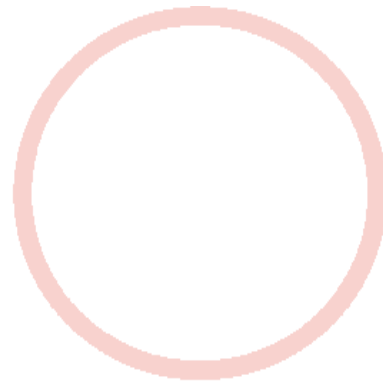
Extreme Behavior

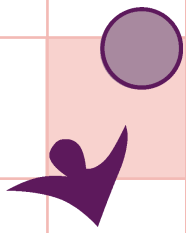
Children who see a parent inflict harm on another parent are more likely to have difficulty learning positive ways to express their emotions and to have difficulty learning how to express anger without being cruel or abusive. In the home, these children have limited role models for learning important skills such as resolving conflict, solving problems with other people, or for building close relationships.

Lack of Boundaries

Children in violent homes grow up watching other people's boundaries being violated. They may have difficulty understanding and respecting physical and verbal boundaries. Some children do not learn that reacting to someone abusively is wrong; while other children do not learn that it is wrong to have their own physical and verbal boundaries violated by others.

Psychological and physical effects of exposure to domestic violence listed above are the result of ongoing behaviors perpetrated by the batterer. While more communities are aware of the impact of exposure to domestic violence on children, community systems often fail to connect these effects to risks posed by batterers and often blame the adult victim (most often the mother). While some researchers may describe behaviors associated with the adult victim in connection with trauma to children, these behaviors are often survival mechanisms that are set into motion by the batterers threats, intimidation, physical and sexual violence, emotional abuse and financial control.





BATTERER-GENERATED RISKS TO CHILDREN

Batterers place children and adult victims at risk of emotional and physical harm through their tactics of maintaining power and control in the relationship. Some key risks posed by batterers are as follows:

Risk of physical or sexual abuse of the child by the batterer

Multiple studies indicate that there is greater risk for physical¹¹ or sexual¹² abuse of children by batterers. This risk may increase if the victim leaves the batterer due to the batterer's tendency to retaliate and the victim's inability to monitor parenting.

Risk of psychological abuse and manipulation

Batterers tend to use verbally abusive parenting styles¹³ and use children as weapons against the adult victim.¹⁴ If the batterer and adult victim are separated, visitation can be used as an opportunity to manipulate the children as a means of controlling their mother.¹⁵

Risk of exposure to threats or acts of violence towards their mother or in their father's new relationship

Children who are exposed to their mother's batterer are likely to actually witness the batterer's violence and threatening behaviors¹⁶ and experience traumatic effects.¹⁷ Assaults are likely to escalate post separation.¹⁸ Exposure to post-separation threats and violence are likely to interfere with a child's ability to heal emotionally. When a batterer kills his partner, children are likely to witness the homicide or its aftermath or to be murdered themselves.¹⁹ Additionally, there is a likelihood that the batterer will also abuse a new partner and expose the children in this new relationship.²⁰

Risk to children of the batterer as a role model and rigid authoritarian parent

Sons of batterers have a dramatically increased rate of perpetrating domestic violence as adults²¹ and daughters of batterers find it more difficult to seek help if they are battered as adults.²² A batterer is more likely to use a harsh rigid disciplinary style²³ lacking the nurturing, loving and predictable structure and style conducive to healing from the trauma experienced by exposure to battering. This style of parenting can be intimidating to children who have been exposed to violence and cause the reawakening of traumatic experiences.

Risk of neglectful or irresponsible parenting

Batterers may fail to attend to the children's needs due to their self-centered tendencies. These tendencies may be accentuated if the victim leaves the relationship, as the batterer may be caring for children for longer periods of time than they are used to. Additionally, batterers may use and intentionally engage in unhealthy or unsafe activities to be perceived by the children as the "fun" parent.

Risk of undermining mother-child relationships

The recovery of children who have been exposed to battering depends on their relationship with the non-offending parent more than any other single factor.²⁵ The batterer may interfere with that relationship by encouraging the children to defy the adult victims authority, disrespect her or feel ashamed of being close to her or by sabotaging the adult victims authority to parent.²⁶

Risk of abduction

A majority of abductions take place in the context of domestic violence, and are frequently carried out by batterers and their agents.²⁷ Post-separation parental abductions happen more

frequently two or more years after separation, and about half occur during an authorized visit.²⁸

Victims of domestic violence respond on a daily basis to risks posed by batterers. Victims' reactions to these risks may not seem, on the surface, logical and their methods of surviving and protecting their children may not be evident to an outside observer. Some of these decisions include:

- Staying in the relationship because leaving has a greater risk of death, injury to self and children or loss of children (through CPS removal, abduction or losing custody in court proceedings);
- Denying domestic violence incidents to CPS out of fear of retaliation from batterer or removal of children;
- Refusing to file a protective order fearing the batterer's retaliation may worsen their situation.

For many women and children these seemingly “illogical” and “unrealistic” decisions have in fact kept them safer and alive. The challenge for systems and advocates is to learn how to build on the strengths of the adult victim and support them in their process of seeking safety.

Intersection Between Child Victimization and Domestic Violence

As more awareness is being raised about the effects of domestic violence on children, policies and laws are being developed to help protect children from these detrimental effects. However, there is much debate about how to best protect these children. When a battered woman stays in an abusive relationship because she believes that if she leaves she and her children will be in more danger, is she protecting her children or failing to protect her children by exposing them to further violence? When is a case of domestic violence considered to be a child maltreatment case?

Although both researchers and practitioners have known for years that domestic violence and child maltreatment often coexist in families, only recently have communities and individuals from various professions begun to question the wisdom of responding to these forms of violence and abuse as though they were separate, unrelated issues. Across the nation many courts, policy makers, and service providers are struggling to find answers to such questions as: How can child protective workers and domestic violence advocates work together to enhance the safety of multiple victims in violent homes? How can communities protect battered women or men and their children and hold perpetrators accountable for their violence? How can juvenile courts protect children without re-victimizing the parent who is being battered?

The National Council of Juvenile and Family Court Judges responded to this challenge by initiating a project to develop guidelines for practice and policy in cases where intimate partner violence and child maltreatment overlap. In 1999 the Council published *Effective Intervention in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice*, commonly referred to as "The Green Book." The book takes a hard look at complex and challenging issues, especially some of the long-held positions and traditions of domestic violence advocates and children's protective service workers. Judicial professionals are also challenged to take greater leadership in dealing with the intersection of adult and child abuse. The recommendations offered are intended to move us as a nation beyond divisions to a method of seamless service delivery which really has at heart the best interest and safety of all members of the family.

Following in the footsteps of The Greenbook, The West Virginia Coalition Against Domestic Violence addresses the overlap of domestic violence and child maltreatment in West Virginia through the West Virginia Domestic Violence/Child Victimization Study and Policy Workgroup. The Workgroup consists of representatives from licensed domestic violence programs, child protective services, child advocacy programs, legal council for children, circuit court judges, family court judges, magistrates, batterer intervention programs, law enforcement and court appointed special advocates. The purpose of the Workgroup is to develop a process to examine the complex and challenging issues faced by long-held philosophies and traditions of the diverse systems among professionals working with domestic violence and child maltreatment. The most recent interim report from the Workgroup summarizing an analysis of the issues and recommendations for practice and policy in West Virginia can be found at www.wvcadv.org.

For further information or to request a copy of the Green Book contact:

The National Council of Juvenile and Family Court Judges

P.O. Box 8970
Reno, NV 89507
(775) 784-6012



THE LETHALITY OF DOMESTIC VIOLENCE

Without effective early intervention, domestic violence can escalate in severity and lead to death. When domestic violence results in homicide, it is often a reflection of the community's failure to recognize the severity and potential lethality of the problem, and to address its critical role in intervention.

Separation Violence

Many, perhaps most, people believe that battered women will be safe once they separate from the batterer. They also believe that women are free to leave abusive relationships at any time. However, leaving does not usually put an end to the violence. Batterers may, in fact, escalate their violence to coerce a battered woman into reconciliation or to retaliate for what the batterer perceives as rejection or abandonment. Men who believe they are entitled to relationships with battered women or that they “own” their female partner view women’s departure as an ultimate betrayal, which justifies retaliation.

When battered women are killed by their abusers, it frequently occurs after they have been separated from them or have taken other action to end the relationship. Since society continues to question why women remain in abusive relationships, it is essential to consider how dangerous and difficult it often is for battered women to leave abusive partners. Many women stay because of a reasonable fear that they will suffer injury or death if they attempt to end the relationship.

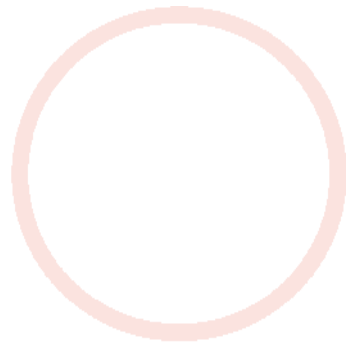
Unfortunately, when batterers murder their partners, these tragedies are usually portrayed as unintentional “crimes of passion” caused by a man’s intense love for the woman and

TIP

One thing you can do to help a battered woman increase her safety – regardless of whether she stays or leaves – is to help her prepare a Safety Plan using the form on Page 63. This plan should be revised whenever necessary, even daily, in order to ensure ongoing safety.

inability to live without her. Murder is the ultimate expression of the batterer's need to control the woman's behavior.

Although leaving may be dangerous, it does not mean that the battered woman should stay. Staying with the batterer is highly dangerous; violence usually increases in frequency and severity over time. A batterer may engage in preemptive strikes, fearing abandonment or anticipating separation even before the battered woman reaches a decision to leave. Although leaving may pose additional hazards, at least in the short run, the research data and the experience of advocates for battered women demonstrate that ultimately a battered woman can best achieve long term safety and freedom apart from the batterer.

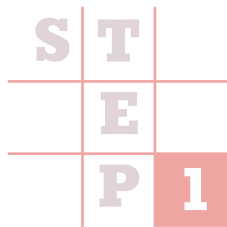


- Have a child in common, regardless of whether they have ever married or lived together; or
- Are the father, stepfather, mother, stepmother, brother or sister of a family or household member described above.

The actual WV State Code pertaining to Domestic Violence is found in Chapter 61 (Criminal) and Chapter 48 (Civil.) The current code can be found online at <http://www.legis.state.wv.us/legishp.html> or on the WVCADV website at www.wvcadv.org.

STEP ONE: The Petition

The first step in getting a protection order is filing a petition with the magistrate. The victim may file in the county where the abuser lives, the county where the abuse occurred or the county where the victim

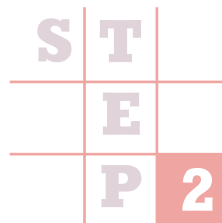


lives. The victim can get the petition form in the magistrate’s office in their county. The magistrates are available on a 24-hour basis. There is no fee to file a petition. Victims who are unable to pay court costs may file a financial affidavit, which is also at the clerk’s office.

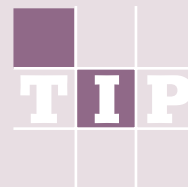
The magistrate’s assistant will help victims fill out the petition but may not tell them what to say or give them advice. If the magistrate’s assistant does not offer help, persons may ask for assistance. They will be asked to describe the violence or threats that caused them to file the petition. If the victim can remember, it is helpful to be as specific as possible in describing what happened, using exact dates and quotes.

STEP TWO: The Emergency Order

After a victim has filed her petition, and if the magistrate believes the victim is in danger, the magistrate will give her an emergency protection order right away. This emergency order is only temporary, because the abuser has the right to tell his side of the story at a final hearing before a family court judge.



rights of the victim throughout the legal process. Contacting or making a referral to a domestic violence advocate from a licensed domestic violence program (numbers are listed on page 67) is highly recommended when a victim is seeking services from the legal system.



Here are some tips a helper can give to a victim going through this process:

Bring evidence of the abuse to the hearing.

If someone saw the abuser hit you, heard you call for help or saw your injuries, ask that person to accompany you to the hearing.

Keep a journal or photographs documenting your abuse, and bring those to the hearing.

If a doctor ever treated you for conditions related to

your abuse, bring your medical records. (If necessary, they can be subpoenaed.)

Police records are important evidence if the police have ever been called. These records can be subpoenaed as well as the officers who responded to the call.

If possible, do not go to court alone. Bring a friend, or ask your local domestic violence program to send an advocate with you. If you feel you are in danger in the courtroom, request that a police officer or bailiff be present at the hearing.

The magistrate will ask you about the abuse that you reported on your family violence petition. Answer the questions fully and honestly.

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STEP THREE: The Final Hearing

The magistrate will schedule a hearing within ten days after the victim files the petition for a protective order. The final hearing will be held before the family court judge. The court will let the abuser know about the hearing and provide him with a copy of the victim's petition and emergency order. At the hearing, the victim and the abuser will both tell their sides of the story, then the family court judge will decide whether to give the victim a 90 or 180 day protective order. If the victim cannot attend the hearing for a good reason, she will need to file a written motion at the circuit clerk's office to ask for a continuance. If the family court judge grants the victim's request, the hearing will be rescheduled. If the victim does not appear for the final hearing and did not ask for a continuance, the protective order will be dismissed.

STEP FOUR: The Protective Order

At the end of the hearing, the family court judge will tell the victim whether she will receive a protective order and how long it will be effective. The protective order will be effective for 90 or 180 days and will order the abuser not to hurt or threaten the victim or her children. The protection order may include other things as well, such as temporary custody of the children, the home or car, visitation arrangements of the children, child support and ordering the abuser to not contact the victim and participate in an intervention program for perpetrators. These arrangements are only in effect as long as the protection order is valid.

The victim will be given a copy of the protective order and should keep it with her at all times. The protective order is valid in every county in West Virginia and every state, Indian tribe or territory of the United States. If the victim relocates to another state, she must give the local police a copy of the protection order to verify its existence.

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A victim who has been denied an emergency protective order may file a petition for appeal of the denial, within five days of the denial, to the family court. If a protective order is granted and whether the victim or the abuser disagrees with the terms, either of them can appeal within ten days to the circuit court to change the order. If circumstances change, either party can file a motion in family court to modify the protection order.

Extending a 90-day Protection Order:

The family court is required to grant a request for extension if the request is in writing to the court and it is made while the initial order is still in effect.

WEST VIRGINIA DOMESTIC VIOLENCE CRIMINAL ACTS

Domestic battery. — If any family or household member unlawfully and intentionally makes physical contact of an insulting or provoking nature with another family or household member or unlawfully and intentionally causes physical harm to another family or household member, he or she is guilty of a misdemeanor, and, upon conviction thereof, shall be confined in jail for not more than twelve months, or fined not more than five hundred dollars, or both fined and confined.

Domestic assault. — If any family or household member unlawfully attempts to commit a violent injury of another family or household member or unlawfully commits an act which places another family or household member in reasonable apprehension of immediately receiving a violent injury, he or she is guilty of a misdemeanor, and, upon conviction thereof, shall be confined in jail for not more than six months, or fined not more than one hundred dollars, or both fined and confined.

Third offense. — A family or household member who has been convicted of a third or subsequent domestic battery and/or domestic assault, assault and/or battery when committed against a family or household member, or any combination of such offenses, Not all persons obey protection orders. If the police see the abuser



If a helper is assisting a victim fill out a petition, the following tips may facilitate a smoother process:

Encourage the victim to tell what her injuries were; what kind of medical treatment she required; whether her abuser has ever used a weapon against her; or whether she has ever called the police for help.

She should note if her partner has threatened to kill her or if she fears he might try to.

It may be helpful to show the magistrate the actual injuries or photographs of the injuries.

If her partner has abused her often in the past, the petitioner should state this.

In the petition, the victim must state what she wants the protection order to do. Encourage the victim to request everything she needs.

is guilty of a felony if such offense occurs within ten years of a prior conviction of any of these offenses. Upon conviction, the abuser shall be confined in the penitentiary not less than one or more than five years and fined not exceeding five hundred dollars.

STALKING CRIMINAL ACTS

Stalking. Any person who knowingly, willfully, and repeatedly follows and harasses, or knowingly, willfully, and repeatedly follows and makes a credible threat or knowingly, willfully and repeatedly harasses and makes a credible threat against a person with whom he or she has, or in the past has had or with whom he or she seeks to establish a personal or social relationship, whether or not such intention is reciprocated, or against a member of that person's immediate family, with the intent to place that person in reasonable apprehension that he or she or a member of his or her immediate family will suffer death, bodily injury, sexual assault, battery or kidnapping, is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county or regional jail for not more than six months or fined not more than one thousand dollars, or both.

"Harasses" means knowing and willful conduct directed at a specific person which is done with the intent to cause mental injury or emotional distress.

"Credible threat" means a threat of bodily injury made with the apparent ability to carry out the threat and with the result that a reasonable person would believe that the threat would be carried out.

"Bodily injury" means substantial physical pain, illness or any impairment of physical condition.

"Immediate family" means a spouse, parent, child, sibling, or any person who regularly resides in the household or within the prior six months regularly resided in the household.

What if the Abuser Violates an Order?

Not all persons obey protection orders. If the police see the abuser violating the protection order, they must arrest him immediately. If the police do not see the abuser violating the protection order, the victim may file a civil contempt petition or a criminal complaint. These options may be used one at a time or both at once.

1. Civil contempt. A civil contempt petition may be filed for any violation of the protection order. The protection order clarifies what the abuser can and cannot do. When a contempt petition is filed, the family court must order the abuser to appear at a “show cause” hearing within five days. At this hearing the abuser must explain why the court should not hold him in contempt.

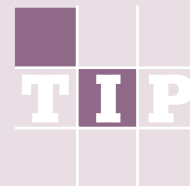
2. Criminal complaint. If the abuser has disobeyed the order and abused the victim or has come to the victim’s home, to the victim’s place of work, or any other place the abuser was ordered not to be, the victim may also file a criminal complaint against the abuser. Based on this complaint, the magistrate will decide whether to issue a warrant for arrest of the abuser. In the complaint, the victim can ask the magistrate to deny bail or grant it only on the condition that the abuser does not come in contact with the victim. If the abuser is found guilty of violation of a protection order, he/she must spend at least 24 hours in jail and pay a fine of at least \$250. He/she could be sentenced to up to a year in jail.

FEDERAL LAW

In 1994, Congress passed the Violence Against Women Act (VAWA), which offered the following legal protections to victims of domestic violence.

Full Faith and Credit

The Violence Against Women Act requires all state, territorial and tribal courts to afford “full faith and credit” to protection orders issued by all other state, territorial and tribal courts. This means that a valid protection order issued in one state is enforceable in any other state, territory, or tribal land to which the victim of domestic violence travels. (18 U.S.L. 2265)



Here are some tips an advocate or helper can give to a victim when helping her through this process:

If the abuser breaks the protection order, you should call the police immediately.

When the magistrate or family court judge gives you a protection order, the magistrate should offer you a form called a “consent to enter affidavit.” This gives the police permission to enter your home without a warrant to enforce the protection order.

Protect yourself by taking precautions such as changing the locks on your home and asking neighbors to check on you regularly.

(See Page 82 for a fill-in-the-blanks safety plan that you may help a victim fill out.)

TIP

If a helper is assisting a person who is a victim of gender-motivated violent crime, suggest that she:

- Tell someone she can trust – a rape crisis counselor, a victims' advocate or other confidant.
- Seek medical treatment.
- Report the crime to law enforcement.
- Preserve evidence and get a list of witnesses.
- Write down exactly what happened.
- Contact a prosecuting attorney.
- Understand the Legislation: WV Hate Crimes Act S 61-6.21.

INTERSTATE DOMESTIC VIOLENCE CRIMES

The Violence Against Women Act created these new federal crimes:

“Interstate domestic violence,” which prohibits traveling across a state line with the intent to injure, harass, or intimidate a person’s spouse or intimate partner, or forcing a person’s spouse or intimate partner to cross state lines in the course of committing domestic violence. (18 U.S.C. 2261)

“Interstate violation of a protection order,” which prohibits crossing state lines with the intent to violate a valid protection order, or forcing a spouse or intimate partner to cross a state line in violation of a valid protection order.

“Interstate stalking” which prohibits crossing state lines with the intent to injure or harass another person and as a result places that person in reasonable fear of death or serious bodily injury. (18 U.S.C 2261A)

FIREARMS AND DOMESTIC VIOLENCE

The Violence Against Women Act (VAWA) prohibits an individual who is the subject of a final protection order or who has been convicted of a domestic violence crime to buy, receive, or possess firearms. (18 U.S.C. 922(g))

BATTERED IMMIGRANT SPOUSES

Provisions of the Violence Against Women Act provide for abused non-citizen spouses and their children to gain legal status independent of their abusers by self-petitioning the courts without the assistance or knowledge of their spouse who is a lawful permanent resident or a United States citizen. A “green card” may be applied for through this VAWA self-petition if the woman is:

- Married to a US Citizen or a Lawful Permanent Resident.
- Living in the United States.
- Physically, emotionally or sexually abused by her husband.

If the “green card” held is conditional and a second interview is pending, a battered immigrant woman may qualify for a Battered Spouse Waiver. If the battered spouse is already in deportation proceedings, she may be able to apply for Cancellation of Removal.

Important: If the battered immigrant spouse is undocumented and planning to get a divorce, she should contact an immigration attorney before filing divorce papers. A divorce may prevent her from attaining legal immigration status.

Regardless of immigration status, women have the right to be safe in their own home and to leave anyone who is physically, emotionally or sexually abusive to them. Battered immigrant women have the right to obtain a protection order, custody, child support and safe housing at a domestic violence shelter even if they are undocumented. In the protection order a request can be made for the abuser to turn over documents and information needed to win a VAWA self-petition immigration case. Battered immigrant women do not have to tell the police about their immigration status for them to enforce their protection order. During any Family Court hearing, the judge should not ask the battered immigrant woman about her immigration status. If the abuser makes an issue of her immigration status, advise her to seek the assistance of an attorney with custody and immigration experience immediately.

If the battered immigrant woman is abused by a U.S. citizen or lawful permanent resident spouse, under certain circumstances she may qualify for public benefits (emergency food, medical card and public benefits for children).

Battered immigrant women have the right to consult with an immigration attorney about immigration options that are available to them.

For help finding an immigration attorney, or assistance in self-petitions, contact your local domestic violence program.



HEALTHCARE RESPONSE TO DOMESTIC VIOLENCE

During the past fifteen years, there has been a growing recognition among health care professionals that domestic violence, also known as intimate partner violence is a highly prevalent public health problem with devastating effects on individuals, families and communities. Most Americans are seen at some point by a health care provider, and the health care setting offers a critical opportunity for early identification and prevention of abuse. Studies show that assessing for intimate partner violence in medical settings has been effective in identifying women who are victims²⁹ and that patients are not offended when asked about current or past intimate partner violence.³⁰

Domestic violence is a health problem of enormous proportions. It is estimated that between 20 and 30% of women and 7.5% of men in the United States have been physically and/or sexually abused by an intimate partner at some point in their adult lives.^{31,32,33} Heterosexual women are five to eight times more likely than heterosexual men to be victimized by an intimate partner.³⁴ From 1993 to 1998, victimization by an intimate accounted for 22% of the violent crime experienced by females and 3% of the violent crime sustained by males.³⁵ Women aged 16-24 experience the highest per capita rate of intimate partner violence.³⁶

In addition to injuries sustained by women during violent episodes, physical and psychological abuse are linked to a number of adverse medical health effects including arthritis, chronic neck or back pain, migraine or other types of headache, sexually transmitted infections (including HIV/AIDS), chronic pelvic pain, peptic ulcers, chronic irritable bowel syndrome, and frequent indigestion, diarrhea, or constipation.³⁷ Six percent of all pregnant women are

battered and pregnancy complications, including low weight gain, anemia, infections, and first and second trimester bleeding, are significantly higher for abused women, as are maternal rates of depression, suicide attempts, and substance abuse.³⁸

The health care system plays an important role in identifying and preventing public health problems. Models developed to identify other chronic health problems can effectively be applied to domestic violence. Routine inquiry, with a focus on early identification of all victims of intimate partner violence whether or not symptoms are immediately apparent, is a primary starting point for this improved approach to medical practice for intimate partner violence.³⁹ Regular, face-to-face screening of women by skilled health care providers, markedly increases the identification of victims of intimate partner violence, as well as those who are at risk for verbal, physical, and sexual abuse.^{40,41}

A host of professional health care associations have issued position statements to their members describing the impact of intimate partner violence on patients and suggesting strategies for assessment and identification of abuse. These statements represent important steps in raising awareness about intimate partner violence in health care settings.

(Excerpted from The Family Violence Prevention Fund's *National Consensus Guidelines on Responding to Domestic Violence Victimization in Health Care Settings*)

What Can Health Care Providers Do to help?

- Be trained on intimate partner violence by knowledgeable domestic violence advocates.
- Develop appropriate and safe screening and response procedures within your health care facilities.
- Develop a relationship with your local domestic violence program and include them in creating the assessment, screening and intervention guidelines for your facility.

It is strongly suggested that any health care worker or facility be in contact with their local licensed domestic violence program or the West Virginia Coalition Against Domestic Violence, before beginning a facility wide screening and response program, in order to produce the safest and most appropriate response protocols for both victims and staff.

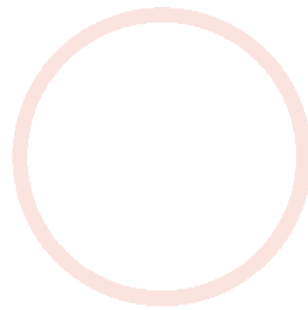
Domestic Violence and Mental Health

A powerful connection exists between physical and sexual abuse and mental health damage. This connection exists in mental illness that pre-dates an abusive relationship and mental illness that is a result of abusive experiences. Persons with mental illness are more vulnerable to emotional abuse and less able to protect themselves through systems that may view them as less than credible. Intimate partner violence can exacerbate an existing illness and can result in a mental illness diagnosis (depression, anxiety, panic attacks, adjustment disorders and post traumatic stress disorder, etc.).

Conflicting treatment modalities and lack of quality services further traumatize victims of domestic violence with mental health concerns. Many victims of domestic violence report “feeling crazy” as a result of the abuser’s tactics of control. They seek the services of mental health practitioners to resolve symptoms that result from their abuser’s “crazy making” tactics and as an attempt to “cure” illnesses that they (and their abusers) feel are causing the violence. When these “symptoms” are the focus of treatment without considering the debilitating effects of the battering relationship, the blame is shifted to the victim, the perpetrator is not held responsible for the abuse, the violence continues, and the victim’s safety is not addressed. Victims benefit greatly from knowing that they do not contribute to the violence and that the violence is the responsibility of choices made by the perpetrator. When given the tools to deal with their mental illness and with the dynamics of domestic violence, victims are in a better place to make safe choices.

Victims of domestic violence with mental health issues that

either precedes or is a result of their abusive relationship, encounter greater obstacles in seeking services when their mental illness is more severe. A person who is experiencing symptoms from her mental illness that may interfere with communal living environments (e.g. hallucinations, paranoia, mania etc.) may not be appropriate for admission to a shelter. A person who is in danger from her abuser, but is exhibiting behaviors that interfere with effective communication, challenges society's norms and sometimes frightens other shelter residents. National, state and local efforts are seeking collaborative efforts to improve resources and provide safe refuge for victims with severe mental health issues.







DOMESTIC VIOLENCE AND ECONOMICS

Domestic Violence can create serious and often complex economic issues for victims and their children. One often heard reason given by victims for not leaving an abusive relationship is financial, especially when there are children involved. While self-sufficiency is a key to establishing a life independent from the batterer, this objective may be overwhelming for someone who is struggling to simply stay alive and live safely.

Economic abuse is frequently one of the tactics used by a batterer in order to control a partner and her daily movements. This can take many forms, such as withholding financial information from her, taking away her public assistance or pay check, having bank accounts in his name only, making her account for every penny she spends, ruining her credit and essentially controlling all aspects of financial dealings in the family.

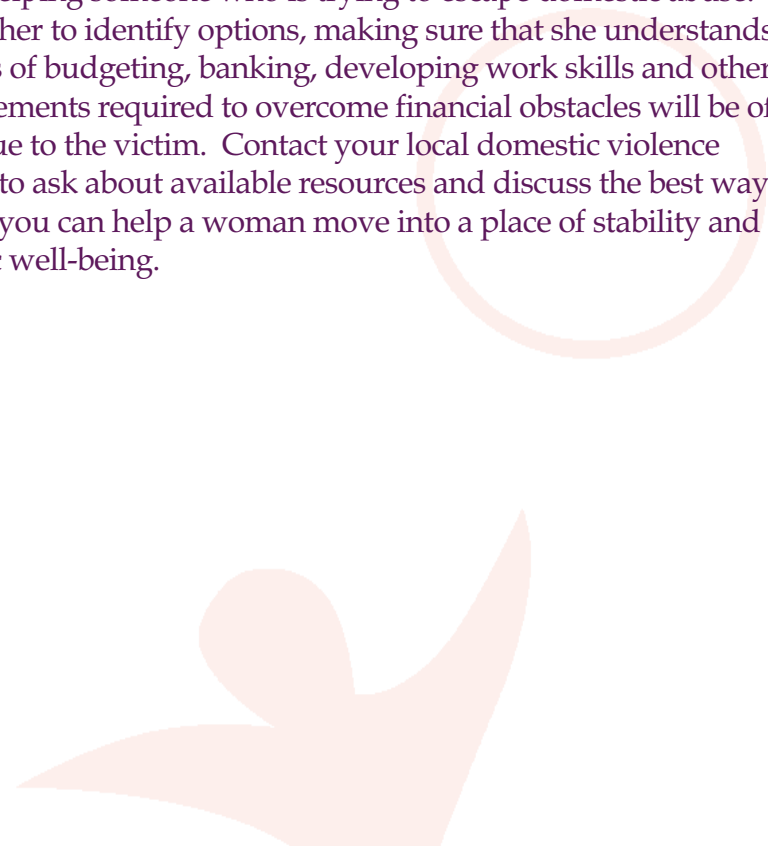
Additionally, he may deny her access to the education and training needed to enhance her ability to get a job. Even if he allows her to attend school, he may undermine her chances of successfully completing the education that she is seeking. Some of the ways that he might do this are to not let her use the car to get to classes, destroy homework, physically abuse her before an exam, and other tactics designed to keep her from accomplishing her goals. In the workplace, whether or not she has left the abusive relationship, he may continue to harass her or create such difficulties that she is in jeopardy of losing or quitting her job.

While women of all socioeconomic groups may be victims of domestic violence, there is a greater vulnerability for women who live in poverty, because they have fewer options and resources to draw upon. In addition, when accessing welfare, women living



with abusive partners may find it difficult to comply with the TANF (Temporary Assistance for Needy Families) work activities required of them, especially if they are still living with the batterer. The Wellstone-Murray Amendment, called the Family Violence Option (FVO) allows for a victim of domestic violence to receive a waiver from work activities for a period of time while she tries to make the adjustments needed in her life in order to live safely apart from her abuser. Many women, however, do not feel safe enough to confide in their caseworker about the domestic violence, and therefore do not receive this waiver which will keep them from being sanctioned to receive assistance.

Understanding the options available to assist a woman to move into a place of safety and self-sufficiency is a valuable tool for anyone helping someone who is trying to escape domestic abuse. Helping her to identify options, making sure that she understands the basics of budgeting, banking, developing work skills and other critical elements required to overcome financial obstacles will be of great value to the victim. Contact your local domestic violence program to ask about available resources and discuss the best ways in which you can help a woman move into a place of stability and economic well-being.





DOMESTIC VIOLENCE and COMMUNITIES of FAITH

Two out of every three Americans are affiliated with a religious, spiritual, or faith-based group or organization, and approximately one out of every four Americans is an active member of such a community. Based on the breadth and reach of these organizations, it is not surprising that many victims of domestic violence turn to religious leaders for guidance in dealing with violence. Some religious, spiritual, and faith-based organizations provide victims with well informed, practical, and spiritual guidance, including referrals to other organizations.

Religious organizations are essential to the culture and sustenance of communities and are uniquely positioned to champion efforts to end domestic violence. Although philosophical differences have created tension between some religious, spiritual, and faith organizations and victim advocates, common ground can be found in shared interest to end violence.

Faith-based groups and organizations often have strong relationships with communities of color, older women, women with disabilities, and immigrant communities. With messages of safety and support for victims and with information about offender accountability religious organizations can reach large numbers of people often underserved by other groups. Establishing training for and by members of religious communities and building the capacity to address the issue will strengthen the role of religious communities in ending domestic violence.

Outlined below are specific actions religious, spiritual, and faith-based organizations can take to end domestic violence.

What Communities of Faith Can Do To Make a Difference?

- **Become a safe place.** Make the church, temple, mosque, or synagogue a safe place for victims of domestic violence. Display materials that include local, state, and national hotlines for these victims.
- **Educate the congregation.** Routinely include information about domestic violence in monthly newsletters, on bulletin boards, and in marriage preparation classes, and sponsor educational seminars on domestic violence.
- **Speak out.** Speak out about sexual assault and domestic violence from the pulpit. A faith leader can have a powerful impact on people's attitudes and beliefs.
- **Lead by example.** Volunteer to serve on the board of directors at the local domestic violence program or attend training to become a volunteer.
- **Offer space.** Offer meeting space for educational seminars and weekly support groups or to serve as a supervised visitation site when parents need a safe place to visit their children.
- **Partner with existing resources.** Include local domestic violence programs in donations and community service projects. Adopt a shelter for which the church, temple, mosque, or synagogue provides material support or provide similar support to families as they rebuild their lives following a shelter stay.
- **Prepare to be a resource.** Seek out training from professionals in the field of domestic violence. Do the theological and scriptural homework necessary to better understand and respond to domestic violence.

- **Intervene.** If suspicions that violence is occurring in a relationship or in a family exist, speak to each person separately. If an individual is being or has been victimized, speak to her privately. Help the victim plan for safety, and refer her to the community resources available to assist her.
- **Support professional training.** Encourage and support training and education for clergy and lay leaders, chaplains, and seminary students to increase their awareness about sexual assault, dating and domestic violence, and stalking.
- **Address internal issues.** Encourage continued efforts by religious institutions to address allegations of abuse by religious leaders to ensure that religious leaders are a safe resource for victims and their children.

(Adapted from toolkit to End Violence Against Women from the National Advisory Council on Violence Against Woman and Violence Against Woman Office)

Unfortunately, domestic violence is so prevalent that it is almost certain that there are both victims and abusers in every faith community. Faith communities have great potential to help both victims and abusers. However, it is important to intervene in a way that does not make a difficult situation worse.

The chart on the next page lists ways in which faith communities act as a resource or a roadblock to victims and abusers. The most important thing your community can do is develop a relationship with the domestic violence program that serves your area, and work collaboratively with that program to ensure that both the spiritual and secular needs of victims and abusers in your faith community are met.

Domestic Violence In Communities of Faith



Faith Communities as a Resource

Assisting victims in meeting their secular needs (for example, physical safety, shelter, and legal protection) as well as their spiritual needs by helping them contact the domestic violence program that serves their area.

Combining prayer and supportive counseling with the understanding that abusers be held accountable for the abuse.

Referring abusers to intervention and prevention programs, thus placing the responsibility for the abuse (and for stopping it) on the abuser.

Using scripture as a tool to ensure peace and security in the home.

Faith Communities as a Roadblock

Addressing victim's spiritual needs without also helping them address their secular needs.

Offering prayer and supportive counseling as a substitute for accountability when working with abusers.

Agreeing to provide mediation or couples counseling for abuser and victims, or providing counseling only to the victim, thus sending the message that she is the one who needs to change her behavior.

Misusing scripture as a tool of justification for domestic violence.

Domestic Violence In The Work Place

For the past several years, employers and managers have been increasingly aware of the effect that domestic violence can have on their employees - and on the “bottom line” of a business. In a 1997 national survey, 24% of women between the ages of 18 and 65 had experienced domestic violence. Furthermore, 37% of women who had experienced domestic violence report that this abuse had an impact on their work performance in the form of lateness, missed work, keeping a job, or career promotions.

They are right to be concerned: victims of domestic violence may be especially vulnerable while they are at work. The lethality of domestic violence often increases when the batterer believes that the victim has left the relationship. Once someone attempts to leave an abusive partner, the workplace can become the only place the assailant can find their target.

Several states now require all state agencies to adopt workplace policies on domestic violence. Other states have passed laws requiring the state domestic violence commission to create model workplace policies for voluntary adoption by private employers. Many leading corporations have already adopted such policies and some states have proposed legislation that would provide monetary incentives for private employers to adopt such policies or to institute domestic violence awareness and training programs at their worksites.

The Family Violence Prevention Fund developed the following recommended provisions for domestic violence workplace policies. This list is not meant to be all-inclusive.

- Prohibiting discrimination against employees because they are victims of domestic violence.
- Establishing confidential means for reporting domestic violence.
- Defining domestic violence broadly to include dating and same-sex violence.
- Providing education and training on domestic violence to all employees and designate a coordinator.
- Posting resource and referral information in easily accessible and highly visible location.
- Recognizing that domestic violence victims may have performance or conduct problems and providing them with assistance and a reasonable amount of time to address these problems.
- Adjusting work schedules and providing flexible paid and unpaid leave so that victims can obtain necessary medical care, counseling or legal assistance.
- Increasing the safety of the workplace by reviewing the safety of parking arrangements, strictly enforcing civil protection orders, screening phone calls, developing safety plans with victims, and relocating employees to an alternative worksite, if necessary.
- Disciplining, up to and including discharge, employees who threaten or abuse others on work time or use work resources, and consider sanctioning those who perpetrate unlawful violence outside the workplace.
- Ensuring that health insurance policies do not discriminate against domestic violence victims.

Employers can consider the following policies that are helpful to victims of domestic violence

Leave Policies.

An employer may have paid or unpaid leave policies. In addition, victims may be eligible for leave under the Family and Medical Leave Act or similar local laws. This leave can allow the victim to have time off to go to court or to recover from injuries.

Disability Policies.

An employer may provide paid disability leave. In addition, victims may be eligible for a job accommodation for disabilities caused by domestic violence under the Americans with Disability Act or similar local laws.

Collective Bargaining Agreements.

If a victim belongs to a union, collective bargaining agreement may cover the situation. In addition, some unions have adopted workplace violence or domestic violence policies that explain how an employer's workplace policies apply in domestic violence cases.

Sexual Harassment Policies

If the abuser is the victim's coworker or supervisor, and he harasses or sexually assaults her at work, then the employer's sexual harassment policy may cover the situation.

Domestic Violence or Workplace Violence Policies

Some employers have adopted domestic violence or workplace violence policies that may be helpful to a victim of domestic violence.

For more information about domestic violence in the workplace, go to: <http://endabuse.org/programs/workplace/> or contact:
NOW Legal Defense and Education Fund
395 Hudson Street • New York 10014
Ph: 212-935-6635 • Fax: 212-226-1066
Email: ersa@nowldef.org



HOW YOU CAN HELP THE VICTIM

Many battered women either don't know who to turn to or have had bad experiences when they've reached out for help. Your willingness to help can be important to a victim in her safety planning efforts. While being willing and well-intentioned is good, being prepared to offer the kind of help battered women need is even better.

How can I know for sure if she's being abused?

The only way to know for sure if someone you know is being abused is to *ASK*. One of the common myths about battered women is that they don't want to talk about their victimization. While many battered women do make efforts to hide the battering, they often do so because they fear embarrassment, their partner finding out, being blamed, not being believed, or being pressured to do something they're not ready or able to do. Directly asking a woman *in private*, without judgment, without pressure, and even without expectation that she will trust you enough to disclose, relieves her of the burden of coming forward on her own, and can tell her about your concern, caring, and willingness to help.

Keep it simple. If there are specific observations that are the source of your concern, you might say something like, "I noticed 'x, y and z' and I'm concerned about you and wonder if there is something I can do to help." Or, "It seems like you're stressed out and unhappy. If you want to talk about it now or some other time, I'll keep it between us."

People are sometimes hesitant to approach a woman about their concern for her safety because they feel that it is "none of their business," or that their offer of help will be unwelcomed. But the notion that "what happens behind closed doors" is off limits is a notion that has contributed greatly to women's isolation from help and support. Your risk of being rebuffed is relatively minor in

comparison to the risk of contributing to her isolation.

If you ask, be prepared to respond supportively

There are many things you can do to prepare yourself to offer supportive and empowering assistance to a battered woman.

- **Educate yourself about domestic violence** - Read this guide, talk to a domestic violence advocate, read some of the materials listed in the back of this book.
- **Initiate a conversation in private** and when you have enough time to talk with her at length, if she chooses to.
- **Let go of any expectations you have** that there is a “quick fix” to domestic violence or to the obstacles a woman faces. Understand that a woman’s “inaction” may very well be her best safety strategy at any given time.
- **Challenge and change any inaccurate attitudes and beliefs that you may have about battered women.** Battered women aren’t battered because there’s something wrong with them. Rather, they are women who become trapped in relationships by their partners’ use of violence and coercion. The better able you are to recognize and build on the resilience, courage, resourcefulness and decision-making abilities of battered women, the better able you will be to help them.
- **Challenge and change any inaccurate attitudes and beliefs that you may have about people from cultures different from yours.** Battered women are many times re-victimized by systems that are supposed to help. This happens through sexism, racism, ageism and heterosexism. Although domestic violence crosses all cultural, educational, social, economical and age boundaries, these factors play an important role in the consequences of the abuse for the victim and in determining what interventions are needed.

“Do’s” of providing supportive and empowering help

- **Believe her**—and let her know that you do. If you know her partner, remember that batterers most often behave differently in public than they do in private.

- **Listen to what she tells you.** If you actively listen, ask clarifying questions, and avoid making judgments and giving advice, you will most likely learn directly from her what it is she needs.
- **Build on her strengths.** Based on the information she gives you and your own observations, actively identify the ways in which she has developed coping strategies, solved problems, and exhibited courage and determination, *even if her efforts have not been completely successful*. Help her to build on these strengths.
- **Validate her feelings.** It is common for women to have conflicting feelings—love and fear, guilt and anger, hope and sadness. Let her know that her feelings are normal and reasonable.
- **Avoid victim blaming.** Tell her that the abuse is not her fault. Reinforce that the abuse is her partner’s problem and his responsibility, but refrain from “bad-mouthing” him.
- **Take her fears seriously.** If you are concerned about her safety, express your concern without judgment by simply saying, “Your situation sounds dangerous and I’m concerned about your safety.”
- **Offer help.** As appropriate, offer specific forms of help and information. If she asks you to do something you’re willing and able to do, do it. If you can’t or don’t want to, say so and help her identify other ways to have that need met. Then look for other ways that you *can* help.
- **Be an active, creative partner in a woman’s safety planning effort.** The key to safety planning is taking a problem, considering the full range of available options, evaluating the risks and benefits of different options, and identifying ways to reduce the risks. Offer ideas, resources and information. For more information on safety planning, see the Personalized Safety Plan on page XX.



A victim can be empowered by knowing her rights:

- ✂ Everyone has rights—including the right to make their own decisions.
- ✂ Everyone has the right to be believed by those they tell about the violence.
- ✂ Everyone has the right to not be blamed for their partner's violence.
- ✂ The victim of the violence is the expert about their own situation and they have the right to make their own decisions about what to do or not to do.
- ✂ Everyone has the right to be supported in whatever decisions they make.

Domestic violence advocates are often the best people to turn to in order to have your rights upheld. They are there to help you identify options and evaluate the risks and benefits of those options, not to pressure you to do something you're not ready or able to do. They are there to listen, to inform, and to support you. With a domestic violence advocate, you can expect to be treated with respect for your right to self-determination. Only you can decide what's best for you.

- **Support her decisions.** Remember that there are risks attached to every decision a battered woman makes. If you truly want to be helpful, be patient and respectful of a woman's decisions, *even if you don't agree with them*. Remember that battered women carry experiences, cultural beliefs, values and coping mechanisms that are different from yours. Acknowledge these experiences without judgement.
- **Keep information given to you confidential.** Disclosing information about violence could increase the danger for the victim and her children. Disclosing a lesbian relationship can expose the victim to consequences related to homophobia.

HELP FROM COMMUNITY BASED RESOURCES

services for victims of domestic violence



The West Virginia Coalition Against Domestic Violence is a network of community-based groups serving survivors of family violence throughout the 55 counties of this state. Thirteen of these programs provide emergency shelter services on a 24-hour basis seven days a week as well as information and referral, legal advocacy, community education and a range of support services. All programs staff one or more outreach offices. These offices are county-based and provide similar services except for 24-hour emergency shelter.

Local domestic violence programs are a vital resource, providing *free* and *confidential* assistance to battered women and their children. But a victim does not have to stay in a shelter to get help from a domestic violence program. Most programs provide a full range of non-shelter related services to battered women as well.

Domestic violence program advocates have accurate information about domestic violence and are experienced in providing assistance to battered women. They understand the criminal justice, family court, and social services systems, and are familiar with other community resources that might be useful to victims.

In addition to giving you good information, advocates can often accompany victims to court, to the police station, or to social services and provide victims with practical and emotional support. Getting help from someone who has experience working with victims of domestic violence and who knows how to work with the different systems can make things a lot easier for victims.

A victim does not have to stay in a shelter to get help from a domestic violence program.

Domestic violence services are available in every county in the state. Specific services may vary from one community to another, but most programs offer the following core services.

Shelters. These offer a safe place for victims to stay if they are in need of emergency housing. While there, they can learn about available options and develop a safety plan. If victims have children, they can stay there also.

24-Hour Emergency Hotline. Advocates are available 24 hours a day to provide crisis intervention and emotional support, advocacy, information, admission into shelter and referrals if the shelter is full.

Advocacy and Other Support Services. Most programs offer some or all of the following services for women whether they are in a shelter or not: help in obtaining medical care; legal protection; housing; furniture; clothing; training and educational services; employment; social services; emergency transportation; and translation services.

Peer Support Counseling. One-on-one peer support provides information, emotional support and help in identifying options and building solutions. Programs offer referrals to long-term therapeutic services.

Battered Women's Support Groups. These groups provide victims with an opportunity to be with other women who have been abused and with whom they may have much in common. Support groups have helped many women feel less isolated, and are a good source of information on developing safety plans. They can be a very safe place to talk about whatever is on a victim's mind.

Services for Children. Counseling and support are often available to help children understand what is happening and to give them a chance to talk about their feelings.

Monitored Visitation Services. Some programs offer a protected, neutral setting for exchange or visitation with children to occur.

Perpetrator Intervention Programs. Educational programs for perpetrators are offered in some areas of the state for perpetrators of domestic violence to learn to recognize and be accountable for their abusive behavior.

licensed domestic violence programs in west virginia

Branches Domestic Violence Shelter.....(304) 529-2382 (Voice Only)
(Serves Cabell, Lincoln, Mason, Putnam and Wayne Counties)

Hotline 1-888-538-9838 (Voice/TTY)

OUTREACH OFFICES

Mason County (304) 675-4968 *

Wayne County (304) 272-9035 *

Putnam County (304) 586-3865 *

Lincoln County (304) 824-2600 *

Family Crisis Center.....(304) 788-6061 (Voice/TTY)
(Serves Grant, Hampshire, Hardy, Mineral and Pendleton Counties)

Hotline 1-800-698-1240 (Voice Only)

..... (304) 788-6556 (TTY Only)

OUTREACH OFFICES

Grant County (304) 257-4606 *

Family Crisis Intervention Center.....(304) 428-2333 (Voice Only)
(Serves Calhoun, Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt and Wood Counties)

Hotline 1-800-794-2335 (Voice)

..... 1-800-787-3224 (TTY)

OUTREACH OFFICES

Calhoun County (304) 354-9254 *

Pleasants County (304) 684-3961 *

Jackson County (304) 372-7515 *

Ritchie County (304) 643-2407 *

Roane County (304) 927-3707 *

Kid First Program (304) 428-8721 *

Family Refuge Center (304) 645-6334 (Voice/TTY)
(Serves Greenbrier, Monroe and Pocahontas Counties)

Toll Free 1-866-645-6334

OUTREACH OFFICE

Pocahontas County (304) 799-4400 *

Monroe County (304) 772-5005 *

HOPE, Inc.....(304) 367-1101 (Voice Only)
(Serves Doddridge, Gilmer, Harrison, Lewis and Marion Counties)

OUTREACH OFFICES

Harrison County (304) 624-9835 *

Gilmer County (304) 462-5352 *

Lewis County (304) 269-8233 *

Doddridge County (304) 873-1416 *

Lighthouse (304) 797-1489

(Serves Hancock and Brooke Counties)

Rape and Domestic Violence Information Center (RDVIC)

(Serves Monongalia, Preston and Taylor Counties)

..... (304) 292-5100 (Voice/TTY)

OUTREACH OFFICES

Preston County: (304) 329-1687 *

Taylor County: (304) 265-6534 *

Stop Abusive Family Environments.....(304) 436-8117 (Voice/TTY)
(Serves McDowell, Mercer and Wyoming Counties)

Hotline 1-800-688-6157

OUTREACH OFFICES

Mercer County (304) 324-7820 *

Wyoming County (304) 732-8176 *

Tug Valley Recovery Shelter.....(304) 235-6121 (Voice/TTY)
(Serves Mingo and Logan Counties)

Hotline.....1-800-478-2211 *

OUTREACH OFFICE

Logan County (304) 751-7174 *

Women's Aid in Crisis(304) 636-8433 (Voice/TTY)
(Serves Barbour, Braxton, Tucker, Randolph, Upshur and Webster Counties)

Hotline 1-800-339-1185 (Voice/TTY)

OUTREACH OFFICES

Barbour County (304) 457-5020 *
Braxton County (304) 765-2848 *
Randolph County (304) 636-8433 *
Tucker County (304) 478-4552 *
Upshur County (304) 473-0106 *
Webster County (304) 847-2211 *

Shenandoah Women's Center.....(304) 263-8292 or 263-8522(Voice/TTY)
(Serves Berkeley, Jefferson and Morgan Counties)

OUTREACH OFFICES

Berkeley County (304) 263-8522*
Morgan County (304) 258-1078 *
Jefferson County (304) 725-7080*

Women's Resource Center.....(304) 255-2559 (Voice/TTY)
(Serves Fayette, Nicholas, Raleigh and Summers Counties)

Hotline.....1-888-825-7836 *

OUTREACH OFFICES

Summers County (304) 466-4659 *
Fayette County (304) 574-0500 *
Nicholas County (304) 872-7875 *
Raleigh County (304) 255-4066 *

YWCA Family Violence Prevention Program.....(304) 232-2748 (Voice Only)
(Serves Brooke, Hancock, Marshall, Ohio and Wetzel Counties)

Hotline (in WV only) 1-800-698-1247 (Voice/TTY)

OUTREACH OFFICES

Marshall County (304) 845-9150 *
Wetzel County (304) 455-6400 *

YWCA Resolve Family Abuse Program.....(304) 340-3549 (Voice Only)
(Serves Boone, Clay and Kanawha Counties)

Hotline 1-800-681-8663 (Voice/TTY)

OUTREACH OFFICES

Clay County (304) 587-7243 *
Boone County (304)-369-4189 *

* Outreach offices have voice-only phones. In these cases, people who are deaf, deaf-blind, hard-of-hearing and speech-disabled may call the West Virginia Relay Service. The WV Relay Service, which is operated under contract by AT&T, relays conversations between people who use text telephones (TTYs) or telebraille (TB) and people who use standard telephones, 24 hours a day, every day. There is no charge to access the WV Relay Service. For more information or to use the service, call 1-800-982-8772 (Voice) or 1-800-982-8771 (TTY).

West Virginia Coalition Against Domestic Violence
4710 Chimney Drive, Suite A Charleston, WV 25302
(304) 965-3552

educational programs for perpetrators

Batterer Intervention Prevention Programs in West Virginia

Establishing batterer intervention prevention programs is an effort to provide comprehensive programs addressing the impact of domestic violence on individuals and in communities. Batterers programs are one piece of a coordinated community response involving law enforcement, prosecutors, courts, judges, communities of faith, schools, victim services, health care professionals, correctional facilities, etc. The primary purpose of programs for batterers is to maximize safety for victims of domestic violence and to hold perpetrators accountable for their violence and abusive choices.

In West Virginia, programs for batterers are rooted in the theory that the cause of domestic violence is one person's arbitrary belief in the right to exert power over another person. This power is demonstrated through a pattern of coercive control used to intimidate and manipulate the victim into responding according to the batterer's immediate demands and desires. Perpetrators of domestic and family violence are deliberate in choosing their victims and in selecting their tactical means of control. Perpetrators learn to accept violence and abuse as a means of resolving interpersonal conflict with few if any negative consequences. Only recently in West Virginia (1992) was domestic violence identified as a crime that will no longer be tolerated or excused.

Contact the local licensed domestic violence program for information on the batterer intervention prevention program in the your area.

Critical Points to Remember in Working with Batterers

- Battering is NEVER justified, excusable, provoked, hereditary, out of control, accidental or an isolated incident with no further dynamics. Disease, diminished intellect, alcoholism/addiction

or intoxication, mental illness or any external person or event does not cause battering. The batterer is responsible for his behavior, not the person who is the target of the battering.

- Battering behavior is prevalent across all lines of race, ethnicity, geography, education, social class, religion and sexual orientation.
- Men are responsible for 95% of the battering that occurs in the United States.
- Battering and abusive behavior is regulated by the batterer's estimation of probable consequences, *never* by "provocation".
- Battering is chosen behavior and, therefore, other choices can be made. Non-violent and respectful ways of participating in intimate relationships can be implemented.
- Battering has adverse, long-term psychological, emotional, physical and economic effects on the women and children who are its survivors.
- Battering is a pattern of coercive control and not a singular event.
- Batterers do *not* lose control of their behavior because they are intoxicated. Battering *is not* a secondary "symptom" to alcoholism or addiction. Intoxication and addiction are, among other things, tools of the batterer.

Intervention Strategies⁴²

- Domestic violence and drug and alcohol problems must be dealt with comprehensively.
- Domestic violence is criminal behavior and should be vigorously sanctioned by law.
- Batterer intervention services are one aspect of the larger network necessary to address domestic violence.
- Batterer intervention services must be monitored by women survivors and domestic violence programs.
- Batterer intervention services' highest priority is to promote

victims' safety, empowerment and rights. Delivery of intervention services to batterers is always secondary to the empowerment and safety of victims.

- Couples therapy is generally an inappropriate, ineffective and unsafe intervention activity with batterers. It may be appropriate once the batterer has demonstrated accountability, the (ex) partner feels an acceptable degree of safety, she freely chooses this as an option and it is clearly stated by the therapist that couples therapy *is not* being conducted to stop the violence. This option should always be in conjunction with, and secondary to, the man's involvement in an accountable batterer intervention service.
- Batterer intervention services must NEVER advocate for batterers in the legal arena.
- "Anger management" theory and methods are never appropriate for use in batterer intervention services as they do not accurately reflect the cause of battering and are a reflection of the batterers' desire to camouflage his choice to batter. Further, anger management theory suggests provocation, fails to account for premeditation, diffuses responsibility, implies that there is a quick fix, misrepresents the depth of the problem in the community and fully misses the link to the larger issue of sexism and patriarchy.
- Batterer intervention services must create and implement self-monitoring mechanisms that work to minimize batterers' ability to use the program as leverage against the survivors of their battering and/or the community intervention network.
- Battering is illegal. Battering is a preventable crime. Courts have sanctions available to impact domestic violence. Batterers need to be held accountable for their choices. Intervention services for batterers must not be used as a substitute for arrest, conviction, probation, incarceration or other legal sanctions.
- Because all men benefit from the violent and controlling tactics of batterers, all men must work to end it and to safeguard its victims.

- Battering *will not* cease because a batterer gets sober or “works a good drug/alcohol recovery program”.
- Family and couples intervention modalities for drug and alcohol problems are *not* appropriate, initially, for batterers.
- Alcoholics Anonymous, Narcotics Anonymous and Al-Anon are not a suitable substitute for an accountable, competent batterer intervention service.
- Accountability for battering is a lifelong process.

What's Going On With Batterers?

It is important to know and point out to batterers that most men do not abuse their partners and their children. Dr. David Adams, a batterer’s counselor in Boston for over twenty years, estimates that about eighty percent of batterers grew up in a home in which they watched their father beat their mother. Therefore, they likely have the skewed notion that most, if not all, men use violence to control their families. A former abuser, now batterer’s intervention program director Hamish Sinclair likes to tell the men in his groups, “Real men do not abuse their partners and children”.

Common Characteristics of batterers. Dr. David Adams reports that while there exists a range of behaviors among batterers, most share similar beliefs and traits. The following represents some of those common characteristics Dr. Adams has found in two decades of running batterer’s intervention programs.

Public vs. Private Behavior. Many batterers work hard to create the public image of being the concerned, descent “family man.” Often nobody else has seen the violent, controlling side of him, resulting in victims being accused of exaggerating or lying about the abuse.

Abusing Power, Control and Manipulation. The batterer’s goal is to achieve power and control over his victim. Domestic violence is not simply random, isolated acts of violence. Rather, Dr. Adams tells us, it is “*a planned pattern of coercive control that includes verbal*

abuse, threats, psychological manipulation, sexual coercion, and control over economic resources.” The batterer’s incessant criticism and allegations of infidelity ravage the victim’s self-esteem, keeping her on the defensive and isolated from her family, friends and co-workers. Part of the manipulation is to keep changing the list of rules and demands the victim must meet to avoid abuse.

Projecting Blame. One of the most widespread forms of batterer manipulation is to blame the victim for his abuse. Similar to alcoholics, the batterer portrays himself as the victim, arguing that she “drove me to it”, “pushes my buttons” or “provoked me.” Frequently, outsiders are then deceived into focusing on the victim’s actions. This does the batterer no favor; for in failing to hold him accountable, he has no means to analyze options to the violence.

Claiming Loss of Control. For some time mental health professionals believed that most batterers suffered from poor impulse control. Thus, when batterers said, “Well, I just lost it!,” most of us believed them. Dr. David Adams and other reputable batterer experts now report that less than five to ten percent of batterers have poor impulse control or an anger problem; rather it is, as mentioned above, a planned pattern of coercive control. Most men who batter their partners and children do not exhibit “generalized violence.” They do not assault the police officer who gives them a speeding ticket or their boss who yells at them for being late to work. Clearly, many batterers believe there will not be sanctions for partner violence. For those batterers who do exhibit generalized violence, extra caution should be taken, as they tend to be more dangerous to their families and law enforcement officers.

Claiming a Problem with Anger. Similar to the excuse of poor impulse control, many abusers allege difficulty controlling their anger. However, Dr. David Adams asserts that only a small minority of batterers, he estimates five to seven percent, cannot control their anger. We have learned this from listening to batterers as they explain their abuse. For example, one batterer said that he puts the children in the next room before assaulting his wife, to

prevent them from witnessing the abuse. Another abuser reported taking off all his rings “so I wouldn’t hurt her too bad.” Dr. Adams tells us that such explanations are typical of abusers. This planned behavior constitutes *pre-meditation* in West Virginia and every other state, and obviously does not indicate someone whose anger is uncontrollable.

Attributing to Substance Abuse. Dr. Murray Strauss, in his article “Alcohol Abuse and Family Violence,” reports that in spite of the high correlation between domestic violence and alcohol/drug abuse, experts agree that such substances do not *cause* the violence. Doctors Strauss and Adams say that the alcohol or drugs may function as disinhibitors and a convenient excuse, but batterers who abuse substances have two separate problems for which they should receive treatment, education and be held accountable.

Minimizing and Denying the Abuse. Batterers’ education specialists report that few batterers, even the most brutal, consider themselves as such, and will, invariably, under-report or deny their abuse. Researchers Scinovacz, Browning and Dutton found that even when directly questioned by law enforcement, judges or therapists, most batterers simply lied about the abuse, with some attempting to rationalize it. Dr. David Adams reports that, when prodded, the majority of batterers will minimize their actions with comments such as “I only gave her a little shove,” when, in fact, he pushed the victim down a flight of stairs. Batterers typically consider even serious abuse (punching, choking, beating up) as self-defense, when it is clearly retaliation for the victim’s failure to do what the batterer wanted. Often, even severe batterers express shock when arrested, for it has not registered that their violence constitutes a crime.

Failure to Take Responsibility for Own Actions. Most batterers blame outside forces for their violent behavior; the victim’s “mouthiness” for example, alcohol or a bad day at work.

External Motivation. Dr. David Adams and other experts have found that most batterers are externally motivated. That is, they

care very much what others, particularly men, think of them. When men in our communities are willing to stand up and say, “Real men don’t beat their partners and their children,” abusers can get the message that their behavior is closer to that of an immature bully and coward.

The Batterer’s Impact on the Home

Family dynamics are shaped by the relationships between adult partners, parents and their children and the family’s relationship with the outside world. Batterers not only control their partner’s actions, but they shape the views of their partner, the children in the home and their family as seen by the outside world.

Through minimization, denial, manipulation, isolation, emotional abuse and expressions of entitlement, batterers shape the perceptions of their partners. These perceptions may lead battered women to deny that abuse is occurring, believe that they are to blame for the relationship problems, that they are emotionally and financially dependent on the batterer, and that they are bad parents.

The children’s view of their mother is also shaped by the batterer. By undermining their mother’s authority, treating their mother negatively and disrespectfully and intentionally creating family divisions, batterers lead children to misinterpret the abuse. Children receive the message that their mother’s stupidity, selfishness or unwillingness to obey the batterer caused the assault and that her physical well-being need not be respected. Children often minimize the abuse, blame the victim, and are left with a distorted view of both parents.

Batterers shape the views of the family by the outside world by isolating the family, controlling their abusive behaviors outside of public view, and promoting to the outside world their intense dedication and commitment to their family. Family members who “reveal” to outsiders any abusive tendencies within the family are often “punished” by the batterer with threats, intimidation, or physical or sexual abuse.

Professionals and helpers seeking to intervene need to be aware of the impact of the batterer on the family dynamics. A batterer's behavior towards his partner reveals important information about his parenting and the risks he poses to children. The best way to contribute to the safety of children is to promote safety of their mother. And the best way to help children heal from experiencing the effects of battering is to repair the relationships damaged by the batterer, particularly between the children and their mother.

Assessing Whether Batterers Will Kill⁴³

Some batterers are life-endangering. While it is true that all batterers are dangerous, some are more likely to kill than others are and some are more likely to kill at specific times. Regardless of whether there is a protective order in effect, officers should evaluate whether an assailant is likely to kill his partner or other family members and/or police personnel and take appropriate action.

Assessment is tricky and never foolproof. It is important to conduct an assessment at every call, no matter how many times an officer has responded to the same household. The dispatcher and responding officer can utilize the indicators described below in making an assessment of the batterers potential to kill. Considering these factors may or may not reveal actual potential for homicidal assault. But, the likelihood of a homicide is greater when these factors are present. The greater the number of indicators that the batterer demonstrates or the greater the intensity of indicators, the greater the likelihood of a life-threatening attack.

Use all of the information you have about the batterer, current as well as past incident information. A thorough investigation at the scene will provide much of the information necessary to make the assessment. However, law enforcement will not obtain reliable information from an interview conducted with the victim and perpetrator together or from the perpetrator alone.

Some lethality indicators are listed below:

Threats of homicide or suicide. The batterer who has threatened to kill himself, his partner, the children or her relatives must be considered extremely dangerous.

Fantasies of Homicide or Suicide. The more the batterer has developed a fantasy about whom, how, when, and/or where to kill, the more dangerous he may be. The batterer who has previously acted out part of a homicide or suicide fantasy may be invested in killing as a viable “solution” to his problems. As in suicide assessment, the more detailed the plan and the more available the method, the greater the risk.

Weapons. Whether a batterer possesses weapons and has used them, or has threatened to use them in the past, in his assaults on the battered woman, the children or himself, his access to those weapons increases his potential for lethal assault. The use of guns is a strong predictor of homicide. If a batterer has a history of arson or the threat of arson, fire should be considered a weapon.

“Ownership” of the Battered Partner. The batterer who says “Death before divorce!” or “You belong to me and will never belong to another!” may be stating his fundamental belief that the woman has no right to life separate from him. A batterer who believes he is absolutely entitled to his female partner, her services, her obedience and her loyalty, no matter what, is likely to be life endangering.

Centrality of the partner. A man who idolizes his female partner, or who depends heavily on her to organize and sustain his life, or who has isolated himself from all other community, may retaliate against a partner who decides to end the relationship. He rationalizes that her “betrayal” justifies his lethal retaliation.

Separation Violence. When a batterer believes that he is about to lose his partner, if he can’t envision life without her or if the separation causes him great despair or rage, he may choose to kill.

Depression. Where a batterer has been acutely depressed and sees little hope for moving beyond the depression, he may be a candidate for homicide and suicide. Research shows that many

men who are hospitalized for depression have homicidal fantasies directed at family members.

Access to the battered woman and/or to family members. If the batterer cannot find her, he cannot kill her. If he does not have access to the children, he cannot use them as a means of access to the battered woman. Careful safety planning and police assistance are required for those times when contact is required, e.g. court appearances and custody exchanges.

Repeated outreach to law enforcement. Partner or spousal homicide almost always occurs in a context of historical violence. Prior calls to the police indicate elevated risk of life-threatening conduct. The more calls, the greater the potential danger.

Escalation of batterer risk. A less obvious indicator of increasing danger may be the sharp escalation of personal risk undertaken by a batterer; when a batterer begins to act without regard to the legal or social consequences that previously constrained his violence, chances of lethal assault increase significantly.

Hostage-taking. A hostage-taker is at high risk of inflicting homicide. Between 75% and 90% of all hostages taken in the United States are related to domestic violence situations.

If an intervenor concludes that a batterer is likely to kill or commit life-endangering violence, extraordinary measures should be taken to protect the victim and her children. This may include notifying the victim and law enforcement of the risk, as well as seeking a mental health commitment, where appropriate. The victim should be advised that the presence of these indicators may mean that the batterer is contemplating homicide and that she should immediately take action to protect herself and should contact the local battered woman's program to further assess lethality and develop safety plans.

SAFETY PLANNING

Safety is the first priority when considering options for victims of domestic violence. Many factors can compromise a victim's safety. As a helper, you may be in a position to help a victim identify these factors and plan for her safety.

The following Personalized Safety Plan is one example of a tool that can help a victim make safe choices. This plan addresses many of the specific details that are often missed as victims move through systems, services and in personal planning. The plan is designed to be completed by the victim with the assistance of an advocate or helper. It is also designed to be completed in sections that are applicable to meet the victim's needs as she is ready to address them and not necessarily all at one session.

The following steps represent my plan for increasing my safety and preparing in advance for the possibility of further violence. Although I do not have control over my partner's violence, I do have a choice about how to respond to him/her and how to best get my children and myself to safety.

S	T
E	P
	1

STEP 1: Safety During an Violent Incident

In order to increase safety, battered woman may employ a variety of strategies.

I can use some or all of the following strategies:

- A. I can think ahead and plan ahead if at all possible.
- B. I can call the police for help (911 where available). If a family member, partner or someone who takes care of me hits, kicks, punches, threatens or injures me in any way, it is a crime, even if this occurs in my home. It is a crime even if I do not have legal status in the United States.
- C. If my batterer performs personal care tasks:
 - I can have my caretaker/partner help me out of bed early in the day. It is easier to respond to an emergency if I am mobile and alert.
 - I can make sure I have any mobility aids accessible. I can keep my cane or walker close by or be in my wheelchair.
 - I can stay close to a phone. I can keep a cordless or cellular phone with me, tuck it by my side in my wheelchair or on a walker or in a scooter basket. I can turn the ringer off so the abuser does not know I have it. I can program 911 and other safety numbers into the speed dial.
- D. If I decide to leave, I will _____
(I will practice ahead of time how to get out safely. I will visualize my escape route - what doors, windows, elevators, stairwells or fire escapes would I use?)
- E. I can keep my purse/wallet and car keys ready and put them _____ (place) in order to leave quickly.
- F. I can tell _____ about the violence and request that they call the police if they hear suspicious noises coming from my house.
- G. I can teach my children, grandchildren or other dependents how to use the telephone to contact the police and the fire department.

- H. I will use _____ as my code word with my children or my friends so they can call for help. I will memorize or keep the phone number of a friend or neighbor I can call in a crisis.
- I. If I have to leave my home, I will go to _____
_____. I will get out of an exit if possible or yell for help if it is safe to do so.
- J. I can also teach some of these strategies to some/all of my children, grandchildren or other dependents.
- K. When I expect we are going to have an argument, I will try to move to a space that is lowest risk, such as _____.
(Try to avoid arguments in the bathroom, garage, kitchen, near weapons or in rooms without access to an outside door.)
- L. I will use my judgment and intuition. If the situation is very serious, I can give my abuser what he/she wants to calm him/her down. I have to protect myself until I/we are out of danger.

STEP 2

STEP 2: Safety When Preparing to Leave

Battered women frequently leave the residence they share with the batterer. Leaving must be done strategically in order to increase safety. Batterers often strike back when they believe that a battered woman is leaving a relationship. It is important to be careful in selecting people you trust to help you.

I can use some or all of the following safety strategies:

- A. I will check with _____ and _____ to see who would be able to let me stay with them or lend me some money. I will think about whether I will go to the nearest shelter.
- B. The hotline number for the domestic violence program in my area is _____. I can seek shelter by calling this hotline. I can keep this number with me or memorize it. If I need an interpreter to communicate and the local program is unable to provide one, I can call the National Domestic Violence Hotline 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY). I can call the program ahead of time to discuss

safety plan

safety planning, what my needs are and explain to them about my disability or special circumstance. If the program is inaccessible, I can ask them to give me the number of the nearest accessible program. Safety planning is very important at this time so I can ask the program to help me strategize.

- C. I will change the payee on my SSI/SSDI benefits to _____ (someone other than the batterer).
- D. I will open a savings account to increase my independence (I will keep in mind that monthly bank statements may be sent out to my home address.) I will arrange to have my benefit check(s) direct deposited into this account.
- E. If I have personal care needs, I will make plans for _____ and _____ and _____ to help with these needs when I am away from my batterer.
- F. I will contact my caseworker (if I have one), _____, independent living center (if I have a disability) _____, other disability office or support group _____, or area council on aging _____ to find out about additional benefits or services I may be entitled to after leaving the batterer.
- G. Other things I can do to increase my independence include: _____.
- H. I can keep change for phone calls on me at all times or carry a cell phone. (Many domestic violence programs offer free cell phone programs for emergency use.) I understand that if I use my telephone credit card, the following month the telephone bill will tell my batterer those numbers that I called after I left. To keep my telephone communications confidential, I must either use coins or I might get a prepaid telephone card to prevent my calls from being traced.
- I. I can make sure that my vehicle and any adaptations are in working order. I can keep the gas tank at least half full so I always have enough gas left if I need to leave in a hurry. If I cannot drive, I will arrange for _____ to take me to the safe place I have chosen.

- J. If I need special transportation services and want to go to a support group, a counselor, a friend or flee for good, I will give the transit company the name of a place I regularly go (such as a medical appointment) _____, but the address of where I really want to go (such as a counseling appointment) _____ so my batterer will not get suspicious. (If I am not currently using special transportation services and live in an area that offers it, I will consider applying. My doctor or caseworker can certify my disability.)
- K. I will sit down and review my safety plan every _____ in order to plan the safest way to leave the residence. _____ (domestic violence advocate or friend) has agreed to help me review this plan.
- L. I will rehearse my escape plan and, as appropriate, practice it with my children, grandchildren or other dependents.

STEP 3: Safety in My Own Residence



There are many things a woman can do to increase her safety in her own residence. It may be impossible to do everything at once, but safety measures can be added step by step.

- A. To make my house safe I can _____.

I can consider the following options:

- a. I can change the locks on my doors and windows as soon as possible.
- b. I can buy additional locks and safety devices to secure my windows.
- c. I can also install or increase my outside lighting.
- d. I can install smoke detectors and purchase fire extinguishers for each floor in my house/apartment.
- B. I will teach my children/grandchildren how to use the telephone to make a collect call to me and to _____ (friend/ minister/other) in the event that my partner abducts the children/grandchildren.
- C. I will tell people who take care of my children/grandchildren which people have permission to pick up my children/grandchildren and

that my abuser is not permitted to do so. The people I will inform about pick-up permission include:

- _____ (school)
- _____ (teacher/principal)
- _____ (day care staff)
- _____ (babysitter)
- _____ (Sunday school teacher)
- _____ (others)
- _____ (others)

D. I can inform _____ (neighbor) _____ (pastor) _____ (other) that my abuser no longer resides with me and they should call the police if he is observed near my residence.

STEP 4: Safety with a Protection Order



Many batterers obey protection orders, but one can never be sure which violent partners will obey and which will violate protection orders. Protection orders are available to all battered women, including battered immigrant women who do not have legal immigration status.

I recognize that I may need to ask the police and the courts to enforce my protection order. The following are some steps that I can take to help the enforcement of my protection order: (If I need help with any of these steps, I can call my local domestic violence program or attorney for assistance.)

- A. I will keep my protection order _____(location).
- B. I will give my protection order to police departments in the community where I work, in those communities where I usually visit family or friends, and the community where I live.
- C. There should be a county registry of protection orders that all police departments can call to confirm the validity of a protection order. I can check to make sure that my order is in the registry. The telephone

- number for the county registry of protection orders is _____.
- D. For further safety, if I often visit other counties in _____ (state). I might file my protection order with the court in those counties. I will register my protection order in the following counties: _____ and _____.
 - E. I will inform my employer, my minister, my closest friend, school, etc _____ that I have a protection order in effect.
 - F. If my partner destroys my protection order, I can get another copy by going to _____ located at _____.
 - G. If my partner violates the protection order, I can call the police and report a violation, contact my attorney, call my advocate, and /or advise the court of the violation. If the police do not respond right away, I can _____ to keep safe.
 - H. If the police do not help, I can contact my advocate or attorney and will file a complaint with the chief of the police department.
 - I. I can also file a private criminal complaint with the district justice in the jurisdiction where the violation occurred or with the district attorney. I can charge my battering partner with a violation of the protection order and all the crimes that he commits in violating the order.
 - J. For battered immigrants: If I am relying on my spouse to obtain legal immigration status, seeking help to stop domestic violence may also help me to obtain immigration status without the help of my spouse. I can consider filing for immigration relief under the Violence Against Women Act to obtain lawful permanent residency for myself and my children in the United States (if I am married to a U.S. citizen or lawful permanent resident).

S	T
E	P

STEP 5: Safety on the Job and in Public

5 Each battered woman must decide if and when she will tell others that her partner has battered her and that she may be at continued risk. Friends, family and co-workers can help to protect women. Each woman should consider carefully which people to invite to help her safely.

In my work or volunteer setting, I might do any or all of the following:

- A. I can inform my supervisor, the security supervisor and _____ at work of my situation.
- B. I can ask _____ to help screen my telephone calls at work.
- C. When leaving work, I can _____.
- D. When driving home, if problems occur, I can _____.
- E. If I use public transit, I can _____.
- F. I can use different grocery stores and shopping malls to conduct my business and shop at hours that are different than those I used when residing with my battering partner.
- G. I can also _____.

STEP 6: Safety and Drug or Alcohol Consumption



Most people in this culture consume alcohol. Many consume mood-altering drugs. Much of this consumption is legal and some is not. The legal outcomes of using illegal drugs can be very hard on a battered woman, may hurt her relationship with her children/grandchildren and put her at a disadvantage in other legal actions with her battering partner. Therefore, women should carefully consider the potential cost of the use of illegal drugs. But beyond this, the use of any alcohol or other drugs can reduce a woman's awareness and use of alcohol or other drugs by the batterer may give him/her an excuse to use violence. Therefore, in the context of drug or alcohol consumption, a woman needs to make specific plans.

If drug or alcohol consumption has occurred in my relationship with the battering partner, I can enhance my safety by some or all of the following:

- A. If I am going to consume, I can do so in a safe place and with people who understand the risk of violence and are committed to my safety.
- B. I can also _____.
- C. If my partner is consuming, I can _____.

D. To safeguard my children/grandchildren, I might _____
_____ and _____.

STEP 7: Safety and My Emotional Health



The experience of being battered and verbally degraded by partners is usually exhausting and emotionally draining. The process of building a new life for myself takes much courage and incredible energy.

To conserve my emotional energy and resources, and to avoid hard emotional times, I can do some of the following:

- A. If I feel down and ready to return to a potentially abusive situation, I can _____.
- B. When I have to communicate with my partner in person or by telephone, I can _____.
- C. I can make connections with people who give me spiritual support from my faith community.
- D. I can tell myself “ _____ ” whenever I feel others are trying to control or abuse me.
- E. I can read _____ to help me feel stronger.
- F. I can call _____ and _____ as other resources to be of support to me.
- G. Other things I can do to help me feel stronger are _____ and _____.
- H. I can attend workshops and support groups at the domestic violence program or _____, _____ or _____.

STEP 8: Items to Take When Leaving

safety plan



When women leave partners, it is important to take certain items with them. Items with asterisks (*) on the following list are the most important to take. If there is time, the other items might be taken, or stored outside the home.

These items might best be placed in one location, so that if we have to leave in a hurry, I can grab them quickly. When I leave, I should take:

- Identification for myself*
- Children's/dependents' birth certificates*
- My birth certificate*
- Social Security cards*
- School and Vaccination records*
- Money*
- Checkbook, ATM card*
- Credit cards*
- Keys to house, car, office*
- Driver's license and registration*
- Medications, glasses, hearing aids, and other devices needed for me and my children, grandchildren and other dependents*
- Welfare identification
- Work permits
- Green card
- Passport(s)
- Divorce and custody papers
- Medical records - for all family members
- Lease/rental agreement, house deed, mortgage payment book
- Bank books
- Insurance papers
- Address book

- Pictures
- Jewelry
- Children/grandchildren's favorite toys and/or blankets
- Items of special sentimental value

For battered immigrant women who may qualify for a Violence Against Women Act or other immigration case:

- I-94's
- Photographs of wedding, wedding invitations, love letters from spouse, and family photographs
- Papers that show you lived with your husband in the US (such as copies of the lease agreement, real property deed, utility bills, rent receipts, mortgage payment book) and evidence of current residence in the US
- Other evidence of good faith marriage and joint residency, such as joint credit cards/bills, legal documents, insurance policies or magazine subscriptions with your name and your spouse's name, joint income tax returns or bank accounts, ticket stub receipts or pictures from vacations
- Divorce papers from your previous marriage(s) or your spouse's previous marriage(s)
- Copies of your spouse's birth certificate, social security card, green card or certificate of naturalization
- Copies of any documents filed with INS

Telephone numbers I need to know:

Police department that responds to my home: _____

Police department that responds to a school, be it for myself, my children or my grandchildren: _____

Police department that responds to my work: _____

safety plan

Battered women's program: _____

County registry of protection orders: _____

Work number: _____

After -hours work contact number: _____

Faith Leader: _____

Other: _____

Witness/victim center: _____

Prosecutor's office: _____

Local Center for Seniors: _____

Local Substance Abuse Center: _____

Local Independent Living Center: _____

Child/ Adult Abuse Hotline: _____

Youth Hotline: _____

National Domestic Violence Hotline:1-800-799-SAFE (7233)

Refugee Hotline:1-888-345-5898

This safety plan was adapted from: "Personalized Safety Plan," Office of the City Attorney, City of San Diego, California, April 1990. Used with permission from Barbara Hart and Jane Stuehling (1992) Pennsylvania Coalition Against Domestic Violence, Harrisburg PA; "Safety Plan for Victims of Domestic Abuse, West Virginia Coalition Against Domestic Violence, West Virginia; "Serving Women with Disabilities: A Guide for Domestic Abuse Programs", Independence First, 1999.



NATIONAL RESOURCES

National Domestic Violence Hotline
1-800-799-SAFE
1-800-787-3224 (TTY Only)

Providing emergency and non-emergency referrals to domestic violence resources in your area, including multilingual services.

National Resource Center on Domestic Violence
1-800-537-2238

Providing comprehensive information and resources, policy development and technical assistance designed to enhance community response to and prevention of domestic violence.

Battered Women's Justice Project
1-800-903-0111

Providing training, technical assistance and other resources through a partnership of three nationally recognized organizations: the Domestic Abuse Intervention Project of Duluth, MN; the National Clearinghouse for the Defense of Battered Women; and the Pennsylvania Coalition Against Domestic Violence.

Resource Center on Child Protection and Custody
1-800-527-3223

Providing information, consultation, technical assistance and legal research related to child protection and custody issues within the context of domestic violence.

Family Violence Prevention Fund
1-415-252-8900 1-800-595-4889 (TTY)

The Family Violence Prevention Fund also houses the Health Resource

Center on Domestic Violence and the Workplace Resource Center on Domestic Violence.

Health Resource Center on Domestic Violence
1-888-792-2873

Providing specialized information packets designed to strengthen the health care response to domestic violence, as well as technical assistance and library services to support health-based domestic violence training and program development.

Institute on Domestic Violence in the African-American Community
1-612-624-5357 Toll Free 1-877-NIDVAAC (643-8222)

Providing information, education and public awareness materials on domestic violence in the African-American community.

Women of Color Network
1-614-995-1429

A project of the National Resource Center on Domestic Violence, this network was formed to support women of color activists addressing issues of violence against women.

National Clearinghouse for on Abuse in Later Life
1-608-255-0539

Wisconsin is recognized as a national leader in working with older victims of family violence for more than a decade. NCALL is the latest in ground-breaking programs improving the lives of people in Wisconsin and across the nation. NCALL works to end abuse and neglect of older adults and people with disabilities by challenging beliefs, policies, practice and the systems that allow abuse to occur. NCALL provides technical assistance, training institutes and publications for advocates, attorneys, physicians and others working with older victims. NCALL is a voice for the elder victims and survivors on the local, state and national level.

Domestic Violence Initiative for People with Disabilities
1-303-839-5510

DVI provides direct services to victims of domestic violence, specializing in services for people with disabilities. They also are a national resource for advocates and victims.



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