Preliminary Observations from an Assessment of a
Multi-Agency Response to Domestic Violence

Betsy Matthews and Kristie Blevins

The issue of domestic violence in the United States has received a great deal of attention over the past three decades. While many acts of domestic violence go unreported, or are recorded as other acts such as simple assault (Buzawa & Buzawa, 2002; Ohlin & Tonry, 1989), it is estimated that about two million individuals—overwhelmingly women—are victims of this crime each year (Durose, Harlow, Langan, Motivans, Rantalla, & Smith, 2005; Johnson & Ferraro, 2000). Many victims of intimate partner violence face not only immediate suffering from physical injury but also long-term psychological consequences (Brush, 1990; Dobash, Dobash, Wilson, & Day, 1992; Gradin, Lupri, & Brinkerhoff, 1998; Johnson & Ferraro, 2000).

A recent development in the response to domestic violence is the implementation of Coordinated Community Response Teams (CCRTs) designed to promote victim safety and batterer accountability. Although the limited evidence concerning CCRTs’ capacity for reducing subsequent victimization is promising (Sullivan & Bybee, 1999; Sullivan, Bybee, & Allen, 2002), more research is needed to uncover the factors associated with a CCRT’s successful implementation, the way in which CCRTs change a jurisdiction’s response to domestic violence, and the impact that associated practices have on both victims and perpetrators of domestic violence. In this report we provide a brief overview of the history of and research on CCRTs and describe a study we are conducting on a newly implemented CCRT in Madison County. We
then share some preliminary observations based on case file reviews, court observations, and victim interviews.

Background

Historically, domestic violence was viewed as a “family affair” and not a significant criminal act. Law enforcement agents tended to take a “hands-off” approach when dealing with violence among family members or cohabiters, even when there was some physical injury involved (Gracia, Gracia, & Lila, 2008; Jordan, 2004; Sherman, 1992). Although there were some early studies looking at the extent of spousal abuse in certain regions (e.g., Schulman, 1979), domestic violence did not receive much attention until the mid-1980s (Keilitz, 2004). During this time, scholars conducted research that more thoroughly examined the extent of, and responses to, the problem, and policy makers began redefining domestic violence as a crime that should be taken seriously (Belknap, 1995; Buzawa & Buzawa, 1993; Epstein, 1999; Hanna, 1998; Robinson & Chandek, 2000a; Sherman, 1992). During the early 1990s, many jurisdictions passed legislation mandating arrest in domestic violence cases where there was physical injury. Additionally, the 1994 Violence Against Women Act provided funding for programs designed to prevent violence against women and provide services for victims (Uekert, 2003). In response to the new perspective on domestic violence, and the accompanying legislative and policy changes, rates of arrest for domestic violence increased drastically and have remained relatively consistent in areas with mandatory arrest policies (Gracia et al., 2008; Phillips & Sobol, 2010; Robinson & Chandek, 2000b).

Modern research on domestic violence has focused primarily on patterns of arrest, effectiveness of arrest versus other measures on reoffending, and the degree of help-seeking by victims (Gracia et al., 2008, Jordan, 2004). Existing literature suggests that female victims often
feel they are the only ones who can stop the violence against them; despite this, they feel powerless and do not know where to go for help without putting themselves in danger (Lempert, 1996; Robinson & Tregidga, 2007). Victims are, however, more likely to seek outside help when the abuse continues and/or escalates (Robison & Tregidga, 2007; Sullivan & Bybee, 1999). Consequently, it is imperative that victims are given specific information about how to access community and legal resources that will help them to escape dangerous domestic situations.

Some jurisdictions have created community partnerships to provide as much help and guidance as possible to victims of domestic violence. One such initiative involves creating coordinated community response teams (CCRTs), which promote victim safety and batterer accountability through a multi-agency approach (Uekert, 2003). CCRTs are popular in countries such as Canada, Wales, and Australia, and are currently being implemented in several jurisdictions in the U.S. Evaluations of CCRTs indicate they can be extremely effective if implemented properly (Davis & Taylor, 1997; Jordan, 2004; Robinson & Tegidga, 2007; Shepard & Pence, 1999; Syers & Edelson, 1992; Uekert, 2003).

Ideally a jurisdiction’s domestic violence CCRT will be comprehensive and consist of law enforcement, prosecutors, courts, probation, detention centers, victim services, medical and mental healthcare providers, and community-based advocates. The purpose of the CCRT is to create managed multi-agency efforts that will increase protection of victims through ease of access to community and court services (such as emergency protective orders), support, and resources, while controlling the offender through the system (Robinson & Chandek, 2000a; Robinson & Tregidga, 2007; Shepard & Pence, 1990).

To be effective, agencies involved in a CCRT must: actively participate and agree on the protocol to be used in each stage of response to domestic violence in the community; provide
training for all participants from top administrators to line officers; engage in ongoing communication and information sharing; and do their part to keep other agencies from becoming dissatisfied with the overall efforts (Uekert, 2003). If CCRT participants are properly informed, coordinated, and proactive, they can achieve positive victim outcomes in terms of reducing revictimization and increasing victims’ general welfare and self-perception (Sullivan & Bybee, 1999; Sullivan, Bybee, & Allen, 2002).

Although the evidence concerning properly implemented CCRTs is promising, the limited literature recognizes that outcomes are best when the victim is motivated and ready to change the domestic situation (Robinson & Tregidga, 2007). There are few evaluations that examine the perceptions and personal agency of victims, and those that do have been conducted internationally (see Robinson & Tregidga, 2007). The purpose of this study is to add to this line of research by examining the process and outcomes associated with the newly implemented CCRT in Madison County, Kentucky and both victim and perpetrator perspectives. The focus on victims’ perspectives will provide insight into how a coordinated response impacts victims’ utilization of services and their real and perceived safety. The focus on perpetrators’ perspectives, although exploratory, will provide insight into how a coordinated response impacts perpetrator accountability. The use of both quantitative and qualitative methods will help to contextualize the data and enhance our understanding of domestic violence and the impact of a coordinated response team.

Current Study

In September 2012, Madison County implemented a CCRT to improve the response to domestic violence. The overall goals of the Madison County CCRT are to promote victim safety and well-being while holding offenders accountable for their actions. These goals are being
accomplished through a high level of coordination between all agencies involved in domestic violence response. CCRT members include representatives of five law enforcement agencies, the county attorney’s office, family court, district court, victim advocacy agencies, and offender counseling services. CCRT members are working to develop policies and procedures that are aligned with best practices promulgated by the Association of Juvenile and Family Court Judges and the Office on Violence Against Women.

Research Methods

The purpose of this research is to gather baseline information on the current processes and outcomes associated with the response to domestic violence in Madison County. The specific research questions are:

1) How do domestic violence cases flow through the Madison County criminal justice system from the time of the 911 call, or the filing of an EPO petition, to case disposition (e.g., what steps are taken regarding both victims and offenders, how long does each step of the process take)?

2) What are the victims’ perspectives about the process and outcomes of this multiagency intervention (e.g., were they given information about how to secure a protective order, did they know about shelters and other victim services, did they know where to go for help, did they feel confident in the police and court’s ability to keep them safe)?

3) What are the perpetrators’ perspectives about the process and outcomes of this multiagency intervention (e.g., did they understand the terms of the protective order, did they understand the ramifications of violating a protective order, did they feel that the process and outcomes were fair)?
4) What percentage of cases result in: EPOs and DVOs being issued; EPOs ad DVOs being amended; EPOs and DVOs being violated; and subsequent victimization?

5) What aspects of the process/services seem to increase victims' real or perceived risk of subsequent violence?

6) What factors are associated with repeat victimization?

A prospective, longitudinal study is being conducted to examine the processes and outcomes associated with domestic violence cases in Madison County, KY. A multi-method approach is being used to examine the complexities of these cases. These approaches are described below.

- Field Observations: Throughout the study period, we have attended and observed the CCRT meetings to develop a better understanding of the processes associated with domestic violence cases in Madison County and members’ roles in, and attitudes about, that response. We have also observed family and district court to capture the nuances of the courtroom environment, testimony of petitioners and respondents, and judicial responses to the cases.

- Case tracking/mapping: Our sample will include all domestic violence cases that came to the attention of law enforcement between May and October of 2013. Based on official court documents showing there were 343 domestic violence cases filed with courts in Madison County during 2011, it is estimated that 150-175 cases will be identified during this period. Case movement through the civil and criminal processes is being captured through a review of family and district court case files, and where necessary, a review of police reports. The date, time, place and purpose of the initial and subsequent contacts for each case are being recorded in a project database that is being used to track cases and
case files are being prepared. For any case not progressing through the expected final disposition, the last recorded case contact or terminating event, is being noted, and circumstances surrounding case termination are recorded.

- **Victim Interviews:** Semi-structured interviews are being conducted with 35 victims within one month of the domestic violence order hearing. Interviews are lasting about 60 minutes and include questions pertaining to: the most recent domestic violence incident; the victim’s relationship with the perpetrator including any history of domestic violence; the victim’s experiences with, and perceptions of, the police, county attorney, family and/or district court, and victim services; and other steps they have taken to ensure their safety. Participants are given a $25 gift card for their time. Six-month follow-up interviews are also planned with victims to inquire about their: perceived impacts of the domestic violence incident and case; current relationship with the perpetrator; views on domestic violence in general; service utilization and experiences; and perceptions of safety.

- **Perpetrator Interviews:** Semi-structured interviews will also be conducted with 25 perpetrators who were either placed on probation supervision or ordered to participate in BIP since May 2013. The interview will include questions pertaining to: the most recent domestic violence incident; the perpetrator’s relationship with the victim including any history of domestic violence; the perpetrator’s experiences with, and perceptions of, the police, county attorney, family and/or district court, and counseling services; his/her current legal status; and the perceived impacts of the case. Again, participants will be given a $25 gift card for their time.
Arrest/Charge data: Criminal records will be requested from the Administrative Office of the Courts for all perpetrators included in the study sample to examine the history of domestic violence and track recidivism.

Both quantitative and qualitative analytical methods are being used to maximize our understanding of the data.

Status of Research

The first stage of our research involved multiple meetings with members of the Madison County CCRT to improve our understanding of the processes in place for responding to reported incidents of domestic violence and the roles of various agencies. With an improved understanding of the processes and decision points we were able to develop a case mapping schematic (see Figure 1) that guides our data collection. This early phase of the research was also used to gain credibility with CCRT members and identify the most efficient way to collect the necessary data. We did this by attending and observing CCRT meetings and Family and District Courts.

Data collection on individual cases began in May 2013. We are tracking all cases with a domestic component (e.g., domestic violence, harassment, stalking, threatening) that go through Madison County Family Court or District Court. This process involves weekly court observations, as well as collecting copies of all case files from the Court Clerks. To date we have collected data on 120 cases. We have developed a comprehensive database that includes 128 variables per case. This information will be used to describe the domestic violence incidents, persons involved, and system responses.

The final part of the process includes face-to-face interviews with victims and perpetrators of domestic violence. This has proven to be a difficult undertaking. We had
originally planned to have the victim advocates assist with the recruitment of study participants by distributing flyers and our contact information to victims attending court. We soon learned, however, that we needed to make personal contact with victims to explain the study, establish trust, and arrange for the interview. As of this writing, we have conducted seven interviews. With a process now in place for recruiting participants, we will be conducting weekly interviews and anticipate having them completed by the end of November.

We have not been able to identify an appropriate pool of potential participants for the perpetrator interviews. For safety reasons, we are only conducting interviews with persons who are either engaged in counseling or under some type of court supervision. Our query to the Department of Corrections revealed one person under formal probation supervision for a felony charge of domestic violence in Madison County, and perpetrators who are charged with a misdemeanor offense of domestic violence are either fined, jailed, or placed on unsupervised probation. Additionally, although perpetrators are referred to Batterer’s Intervention Programs (BIP), the courts have no mechanism in place for monitoring their participation. Thus, we are left without a way to contact perpetrators for participation in the study. We are working with the courts and a local BIP counselor to rectify the situation and believe that we will be able to begin perpetrator interviews by mid-October and complete them by the end of the year.

Although slow moving, our research to date has revealed important information about domestic violence in Madison County. Some preliminary observations are reported in the next section of this report.
Preliminary Observations

The descriptive statistics provided below provide a snapshot of the number and types of cases in our sample. The themes reported are based on a cursory analysis of the data gathered from case files, observations, and interviews, and may not be reflective of our final sample and analysis.

Case mapping

Both civil and criminal remedies are used to address domestic violence in Madison County. Civil domestic violence protection orders are issued in Family Court, while criminal cases are handled in District Court. The process may involve only district court, only family court, or both courts. If it is a criminal matter, it may begin with an arrest and criminal charge being filed by a police officer (26 such cases being tracked) or with a criminal charge being filed by the victim with the county attorney (14 of these cases being tracked). Whether or not charges are filed, the victim may petition for a civil (emergency) protection order (80 cases being tracked). Fourteen (11.7%) of the cases in our sample involved both criminal charges and civil protection orders.
Figure 1: Domestic Violence Process Flow Chart

No EPO Requested

No Criminal Charges Filed

Criminal Charges Filed

EPO Requested

EPO Issued (Hearing within 14 Days)

No EPO, Hearing Set

Police Respond

DVO Hearing

DVO Issued (Valid up to 3 Years)

No DVO

DVO Amendment Hearing

DVO Expires

DVO Timeframe Extended

DVO Conditions are Modified (e.g., Nonviolent Contact Allowed)

DVO is Dropped

Victim
Criminal charges in District Court (see Table 1) included a range of offense types, mostly domestic violence (20) and violation of protection orders (11). Other charges (9), despite allegations of real or threatened violence committed against a domestic partner, were labeled as another crime type (e.g., harassment, terroristic threatening). Of the criminal charges filed, five (12.5%) were dismissed, 14 (35.0%) are still pending, and 21 (52.5%) led to a conviction. The most common sanction imposed on persons convicted of the charges was a short jail sentence, followed by a fine and court costs. In most cases, restraining orders were imposed, but few were ordered to participate in a batterers’ intervention program or some other type of counseling.

Table 1: District Court Cases

<table>
<thead>
<tr>
<th>Variable</th>
<th>N (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Charge Type</strong></td>
<td></td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>20 (50.0)</td>
</tr>
<tr>
<td>Violation of Protective Orders</td>
<td>11 (27.5)</td>
</tr>
<tr>
<td>Harassment</td>
<td>7 (17.5)</td>
</tr>
<tr>
<td>Terroristic Threatening</td>
<td>2 (5.0)</td>
</tr>
<tr>
<td><strong>Disposition</strong></td>
<td></td>
</tr>
<tr>
<td>Case Continued</td>
<td>14 (35.0)</td>
</tr>
<tr>
<td>Jail Time</td>
<td>11 (27.5)</td>
</tr>
<tr>
<td>Fine with Court Costs</td>
<td>7 (17.5)</td>
</tr>
<tr>
<td>Peace Bond</td>
<td>5 (12.5)</td>
</tr>
<tr>
<td><strong>Special Conditions</strong></td>
<td></td>
</tr>
<tr>
<td>Counseling/BIP</td>
<td>4 (10.0)</td>
</tr>
<tr>
<td>Follow Family Court Orders</td>
<td>3 (7.5)</td>
</tr>
</tbody>
</table>

The time from the initial domestic violence incident to the time of disposition in District court ranged from less than one month to 11 months (average of 3.15 months).

Family Court cases are triggered by petitions for emergency protection orders (EPOs). Petitioners may file for EPOs at the local Sheriff’s Office or at Family Court. In some cases, the responding officer will help them complete the paperwork and submit it for them. As shown in
Table 2. EPOs were issued in 72 (90%) of the family court cases; EPOs were declined in the remaining cases for failure to provide a preponderance of evidence regarding the threat or act of violence.

Table 2: Family Court Cases

<table>
<thead>
<tr>
<th>Variable</th>
<th>N (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of EPO Petitions Filed</td>
<td>79 (100.0)</td>
</tr>
<tr>
<td>EPOs Issued</td>
<td>72 (91.1)</td>
</tr>
<tr>
<td>EPOs Declined</td>
<td>7 (8.9)</td>
</tr>
<tr>
<td>Total Number of DVO Hearings</td>
<td>57 (100.0)</td>
</tr>
<tr>
<td>Number of DVOs Issued</td>
<td>44 (77.2)</td>
</tr>
<tr>
<td>Counseling/BIP Required</td>
<td>4 (7.0)</td>
</tr>
<tr>
<td>Number of Cases Dismissed</td>
<td>13 (22.8)</td>
</tr>
</tbody>
</table>

To seek more permanent protection, petitioners must attend a court hearing to request a Domestic Violence Order (DVO) that can provide protection for up to three years. Otherwise, without any further court action, EPOs expire six weeks from the date of issuance. The hearing on the EPO is to be held within two weeks; the respondent is summoned to appear in court to hear, and either accept or contest, the allegations. Time from issuance of the EPO to initial appearance in court ranged from two to 317 days (with an average of 23.31 days). Failure to appear in court within the required two week period was typically associated with problems serving the perpetrator’s summons.

Of the 57 DVO hearings conducted in Family Court from May – mid-September 2013, 44 resulted in the issuance of a DVO; the remaining cases were dismissed. DVOs can include a
“no contact” order that restricts any type of communication or contact, or a “no violent contact” order that allows contact so long as it is not of a threatening or violent nature. If a no contact DVO is issued, petitioners can request a hearing to later amend it to a contact DVO.

Emerging Themes

The available data reveal four noteworthy themes. First, in concert with the body of research on domestic violence, the data suggest that domestic violence in Madison County occurs within the context of other problem behaviors. Many of the case narratives indicate that the perpetrator and/or the victim were under the influence of drugs or alcohol at the time of the offense. All of the victims interviewed to date have reported that the perpetrator had a history of substance abuse problems. Additionally, several of the victims have reported that the perpetrator had a history of mental illness, and some victims have reported having their own mental health issues. Testimony heard during court observations further confirm the prevalence of substance abuse and mental illness problems as contributing factors in the domestic violence incidents.

Second, the data suggest that a significant proportion of EPOs is filed for reasons that extend beyond protection from violence. For example, case files and court testimony frequently highlight conflict associated with divorce and custody issues. Many of the cases reported pending divorce and custody issues, and both family court judges regularly admonish petitioners (victims) for using the EPO process to side step longer, more involved court processes for resolving domestic issues. Another example of using the EPO process for other purposes comes from interviews with three victims who reported that they only filed an EPO as a way to get their partners help for their mental health or substance abuse problems.

Third, case files and court testimony reveal far reaching effects of civil EPOs and DVOs. Judges regularly make rulings that grant temporary custody to the victim, require the perpetrator
to vacate the shared property, and order law enforcement to confiscate firearms from the perpetrator. That fact that these rulings for EPOs are made based on ex parte testimony and the fact that at least 64 percent of perpetrators appear in court without legal representation suggests that they may be at a disadvantage.

The fourth and last theme centers around perpetrators’ referrals to Batterers’ Intervention Programs (BIPs) and emerges from case files, observations of Family Court, and conversations with CCRT members. As reported earlier, only 8 (6.67%) of both family and district court cases required the perpetrator to participate in a BIP. Reasons for this appear to be two-fold. First, there is no one designated to monitor referrals and participation in treatment, and thus, both family and district court judges appear hesitant to require something that has no teeth. Second, judges in Family Court report feeling that they have little legal leverage for requiring treatment as part of a civil order; that is, they question what incentive perpetrators have for participating in BIP. Family Court judges are, however, beginning to order participation in treatment when perpetrators and victims appear in court to request an amendment of the DVO to “no violent contact.” Thus, our data may not capture these referrals, given that most cases in our database have not yet filed a motion to amend the order.
Summary and Conclusions

Although patterns seem to be emerging from the data, it is too early to begin talking about research and policy implications. With only seven interviews it is highly unlikely that the data has reached the point of saturation. Thus, new patterns and themes are likely to be uncovered and provide significantly more insight into the incidence of, and response to, domestic violence in Madison County.

Our future research plans include observing court and collecting case data through the end of October 2013, completing initial interviews with victims and perpetrators by the end of December 2013, and completing 6-month follow-up interviews with victims by the end of May 2014. Following a comprehensive analysis of the data, we will prepare a technical report for the Madison County CCRT and prepare papers for publication.
REFERENCES


